Susan B. Anthony: The Rhetorical Strategy of Her Constitutional Argument (1872)

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SUSAN B. ANTHONY: THE RHETORICAL STRATEGY OF HER CONSTITUTIONAL ARGUMENT (1872)

by

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CHAPTER ONE

Introduction

Beginning on March 11, 1873, Susan B. Anthony in preparation for her trial for voting illegally in Rochester, New York, delivered a speech on "The Equal Right of All Citizens to the Ballot" in each of the 29 post office districts of Monroe County. When her trial was moved to Ontario County she spoke on "Is It a Crime for A Citizen of the United States to Vote?" in 21 of Ontario's post office districts prior to her trial to be held in Canandaigua in June 1873.

She stated the purpose of her speech with clarity and brevity:

*It shall be my work this evening to prove to you that in thus doing, I not only committed no crime, but instead simply exercised my citizen's right, guaranteed to me and all United States citizens by the National Constitution beyond the power of any State to deny.*

Anthony's decision to vote in the presidential election held on November 5, 1872, crystallized from two basic elements. First, the Republican party broke promises made at the beginning of the Civil War to give political support for woman's suffrage in exchange for support for the abolition of slavery. Second, Francis Minor, a St. Louis lawyer, believed that women, as "persons," were citizens of the United States and, as such, had the same right to vote as the Negro under the recently enacted Fourteenth Amendment. Miss Anthony set out to test that idea by voting.

This speech marked a pivotal point in the woman's suffrage movement--whether women already had the right to vote or whether a constitutional amendment was needed to give it. It set forth for the consideration of the general public--those who may be called as the jury of her peers--the constitutional argument for woman's suffrage based on citizenship. In a sense, Anthony was taking her case directly to the people. This could affect the outcome of her trial particularly, and the woman's movement generally.

Considering the importance of the disposition of this trial, a study of the rhetorical situation and the rhetorical strategies Anthony used in this speech would be valuable. Nonetheless, there does not appear to be such a study in the works surveyed, either by Anthony herself, her biographers or rhetorical critics.

The Research Question

Was Anthony's speech persuasive? If so, what made it persuasive? What effect did it have on her audience? This study analyzes and evaluates the rhetorical strategies, such as the use of credibility, logical and emotional appeals and identification with audience values,
used by Anthony in her speech in Monroe and Ontario counties prior to her trial for the crime of voting illegally. To determine these strategies and to evaluate her rhetorical competence to develop and present them, the following questions and sub-questions were posed:

1. What was Anthony's relationship to the rhetorical issues?
   a) What were her views on women's rights generally and woman's suffrage particularly?
   b) What part had Anthony had in these issues prior to her arrest?
   c) What was her implicit and specific purpose in speaking?

2. What characterized the rhetorical situation?
   a) What condition invited or required Anthony to speak?
   b) How did this condition dictate the purpose, theme, matter and style of Anthony's response?
   c) How did Anthony's discourse engage the audience to become a mediator of change?

3. What rhetorical strategies did Anthony use?
   a) What was Anthony's reputation as a speaker?
   b) Who was the audience Anthony was seeking to influence?
   c) What were their beliefs and attitudes?
   d) How did Anthony identify with these in her speech?
   e) What were the rhetorical problems and how did Anthony deal with them?

4. How effective were Anthony's rhetorical strategies?
   a) What was the short term effect for her trial?
   b) What was the long term effect for woman's suffrage?

Definition of Terms

The following definitions are offered to clarify terms used in the Research Question:

Persuasive:
The extent to which the speaker is able to change the audience's beliefs, attitudes and/or actions to conform with the speaker's.
Rhetoric:
The faculty of discovering in a given case the available means of persuasion.

Rhetorical Situation:
A natural context of persons, events, objects, relations and an exigence which strongly invites utterance.

Rhetorical Strategies:
The speaker's creative identification, selection, and combination of rhetorical elements that will enable her to deal successfully with the situation facing her.

Effective:
The measure of persuasion produced in the audience as a result of the use of rhetorical strategies compared with the speaker's intent.

Scope and Limitation of the Study
This study will focus on Anthony's construction of rhetorical strategies in her speech in Monroe and Ontario Counties dictated by the rhetorical situation existent subsequent to her arrest and prior to her trial for voting illegally.

The speech text to be examined is that offered by Ida Harper in her book, The Life and Work of Susan B. Anthony. It is a well known fact that Anthony spoke extemporaneously almost exclusively. She once commented,

I could never think up points, and I can't write a speech out. I must have an audience to inspire me. When I am before a house filled with people I can speak, but to save my life I couldn't write a speech. 4

For this reason, the speech text is offered conditionally: it may be incomplete--an abridged synopsis--compiled from memory after its delivery. However, it may be that further research into her diaries and papers will shed light on the value of this speech text.

Review of Relevant Research and Theory
While there have been many studies of the woman's movement and its participants, including Susan B. Anthony, a survey of related research, bibliographies, abstracts and studies on Anthony uncovered no study of the rhetorical strategies Anthony used in this speech. Bibliographies and abstracts included Dissertation Abstracts, 5 Speech Monographs 6 Bibliographic Index 7 (1937-1987), Bibliographic Annual 8 (1970-1973, 1975). Coleman 9 did a research study on rhetorical proofs used by suffragists and the inventio that dominated their oratory. Feld 10 found the suffrage phase of the woman's movement to be generally a
failure, its minor success “primarily due to the suffragists’ ability to adapt to the rhetorical situation which confronted them.” A study by Sanbonmatsu, though not related to Anthony’s speaking, was helpful in describing Burke’s identification strategies.

**Justification of the Study**

The literature surveyed indicates the need of a study of this nature to properly understand the use of rhetorical strategies in a developing class of rhetoricians: women. The adoption of these strategies had wide-ranging and long-lasting effects--on the immediate audience, the social issues and women as a class. For example, Freedman’s study of American feminism indicates that women’s “identification with men’s attitudes and values” brought about a decline in female separation that impacts on the women’s movement today. This proposed study, by examining the rhetorical situation and the rhetorical strategies adopted by Anthony to respond to it will clearly analyze the seeds that are bearing fruit in the contemporary feminist rhetoric.

**Research Design**

This study in evaluating this rhetorical transaction will attempt to authenticate the speech text, analyze its content and evaluate its effectiveness.

**Authentication:**

The credibility of the speech text will be determined with the following criteria:

a) Who originated it?

b) When?

c) What limitations might it bring to the analysis?

**Analysis:**

Analysis will use both internal and external evidence to discover the three modes of proof available to Anthony--ethos, pathos and logos, as defined by Aristotle:

The first kind resides in the character of the speaker; the second consist in producing a certain attitude in the hearer; the third appertain to the argument proper, in so far as it actually or seemingly demonstrates.

The character of the speaker is a cause of persuasion when the speech is so uttered as to make him worthy of belief...

Secondly, persuasion is effected through the audience, when they are brought by the speech into a state of emotion...
Thirdly, persuasion is effected by arguments, when we demonstrate the truth, real or apparent, by such means as inhere in particular cases.\textsuperscript{13}

These will be discovered by answering the following questions:

a) What image of the speaker did the audience possess?
b) What image of herself did the speaker establish within the speech?
c) What language was used by Anthony to evoke feelings of the audience?
d) What was Anthony's purpose in speaking?
e) What was Anthony's evaluation of the audience's attitudes and beliefs?
f) What logical arguments did the speaker use and how were they arranged?

Having analyzed the content of the speech, we can now examine the interaction of these components. According to Kenneth Burke, men strive for unity through identifying symbols. He says that shared substance—consubstantiality—constitutes identification and identification results in persuasion:

> You persuade a man only insofar as you can talk his language by speech, gesture, tonality, order, image, attitude, idea, identifying your ways with his.\textsuperscript{14}

Throughout her speech, Anthony sought to identify with the common interests and values of her audience, developing a rapport that might result in their accepting her proposition. Here we will seek to discover:

a) How did Anthony identify woman's suffrage as a means to an end—the patriotic expectations of the audience?

b) How did Anthony use antithesis to unite her audience with her cause, opposing a common enemy?

c) How did Anthony create unconscious, or subtle, means of identification with her audience, to eliminate division?

d) If items a, b, and c above are construed as Anthony's explicit designs for identification (means to an end) is it possible to identify subtle or unconscious attempts on her part (identification as an end, not a means) to identify with the audience?

\textbf{Evaluation:}

After completing the analysis, the effectiveness of the speech will be judged on the effects of the discourse, both immediate and long term. This will be determined by examining the responses of those connected with her trial, the responses of the public at
large found in newspapers and the historical record.

The quality of the discourse—its artistic merits as a rhetorical form—will also be evaluated. This will involve looking for signs of permanence and beauty, examining the "reality," it creates, whether or not it reinforced values, and how it compared to other rhetorical forms of that historical period.

The worth of the speech—its contribution to social values and consequences for human/social interaction will be evaluated by examining the speech's internal and external social consistency, the accuracy of its depiction of woman's role and consequences of suffrage, woman's suffrage relative importance for society-at-large, and the exploration of social consequences, direct and indirect, of woman's suffrage.

Summary

In brief, it is believed that the study of Susan B. Anthony's speech prior to her trial offers the potential of additional knowledge for the area of rhetorical criticism and women rhetoricians. Furthermore, because the vital issues of women's rights are still pertinent today and the rhetoric of the suffragists helped shaped contemporary feminist rhetoric, this proposal suggests a meaningful study.

The procedures established in the Research Design are historical, analytical and critical. While the emphasis is on the analytical, the examination of the strategies Anthony used will place the speech firmly in its historical and social context. Finally, the critical aspects will examine the effectiveness of Anthony and her speech.
CHAPTER TWO
A HISTORY OF SUSAN B. ANTHONY
AND
THE WOMAN'S SUFFRAGE MOVEMENT

The American woman's movement was a germinating seed of discontent in the late 1700's. Abigail Adams wrote her husband, John Adams, a few weeks before the adoption of the Declaration of Independence, urging him to recognize the rights of women in a new Code of Laws. But he reflected the thinking of the other established social institutions: he was oblivious and/or insensitive to the conditions the movement would address. Few took woman's problems or the movement leaders seriously.

The voices noting the disparity between male and female freedoms and privileges were soft, usually female, limited and ignored or immediately castigated. Women fought for the right to speak at all in the assemblies of social organizations. Women did not start out as suffragists. Originally, they were working inside other social movements and slammed into the gender restrictions that limited their involvement.

Status of Women

Mary Wollstonecroft voiced concern for the education of women in 1790: “I insist that not only the virtues but the knowledge of the two sexes should be the same, in nature if not in degree.” Horace Walpole called her a “hyena in petticoats.” When Emma Willard's Female Seminary was established in 1821 at Troy, New York, it was in keeping with society's role for women: she was cultivated but basically uneducated due to a watered down curricula.

Furthermore, women had virtually no legal rights. She could not sue, neither be sued; she could not be a witness in a court of law, even in her own defense. They and everything they had--including their children--belonged to their husbands. Legal phrases reflecting this reality were, “The wife is dead in law,” or “Husband and wife are one, and that one the husband.” If married, an “old maid,” they became dependent on their nearest male relative and served as a slave-of sorts for their keep. In the mid-1800s

spinning, and weaving, making the butter and cheese, knitting and sewing, working by day and night, planning and economizing, to educate the boys of the family. Thus the girls toiled so long as they remained under the home roof, their services belonging to the father by law and by custom. Any kind of a career for a woman was a thing undreamed of...
Women might work like galley slaves for their own relatives, receiving only their board and clothes, and hold their social position in the community; but the moment they stepped outside the home and became wage-earners, thus securing pecuniary independence, they lost caste and were rigidly barred out from the quilting bees, the apple-parings, and all the society functions of the neighborhood. Even the church taught that women was the origin of sin and suffering and should be kept under man's charge. Only the Quakers gave women equality with men in church management. Here, women could even speak with authority as ministers.

However, while progress was being make in the area of education and occasionally under law, female suffrage was never considered to be of high priority—not until 1848.

**Leaders in the Woman's Movement**

The early stages of the woman's rights movement had produced leaders who could define and visualize the problems and solutions both to society and movement members. Lucy Stone, Elizabeth Cady Stanton, and Susan B. Anthony were early leaders to be followed later by equally bright, committed and effective leaders. Elizabeth Cady Stanton realized the multitude of needed changes in social, civil and religious arenas all hinged on one fundamental issue—the right to vote. The women believed they had only to publicize their right to vote and called the Woman's Rights Convention in 1848 at Seneca Falls, New York, to present the Declaration of Woman's Rights. This Declaration was a formal protest to being excluded from the floor of the World Anti-Slavery Convention held in London a year earlier. The first National Woman's Rights Convention was held in October er, 1850 at Worchester, Massachusetts.

These conventions triggered the conflict between social institutions and woman's rights supporters. Having won the right to speak publically, women began to pursue enthusiastically the right to vote.

Elizabeth Cady Stanton, a charming, witty and versatile leader in the woman's rights movement, grew up in a well-to-do family and learned law by listening to her father counsel clients. An able debater, she was quick and effective. It was she who organized the first demand for woman suffrage at the Convention in 1848. Anthony described Stanton as the philosopher and rhetorician of the woman's movement, since she developed the rationale of the suffrage argument. Anthony was the organizer and prime mover, Stanton said she was "...the return scout who went out to see what was going on in the enemy's camp...returning with maps and observations to plan the mode of attack..." Anthony, unmarried, physically robust and intensely committed, was responsible for raising the public consciousness by challenging the church, conducting crusades, testing the
laws, and publicizing the issues connected with women's rights.

Susan was born on February 15, 1820, the second of six children of Daniel and Lucy Anthony in Adams, Massachusetts. Her Quaker parents raised her with the doctrines of the Society of Friends that emphasized equality of the sexes and encouraged female participation in spiritual and temporal matters. A precocious child, she learned to read at four and later demanded to be taught long division, a subject thought unnecessary for girls. In the early 1840s the Anthony family left cotton manufacturing in Massachusetts to move to a farm near Rochester, New York, and Susan took jobs as teacher and principal to help the family recover from a financial crisis. An outspoken resident of Rochester, Susan became actively involved in the social issues of the day, such as teacher's pay, capital punishment and abolition conventions.

The historical records demonstrate that she was selfless, persevering in spite of great personal cost—she travelled and lectured extensively under physically punishing conditions, and dedicated to the cause of woman suffrage what meager personal funds she was able to garner. Intensely interested in other women's problems, she incorporated their struggles in her writing and speeches, demonstrating how inequality and discrimination had victimized them. This usually provoked strong responses in her audience. She was called a battle-axe, blunt and convincing. She was hailed as "The Invincible."

Lucy Stone, when compared to Susan Anthony, might appear to be without vision. This would deny her greatest asset as a leader: her ability to structure and present her organization to appeal to women in many different circumstances. While her American Woman's Suffrage was more conservative when compared to Anthony's National Woman's Suffrage Association, this enabled it to take on mass proportions.

Time and again women had been refused the right to speak publically—in the presence of men—in the church, anti-slavery societies, temperance societies and teacher conventions. The last is particularly galling since they made up the majority of teacher population. One such incident reveals Anthony's two great strengths: courage to confront the social prejudice women experienced and a razor-sharp wit and logic. At a Teacher Convention in Rochester, New York, in 1853, male teachers were discussing the lack of respect for teachers as compared to lawyers, doctors and ministers. Anthony, after lengthy parliamentary procedure and debate, received permission to address the subject. She said,

*It seems to me you fail to comprehend the cause of the disrespect of which you complain. Do you not see that so long as society says woman has not brains enough to be a doctor, lawyer, or minister, but has plenty to be a teacher, every man of you who condescends to teach tacitly admits before all Israel and the sun that he has no more*
Nevertheless, women who did so, says Frances Hosford, "were outside... 'woman's sphere.' The religious called it unscriptural for a woman, the cultured thought it unseemly, the cynical found in it material for their bitterest sneers, the evil-minded felt free to make a woman orator the target of vulgarity."11

Focus on Suffrage

When the declaration to seek franchise was made at the Seneca Falls Woman's Rights Convention held in July, 1848, Stanton's good friend and fellow worker in woman's rights, Lucy Stone, said, "Thou will make us ridiculous. We must go slowly."12 Nevertheless, the Declaration of Sentiments which, based on the Declaration of Independence of the United States, insisted on the rights and privileges belonging to them as citizens of the United States. Still, while the movement wasn't taken seriously, they had succeeded in gaining the attention the movement needed to begin effecting change. Following the Convention, one New York paper reported: "This bolt is the most shocking and unnatural incident ever recorded in the history of humanity...", predicting it would "degrade from their high sphere and noble destiny women of all respectable and useful classes, and prove a monstrous injury to all mankind."13

There was progress in achieving women's rights if not suffrage. By 1855 Stanton and Anthony had won hearings before the New York and Massachusetts legislatures to promote women's property, labor and estate rights. In 1860, a bill providing women the right to sue in court, collect their own wages and protect their inheritance was passed in New York state.

During the Civil War, women's issues took a back seat to the abolition of slavery. Over Anthony's objections, the women leaders agreed to forego working for woman suffrage in favor of war work. Future abolitionist support for women's issues was secured.

Women organizers believed there were basically three approaches to gain female suffrage.

First, since the voting qualifications were left to the individual states, suffragists travelled the length and breadth of the United States seeking support for individual state enfranchisement for women. This did not bring much success. In 1877, Anthony said, "We have puttered with State rights for thirty years, without a foothold except in the territories."14

Second, women supported the abolition of slavery through "this one, sacred, constitution right of petition,"15 collecting nearly 400,000 signatures to petitions calling for the amendment that would abolish slavery. When the Thirteenth Amendment was passed emancipating the slaves, it did not guarantee their legal rights. Women hoped to link their
cause to the black freedmen in seeking universal suffrage based on natural rights.

However, when the Civil War ended, anti-slavery leaders determined that attaching women’s rights to Negro suffrage would hinder their ability to win, they withdrew their promised support. The passage of the Fourteenth Amendment in 1868 represented a fundamental change in voting qualifications, Because voter qualifications had been left entirely to the states, an amendment to the federal constitution regarding voting qualifications could include women. However, this was not to be the case. The Fourteenth Amendment introduced the word “male” into the constitution for the first time, a serious blow to efforts for woman suffrage. Many felt the Fourteenth Amendment strengthened the exclusion of women from the vote. However, Francis Minor, a leading attorney in St. Louis, Missouri, argued in October, 1869, that the Fourteenth Amendment that enfranchised black men had performed a like service for women. His argument, framed in a resolution adopted by the National Association read as follows:

Whereas, All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside; therefore be it

Resolved, 1. That the immunities and privileges of American citizenship, however defined, are national in character and paramount to all State authority;

2. That while the Constitution of the United States leaves the qualification of electors to the several States, it nowhere gives them the forward right to deprive any citizen of the elective franchise which is possessed by any other citizen - to regulate not including the right to prohibit;

3. That, as the Constitution of the United States expressly declares that no State shall make or enforce any laws that shall abridge the privileges or immunities of citizens of the United States those provisions of the State constitutions which exclude women from the franchise on account of sex are violations alike of the spirit and letter of the Federal Constitution;

4. That, as the subject of naturalization is expressly withheld from the States, and as the States clearly have no right to deprive of the franchise naturalized citizens, among whom women are expressly included, still more clearly have they no right to deprive native born women citizens of the franchise.16

Others around the country had made a similar interpretation of the Fourteenth Amendment, including Victoria Woodhull who promoted this argument before the House Judiciary Committee. Anthony endorsed this interpretation and encouraged women to vote in the upcoming presidential election.

Woman’s rights advocates fought to include sex as well as race, color or previous
condition of servitude in the Fifteenth Amendment, but this too met with failure. Coleman notes that the rationale of men to keep women out of politics was based on the idea that "women were not meant to yield to the evil and violence of politics. The honor of woman existed in beauty, not in fighting evil." The conservative cultural milieu, stirred by rapid demographic and economic change, sought to preserve "woman's place" in the home with the children; suffrage was perceived as a threat. Women were to be subordinate: "Women are inferior to men in intellect because women are not self-educated as men have been. Women are taught to be inferior by Christian teachings. To be equal would go against these teachings."18

After Republican support faded in 1866, Anthony and Stanton, in order to take advantage of every political opportunity, allied with the campaign of Democrat George Train. This was accomplished without consulting the women's rights central committee of which Lucy Stone was head. The quarrel revealed a difference in philosophy and resulted in splitting the organization. Susan Anthony formed the National Woman Suffrage Association and Lucy Stone founded the American Woman's Suffrage Association. Stone and her associates were pursuing suffrage state-by-state and did not buck social convention, preferring instead to "work within the framework of gentility, cooperating politically with their friends among the Radical Republicans in Massachusetts."19

Anthony and Stanton, on the other hand, were willing to attack the political and cultural ideology head-on, forming alliances with any person or group who supported the cause of woman suffrage. Their efforts focused on the national level: holding annual conventions in Washington expressly to influence congressmen, appearing regularly before congressional committees, then having the hearings printed and disseminated at government expense.20 In November, 1872, Susan B. Anthony urged women to test whether or not the right to vote under the Fourteenth Amendment was a "privilege and immunity" a state could not abridge. About 150 women in ten states and the District of Columbia did so. Anthony was arrested, tried, convicted and fined $100. Denied suffrage under law, the third approach would be sought: an amendment to the federal constitution.

For the next twenty years, Stanton, Anthony and Stone worked to gain suffrage. The returns were small when compared to the expenditure of time, money and energy. By 1896, only four states, Wyoming, Colorado, Idaho and Utah, had given women the right to vote. Stanton and Anthony retired from the cause and a new set of leaders took the helm of the movement.
CHAPTER THREE
The Rhetorical Criteria

By the time the speech under study was delivered, women had fought and conquered many of the traditional barriers that had kept them from social progress. The right to speak publically on subjects which concerned them--marriage, sex, divorce, equal protection under the law, education--was no longer questioned. Men and women flocked to hear both popular and unknown speakers address the suffrage question. Just how effective Susan B. Anthony's persuasive methods were in the "Constitutional Argument" can be evaluated by using several devices. First, Aristotle's criteria will be used to examine Anthony's use of ethos, pathos and logos. Second, an outline of nineteenth century rhetorical standards will be made, presuming these would have influenced her and those she observed and learned from. Third, modern rhetorical theory will also be applied in order to give as complete an analysis as is possible.

Aristotelian Rhetoric

Golden, et al, state that Aristotle's views on rhetoric were so comprehensive and fundamental that it is no exaggeration to say that his treatise on the subject is the most important single work on persuasion ever written.\(^1\)

A trained field biologist, Aristotle attempted to place rhetoric on a scientific basis, much as he had done with law, political science, ethics and drama, by observing and classifying data for the use of others. He said everyone uses both dialectic and rhetoric: "...all make some attempt to sift or to support theses, and to defend or attack persons."\(^2\) Aristotle defined rhetoric as "...the faculty of discovering in the particular case what are the available means of persuasion."\(^3\) Its function is not persuasion--to effect outward success--but to aid discovery. The rhetor seeks the appropriate method and genuine means that may produce persuasion. This, too, is the job of the rhetorical critic--the examination of a speech to discover the means the speaker used to effect a measure of success. In Aristotle's opinion, rhetoric had four uses:

1. To uphold truth and justice and prevent the triumph of their opposites;
2. To instruct in a way suitable to the ordinary listener;
3. To consider both sides of a case;
4. To enable one to defend himself.\(^4\)

Proofs

The rhetor could use two forms of proofs. Artistic proofs are those proofs created by
the speaker. Nonartistic proofs are those already existing independently of the speaker, such as documents and depositions already on hand.

The artistic proofs were divided into three areas. These were (1) logical arguments which demonstrate truth or apparent truth (logos), (2) those which draw their effectiveness from the believability of the speaker (ethos), and (3) those designed to arouse and/or sway the audience’s emotions (pathos).

Methods of Proof

Logos

The Rhetoric was written in part to balance the neglect Aristotle felt existed in all previous handbooks on rhetoric. They focused on generating an emotional response in the audience through the heavy use of inartistic proofs, and neglected to give attention to the most important ingredient of a speech--the logical materials. He said,

define the proper content...are dwelling upon irrelevant matters, for their rules have to do simply and solely, with the production of a certain mental attitude in the judge. These authors tell us nothing about artistic proofs--nothing, that is, about the way in which one is to become a master of the enthymeme.

The enthymeme is the heart of Aristotle’s logical proof. It is the means by which the speaker appeals to his audience’s reason or understanding. McBurney states that the enthymeme has the same relationship to rhetoric that the syllogism has to logic: both begin with a general premise and proceed to a particular case, usually in three steps consisting of a major premise, a minor premise and a conclusion. They differ in their degree of certainty because of the sources from which they draw their premises. The sources of the enthymeme are human affairs, and therefore, allow for less certainty than the syllogism which is concerned with demonstrable scientific truth. This significant difference is noted by Everett Lee Hunt to stress the fact that one or even two parts of the enthymeme could be omitted during the speech because they already existed in the mind of the listener:

The enthymeme was a rhetorical syllogism; that is a syllogism drawn, not from universal principles belonging to a particular science, but from probabilities in the sphere of human affairs.

Aristotle himself said, "...if one of the premises is a matter of common knowledge, the speaker need not mention it, since the hearer will himself supply the link." This, he says, simplifies the process.

The materials from which enthymemes can be drawn are probabilities, signs and examples. A probability is a proposition that is generally true and involves a cause factor;
the argument attempts to assign a cause or a reason for the being of a fact. Signs are indications of something else—not its cause or reason for happening—merely that something has happened, is happening or will happen. An infallible sign means the two things invariably accompany each other exclusively. The assumption can be scientifically verified. A fallible sign is one in which the exclusivity and invariability of the sign are not assured. They are refutable. While open to challenge, the fallible sign becomes a persuasive power when the rhetor accumulates large numbers of them.

Examples are things of the same genus used to illustrate an argument. A generalization is arrived at inductively by observing a series of particulars. The validity and truth of the generalization will be in direct proportion to the number of particulars studied—greater reliability comes with greater numbers. Like the fallible sign, the example is refutable because it involves an “inductive leap” from verifiable phenomena to a generalization.

Obviously, the speaker must totally comprehend the subject in order to know the sources or places from which to draw arguments—the universal *topoi*. Universal topics are general, broad sources, “common to all branches of knowledge,” such as possible and impossible, past fact, future fact and size. These general lines of arguments can be used in the development of any subject. However, in order to choose a line of argument especially suited to his/her purpose and able to illustrate and strengthen the argument, the speaker will draw from special topics.

The particular *topoi* or special topics pertain to “particular branches of knowledge” providing the speaker with “thorough insight into a specific problem,” and a “method of reasoning,” rather than a material proposition. The speaker must then discover valid lines of arguments—Aristotle lists 28 of them:

- opposites
- inflections
- correlative terms
- more and less
- part to whole
- time
- induction
- cause to effect
- turning the tables

- altered choices
- meeting slander
- conflicting facts
- proportional results
- course of action
- previous mistake
- ambiguous terms
- existing decisions
- actions compared

- inward thoughts, outward show
- identical results and antecedents
- incredible occurrences
- attributed motives
- incentives and deterrents
- meaning of names
- simple consequences
- criss-cross consequences
- division and definition
The speaker combines the universal with the particular forming a strong, persuasive argument. Corbett says:

_The value of the special topics in the composition process is that once the student has determined which of the three kinds of rhetorical discourse he is committed to, he knows immediately what his general objective is and also the more or less special kinds of arguments that he must pursue to attain that objective... he will more readily detect which of the common topics and what specialized knowledge are pertinent and therefore especially useful._

The combination of the universal and special topoi accomplishes more than the development of a persuasive argument. It strengthens the perceived character of the speaker and arouses the emotions of the hearer.

**Ethos**

Aristotle’s Rhetoric did not neglect the importance of establishing the speaker’s credibility. In fact, he said that a speaker’s character is the most potent means of persuasion. Because the enthymeme is built on probability, the argument will fall on deaf ears—if the audience responds unfavorably to the speaker’s character.

_The character of the speaker is a cause of persuasion when the speech is so uttered as to make him worthy of belief: for as a rule we trust men of probity more, and more quickly, about things in general, while on points outside the realm of exact knowledge, where opinion is divided, we trust them absolutely._

This credibility or integrity, is generated by the speech itself. The discourse itself is able to establish or destroy a previously established reputation. Anything which reveals the speaker’s good character is the ethos of the speaker, the ethical proof. How is the speaker deemed credible by his/her speech? First a speaker must possess good sense, high moral character and good will toward others in order to create discourse reflecting these qualities. Beyond that, and more specifically, the speaker, through the discourse as a whole, must exhibit:

- a broad and deep knowledge of the subject, the situation and demonstrate good taste and discriminating judgment;
- an abhorrence of unscrupulous tactics or fallacious arguments and identification with commonly held virtues;
- a sincere interest in the welfare of others, even at the expense of self;
- attention to the specific needs of the audience such as period of life or condition of life. Furthermore, the speaker may make a deliberate effort to establish his/her credibility
by favorably noting personal experiences that create positive impressions.

**Pathos**

Aristotle, while criticizing the earlier rhetorical handbooks for their singular focus on the emotions, did not dismiss the importance of appealing to the emotions. He recognized that a listener is affected by appeals to the emotions. In fact, Aristotle says it is the job of the speaker to know how to bring the audience to a particular emotional state because decisions vary with different emotions. In Book II, Chapters 2-17 of *The Rhetoric*, he analyzes common emotions in pairs of opposites (anger/meekness, love/hate, etc.) to discover their nature, object (who generates these emotions) and exciting causes in order that a speaker may arouse emotion in others. This appeal to emotion is *pathos* or emotional proofs.

Emotions are not under the direct control of the will; however, the intellect, reason and memory are. Corbett concludes that the emotions are aroused indirectly—by contemplating something that stirs a particular emotion. One seeks to arouse anger by describing a person or situation that will make the listener angry. The purpose, Aristotle says, is to put the audience in an emotional state that will drive them to see circumstances from the speaker's frame of reference: "...bring the judges into the state of those who are irascible [so that they shall be unfavorable to one's adversary]."

Emotion is stirred by description—word-painting that uses sensory, specific detail, dramatizing an image to increase emotional impact. To excite the pain and desire for revenge that typifies anger, the speaker would describe in vivid terms a situation where the audience identifies with an "obvious unjustified slight with respect to the individual or his friends", when such a slighting is improper. Speakers also use emotion-laden words, respectful or disparaging terms, to stir an emotional response in the audience. This need not be on a calculating or manipulative level, but can flow from the unconscious, instinctive knowledge from which emotional appeals are drawn.

This establishes the basic Aristotelian principles of rhetoric which will be used in studying Susan B. Anthony’s "Constitutional Argument." However, there are other rhetorical perspectives that will add to the analysis. Both those philosophies of rhetoric that were available during the nineteenth century and which may have influenced Anthony, as well as the modern approaches growing out of those studies, justify an examination.

**Nineteenth Century Rhetorical Approaches**

Much of the nineteenth century thought on rhetoric had its roots in classical rhetorical theory. Nevertheless, through the challenges of Hugh Blair, George Campbell and Richard Whately, rhetoric had changed in scope and/or emphasis. It is possible that Susan B.
Anthony, or those she emulated and imitated, were aware of these works. Therefore, a brief examination of each is made.

**Hugh Blair, Neoclassicism and Belles Lettres**

Blair, after retiring from the University of Edinburgh in 1783, published his *Lectures on Rhetoric and Belles Lettres*. These lectures—47 in all—dealt with criticism, taste, genius, language, style, eloquence and literary themes. They were extremely popular: by 1835 there were at least fifty editions and his book was one of the most widely used texts in England and America. This popularity resulted from the clear and systematic organization of ideas and the elementary level on which they were presented. Blair was careful to define terms and supply whatever a student with no previous training in rhetoric might need. While recognizing the value of studying Aristotle, Cicero and Quintilian, Blair innovated several key principles of rhetoric and criticism.

First, Blair defined rhetoric in terms of its end:

> Whenever a man speaks or writes, he is supposed, as a rational being, to have some end in view—either to inform or to amuse or to persuade or in some way or other to act upon his fellow creatures. He who speaks or writes in such a manner as to adapt his words most effectually to that end is the most eloquent man.23

In order to frame discourse to achieve a specific end, the speaker must develop efficient invention skills. The Aristotelian topics, he felt, would be of little help to a speaker because "knowledge and science must furnish the materials that form the body and substance of any valuable composition."24 Persuasive speaking is accomplished by concentrating on the subject, and arranging the arguments that this invention discovers.

Blair used terms from eighteenth century logic to describe the ways in which arguments are formulated.25 Classical rhetoric directed that arguments are formed by induction--disputable facts adduced one after another leading to a related but disputable conclusion, and deduction—a major premise and a minor premise laid down and a conclusion drawn from that. Blair renamed them analysis and synthesis:

> Two different methods may be used by Orators in the conduct of their reasoning: the terms of art for which are, the Analytic, and the Synthetic method. The Analytic is, when the Orator conceals his intention concerning the point he is to prove, till he has gradually brought his hearers to the designed conclusion. They are led on step by step, from one known truth to another, till the conclusion be stolen upon them, as the natural consequence of a chain of propositions... This is much the same with the Socratic method, by which that Philosopher silenced the Sophists of his age... But there are few subjects that will admit this method, and not many occasions on which it is proper to be employed. The mode of reasoning most generally used, and most
Genius is defined by Blair as unusual inventive and creative powers, a greater capacity to analyze a particular problem. Taste, however, he defined as "the power of receiving pleasure from the beauties of nature and of art...a faculty common in some degree to all men." It could be developed and refined by exercise--studying "most approved models, study of the best authors, comparisons of lower and higher degrees of the same beauties." This is so because taste works in concert with reason--we are able to compare to a standard and determine accuracy. Blair described a standard as that which has such authority it becomes the test for similar things; it is borne out with the general sentiments of others. Additionally, this is confirmed by the passage of time. The move to relate communication theory to the basic nature of man was also addressed by George Campbell.

George Campbell: The Philosophy of Rhetoric

Campbell is a prime example of the exercise of taste. He immersed himself in the classics, studying Aristotle, Cicero and Quintilian. Observing the paucity of modern advancement, he noted that there had been little or no improvement over the ancients in the area of traditional rhetorical materials. Campbell's primary interest was in the relationship between the art of rhetoric and the science of human nature. He presents rhetoric in four stages: the first three stages consist of those practical rules, procedures and scientific investigations necessary to perfect a rhetorical discourse. The fourth and ultimate stage is the philosophy of rhetoric--viewing rhetoric as a new "science," a science of human nature.

He strove to incorporate social and behavioral scientific finds with classical precepts in order to present rhetoric as a developing, dynamic process. He did not limit rhetoric to persuasion as was taught by the ancients, but was concerned with the psychology of the audience. Knowledge of human nature results from exploring the human mind. Knowledge of the human mind helps us understand how rhetoric functions to inform, entertain and/or persuade. Also, by studying rhetorical data, Campbell aimed to learn more about human nature.

In Book I of the Philosophy of Rhetoric he outlines a four-step process that is based on the laws of association, sympathy, moral reasoning and common sense. Associations are perceptions of sensations, memories and imaginations. These associations are governed by resemblance (similar to other ideas), contiguity (closely associated in time and space) and causation (ideas related as causes and effects). The mind can extend to a new idea because...
of its association with a possessed idea.

Sympathy is important to the rhetorical process because it is "one main engine by which the orator operates on the passions." It "attacheth us to the concerns of others." It is feeling, not reason, that ultimately dictates behavior.

Moral reasoning while not dictating conduct, is a guide to aid in discovering means--"...actual though perhaps variable connexions subsisting among things." Moral evidence rests not on absolute certainty, but above possibility and probability:

...there are certain principles in which we must acquiesce, and beyond which we cannot go--principles clearly discernible by their own light, which can derive no additional evidence from any thing besides.

Campbell defines common sense as "an original source of knowledge common to all mankind:"

All humans possess it although in differing degrees.

Like Blair, Campbell recognized the importance of style in developing appeals to the understanding. Correct word choice will make the speaker’s meaning clear and stimulate the imagination and passions of the audience. Correct word choice must meet the following tests:

1 Is it reputable? It must be understood in general use--current and in vogue--being found in the writing and speeches of celebrated authors.

2 Is it in national use? The word’s meaning must have agreed upon acceptance by different classes in society.

3 Is it in present use? Recognizing that some subjects have greater word-longevity than others, Campbell’s rule of thumb for present use is the user’s age. Meeting these tests will result in "liveliness", engrossing the attention of the listener.

The four-step process involves the giving of instruction, stimulation or pleasing of the imagination, the moving of the passions, ultimately impacting on or influencing the will. The speaker then would create arguments the audience could understand, employ language that is vivacious and lively, provide and organizational pattern and form of repetition that stimulate the memory and utilize appeals that arouse the emotions.

He saw rhetoric--which he preferred to call eloquence--as having an end other than to persuade. He defined eloquence as the "art or talent by which the discourse is adapted to its end."

Richard Whately: Elements of Rhetoric

Richard Whately published Elements of Rhetoric in 1828, treating rhetoric as the art
of "argumentative composition, generally and exclusively." Like Campbell, he thought rhetoric should not be limited to persuasion. However, he rejected his contemporary's inclusion of all composition in prose. Following Aristotelian ideas but not paralleling them, Whately rejects the division of proofs into artificial and inartificial. Neither did he divide artificial proofs into ethical, pathetic and logical proofs. He did, however, include all these forms of proof, giving them his own unique arrangement. His book was organized under four ideas: conviction, persuasion, style and elocution.

Conviction is defined as the appeal to reason or understanding through the invention of argument. Argumentation was the central focus of Whately's system: he identified two classes of argument:

1. Cause to effect Reasoning should contain a sufficiently strong cause to establish plausibility.

2. Sign Reasoning extends beyond effect to condition. Golden in his discussion of the importance of testimony as an argument from sign makes three important definitions. First, undesigned (unplanned) testimony has the appearance of genuineness and simplicity. Secondly, negative testimony is a speaker's failure to contradict generally held public knowledge, thereby giving it validity. Third, concurrent testimony is the affirmation of a conclusion by several independent witnesses giving greater force to their claims. By combining the various testimonies and showing the strong character and large number of witnesses, a speaker presents a strong argument. Whately concluded:

   The combined force of the series of arguments results from the order in which they are considered and from their progressive tendency to establish a certain conclusion.

Whately's ideas on proof are important because, being audience centered, the speaker's argument will necessarily address the "preoccupation of the ground"--the burden of proof lies with the speaker who disputes an existing condition.

The section he entitled Persuasion dealt with the appeals to the will. He conceived reason and will to exist separately; the will included appetites, desires and affections.

Style was used to appeal to feelings.

Whately insisted that delivery, or elocution, should not be regulated by rules and imitation but should spring from thought and feeling.

The summaries included here are short, and highlight the fact that while nineteenth century rhetorical criticism was grounded in Aristotelian concepts, some significant new
ideas in rhetoric were being explored and implemented. Susan B. Anthony would have been exposed to these ideas either in her early education or by observing contemporary orators who were influenced by these popular rhetoricians. Edward Corbett comments:

*Throughout the first three quarters of the nineteenth century, Campbell, Blair and Whately were the three modern rhetoricians most often used in English and American schools wherever rhetoric continued to be taught. Although Blair proved to be the most popular of this trio, modern teachers of rhetoric speak with respect of Campbell and Whately. Neither of them was a particularly original thinker, but both of them based their rhetoric on sound principles of logic and psychology.*

**Twentieth Century Rhetorical Approaches**

Kenneth Burke, while reverencing the classical rhetoricians, also extended the scope of rhetoric. In the *Journal of General Education* in 1951, Burke defined the differences between the “old” and “new” rhetoric:

*The key term for the old rhetoric was ‘persuasion’ and its stress was upon deliberate design. The key term for the new rhetoric would be ‘identification’, which can include a partially ‘unconscious’ factor in appeal.*

Identification in Burke’s explanation, could be a means—a deliberate device—as when a speaker seeks to identify himself with his audience. The politician who kisses a woman’s baby is saying in effect, “I love what you love.” It could also be an end—when people (the audience) act upon themselves, desiring to identify themselves with a group. This identification with institutions or causes results in spontaneous intuitive, even unconscious self-persuasion.

The often most powerful aspect of identification occurs when the speaker creates those subtle situations to which the audience unconsciously responds. The woman who buys the more expensive L’Oreal hair color may be responding to the advertisers message that “[She’s] worth it.” Burke says using the term “we” subtly and unconsciously creates identification among individuals. It allows that “men have common sensations, concepts, images, ideas, attitudes that make them consubstantial.” Your ability to persuade, Burke argues, rests on the extent to which you “give deference” to another’s “opinions” or “talk his language by speech, gesture, tonality, order, image, attitude, idea, identifying your ways with his.”

Burke believed men created identification with an audience to induce their cooperation. This identification (consubstantiality) was created in several ways:

1. Through the use of symbols;
2. Through structure or arrangement of the discourse to meet the needs of the
3. Through style—the conscious or unconscious attempt to suit language to the level of the audience.

According to Sanbonmatsu, identification can be made with class, age, nationality, occupation, sex, religion and politics. He further classifies:

**Symbols of Authority and Value** - institutions such as family, school, church, God and law; values are placed on symbols such as love, justice and evil.

**Direct Identification** - includes sex, class, background, etc.

**Eulogism and Dyslogisms** - favorable or unfavorable attitudes toward the subject mentioned, reflecting audience attitudes.

**Images of Transformation** - images of life and death, with variants of being born, dying and rebirth.

**Commitment** - utilizes commitment made by the listener—urges him to keep previous commitments/promises.\(^49\)

McKeon, in discussing the strength of the symbol, appears to verify the resulting identification:

*Symbols are not refuted by arguments or by facts; indeed, the threat of refutation reinforces the cohesiveness of the group joint in attachment to the symbol. Acceptance of the symbol may take either the form of continuing to adhere to a doctrine in spite of the weight of evidence against it or of shifting from one doctrine to another in spite of apparent absence of connection, or even contradiction, between them.*\(^50\)

Symbols, he argues, serve as bonds of unity and are sources of action. Even the most highly rational person does not always give pause for examination before acting. Symbols “provide an immediate and coherent response to practical problems...” when time and proof are limited. Once unity is created through the use of symbols a course of action is proposed. The course of action, because of its connection with the symbol, is perceived as being appropriate to the group and consistent with its values and world view.

**Authenticity and Accuracy**

In order to adequately appraise a given speech, it is necessary to establish the authenticity and accuracy of the speech text. Thonssen and Baird stress the importance of analyzing genuine materials.\(^51\) It is probably the critics most difficult task because of the variable nature of a speech text: it may not have been delivered per se; it may be incomplete;
it may have been composed after the original speech was delivered; a publisher may have revised it for publication or it may be "reconstructed" from the notes of a speech given extemporaneously. Or, producing an even greater threat to authenticity, it may be written by someone other than the speaker. So, in examining a speech text, we must do so with the knowledge that it may not be the exact speech delivered—it leaves something to be desired in authenticity. It represents what the speaker intended to say, but not what he actually said. As it pertains to speeches delivered before our technological ability to record them exactly, Thonssen and Baird may be right in concluding that "in practically all cases, critics are obliged to work with speech texts of questionable accuracy." Our concern here seeks to determine whether the available text is a faithful representation of the words originally spoken by Susan B. Anthony. Several avenues were explored to answer the question, "Is this the Constitutional Argument Susan B. Anthony delivered subsequent to her arrest?"

First, a match and comparison of available texts was made, testing for wholeness, revision and accuracy to discover the authoritative text. Virtually every copy of the speech is attributed to the same source: The History of Woman Suffrage. This three volume work edited by Elizabeth Cady Stanton, Susan B. Anthony and Matilda Joslyn Gage was published in 1882. In the Preface to their work, the editors note that "those identified with this reform were better qualified to prepare a faithful history with greater patience and pleasure, than those of another generation possibly could." Because of the involvement of Susan B. Anthony as author of both the speech and the book, and the contiguity in time and place, we have some assurance of the accuracy of the speech text.

Second, the content of the speech closely follows voluminous reports printed in newspapers at the time of delivery.

Third, the arguments presented in the Constitutional Argument closely follow speeches Susan B. Anthony made while canvassing Kansas and California in behalf of the woman suffrage amendment between 1867 and 1872.

Fourth, Susan B. Anthony's diary records that from Sunday, January 5th to Wednesday, January 8th she was "Home - writing Constitutional Argument."

Recognizing that there are inherent difficulties, the critic must finally conclude investigating authenticity and begin to critique the spirit, meaning and effect of the text.
CHAPTER FOUR
The Audience and the Rhetorical Situation

Cathcart identifies four areas the critic must investigate in order to successfully analyze a rhetorical transaction: speaker, message, audience and situation. There is a dynamic relationship between these components, each with its own set of obstacles that may frustrate persuasion. We have already examined the speaker and the authenticity of the text. Here we shall discuss the audience and the situation.

First, we must determine the audience to whom the message was directed. The focus of Anthony’s past 20 years had been the acquisition of woman suffrage, and her present situation was a direct result of that effort. She did not neglect that great effort simply to plead her individual legal case. When her audience was society-at-large, her discourse addressed the political question of equal suffrage, and incorporated those elements that characterize deliberative speech: exhortation (give women the vote) and dissuasion (don’t allow the continuation of this injustice). Regarding time it belongs to the future, “giving advice about things to come.”

However, when one considers that the primary purpose of her speech was to inform her potential jurors of the freedoms protected by the Constitution, of which the right of a citizen to vote was one, the speech is decidedly forensic—she is defending her past action at the polls.

Aristotle remarks that the speaker, if s/he is to be convincing, must “give the right impression of himself and get his judge [audience] into the right state of mind.” In order to accomplish this, s/he must know the audience, not individually but as a group. This involves knowing their nature, way of reasoning, habits, desires, emotions and the type of argument that will persuade them.

Blair, Campbell and Whately expanded this idea with their audience-centered approach to rhetoric, stressing the importance of understanding the nature of the audience. Blair suggested that students hoping to be ministers could anticipate the audience response if they themselves assumed the position of a member of the congregation and listened to the sermon from that perspective.

As we saw earlier, Burke also stressed the need to identify with the audience and in so doing remove any division existing between the speaker and the audience.

In order to properly analyze Susan B. Anthony’s speech, then, we need to know something of the people to whom it was directed. Golden says:
...much of what a listener sees and hears is influenced by his age, sex, craft, education, nationality, religion and locale. These in turn, often determine the organizations to which he belongs—the political party, the church and the social club. It is not altogether by chance, therefore, that a man is for, against, or indifferent, to a particular subject. The mental attitude which he assumes on any vital issue is, for the most part, the inevitable outcome of the forces which have operated in his life.5

Let us now investigate the forces operating in the lives of those who made up Susan B. Anthony's audience.

The Audience

The County of Monroe

The village of Rochester was situated in two counties--Genesee and Ontario because it was divided by the Genesee River which formed the county borders. In 1821, a law was passed creating Monroe County from area taken from both counties. The creation of Monroe County was necessitated by the great inconvenience, trouble and expense in transacting business experienced by the large population (80,000 in 1820) when the seats of justice were so distant.

Most of the towns in Monroe County were organized in the early 1800s: Gates (1809), Brighton (1839), Greece (1822), Irondequoit (1839), Rush (1818), Webster (1840) and Brockport (1829). Settlement in the towns clustered around the waterways and the natural resources that were developed. Saw mills, gristmills, iron foundries, brick and tile manufactories, churches, schools, stores, taverns, and blacksmith shops were built as the need dictated. By 1855 Rochester was a thriving, cosmopolitan city, ranking seventeenth in size among American cities.6

Population

Rochester's population had increased by 60 percent (from 50,000 to 81,722) between 1865 and 1875. Also, the city had more than doubled its area during this period.7 The population had become more cosmopolitan. The percentage of foreign born (of which Germans comprised two-fifths) had fallen; however, they still outnumbered the native born. In 1855 there were 2905 naturalized and 3825 native voters. By 1875 naturalized and native voters had grown, 8378 and 8922 respectively, the naturalized voting Democratic 80 percent of the time in opposition to Republican temperance.

Education

The educational program in Rochester during this decade was frugal, brought about by a lack of economic support and contentions between political and religious groups. Public schools record 5443 in daily attendance of the 8330 registered in 1866. In 1874 there
were 1096 enrolled in private schools, 6036 in parochial schools (mostly German Catholic) and 11,098 in public schools. All schools were troubled by limited resources and inadequate facilities. The 140 public school teachers in 1870 earned an average of $527.81 annually; male teachers and principals earned twice as much. This inhibited the attraction of able female teachers. The reading of the Bible in public schools, the teaching of German in public schools and the idea that public funds be used to support Christian free schools produced much controversy.

Politics

The political scene was tumultuous, precipitated by civic and economic problems following the Civil War. Party lines were blurred as Republicans formed the National Union party or supported Democratic candidates who favored reform and economy. Particularly confused was the election of 1872. Some Republicans refused to support Grant. Some Democrats endorsed the Liberal Republican nomination of Greeley. Grant-supporters enlisted the aid of woman suffrage leaders and Susan B. Anthony canvassed the state to rally support for Republicans. Since all citizens were challenged to register and vote on November 1, Susan B. Anthony and 50 other women registered and 14 voted on election day.

Social

Rochesterians enjoyed a rising standard of living, evidenced by extensive home ownership and possession of significant homemaking aids such as lawn mowers, sewing machines, ice boxes and indoor plumbing. More women were working and paying both income and property taxes. In supporting woman’s right to vote, the Women Taxpayer’s Association noted that in 1873 women paid taxes valued at $1,500,000, over a tenth of the city’s total assessed valuation.

Strong ethnic groups gave the city a cosmopolitan air. The Irish were strong politically and produced outstanding leaders who influenced social, educational and religious areas. The Germans maintained close ties to ensure Germanic traditions, forming societies engaged in education, foreign-language press, music, dancing and dramatics. Jewish Germans comprised nearly one-fourth of Rochester German-Americans and through their distinctive ethnic traditions and rituals “added variety to the Rochester scene.” British, Canadian and Scottish were similar enough to be inconspicuous with older Americans. The first Oriental established residence in Rochester in 1875. A small group of Italians immigrated and applied for citizenship in 1868. In 1866 there were 400 Negroes in Rochester. They were not happy when equal suffrage was defeated locally, although state and national adoption of the Fifteenth Amendment was eventually secured.
Social interests expanded and overlapped. Rochesterians became interested in international affairs and this was reflected in many areas of life. There was an ardor for music and art. The importation of art treasures from Europe necessitated a local gallery. There was an enthusiasm for outdoor sports. Baseball clubs, summer camps along the lakes and racetracks enjoyed great popularity.

Newspapers were the main outlet in literature. Three or four post-war English dailies claimed circulation ranging from 2000 to 7000. The four-page issues consisted mostly of stock advertisements and notices. Some editors covered the local scene introducing feature columns, critical articles on music, theater and art, “but the bulk of their work was hack reporting.” There was a general lack of interest in both classic and popular books.

The County of Ontario

The village of Canandaigua was located in Ontario County. Named for Lake Ontario, which formed its northern border, Ontario County had acquired its separate identity from Montgomery County in 1789. The county seat was located at Canandaigua. In 1870 the federal census counted 45,108 inhabitants in the county. Early on, it was sparsely settled and developed. Because of the distance between towns, Ontario was divided a number of times to create new counties: Stuben County formed in 1796, Genesee County in 1802, Livingston and Monroe County in 1821, and Yates and Wayne Counties in 1823. Ontario county was diminished from its original 10,300 square miles of land to 640 square miles of land at the last division. As development progressed and population increased the larger towns such as Rochester, Palmyra, Avon, Geneva and Penn Yan sought to be established as a county seat.

Population

Canandaigua was originally populated by the Seneca Indians. After title to the land was acquired the first permanent settlement was made in 1789. The opening of the “State Road” from Utica to Canandaigua directed pioneer settlement to the area but was little more than an “Indian path.” The Great Genesee Road, nearly 100 miles long, 64 feet wide, its “moist places” paved with logs and gravel, was finished in 1797, running from Utica to the Genesee. A turnpike in 1803 further stimulated settlement.

Like the towns in Monroe County, each had its small industries, churches and schools that grew up around railroads or other land and water travel routes.

The early landholders appear to be first generation (native) English-Americans. Phelps and Gorham, original proprietors of all western New York, surveyed and subdivided the land. Phelps was born in Windsor, Connecticut in 1750 and Gorham was born at Charlestown in 1763. Further, the listings in local history books of landowners, government
officials, church administrators and teachers reflect the strong English heritage.

Education

Canandaigua prided itself on the excellence of the education it offered both boys and girls for which it gained a state-wide reputation. The Ontario Female Seminary opened in 1825 and closed for lack of support in the early 1870s. However, the education of young ladies was assumed by the Granger Place School in 1876 to

*develop womanly gifts and graces by the best methods; to substitute true culture in place of showy accomplishments; to impress the idea of responsibility in daily tasks, and to inculcate the sentiment that all attainment is to be sought as a means of usefulness, rather than an end sufficient in itself.*

They offered preparatory, three academic and four collegiate courses.

Social

Many denominations sent missionaries to establish churches in the area: congregational, Protestant Episcopal, Methodist Episcopal, Baptist, Roman Catholic, Presbyterian, Wesleyan Methodist. By the early 1870s, each had erected and enlarged church buildings with programs that reached into the community. The Roman Catholic church, for example, established the St. Mary’s Orphan Asylum and Academy for Catholic orphan children. Like Monroe County, growth brought cultural development. In 1859 a public library was founded; in 1819 an agricultural society was formed for the purpose of instructing farmers in the development of profitable farms. It was reorganized in 1854 to include “sports and pleasures.” A social club—the Red Jacket Club—was organized in 1888.

The early history reports that prominent and wealthy families were encouraged to settle in Canandaigua where they were promised freedom from the presence of large factories. What manufacturing industry there was consisted of a copper-shop, grist-mill, saw-mill, cider mill, and flour mill. Canandaigua’s leading industry was a brewery, originally built in 1843. In 1893, employing about 100 people, its annual output was 50,000 barrels of ale and lager beer. In the late 1870s and early 1880s, a foundry and machine shop, lumber yard and iron works were established. General merchantile businesses were sufficient to meet the demand.

From the time the county was established, it was served by various local papers, published first in Geneva, later moving publishing to Canandaigua. The Ontario County Times, established in 1852, is reported to have been an active participant in political organization (especially Republican) giving “special attention to the compilation and publication of the history of the county...In its files are preserved a large amount of valuable
historical material, as well as a complete record of current local events. 12

**The Rhetorical Situation**

When Susan B. Anthony delivered her Constitutional Argument, it was in response to a specific problem: her impending trial for voting illegally. Her task was to canvass the area from which a jury would be drawn, seeking to influence public opinion and thereby the jury’s verdict. This response-to-the-situation has been addressed by several rhetorical scholars. Cathcart says, “the context ...makes the message rhetorical,” 13 --the message is shaped by the context.

Lloyd Bitzer defined rhetorical situation as

> a complex of persons, events, objects, and relations presenting an actual or potential exigence which can be completely or partially removed if discourse, introduced into the situation, can so constrain human decision or action as to bring about the significant modification of the exigence. 14

Susan B. Anthony voted early on the morning of November 5, 1872 and the government issued warrants for her arrest which were executed on Thanksgiving Day, November 28th. Appearing with Hon. Henry R. Selden, her counsel, she stated

> ...that she desires her case to be made the test case... (that) it is just the situation she has long been wishing for... Now when the matter is going to come before the courts it must necessarily be settled.

> Her action is... taken... for the purpose of bringing the suffrage question before the U. S. Courts by the shortest possible method. A writ of habeas corpus with the proceedings appropriate to testing its validity, would probably be the most direct method of procedure. 15

It was her intention to test Minor’s legal theory that American women already possessed the qualifications for voting specified in the Fourteenth Amendment--national citizenship, and that the Fifteenth Amendment protected the right of a citizen to vote. These could not be limited by state law qualifications. This would determine, as mentioned earlier, whether an amendment to the federal constitution would be necessary to obtain woman suffrage.

Is a test case a rhetorical situation? Jamison notes:

> One type of persuasive act is the legal test case in which an agent of the movement participates in a case before the judicial system to compel consideration of an issue of importance to the movement. Such acts clearly are persuasive in that they are communications which seek change. The test case typically has two aims. First, it poses a true legal challenge to the perceivedly unjust statute, decision, administrative regulation, or rule of procedure. Second, the test case may, by publicity, reach beyond
Anthony clearly hoped to influence public opinion not only for herself, that she
might not be found guilty and forced to pay the costs of the trial, but beyond that, to change
society's attitudes and ultimately the law on woman suffrage.

Using Bitzer's three constituents of exigence, audience and constraints, we shall
examine the situation to determine if Anthony's discourse was a fitting rhetorical response to
that situation.

The exigence is an urgent problem that can be positively modified by rhetoric. The
woman's rights movement had effected many positive legal changes in the previous thirty
years. However, many still strongly resisted woman's enfranchisement, fearing it would
destroy society. Many did not understand the legal argument surrounding the question to be
tested by this trial. Anthony would not be tried before a jury of her peers (women were not
seated on juries) and would not be allowed to testify in her own behalf. (Indeed, Judge Hunt
refused to permit Anthony to testify on her own behalf, ruling she was incompetent to speak
to the legal issues of the case!) It was necessary that she take her case directly to the people
in order to obtain their sympathy and support.

The second constituent is audience. By this Bitzer means persons who are capable of
being influenced by and/or mediators of change as distinguished from persons who merely
hear or read the discourse. In order to deem Anthony's discourse "fitting" we must discover
that she spoke to an audience who was capable of finding her innocent. Indeed, her
diary and newspaper accounts indicate that she spoke to large and small audiences populated by
both advocates and opponents, men and women. During her canvass, she spoke to crowds of
men, "many of whom came foreward to assure her that if they were called to the jury they
would acquit her."17

The third constituent to be examined is constraints. This, according to Bitzer, consists
of "persons, events, objects, and relations which are parts of the situation because they have
the power to constrain decision and action" needed to bring about change.18 This would
include beliefs, attitudes and motives possessed by both Anthony and her audience relating
to democracy, suffrage, and woman's role in society; the knowledge the audience had of
Anthony and her work and the facts relating to the legal question being considered; the
physical environment; Anthony's ability to frame a logical argument and stir the emotions of
the audience. These would fall generally under Aristotle's idea of artistic proofs because
they are created in the rhetorical process. The other constraints that would bear on the
situation would be the use of those things external to the specific situation, i.e., quotes from
various constitutions, laws, and honorable people. These would fall under Aristotle’s idea of non-artistic proofs.19

It is evident that Anthony framed her arguments sensitive to the political knowledge her audience possessed—both the naturalized German-born and American-English citizens would resist the idea of taxation without representation and sympathize with the individual who, denied political rights, suffered moral and economic destruction. Many who were politically active and/or knowledgeable might not agree with her argument that since states had not passed laws prohibiting women from voting, they were enfranchised. Many were strong states-rights supporters and would resist further empowerment of the federal government at state government expense. Anthony was a well-known public figure and her work both in woman’s rights and woman suffrage was common knowledge. The New York Times wrote the day after she voted:

_Miss Susan B. Anthony has had the honor of leading to the polls the advanced guard of the coming squadrons of female voters. The little band of nine (sic) ladies whose ballots were received by the election inspectors at Rochester deserve a permanent place in history._20

Some press coverage was negative. The Albany Knickerbocker wrote:

_we repeat what we have formerly said on the claim that is made by Miss Anthony and others, to a right to vote...when the constitution was framed originally, those who drafted it did not think for a moment of conferring the elective franchise on women._21

Anthony's diary makes some interesting notes on the physical environments in which this discourse was delivered:

_March 19 Brockport - Concert Hall...small audience -100- but the best I ever saw in B._

_March 26 Mumford-Phoenix Hall terrific snow storm all day and my cold dreadful - still there were 100 people - some drove 8 miles, proof that one must never fail to be on hand._

_April 3 Corinthian Hall...large audience...(1000)_

_June 2 Manchester: Basement of Baptist Church...people packed like sardines..._  

_June 6 Oaks Corner...refused church...but quite a little gathering..._  

_June 12 Halls Corners...not a living soul interested--not all women spoke to me at close of lecture..._  

_June 13 Stanley...Town Hall too dirty to go into..._22

She relied heavily on quotations from the Declaration of Independence and the New
York State and United States Constitutions, as well as testimonies from women who were experiencing injustices that prompted men to rebel a hundred years earlier. These are the particulars inherent in the situation when Susan B. Anthony gave her Constitutional Argument. She used artistic and inartistic proofs to move the audience, should they find themselves jurors in her case, to find her innocent of voting illegally. This would not only bring her personal victory, but secondarily enfranchise women.
CHAPTER FIVE

ANALYSIS OF THE SPEECH

Rhetoricians have generally accepted the Aristotelian concept that rhetoric consists of the moral character of the speaker, the disposition of the audience and the speech itself. The focal point of this analysis is Invention, including ethos, pathos and logos. Style, the use of language and speech organization, and delivery, the speech preparation and visual and audible presentation are discussed only as they elucidate the study of invention.

INVENTION

Ethical Proof (ethos)

As noted earlier, the speaker is deemed credible by demonstrating high moral character, good sense and good will toward others. The ethical attributes Anthony demonstrated in her Constitutional Argument and noted in the analysis consist of the following:

High moral character

- associates herself with what is virtuous or held in high esteem by society;
- bestows indirect praise on herself and her cause by identifying rights as “Godgiven,” and women as possessing positive characteristics;
- identifies her opponents with what is despicable and/or undesirable;
- removes and minimizes the negative portrayal of woman’s rights proponents (herself included) presented by her opponents through the use of actual, heartrending accounts of inequity that demand rectification;
- presenting her extensive personal experience/knowledge as authority;
- creates the impression of sincerity, honesty by addressing exceptions and ambiguous terms.

Good Sense:

- created an impression of sound judgment by using common sense in the equitable application of laws;
- acted with tact and moderation--particularly when discussing states rights; she further limited the type and number of personal accounts used to illustrate her points;
- displayed good taste by study and appreciation of “approved models” --patriots, constitutional framers, laws and principles.
- exhibited extensive familiarity with interest, issues and values of her time;
- displays intellectual integrity and wisdom in the compilation of the speech.
Good Will:

- Consistently placed the audience on the side of what was right: champions of democracy, justice and equity;
- identified herself with the audience, addressing the concerns of male, female, naturalized and native citizen, rich and poor;
- presented the issues with openness, sincerity and straightforwardness; legal issues were presented with clarity and brevity;
- rebuked opponents (Judge Taney and General Bates and others) with tact and consideration—she degraded their opinions, reports and arguments but not the men personally;
- compensated for her personal reasons for giving the speech (to inform her potential jury of the constitutional argument) by pleading the cause of women generally;
- presented personal qualities that confirmed her message, i.e., women were intelligent, law-abiding, financial contributors to the American democratic system.

Having gained the confidence of the hearers by exhibiting intelligence, character and good will, a speaker must also manage the audience’s emotional frame of reference.

**PATHETIC PROOF (pathos)**

Aristotle said getting the audience in the right state of mind is critical to both deliberative and forensic speaking because the listener’s emotional state will dictate how s/he reacts to the speaker’s purpose. For example, a man attending Anthony’s speech in an angry mood because he believes she was breeching social custom and respectability might view Anthony and her objective as evil and impossible. On the contrary, if he was in a pleasant mood, he might consider her proposition to have benefit and value.

Historical records indicate Anthony’s audiences were “mixed,” some who supported her and favored woman’s political aspirations and others who had come to agitate and annoy her. Her job as a rhetor, then, was to know her audience’s emotional state and arouse or direct already aroused emotions toward accepting her objective. She did this by arousing or directing the following emotions:

- **Patriotism and national pride** would be the primary emotion to be aroused when addressing public concerns. Anthony did this by
  - citing excerpts from the nation’s cherished documents such as the Declaration of Independence and national and state constitutions;
  - recalling the driving forces behind historical events such as the revolution against
England's unjust taxation of the colonies;
- reminding the audience of the principles and ideals of the nation's patriots such as Thomas Paine, John Adams, John Hancock, Patrick Henry, James Otis and Benjamin Franklin;
- demonstrating the majority of the American people already supported the idea of a citizen's right to the ballot free from state interference, by electing Lincoln and Grant.

Anger was aroused in women because their desire for equality was not being satisfied; anger was aroused in men because the laws were shown to be undemocratic and those charged with the responsibility were indifferent. Anthony did this by
- identifying the obvious, unjustified slights suffered by some members of society (women) by those who thought they were better. This would arouse anger in those who fled to America to escape similar cultural and political conditions;
- pointing out to an audience concerned that the laws be upheld strictly the illegality of excluding women not excepted by law;
- itemizing in personal terms the economic damage done to women who had been deprived illegally of their lands and property;
- pointing out that strict legal adherence does not always produce social justice or humane treatment (as in the defective sidewalk/defective denture cases).
- demonstrating how the illegal manipulation of the law now used against women could be used against other yet unidentified members of society stealing privileges they now enjoyed;
- depicting the servitude of one supposed-to-be-free social group to another.

Shame was generated by depicting the unequitable laws as evil, bringing disgrace on those who supported them. She aroused this in the audience by
- demonstrating that women, peers of legislators in “morals, intellect, culture, wealth, family--paying taxes on large estates and contributing equally with them” were made less than former plantation slaves, who, in most cases, were rootless, illiterate and poverty stricken;
- pointing out that to tolerate the legal servitude of women was to participate in that evil.

Indignation is aroused when a person gets what s/he does not deserve, whether good or ill fortune. Anthony prodded her audience by
- displaying the motives of politicians who sought to achieve selfish goals at the expense of the Republic;
- showing how the law allowed the husband to benefit at the wife's (and often
Pity is aroused when one painfully senses the possibility of imminent destruction to one who doesn't deserve it. Anthony aroused this by

- using language such as "fatherless girls," "orphan girls...starvelings," "poor widow...scanty pittance," and similar terms to magnify woman's unprotected condition;
- demonstrating how the inequitable application of the law deprived legally helpless women and children of even their meager sustenance;
- comparing women's plight to that of the slaves.

Fear is generated by sensing an imminent destructive evil to ourselves. Anthony aroused this by

- using the opponent's definition of American citizenship and showing how that would strip all citizens of its protections, especially when travelling abroad;
- identifying judges who rendered biased, prejudicial decisions, indicating judicial approval for one class to govern another; in this case women were ruled against, but which class would be next?
- following inequality and discrimination to its logical conclusion—one which could result in the loss and/or destruction of property/rights enjoyed by the privileged now.

Emulation is one attempting to attain for oneself similar good things that others possess. Anthony aroused women to be emulous of man's rights and freedoms by

- pointing out the benefits to be secured;
- identifying the negative conditions that would be eliminated;
- urging women to "attempt to attain" by exercising their right to vote.

Confidence is the sense that things that bring safety are near at hand. Anthony aroused this by

- showing that some judges and important legislators were supporting woman's right to vote.

This speech does not appear to have preponderant emotional appeal. I believe it was purposely structured this way by Anthony to achieve her specific purpose—the presentation of her legal argument: her constitutional right as a citizen to vote. Some historians and scholars have claimed that Anthony relied primarily on logical appeal in her speeches to the neglect of pathos. However, even a cursory examination of Anthony's diary entries, letters and newspaper articles give evidence of strong emotional audience response to her speeches. Rhetorical analysis of her speech "Social Purity" reveals a speech as strongly emotional as
this one is logical. This demonstrates Anthony's ability to adapt her speech to the audience, situation and purpose.

Some scholars state anti positions emphasized the positive emotions in order to offset the inherent hostility that might exist in their audience. Here, the strongest appeal is to patriotism and national pride; however, Anthony strongly emphasized the negative emotions of anger, fear and indignation to move her audience to action.

**Logical Proofs (logos)**

This speech provides examples of that factor that made Susan B. Anthony a memorable speaker: she made extensive use of logic.

In this speaking instance, her logic relied on her audience's knowledge of democratic principles and constitutional law--information readily available to the audience. Furthermore, with the recent passage of the thirteenth, fourteenth and fifteenth amendments, a citizen's right to the ballot had been widely debated. Women's rights had been a topic of discussion in both social and legislative contexts, for the previous twenty years. The changes secured had not brought about the destructive social upheaval predicted by their opponents.

Anthony followed a typical historical argumentative pattern in this speech. She began with natural rights that were Godgiven and closed with the Fifteenth Amendment. A discussion of what she considered the national documents to identify as a citizen represented part of her major argument. Much of the speech consisted of a dramatic, historical analysis of woman's treatment under the law, occasionally charged with emotional terms and illustrations that would prepare her audience for the demands she would make at the end.

Her reasoning was primarily deductive, proceeding from general principles such as that discrimination is wrong, that government protects members rights, consent of the governed is given by ballot, and citizen's rights can't be abridged. She used many kinds of evidence: quotations, comparisons, historical allusions, historical and invented examples.

By Blair's standards, Anthony demonstrated a genius for analyzing the problem of woman's inequality. She knew her subject well and arranged her arguments in a manner that could be easily understood by her audience.

Campbell's theory can be seen in Anthony's strong use of association, as in her argument that women are entitled to the vote because of their previous condition of servitude. She describes the condition of a black slave and shows how woman's situation is no different. She attempted to stimulate sympathy for the woman's condition and then aimed the powerful passions she generated toward a positive position on woman suffrage.
This was discussed under *pathos*. Moral reasoning and common sense are discussed under *ethos*.

Whately's theory can be seen in Anthony's use of reasoning. She used *a priori* argument, reasoning from cause to effect (government protects members' rights; women are members; government protects women's rights). She went beyond the effect of disfranchisement to the social conditions that existed because of it. She piled testimony upon testimony of many sources, significantly strengthening her claim.

Most accounts of Anthony as a speaker demonstrate her efforts to identify with her audience. She was known to have a quick wit and that, combined with humor, often disarmed opponents, to the enjoyment of her audience.

In Burkean terms, she created identification in the following ways:

- She drew on **symbols of authority and value** by
  - reciting the laws of the land the audience respected and upheld;
  - referring to "God-given" rights and identifying the Quaker religion as promoting gender equality;
  - calling on the audience's sense of justice, love of liberty and hatred of evil.

- She made **direct identification** by
  - speaking of their common citizenship and personhood;
  - noting experiences common to other women;
  - expressing the fears many former Europeans may have had of the capricious use of governmental power

- She reflected negative audience attitudes by referring to those who would subvert the democratic system as "odious," "hateful," "monster" and other **dyslogistic terms**. She reflected positive audience attitudes by referring to those who upheld democratic ideals as "champions" and "honorable."

- She presented **images of transformation** by picturing women as being strangled to death by legal inequality and made viable by the right to the ballot.

**STYLE**

Style consists of the word choices the speaker makes --creating rhetorical effects through stylistic strategies. A scholar notes that style once was a concern of Anthony's because she went through a period (1861-1862) where she imitated the style, and in some cases she adopted many actual phrases, of William Lloyd Garrison. However, this faded and
she developed her own particular style—clear, direct, “straight as a line of light.”

Her language choice met Campbell’s three criteria: (1) it was reputable (in current use), (2) it was in national use (whether one was a German naturalized citizen or a native citizen of English heritage, rich or poor, educated or illiterate, didn’t matter; her words had “agreed upon acceptance,” and (3) it was in present use—the listener’s attention was maintained by lively speech. She established a close relationship with her audience; this is seen in the use of personal pronouns “I” and “you” and short questions that interspersed her text.

DELIVERY

Delivery embraces the speaker’s methods of preparing his/her speech, the visual presentation and the audible presentation. Anthony, as an inexperienced speaker, wrote out her speeches word-for-word. These resulted in a stilted delivery. She eventually gave up writing speeches, making only a general plan of what she was going to say when she knew the sort of audience she would be addressing. The “cause” was her life and she knew more about it than any other person; therefore, she could arrange this knowledge to suit the type and temper of her audience. She spoke extemporaneously almost exclusively.

Visually, she presented a modest but stylish appearance. She was careful to dress in the current fashion but did not dress in clothes that might distract her audience from what she had to say. Her hair was drawn back in a tight bun. She gestured little, and did not move about much.

Audibly, she was reported to have a pleasant, penetrating, easily heard voice. There are, however, assessments that describe her as dictatorial, argumentative, “angular in gesture and uncouth in phraseology.” Most critics agree that her strength was not in her platform performance, but in her logical precision in framing arguments and inexhaustible knowledge of her subject.

Now we shall analyze the speech line-by-line to examine more closely her invention.
"THE EQUAL RIGHT OF ALL CITIZENS TO THE BALLOT"

FRIENDS AND FELLOW-CITIZENS: I stand before you tonight, under indictment for the alleged crime of having voted illegally at the last Presidential election. I shall endeavor this evening to prove to you that in voting, I not only committed no crime, but simply exercised my "citizen's right," guaranteed to me and all United States citizens by the National Constitution, beyond the power of any State to deny.

Our democratic republican government is based on the idea of the natural right of every individual member thereof to a voice and a vote in making and executing the laws. We assert the province of government to be to secure the people in the enjoyment of their inalienable rights. We throw to the winds the old dogma that governments can give rights. Before governments were organized, no one denies that each individual possessed the right to protect his own life, liberty, and property. And when 100 or 1,000,000 people enter into a free government, they do not barter away their natural rights: they simply pledge themselves to protect each other in the enjoyment of them, through prescribed judicial and legislative tribunals. They agree to abandon the methods of brute force in the adjustment of their differences, and adopt those of civilization. The Declaration of Independence, the National and State Constitutions, and the organic laws of the Territories, all alike propose to protect the people in the exercise of their Godgiven rights. Not one of them pretends to bestow rights.

All men are created equal, and endowed by their Creator with certain inalienable rights. Among these are life, liberty, and the pursuit of happiness. That to secure these, governments are

Ethos By stating what she intends to prove Anthony creates an image of honesty and sincerity. It is important to establish a strong ethical character because "...as a rule we trust men of probity more and more quickly...on points outside the realm of exact knowledge where opinion is divided we trust them absolutely."

Ethos By specifying the making and executing of laws, Anthony places her speech within the confines of deliberative rhetoric. Aristotle said, "...the subject upon which deliberative orators speak are...legislation."

Ethos By showing her knowledge of the forms of government and explaining how they function, Anthony demonstrates intelligence and good will. "...He should have analyzed the tendencies, institutions and interests which promote the end of each form of government, since it is with reference to this end that people make their choices."

Ethos Referring to the laws of the land, she shows her knowledge of the subject, confirming her intelligence; by identifying rights as "God-
instituted among men, deriving their just powers from the consent of the governed.

Here is no shadow of government authority over rights, nor exclusion of any class from their full and equal enjoyment. Here is pronounced the rights of all men, and "consequently," as the Quaker preacher said, "of all women," to a voice in the government. And here, in this very first paragraph of the Declaration, is the assertion of the natural right of all to the ballot; for, how can "the consent of the governed" be given if the right to vote be denied. Again:

That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundations on such principles, and organizing its powers in such forms as to them shall seem most likely to effect their safety and happiness.

Surely, the right of the whole people to vote is here clearly implied. For, however destructive to their happiness this government might become, a disfranchised class could neither alter nor abolish it, nor institute a new one, except by the old brute force method of insurrection and rebellion. One half of the people of this Nation today are utterly powerless to blot from the statute books an unjust law, or to write there a new and a just one. The women, dissatisfied as they are with this form of government, that enforces taxation without representation,—that compels them to obey laws to which they have never given their consent,—that imprisons and hangs them without a trial by a jury of their peers,—that robs them, in marriage, of the custody of their own persons, wages, and children,—are this half of the people left wholly at the mercy of the other half, in direct violation of the spirit and letter of the declarations of the framers of this government, every one of which was based on the immutable principle of equal rights to all. By those declarations, kings, priests, popes, aristocrats,
were all alike dethroned, and placed on a common level, politically, with the lowliest born subject or serf. By them, too, men, as such, were deprived of their divine right to rule, and placed on a political level with women. By the practice of those declarations all class and caste distinction will be abolished; and slave, serf, plebeian, wife, woman, all alike, will bound from their subject position to the proud platform of equality.

The preamble of the Federal Constitution says:

*We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.*

It was we, the people, not we, the white male citizens, nor yet we, the male citizens, but we, the whole people, who formed this Union. And we formed it, not to give the blessings of liberty, but to secure them; not to the half of ourselves and the half of our posterity, but to the whole people—women as well as men. And it is downright mockery to talk to women of their enjoyment of the blessings of liberty while they are denied the use of the only means of securing them provided by this democratic republican government—the ballot.

The early journals of Congress show that when the Committee reported to that body the original Articles of Confederation, the very first article which became the subject of discussion was that respecting equality of suffrage. Article 4th said:

*The better to secure and perpetuate mutual friendship and intercourse between the people of the different States of this Union, the free inhabitants of each of the States (paupers, vagabonds, and fugitives from justice excepted), shall be entitled to all the privileges and immunities of the free citizens of the several*
Thus, at the very beginning, did the fathers see the necessity of the universal application of the great principle of equal rights to all—in order to produce the desired result—a harmonious union and a homogeneous people. Luther Martin, Attorney-General of Maryland, in his report to the Legislature of that State of the convention that framed the United States Constitution said:

Those who advocated the equality of suffrage took the matter up on the original principles of government; that the reason why each individual man in forming a State government should have an equal vote, is because each individual, before he enters into government, is equally free and equally independent. James Madison said:

Under every view of the subject, it seems indispensable that the mass of the citizens should not be without a voice in making the laws which they are to obey, and in choosing the magistrates who are to administer them.

Also.

Let it be remembered, finally, that it has ever been the pride and the boast of America that the rights for which she contended were the rights of human nature.

And these assertions of the framers of the United States Constitution of the equal and natural rights of all the people to a voice in the government, have been affirmed and reaffirmed by the leading statesmen of the nation, throughout the entire history of our Government.

Thaddeus Stevens, of Pennsylvania, said in 1866:

I have made up my mind that the elective franchise is one of the inalienable rights meant to be secured by the Declaration of Independence.

B. Gratz Brown, of Missouri, in the three days’
discussion in the United States Senate in 1866, on Senator Cowan's motion to strike "male" from the District of Columbia suffrage bill, said:

Mr. President, I say here on the floor of the American Senate, I stand for universal suffrage; and as a matter of fundamental principle, do not recognize the right of society to limit it on any ground of race or sex. I will go farther, and say that I recognize the right of franchise as being intrinsically a natural right. I do not believe that society is authorized to impose any limitations upon it that do not spring out of the necessities of the social state itself.

Charles Sumner, in his brave protests against the XIV. and XV. Amendments, insisted that, so soon as by the XIII. Amendment the slaves became free men, the original powers of the United States Constitution guaranteed them equal rights—the right to vote and to be voted for:

I do not hesitate to say that when the slaves of our country became "citizens," they took their place in the body politic as a component part of the "people," entitled to equal rights, and under the protection of these two guardian principles: First, that all just governments stand on the consent of the governed; and second, that taxation without representation is tyranny; and these rights it is the duty of Congress to guarantee as essential to the idea of a Republic.

The preamble of the Constitution of the State of New York declares:

We, the people of the State of New York, grateful to Almighty God for our freedom, in order to secure its blessings, do establish this Constitution.

Here is not the slightest intimation, either of receiving freedom from the United States Constitution, or of the State conferring the blessings of liberty upon the people; and the same is true of every one of the thirty-six State Constitutions. Each and all alike declare...
rights God-given, and that to secure the people in the enjoyment of their inalienable rights, is their one and only object in ordaining and establishing government. And all of the State constitutions are equally emphatic in their recognition of the ballot as the means of securing the people in the enjoyment of these rights. Article 1 of the New York State Constitution says:

*No member of this State shall be disfranchised or deprived of the rights or privileges secured to any citizen thereof, unless by the law of the land or the judgment of his peers.*

And so carefully guarded is the citizen’s right to vote, that the Constitution makes special mention of all who may not vote:

*Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery, larceny, or any infamous crime.*

In naming the various employments that shall not affect the residence of voters, the 3d section of Article 2d says

*That being kept at any almshouse or other asylum, at public expense, nor being confined at any public prison, shall deprive a person of his residence.*

and hence his vote. Thus is the right of voting most sacredly hedged about. The only seeming permission in our constitution for the disfranchisement of women is in section 1st of Article 2d:

*Every male citizen of the age of twenty-one years, etc., shall be entitled to vote.*

But I insist that in view of the explicit assertions of the equal right of the whole people, both in the preamble and previous article of the constitution, this omission of the adjective “female” in the second, should not be construed into a denial; but, instead, counted as of no effect. Mark the direct prohibition:

**Ethos** By specifying exceptions to the right to vote Anthony creates the impression of being a modest, generous, open-minded, well-informed person.

**Logos** Division is used to eliminate alternative grounds to disfranchise women. Women have the right to vote unless disenfranchised by specific prohibition and this is found wanting.
No member of this State shall be disfranchised, unless by the 'law of the land,' or the judgment of his peers.

"The law of the land," is the United States Constitution; and there is no provision in that document that can be fairly construed into a permission to the States to deprive any class of their citizens of their right to vote. Hence New York can get no power from that source to disfranchise one entire half of her members. Nor has "the judgment of their peers" been pronounced against women exercising their right to vote. No disfranchised person is allowed to be judge or juror—and none but disfranchised persons can be women's peers: nor has the Legislature passed laws excluding them on account of idiocy or lunacy; nor yet the courts convicted them of bribery, larceny, or any infamous crime. Clearly, then, there is no constitutional ground for the exclusion of women from the ballot-box in the State of New York. No barriers whatever stand today between women and the exercise of their right to vote save those of precedent and prejudice. The clauses of the United States Constitution, cited by our opponents as giving power to the States to disfranchise any classes of citizens they please, are contained in sections 2d and 4th of article 1st. The second says:

The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

This can not be construed into a concession to the States of the power to destroy the right to become an elector, but simply to prescribe what shall be the qualifications, such as competency of intellect, maturity of age, length of residence, that shall be deemed necessary to enable them to make an intelligent choice of candidates. If, as our opponents assert, the last clause

Logos Here Anthony argues from parts to the whole by asserting that the Constitution as a whole was written to secure freedoms and would not provide parts (states) to deprive its citizens of freedom.

Pathos Anthony appealed to the indignation of the audience by pointing out the illegality of exclusion of women. Aristotle said indignation characterizes good men "who are bound to feel sympathy and pity for undeserved ill fortune..."

Ethos Anthony made her opponents appear all the worse, denying their benevolence by showing they rendered service for their own advantage. This increased her ethos.
of this section makes it the duty of the United States to protect citizens in the several States against higher or different qualifications for electors for Representatives in Congress, than for members of Assembly, then must the first clause make it equally imperative for the national government to interfere with the States, and forbid them from arbitrarily cutting off the right of one half of the people to become electors altogether. Section 4th says:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators.

Here is conceded the power only to prescribe times, places, and manner of holding the elections; and even with these Congress may interfere, with all excepting the mere place of choosing Senators. Thus you see, there is not the slightest permission in either section for the States to discriminate against the right of any class of citizens to vote. Surely to regulate can not be to annihilate! nor to qualify to wholly deprive! And to this principle every true Democrat and Republican said amen, when applied to black men by Senator Sumner in his great speeches for EQUAL RIGHTS TO ALL from 1865 to 1869; and when, in 1871, I asked that Senator to declare the power of the United States Constitution to protect women in their right to vote—as he had done for black men—he handed me a copy of all his speeches during that reconstruction period, saying:

Miss Anthony, put “sex” where I have “race” or “color,” and you have here the best and strongest argument I can make for woman. There is not a doubt but women have the constitutional right to vote, and I will never vote for a XVII Amendment to guarantee it to them. I voted for both the XIV. and XV. under protest; would never done it but for the pressing emergency of that hour.

Ethos Anthony identifies with her audience, they together against those who seek to misconstrue voting qualifications.

Logos Anthony argues from a historical example.

Logos Arguing from correlative terms, Anthony posits that if black men needed no constitutional amendment to vote, neither do women.
would have insisted that the power of the original Constitution to protect all citizens in the equal enjoyment of their rights should have been vindicated through the courts. But the newly made freedmen had neither the intelligence, wealth, nor time to wait that slow process. Women possess all these in eminent degree; and I insist that they shall appeal to the courts, and through them establish the powers of our American magna carta, to protect every citizen of the Republic.

But, friends, when in accordance with Senator Sumner's counsel, I went to the ballot-box, last November, and exercised my citizen's right to vote, the courts did not wait for me to appeal to them—they appealed to me, and indicted me on the charge of having voted illegally. Senator Sumner putting sex where he did color, would have said:

Qualifications can not be in their nature permanent or insurmountable. Sex can not be a qualification any more than size, race, color, or previous condition of servitude. A permanent or insurmountable qualification is equivalent to a deprivation of the suffrage. In other words, it is the tyranny of taxation without representation, against which our revolutionary mothers, and well as fathers, rebelled.

For any State to make sex a qualification that must ever result in the disfranchisement of one entire half of the people, is to pass a bill of attainder, or an ex post facto law, and is therefore a violation of the supreme law of the land. By it, the blessings of liberty are forever withheld from women and their female posterity. To them, this government has no just powers derived from the consent of the governed. To them this government is not a democracy. It is not a republic. It is an odious aristocracy; a hateful oligarchy; the most hateful ever established on the face of the globe. An oligarchy of wealth, where the rich govern the poor; an oligarchy of learning, where the educated govern the ignorant; or even an oligarchy of race, where the Saxon

Ethos In showing a highly respected Congressman held women in high regard, Anthony is identifying herself with these characteristics.

Logos By recalling Sen. Sumner's long and respectable history with the question of enfranchisement, Anthony is arguing from authority. Corbett says, "We...grant more credence to the testimony of experts..."12 Aristotle said, "...there is always a tendency to believe a witness."13

Logos Anthony is arguing from definition, clarifying the specific issues to be discussed—important to deliberative speaking but essential in forensic speaking.

Logos An enthymeme used to prove women's illegal deprivation.

Insurmountable qualifications deprive liberty

Maleness is an insurmountable qualification

Females are deprived of liberty

Logos Here noting the differences between a democracy or republic and despicable forms of government, Anthony argues that disfranchisement of women produces a political condition not consistent with democracy.
rules the African, might be endured; but surely this oligarchy of sex, which makes the men of every household sovereigns, masters; the women subjects, slaves; carrying dissension, rebellion into every home of the Nation, can not be endured. And yet this odious aristocracy exists in the face of Section 4 of Article 4 which says:

_The United States shall guarantee to every State in the Union a Republican form of government._

What, I ask you, is the distinctive difference between the inhabitants of a Monarchical and those of a Republican form of government, save that in the Monarchical the people are subjects, helpless, powerless, bound to obey laws made by superiors;--while in the Republican, the people are citizens, individual sovereigns, all clothed with equal power, to make and unmake both their laws and their law makers. And the moment you deprive a person of his right to a voice in the government, you degrade him from the status of a citizen to that of a subject, and it matters very little to him whether his monarch be an individual tyrant, as is the Czar of Russia, or a 15,000,000 headed monster, as here in the United States.

But, it is urged, the use of the masculine pronouns he, his, and him, in all the constitutions and laws, is proof that only men were meant to be included in their provisions. If you insist on this version of the letter of the law, we shall insist that you be consistent, and accept the other horn of the dilemma, which would compel you to exempt women from taxation for the support of the government, and from penalties for the violation of laws.

A year and a half ago I was at Walla Walla, Washington Territory. I saw there a theatrical company, the "Pixley Sisters," playing before crowded houses every night of the whole week of the Territorial fair. The eldest...
of those three fatherless girls was scarce eighteen. Yet every night a United States officer stretched out his long fingers, and clutched six dollars of the proceeds of the exhibitions of those orphan girls, who, but a few years before, were starvelings in the streets of Olympia, the capital of that far-off northwest territory. So the poor widow, who keeps a boarding-house, manufactures shirts, or sells apples and peanuts on the street corners of our cities, is compelled to pay taxes from her scanty pittance. I would that the women of this republic at once resolve, never again to submit to taxation until their right to vote be recognized. Miss Sarah E. Wall, of Worchester, Mass., twenty years ago, took this position. For several years, the officers of the law distrained her property and sold it to meet the necessary amount; still she persisted, and would not yield an iota, though every foot of her lands should be struck off under the hammer. And now, for several years, the assessor has left her name off the tax list, and the collector passed her by without a call. Mrs. J. S. Weeden of Viroqua, Wis., for the past six years has refused to pay her taxes, though the annual assessment is $75. Mrs. Ellen Van Valkenburg, of Santa Cruz, Cal., who sued the County Clerk for refusing to register her name, declares she will never pay another dollar of tax until allowed to vote; and all over the country, women property holders are waking up to the injustice of taxation without representation, and ere long will refuse, en masse, to submit to the imposition.

There is no she, or her, or hers, in the tax laws. The statute of New York reads:

_Every person shall be assessed in the town or ward where he resides when the assessment is made, for the lands owned by him, etc. Every collector shall call at least once on the person taxed, or at his usual place of residence, and shall demand payment of the taxes charged on him. If any one shall refuse to pay the tax imposed on him, the collector shall levy the same by distress_

historical examples—Pixley, Wall, Weeden Valkenburg and her own arrest. The numerous examples produce less of an "inductive leap," and consequently greater reliability.

The examples follow the enthymeme—for confirmation. "Examples should not precede...When they follow enthymemes, examples function like witnesses..."15

**Pathos** Anger is generated by the injury done to women.

**Ethos** Anthony increased her ethical appeal by adapting her speech to fit her audience. The examples she presents appeal to their character and condition.

**Pathos** Anthony cites this material to arouse pity for the condition of these women.

Logos Anthony's use of exact quotes from laws act as a compelling force to her argument.
and sale of his property.

The same is true of all the criminal laws:

No person shall be compelled to be a witness against himself, etc.

In the law of May 31, 1870, the 19th section of which I am charged with having violated; not only are all the pronouns masculine, but everybody knows that the particular section was intended expressly to hinder the rebels from voting. It reads:

If any person shall knowingly vote without his having a lawful right, etc.

Precisely so with all the papers served on me—the U. S. Marshal’s warrant, the bail-bond, the petition for habeas corpus, the bill of indictment—not one of them had a feminine pronoun printed on it; but to make them applicable to me, the Clerk of the Court made a little carat at the left of “he” and placed an “s” over it, thus making she out of he. Then the letters “is” were scratched out, the little carat placed under and “er” over it, to make her out of his, and I insist if government officials may thus manipulate the pronouns to tax, fine, imprison, and hang women, women may take the same liberty with them to secure to themselves their right to a voice in the government.

So long as any classes of men were denied their right to vote, the government made a show of consistency, by exempting them from taxation. When a property qualification of $250 was required of black men in New York, they were not compelled to pay taxes, so long as they were content to report themselves worth less than that sum; but the moment the black man died, and his property fell to his widow, the black woman’s name would be put on the assessor’s list, and she be compelled to pay taxes on the same property exempted to her husband. The same is true of ministers in New York. So long as the minister lives, he is exempted from taxation of $5,500 of

Ethos Her knowledge of the laws would inspire the audiences confidence in her and her knowledge of the subject.

Logos Anthony argued from a historical example.

Logos Her own experience is presented as an example.

Logos Anthony argues from past fact.

Logos Anthony used an invented example.

Pathos An appeal to pity is made, for "...an evil of a destructive kind...befalls one who does not deserve it."16
property, but the moment the breath goes out of his body, his widow's name will go down on the assessor's list, and she will have to pay taxes on the $1,500. So much for the special legislation in favor of women. In all the penalties and burdens of the government (except the military), women are reckoned as citizens, equally with men. Also, in all the privileges and immunities, save those of the jury-box and ballot-box, the two fundamental privileges on which rest all the others. The United States government not only taxes, fines, imprisons, and hangs women, but it allows them to pre-empt lands, register ships, and take out passport and naturalization papers. Not only does the law permit single women and widows the right of naturalization, but Section 2 says:

A married woman may be naturalized without the concurrence of her husband. (I wonder the father were not afraid of creating discord in the families of foreigners); and again: When a alien, having complied with the law, and declared his intention to become a citizen, dies before he is actually naturalized, his widow and children shall be considered citizens, entitled to all rights and privileges as such, on taking the required oath.

If a foreign-born woman, by becoming a naturalized citizen, is entitled to all rights and privileges of citizenship, is not a native-born woman by her National citizenship, possessed of equal rights and privileges?

The question of the masculine pronouns, yes and nouns too, has been settled by the United States Supreme Court, in the case of Silver vs Ladd, December, 1868, in a decision as to whether a woman was entitled to lands under the Oregon donation law of 1850. Elizabeth Crothers, a widow, settled upon a claim and received patents. She died, and her son was heir. He died. Then Messrs. Ladd and Nott took possession, under the general pre-emption law, December 1861. The administrator, E. P. Silver, applied for a writ of ejectment at the land office in Oregon City. Both the Register and Receiver decided

Logos "Women are reckoned as citizens." Here is the generalization her inductive argument hoped to produce.

Logos Anthony formed the following enthymeme:

Citizens participate fully in government
Women are reckoned citizens
Women participate fully in government

Ethos Anthony addressed audiences comprised of many naturalized citizens. Noting this law created an image of one who was magnanimous and fair-minded. Further, by understanding her audience, she was increasing her persuasiveness: "...the hearer is always receptive when a speech is adapted to his own character and reflects it."17

Logos To give strength to her enthymeme previously set up, Anthony presented a historical example to serve as a witness.
that an unmarried woman could not hold land under that law. The Commissioner of the General Land Office, at Washington, and the Secretary of the Interior, also gave adverse opinions. Here patents were issued to Ladd and Nott, and duly recorded. Then a suit was brought to set aside Ladd's patent, and it was carried through all the State Courts and the Supreme Court of Oregon; each, in turn, giving adverse decisions. At last, in the United States Supreme Court, Associate Justice Miller reversed the decisions of all the lower tribunals, and ordered the land back to the heirs of Mrs. Cruthers. The Court said:

"In construing a benevolent statute of the government, made for the benefit of its own citizens, inviting and encouraging them to settle on its distant public lands, the words "single man," and "unmarried man" may, especially if aided by the context and other parts of the statute, be taken in a generic sense. Held, accordingly, that the fourth section of the Act of Congress, of September 27th, 1850, granting by way of donation, lands in Oregon Territory, to every white settler or occupant, American half-breed Indians included, embraced within the term single man an unmarried woman.

And the attorney, who carried this question to its final success, is now the Senator elect from Oregon, Hon. J. H. Mitchell, in whom the cause of equal rights to women has an added power on the floor of the United States Senate.

Though the words persons, people, inhabitants, electors, citizens, are all used indiscriminately in the National and State constitutions, there was always a conflict of opinion, prior to the war, as to whether they were synonymous terms, as for instance:

No person shall be a representative who shall not have been seven years a citizen, and who shall not, when elected, be an inhabitant of that State in which he is chosen. No person shall be a senator who shall not have been a citizen of the United

Logos Anthony draws upon the law to confirm her argument. The unstated implication here for the specific speech situation may be: If courts could extend the language to include women in this incidence, why not for voting? This was the issue her trial hoped to address.

Logos Anthony argues from possibility: If a male citizen can vote then a female citizen also can vote. "If two things are alike, and one is possible, then so is the other." 18

Logos Anthony used definition to clarify issues --this would be particularly important in her legal defense.

Ethos Anthony creates the impression of modesty--willing to admit that confusion over terms has existed.
States, and an inhabitant of that State in which he is chosen.

But, whatever room there was for a doubt, under the old regime, the adoption of the XIV. Amendment settled that question forever, in its first sentence:

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

And the second settles the equal status of all persons--all citizens:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

The only question left to be settled now, is: Are women persons? And I hardly believe any of our opponents will have the hardihood to say they are not.

Being persons, then, women are citizens, and no State has a right to make any new law, or to enforce any old law, that shall abridge their privileges or immunities. Hence, every discrimination against women in the constitutions and laws of the several States, is today null and void, precisely as is every one against negroes. Is the right to vote one of the privileges or immunities of citizens? I think the disfranchised ex-rebels, and the ex-state prisoners will all agree with me, that it is not only one of them, but the one without which all the others are nothing. Seek first the kingdom of the ballot, and all things else shall be given thee is the political injunction.

Webster, Worchester and Bouvier all define citizen to be a person, in the United States, entitled to vote and hold office. And prior to the adoption of the XIII. Amendment, by which slavery was forever abolished, and black men transformed from property to persons, the

Logos Arguing from ambiguous terms means to "...establish the sense which fits your case...and then argue from that sense." 19

Logos The argument is based on similarity.

Logos As is her fashion, Anthony sets up an enthymeme, then used examples to prove it.

All persons born or naturalized in the US are citizens

Women are persons born...

Women are citizens

or

Citizen's rights can't be abridged

Women are citizens

Women's rights can't be abridged

Ethos Making a legal application of the evidence revealed her intelligence.

Logos Argument from historical example–verifiable by and familiar to the audience.

Logos Anthony paraphrased the scripture, creating a maxim. Her highly religious audience would be familiar with the original quote.

Ethos Demonstrating biblical knowledge "invests a speech with moral character." 20

Logos Additional examples of definition.
judicial opinions of the country had always been in harmony with these definitions. To be a person was to be a citizen, and to be a citizen was to be a voter. Associate Justice Washington, in defining the privileges and immunities of the citizen, more than fifty years ago, said:

*They included all such privileges as were fundamental in their nature. And among them is the right to exercise the elective franchise and to hold office.*

Even the “Dred Scott” decision, pronounced by the Abolitionists and Republicans infamous, because it virtually declared “black men had no rights white men were bound to respect,” gave this true and logical conclusion, that to be one of the people was to be a citizen and a voter. Chief Judge Daniels said:

*There is not, it is believed, to be found in the theories of writers on government, or in any actual experiment heretofore tried, an exposition of the term citizen, which has not been considered as conferring the actual possession and enjoyment of the perfect right of acquisition and enjoyment of an entire equality of privileges, civil and political.*

Associate Justice Taney said:

*The words “people of the United States” and “citizens.” are synonymous terms, and mean the same thing. They both describe the political body, who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government, through their representatives. They are what we familiarly call the sovereign people, and every citizen is one of this people, and a constituent member of this sovereignty.*

Thus does Judge Taney’s decision, which was such a terrible ban to the black man while he was a slave, now that he is a person, no longer property, pronounce him a citizen, possessed of an entire equality of privileges, civil and political. And not only the black man, but the black woman, and all women as well. And it was not until after
the abolition of slavery, by which the negroes became free
men, hence citizens, that the United States Attorney-
General Bates rendered a contrary opinion:

_The Constitution uses the word “citizen” only to
express the political quality (not equality, mark) of
the individual in his relation to the nation; to
declare that he is a member of the body politic,
and bound to it by the reciprocal obligations of
allegiance on the one side, and protection on the
other. The phrase “a citizen of the United States,”
without addition or qualification, means neither
more nor less than a member of the nation._

Then, to be a citizen of this Republic, is no more
than to be a subject of an Empire. You and I, and all true
and patriotic citizens must repudiate this base conclusion.
We all know that American citizenship, without addition
or qualification, means the possession of equal rights,
civil and political. We all know that the crowning glory of
every citizen of the United States is, that he can either
give or withhold his vote from every law and every
legislator under the government. Did “I am a Roman
citizen,” mean nothing more than that I am a “member”
of the body politic of the Republic of Rome, bound to it
by the reciprocal obligations of allegiance of the one side,
and protection on the other? When you, young man, shall
travel abroad among the monarchies of the old world, and
there proudly boast yourself an “American citizen,” will
you thereby declare yourself neither more nor less than a
“member” of the American nation?

And this opinion of Attorney-General Bates, that
a black citizen was not a voter, made merely to suit the
political exigency of the Republican party in that
transition hour between emancipation and enfranchise-
ment, was no less infamous, in spirit or purpose, than was
the decision of Judge Taney, that a black man was not
one of the people, rendered in the interest and at the
behest of the old Democratic party, in its darkest hour of
subjection to the Slave power. Nevertheless, all of the

**Logos** Arguing from contradiction. Anthony uses the sheer weight of
confirming evidence just presented to refute the contrary opinion.

**Pathos** The limited repetition of
“We all know...” produces a state of
pleasure in the audience, ”...since the
habitual is pleasant.”

**Logos** Anthony uses an invented
example to illustrate her argument.

**Pathos** This might excite fear,
“thinking themselves likely to suffer
from particular persons particular
things at particular times.”

**Logos** Anthony culminates this
argument with this inductive generali-
zation: A citizen’s right to vote
should not be subject to political
urgency.
adverse arguments, adverse congressional reports and judicial opinions, thus far, have been based on this purely partisan, time-serving opinion of General Bates, that the normal condition of the citizen of the United States is that of disfranchisment. That only such classes of citizens as have had special legislative guarantee have a legal right to vote. And if this decision of Attorney-General Bates was infamous, as against black men, but yesterday plantation slaves, what shall we pronounce upon Judge Bingham, in the House of Representatives, and Carpenter, in the Senate of the United States, for citing it against the women of the entire nation, vast numbers of whom are the peers of those honorable gentlemen themselves, in morals, intellect, culture, wealth, family—paying taxes on large estates, and contributing equally with them and their sex, in every direction, to the growth, prosperity, and well-being of the Republic? And what shall be said of the judicial opinions of Judges Carter, Jameson, McKay, and Sharswood, all based upon this aristocratic, monarchical idea, of the right of one class to govern another? I am proud to mention the names of the two United States judges who have given opinions honorable to our Republican idea, and honorable to themselves—Judge Howe, of Wyoming Territory, and Judge Underwood, of Virginia. The former gave it as his opinion a year ago, when the Legislature seemed likely to revoke the law enfranchising the women of that Territory, that, in case they succeeded, the women would still possess the right to vote under the XIV. Amendment. Judge Underwood, of Virginia, in noticing the recent decision of the Supreme Court of the District of Columbia, denying to women the right to vote, under XIV. Amendment, says:

If the people of the United States, by amendment of Their Constitution, could expunge, without any explanatory or assisting legislation, an adjective of five letters from all State constitutions, and thereby raise millions of our most ignorant

**Pathos** Her attempt here is to arouse shame and outrage for this political condition. Concerning shame, Aristotle said, "...shame will be aroused by such evils as are thought to bring disgrace to ourselves or those we care for."23

Concerning anger, Aristotle said "...one must...represent the adversary as obnoxious in those things which make men angry..."24

**Logos** This argument is also based on comparison—this instance addressing differences in degree. If it is despicable to deny former~slaves~now-citizens the right to vote, then it is more despicable to deny the vote to those citizens more able to contribute to the republic.

**Ethos** By bestowing praise upon the positive characteristics of women, Anthony indirectly praises herself. "...giving the right impression..."25

**Pathos** Anthony sought to arouse fear through her identification of judges who did not uphold democratic ideals. Fear is aroused when the audience believes they might suffer "at times they thought themselves safe."26

**Pathos** Here Anthony arouses confidence "...inspired by things conducive to safety as being near at hand..."27

**Logos** Anthony used a historical example to support her argument based on comparison.
fellow-citizens to all the rights and privileges of electors, why should not the same people, by the same Amendment, expunge an adjective of four letters from the same State constitutions, and thereby raise other millions of more educated and better informed citizens to equal rights and privileges, without explanatory or assisting legislation?

If the XIV. Amendment does not secure to all citizens the right to vote, for what purpose was that grand old charter of the fathers lumbered with its unwieldy proportions? The Republican party, and Judges Howard and Bingham, who drafted the document, pretended it was to do something for black men; and if that something was not to secure them in their right to vote and hold office, what could it have been? For, by the XIII. Amendment, black men had become people, and hence were entitled to all the privileges and immunities of the Government, precisely as were the women of the country and foreign men not naturalized. According to Associate Justice Washington, they already had the

Protection of the Government, the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety, subject to such restraints as the Government may justly prescribe for the general welfare of the whole; the right of a citizen of one State to pass through or to reside in any other State for the purpose of trade, agriculture, professional pursuit, or otherwise; to claim the benefit of the writ of habeas corpus, to institute and maintain actions of any kind in the courts of the State; to take, hold, and dispose of property, either real or personal, and an exemption from higher taxes or impositions than are paid by the other citizens of the State.

Thus, you see, those newly-made freed men were in possession of every possible right, privilege and immunity of the Government, except that of suffrage, and hence, needed no constitutional amendment for any other

Logos The argument presented here is based on genus. "All people have privileges and immunities of government" must include blacks, women and unnaturalized foreigners. The argument is extended to "all citizens have the right to vote," thereby including blacks, women and naturalized citizens. Corbett says, "What is true of the genus must be true of the species."28
purpose. What right, I ask you, has the Irishman the day after he receives his naturalization papers that he did not possess the day before, save the right to vote and hold office? And the Chinamen, now crowding our Pacific coast, are in precisely the same position. What privilege or immunity has California or Oregon the constitutional right to deny them, save that of the ballot? Clearly, then, if the XIV. Amendment was not to secure to black men their right to vote, it did nothing for them, since they possessed everything else before. But if it was meant to be a prohibition of the States to deny or abridge their right to vote—which I fully believe—then it did the same for all persons, white women included, born or naturalized in the United States, for the amendment does not say all male persons of African descent, but all persons are citizens. The second section is simply a threat to punish the States, by reducing their representation on the floor of Congress, should they disfranchise any class of male citizens, and does not allow of the inference that the States may disfranchise from any, or all other causes; nor in anywise weaken or invalidate the universal guarantee of the first section. What rule of law or logic would allow the conclusion, that the prohibition of a crime to one person, on severe pains and penalties, was a sanction of that crime to any and all other persons save that one? But, however much the doctors of the law may disagree, as to whether people and citizens, in the original constitution, were one and the same or whether the privileges and immunities in the XIV. Amendment include the right of suffrage, the question of the right of the citizen to vote is settled forever by the XV. Amendment:

*The citizen's right to vote shall not be denied by the United States, nor any State thereof; on account of race, color, or previous condition of servitude.*

How can the State deny or abridge the right of the citizen, if the citizen does not possess it? There is no

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**Logos** Anthony illustrates her argument with invented examples.

**Logos** The argument Anthony presented here is causal, arguing from effect back to cause.

**Pathos** By using terms such as "threat" and "punish", Anthony aroused fear. "...a cause of fear...is the fear of us in those who have the power to hurt us."29

**Ethos** Anthony demonstrated common sense.

**Logos** Anthony advanced a causal argument based on historical examples.
escape from the conclusion, that to vote is the citizen’s right, and the specifications of race, color, or previous condition of servitude can, in no way, impair the force of the emphatic assertion, that the citizen’s right to vote shall not be denied or abridged. The political strategy of the second section of the XIV. Amendment, failing to coerce the rebel States into enfranchising their negroes, and the necessities of the Republican party demanding their votes throughout the South, to insure the re-election of Grant in 1872, that party was compelled to place this positive prohibition of the XV. Amendment upon the United States and all the States thereof.

If we once establish the false principle, that United States citizenship does not carry with it the right to vote in every State in this Union, there is no end to the petty freaks and cunning devices that will be resorted to, to exclude one and another class of citizens from the right of suffrage. It will not always be men combining to disfranchise women; native-born men combining to abridge the rights of naturalized citizens, as in Rhode Island; it will not always be the rich and educated who may combine to cut off the poor and ignorant; but we may live to see the poor, hard-working, uncultivated day laborers, foreign and native born, learning the power of the ballot and their vast majority of numbers, combine and amend State constitutions so as to disfranchise the Vanderbilts and A. T. Stewarts, the Conklings and Fentons. It is a poor rule that won’t work more ways than one. Establish this precedent, admit the right of the States to deny suffrage, and there is no power to foresee the confusion, discord, and disruption that may await us. There is, and can be, but one safe principle of government—equal rights to all. And any and every discrimination against any class, whether on account of color, race, nativity, sex, property, culture, can but embitter and disaffect that class, and thereby endanger the safety of the whole people. Clearly, then, the National government

Pathos Selfish political motives necessitated the Fifteenth Amendment, said Anthony, as she sought to arouse the indignation of her audience.

Logos Anthony constructed a causal argument based on possibility. “If two things are alike, and one is possible, then so is the other.”

Pathos This must have excited the wealthy and prominent Ontario audiences, who sought freedom from the presence of industry and all that accompanied it.

Ethos Anthony’s use of a maxim invested her speech with moral character. “…maxims always produce the moral effect because the speaker in uttering them makes a general declaration of ethical principles; so that, if the maxims are sound, they give us the impression of a sound moral character in him who speaks.”

Logos The maxim is used as part of an enthymeme:

Its a poor rule that won’t work more ways than one
must not only define the rights of citizens, but it must stretch out its powerful hand and protect them in every State in this Union.

But if you will insist that the XV. Amendment's emphatic interdiction against robbing United States citizens of their right to vote, "on account of race, color, or previous condition of servitude," is a recognition of the right, either of the United States or any State, to rob citizens of that right for any or all other reasons, I will prove to you that the class of citizens for which I now plead, and to which I belong, may be, and are, by all the principles of our Government and many of the laws of the States, included under the term "previous condition of servitude." First.-- The married woman and their legal status. What is servitude? "The condition of a slave." What is a slave? "A person who is robbed of the proceeds of his labor; a person who is subject to the will of another."

By the law of Georgia, South Carolina, and all the States of the South, the negro had no right to the custody and control of his person. He belonged to his master. If he was disobedient, the master had the right to use correction. If the negro didn't like the correction, and attempted to run away, the master had a right to use coercion to bring him back. By the law of every State in this Union today, North as well as South, the married woman has no right to the custody and control of her person. The wife belongs to her husband; and if she refuses obedience to his will, he may use moderate correction, and if she doesn't like his moderate correction, and attempts to leave his "bed and board," the husband may sue moderate coercion to bring her back. The little word "moderate," you see, is the saving clause for the wife, and would doubtless be overstepped should her offended husband administer his correction with the "cat-o'-nine-tails," or accomplish his coercion with blood-hounds.

Suffrage rules can be used prejudicially. Prejudicial suffrage rules endanger all.

**Pathos** This sequence created fear because of the uncertainty in rule application.

**Logos** Anthony introduced the second argument for her right to vote: previous condition of servitude. This is based on antecedent and consequence. The first, just completed, was woman's right to the ballot based on citizenship.

**Ethos** Here, as at the beginning, the statement of intent created an image of sincerity and honesty.

**Logos** This argument from definition identified distinguishing characteristics to "get at its essential meaning."32

**Logos** Anthony produced a recent historical example.

**Logos** Anthony presented an argument based on similarity: The slave had no right to his person; the woman has no right to her person.

**Pathos** This description would arouse pity for the condition of women. "The speaker will be more successful in arousing pity if he heightens the effect of his description with fitting attitudes, tones, and
Again, the slave had no right to the earnings of his hands, they belonged to his master; no right to the custody of his children, they belonged to his master; no right to sue or be sued, or testify in the courts. If he committed a crime, it was the master who must sue or be sued. In many of the States there has been special legislation, giving to married women the right to property inherited, or received by bequest, or earned by the pursuit of any avocation outside of the home; also giving her the right to sue and be sued in matters pertaining to such separate property; but not a single State of this Union has ever secured the wife in the enjoyment of her right to the joint ownership of the joint earnings of the marriage copartnership. And since, in the nature of things, the vast majority of married women never earn a dollar by work outside of their families, nor inherit a dollar from their fathers, it follows that from the day of their marriage to the day of the death of their husbands, not one of them ever has a dollar, except it shall please her husband to let her have it. In some of the States, also, there have been laws passed giving to the mother a joint right with the father in the guardianship of the children. But twenty years ago, when our woman's rights movement commenced, by the laws of the State of New York, and all the States, the father had the sole custody and control of the children. No matter if he were a brutal, drunken libertine, he had the legal right, without the mother's consent, to apprentice her sons to rumsellers, or her daughters to brothel keepers. He could even will away an unborn child, to some other person than the mother. And in many of the States the law still prevails, and legal mothers are still utterly powerless under the common law.

I doubt if there is, today, a State in this Union where a married woman can sue or be sued for slander of character, and until quite recently there was not one in which she could sue or be sued for injury of person. However damaging to the wife's reputation any slander dress—in a word, with dramatic actions."

**Logos** Anthony extends the similarity argument to social situations.

**Ethos** Her knowledge of the specific conditions both current and past promote her credibility.

**Pathos** The helplessness of woman's situation was stressed—appealing to pity for the financially deprived woman.

**Logos** This historical example based on law is used to illustrate the previous, and current in some states, powerlessness of the slave/woman.

**Ethos** By condemning an evil male behavior, Anthony portrays women (and herself) as virtuous.

**Pathos** These invented examples were meant to arouse indignation and pity in the audience. Pictures painted with such specific detail would certainly direct the emotion of her audience.

**Logos** Anthony's enthymeme proves woman's servitude.

Freedom allows legal action
Women cannot sue
Women have no freedom
may be, she is wholly powerless to institute legal proceedings against her accuser, unless her husband shall join with her; and how often have we heard of the husband conspiring with some outside barbarian to blast the good name of his wife. A married woman can not testify in the courts in cases of joint interest with her husband. A good farmer's wife near Earlville, Ill., who had all the rights she wanted, went to the dentist of the village, who made her a full set of false teeth, both upper and under. The dentist pronounced them an admirable fit, and the wife declared they gave her fits to wear them; that she could neither chew nor talk with them in her mouth. The dentist sued the husband; his counsel brought the wife as witness; the judge ruled her off the stand, saying:

*A married woman can not be a witness in matters of joint interest between herself and her husband.*

Think of it, ye good wives, the false teeth in your mouths a joint interest with your husbands, about which you are legally incompetent to speak! If in our frequent and shocking railroad accidents a married woman is injured in her person, in nearly all of the States, it is her husband who must sue the company, and it is to her husband that the damages, if there are any, will be awarded. In Ashfield, Mass., supposed to be the most advanced of any State in the Union in all things, humanitarian as well as intellectual, a married woman was severely injured by a defective sidewalk. Her husband sued the corporation and recovered $13,000 damages. And those $13,000 belong to him *bona fide,* and whenever that unfortunate wife wishes a dollar of it to supply her needs she must ask her husband for it; and if the man be of a narrow, selfish, niggardly nature, she will have to hear him say, everytime:

"*What have you done, my dear, with the twenty-five cents I gave you yesterday?"*

Isn't such a position, I ask you, humiliating enough to be called "servitude"? That husband, as would any
other husband, in nearly every State of this Union, sued
and obtained damages for the loss of the services of his
wife, precisely as the master, under the old slave regime,
would have done, had his slave been thus injured, and
precisely as he himself would have done had it been his
ox, cow, or horse instead of his wife. There is an old
saying that “a rose by any other name would smell as
sweet,” and I submit if the deprivation by law of the
ownership of one’s own person, wages, property, children,
the denial of the right as an individual, to sue and be
sued, and to testify in the courts, is not a condition of
servitude most bitter and absolute, though under the
sacred name of marriage?

Does any lawyer doubt my statement of the legal
status of married women? I will remind him of the fact
that the old common law of England prevails in every
State in this Union, except where the Legislature has
enacted special laws annulling it. And I am ashamed that
not one State has yet blotted from its statute books the
old common law of marriage, by which Blackstone,
summed up in the fewest words possible, is made to say:
“Husband and wife are one, and that one is the husband.”

Thus may all married women, wives, and widows,
by the laws of the several States, be technically included
in the XV. Amendment’s specification of “condition of
servitude,” present or previous. And not only married
women, but I will also prove to you that by all the great
fundamental principles of our free government, the entire
womanhood of the nation is in a “condition of servitude”
as surely as were our revolutionary fathers, when they
rebelled against old King George. Women are taxed
without representation, governed without their consent,
tried, convicted, and punished without a jury of their
peers. And is all this tyranny any less humiliating and
degrading to women under our democratic-republican
government today than it was to men under their
aristocratic, monarchical government one hundred years

with the generalization that women’s
legal position is the same as the
slave’s had been.

Logos This maxim drew upon the
audience’s knowledge of universal
truth about life, easily gaining their
agreement.

Pathos Defining marriage in these
terms would generate in women emula-
tion for the rights and freedoms
enjoyed by men because men, “…per-
sons like us…possess such goods as
bfit men that are held in honor…”
that we desire but do not possess.34

Pathos Anthony sought to stimulate
shame in her audience by pointing
out that toleration here amounted to
an “evil…that tends to our discre-
dit...(and) bring disgrace to ourselves
or those we care for.”35

Logos This inductive argument was
based on analogy. The primary power
of this analogy lies in the nature and
character of the audience already
stimulated to patriotic zeal. Further,
the analogy is effective because the
similarities concerned are pertinent,
significant aspects and no pertinent
dissimilarities are ignored. Also,
Anthony facilitated an unfamiliar
idea—the servitude of woman—with
something familiar, the revolutionary
fathers under aristocratic, monarchi-
cal government.
ago? There is not an utterance of old John Adams, John Hancock, or Patrick Henry, but finds a living response in the soul of every intelligent, patriotic woman of the nation. Bring to me a common-sense woman property holder, and I will show you one whose soul is fired with all the indignation of 1776, every time the tax-gatherer presents himself at her door. You will not find one such but feels her condition of servitude as galling as did James Otis when he said:

The very act of taxing exercised over those who are not represented appears to me to be depriving them of one of their most essential rights, and if continued, seems to be in effect an entire disfranchisement of every civil right. For, what one civil right is worth a rush after a man's property is subject to be taken from him at pleasure without his consent? If a man is not his own assessor in person, or by deputy, his liberty is gone, or he is wholly at the mercy of others.

What was the three-penny tax on tea, or the paltry tax on paper and sugar to which our revolutionary fathers were subjected, when compared with the taxation of the women of this Republic? The orphaned Pixley sisters, six dollars a day; and even the women who are proclaiming the tyranny of taxation without representation, from city to city throughout the country, are often compelled to pay a tax for the poor privilege of protesting against the outrage. And again, to show that disfranchisement was precisely the slavery of which the fathers complained, allow me to cite to you old Ben. Franklin, who in those olden times was admitted to be good authority, not merely in domestic economy, but in political as well:

Every man of the commonly, except infants, insane persons and criminals, is, of common right and the law of God, a freeman and entitled to the free enjoyment of liberty. That liberty or freedom consist in having an actual share in the appointment of those who are to frame the laws, and who are to be the guardians of every man's life.

Pathos This discourse stimulated emulation. Aristotle characterized emulation as "...a good emotion, and characteristic of good men..." so it indirectly increased Anthony's ethos.

Logos Anthony presented Otis as a witness, applying the esteem in which he was held to her cause. Her reasoning is:

Taxation without representation abrogates liberty
Women are taxed without representation
Women are without liberty

Logos Arguing from degree Anthony says the evil is greater because of the pitiable condition of women and the exorbitant payment required. She substantiated her argument with two historical examples.

Logos Anthony's argument presented Franklin as a respected authority.
property, and peace. For the all of one man is as dear to him as the all of another; and the poor man has an equal right, but more need to have representatives in the Legislature than the rich one. That they who have no voice or vote in the electing of representatives do not enjoy liberty, but are absolutely enslaved to those who have votes and their representatives; for to be enslaved is to have governors whom other men have set over us, and to be subject to laws made by their representatives of others, without having had representatives of our own to give consent in our behalf.

Suppose I read it with the feminine gender:

That women who have no voice nor vote in the electing of representatives, do not enjoy liberty, but are absolutely enslaved to men who have votes and their representatives; for to be enslaved is to have governors whom men have set over us, and to be subject to the laws made by the representatives of men, without having representatives of our own to give consent in our behalf.

And yet one more authority; that of Thomas Paine, than whom not one of the Revolutionary patriots more ably vindicated the principles upon which our government is founded:

The right of voting for representatives is the primary right to which other rights are protected. To take away this right is to reduce man to a state of slavery; for slavery consists in being subject to the will of another; and he that has not a vote in the election of representatives is in this case. The proposal, therefore, to disfranchise any class of men is as criminal as the proposal to take away property.

Is anything further needed to prove woman's condition of servitude sufficiently orthodox to entitle her to the guarantees of the XV. Amendment? Is there a man who will not agree with me, that to talk of freedom without the ballot, is mockery--is slavery--to the women of this Republic. precisely as New England's orator, Wendell Phillips, at the close of the late war, declared it to be to

**Logos** Anthony created the analogy to increase her audience's understanding.

**Logos** Anthony sought to establish identification through the use of patriotic symbols. Then the course of action she recommended as was Paine's would be perceived appropriate and consistent with democratic values.

**Ethos** Anthony demonstrated common sense, consistent integrity, and good will through clear, lively discourse.
the newly emancipated black men? I admit that prior to the rebellion, by common consent, the right to enslave, as well as to disfranchise both native and foreign born citizens, was conceded to the States. But the one grand principle, settled by the war and the reconstruction legislation, is the supremacy of National power to protect the citizens of the United States in their right to freedom and the elective franchise, against any and every interference on the part of the several States. And again and again, have the American people asserted the triumph of this principle, by their overwhelming majorities for Lincoln and Grant. The one issue of the last two Presidential elections was, whether the XIV. and XV. Amendments should be considered the irrevocable will of the people; and the decision was, they shall be—and that it is not only the right, but the duty of the National government to protect all United States citizens in the full enjoyment and free exercise of all their privileges and immunities against any attempt of any State to deny or abridge. And in this conclusion Republicans and Democrats alike agree.

**Logos** Anthony presented another historical example to address her strong state's rights opponents.

**Ethos** Admitting that enslavement and disfranchisement had been a state right, Anthony does not condemn it as wrong unless states violate the "common consent" made evident by the passage of the amendments.

**Logos** Anthony used an enthymeme to accuse states of injustice if they sought to keep woman disfranchised.

**Logos** Historical examples are used as witnesses.

If these assertions mean anything, it is that
Congress should pass a law compelling the States to protect women in their equal political rights, and that the States should enact laws making it the duty of inspectors of election to receive women's votes on precisely the same conditions they do those of men.

Judge Stanley Matthews--a substantial Ohio Democrat--in his preliminary speech at the Cincinnati Convention, said most emphatically:

*The Constitutional Amendments have established the political equality of all citizens before the law.*

President Grant, in his message to Congress March 30, 1870, on the adoption of the XV. Amendment, said:

*A measure which makes at once four millions of people voters, is indeed a measure of greater importance than any act of the kind from the foundation of the Government to the present time.*

How could the four million negroes be made voters if the two million women were not included?

The California State Republican Convention said:

*Among the many practical and substantial triumphs of the principles achieved by the Republican party during the past twelve years, we may enumerate with pride and pleasure, the prohibiting of any State from abridging the privileges of any citizen of the Republic, the declaring the civil and political equality of every citizen, and the establishing of all these principles in the Federal Constitution by amendments thereto, as the permanent law.*

Benjamin F. Butler, in a recent letter to me said:

*I do not believe anybody in Congress doubts that the Constitution authorizes the right of women to vote, precisely as it authorizes trial by jury and many other like rights guaranteed to citizens. And again, It is not laws we want; there are plenty of laws—good enough, too. Administrative ability to enforce law is the great want of the age, in this country especially. Everybody talks of law, law. If everybody would insist on the enforcement of law.*

Ethos By associating with honorable people, she presents herself as a person of high moral character.
the government would stand on a firmer basis, and questions would settle themselves.

And it is upon this just interpretation of the United States Constitution that our National Woman Suffrage Association, which celebrates the twenty-fifth anniversary of the woman's rights movement, in New York on the 6th of May next, has based all its arguments and action the past three years. We no longer petition Legislature or Congress to give us the right to vote. We appeal to the women everywhere to exercise their too long neglected "citizen's right to vote." We appeal to the inspectors of election everywhere to receive the votes of all United States citizens, as it is their duty to do. We appeal to United States commissioners and marshals to arrest the inspectors who reject the names and votes of United States citizens, as it is their duty to do, and leave those alone who, like our eighth ward inspectors, perform their duties faithfully and well. We ask the juries to fail to return verdicts of "guilty" against honest, law-abiding, tax-paying United States citizens for offering their votes at our elections; or against intelligent, worthy young men, inspectors of election, for receiving and counting such citizens' votes. We ask the judges to render true and unprejudiced opinions of the law, and wherever there is room for a doubt to give its benefit on the side of liberty and quality to women, remembering that

*The true rule of interpretation under our National Constitution, especially since its Amendments, is that anything for human rights is constitutional, everything against human rights is unconstitutional.*

And it is on this line that we propose to fight our battle for the ballot—peaceably, but nevertheless persistently to complete triumph, when all United States citizens shall be recognized as equals before the law.

**Pathos** Anthony attempted to arouse emulation in the women, excited "by those goods which bring enjoyment to one's neighbors..."36—the right to vote.

**Logos** This causal argument is presented for herself and the inspectors arrested for receiving her vote. It is based on genus: what is found for the inspectors will be found for her.

**Logos** Argument from opposites.

**Ethos** She displays virtuous character traits the audience would admire.
CHAPTER SIX
SUMMARY AND CONCLUSIONS

Susan B. Anthony’s labor to obtain woman’s suffrage began in 1849 when she was 28 years old and continued unabated for 57 years, until her death in 1906. A practical woman, not eloquent but skilled in argument, she never disappointed an audience that was occupied with this issue.

Beginning March 11, 1873, Susan B. Anthony delivered a speech in each of 29 post office districts of Monroe and 21 of Ontario, canvassing those counties prior to her trial in June, 1873. Her audience, large and attentive, composed of farmers, storekeepers, lawyers and housewives, rich and poor—a cross section of America, became thoroughly aroused and were moved to endorse resolution condemning injustice shown to women.

This speaking circuit—she spoke twenty-one nights in succession—was commenced because Miss Anthony perceived the newspapers were “violently against her.” The Rochester Union and Advertiser called her a “Corruptionist...who was engaged in a work that...is nothing more nor less than an attempt to corrupt the source of that justice under law which flows from trial by jury.” There were, however, many favorable newspaper accounts of Miss Anthony’s courage, ability and the justice of her cause. She was a popular, nationally known speaker. When the District-Attorney threatened to pursue a change of venue because she would prejudice the jury, she, expert in repartee, asked him if reading and explaining the Constitution of the United States was prejudicing a jury.

In this speech, as was her custom, she stated her purpose with clarity and brevity. Her grasp of constitutional rights is clear and strong and she was able to translate these difficult concepts into terms with which her audience could understand and agree.

Throughout her speech, Anthony pleads, not for herself as an individual whose freedom was at risk, but for women as a class whose rights as citizens of the United States were being denied. This persona as an informed citizen who is willing to sacrifice personal comfort and freedom served to unite her with past patriots and founding fathers in a dramatic and appealing way. As such she could no longer be viewed as a non-conforming lawbreaker, but as one seeking to confirm the rights guaranteed by a bloody revolution barely a hundred years earlier. She identified with those who sat in the audience, willing to fight to see the Constitution of the United States upheld.

Furthermore, this persona of Susan B. Anthony as representative citizen was consciously held and carefully guarded. It touched both her public and private lives. First, in an age when an evening’s entertainment was listening to a group of speakers. Anthony was
well known across the nation as a woman suffragist. She was as comfortable contending with abusive opponents as strengthening the sympathetic supporters. Newspapers regularly reviewed her addresses, noting her seemingly inexhaustible knowledge of her subject. One said,

*There are not half of our public men who are nearly so well posted in the political affairs of our country as she, or who, knowing them can frame them as solidly in argument.*

Secondly, she considered that her manner of dress would impact on her audience and affect the universal image of respectability of women. Her dress was stylish, conservative and contemporary. This is notable since many of her opponents liked to picture her as a mannish, frustrated old maid. Clothing had been a heated issue in 1852 with the introduction of the Bloomer costume, and woman’s right to dress as she pleased threatened to overshadow the more important issue of woman’s suffrage. Anthony said, after deserting the Bloomer costume, that she had learned that only one reform at a time could be considered by an audience and that dress, in this instance, "fixed the attention of the audience on my clothes instead of my words."  

Third, she cemented her credibility through financial responsibility. It was no secret that when her newspaper, *The Revolution*, failed, she was left with a $10,000 debt which she was personally paying off with money she earned from speaking engagements. Assuming this publishing debt when she could have declared bankruptcy increased her credibility and was a good example of woman’s financial independence.  

By becoming a representative citizen, Anthony firmly identified herself with the beliefs and values of her audience. When she said, "You and I and all true patriotic citizens..." she strengthened her attachment with the audience by uniting their position relative to "our opponents." From this position, she could arouse her audience’s emotions and direct their outrage toward those who would deny a citizen the rights guaranteed by the Constitution.

The public platform was the most popular medium of entertainment and education of the time. Speakers of outstanding ability or renown were well attended. By the 1870s Anthony was such a popular speaker that many had to be turned away because of lack of space. Most of these speeches were delivered at night, often to an unpredictable audience. Nevertheless, Anthony was able to elicit strong emotions of national pride, humiliation and outrage from both men and women that the Constitution be upheld along with the rights that it protected. Prior to her trial, at the May Anniversary in New York, she asserted that the trial really questions every man’s right to share in the government,
...it is not Susan B. Anthony or the women of the republic who alone are on trial today, but it is the government of the United States, and that as the decision is rendered for or against the political rights of citizenship, so will the men of America find themselves free or enslaved.  

First, Anthony works to generate a sense of national pride and it permeates the entire speech. She nurtures this with quotes from the Declaration of Independence, the United States Constitution, its Amendments, the Constitution of the State of New York, James Madison, Benjamin Franklin, Thomas Paine, and a multitude of lawmakers and founding fathers. She makes an equation: freedom equals participation in government; to deny this participation is to negate our whole system of government and the blood that was spilled to establish it.

Once feelings of national pride have been generated, she reveals that the enemy of our freedom is still at work in our land. She portrays the "aristocratic, monarchical, purely partisan" judge and congressman who believes in the idea of the right of one class to govern another as the enemy who seeks the abrogation of Constitutional rights. They were the ones who earlier fought to keep the blacks from enfranchisement and now would deny women the same right.

The third emotion Anthony seeks to develop is a sense of degradation over the present state of the American woman. She likens it to that of an inhabitant of a monarchical government: she is "subject, helpless, powerless, bound to obey laws made by political superiors...degraded from the status of a citizen of the republic to that of a powerless subject...serf or slave." To a person in this condition, it matters very little whether his monarch be an individual tyrant, as is the Czar of Russia, or a 15,000,000 headed monster, as here in the United States.”

Once the audience has witnessed the political degradation of the American woman, Anthony leads them to feel the humiliation inherent in that state: she can be taxed without representation, governed without consent, tried, convicted and punished (even hung) without a jury of her peers. She has no money but what her husband gives her (her earnings and inheritances belong to her husband), her children belonged to her husband and she had no recourse under the law for injury to her person, property or reputation. She used illustrations that would strike close to the experiences of her audience: the farmer's wife who had received a set of defective false teeth and couldn't testify in court about them, the Massachusetts wife who was injured on a broken sidewalk and is perceived no differently before the law than if her husband's cow, not his wife, had been injured.

She attempted to draw on many motive appeals--from their love of country, family
and even money—to move them to action to find her not guilty of illegal voting and to work to remove woman's restrictions to full citizenship under the Constitution. Added to this was the weight of Anthony's personal word as a respectable, financially responsible, knowledgeable citizen with a right to speak. Facts and statistics she laid one upon another in her speech, in a reasonable and logical manner, persuading her audience she had a right to the vote and so did every woman in America.

This speech provides examples of that factor that made Susan B. Anthony an effective speaker—she made extensive use of logical argument. The organization of this speech is causal and also chronological, since she begins with the Declaration of Independence (acknowledging the original giving of rights by God) and closes with the Fifteenth Amendment to the Constitution. She discusses the rights of a citizen as described and protected in the Declaration of Independence, United States Constitution and New York State Constitution. She demonstrates how the denial of this right to female American citizens has abridged her freedom and made her no more than a slave. The argument has four basic points.

First, the founding documents do not give rights to citizens, they pledge to protect the people in the exercise of their God-given rights. Consequently, the people have an inalienable right to the ballot if the government is to derive its "just powers from the consent of the governed."

The denial of this right to women would result in the same shameful conditions—taxation without representation and subjection to a ruling class—that provoked the founding fathers to frame the Declaration of Independence.

Secondly, arguing from analogy, she attacks the idea that the masculine language in the Constitution gave the right to vote to men only. She argues that "We, the people," necessarily included women in order to produce a harmonious union. It was not "we the while male citizen." The United States and New York State Constitution so carefully guarded the citizen's right to vote that exclusions were specifically mentioned: Women fall into neither category.

State constitutions have the power to prescribe times, places and manner of holding elections and have no permission to discriminate against the right of any class of citizens to vote. To regulate, she argues, can not be to annihilate; to qualify can not be wholly to deprive. Further, the audience would find it inconceivable that opponents could negate the personhood of women. "The only question left to be settled now is: Are women persons? I scarcely believe any of our opponents will have the hardihood to say they are not." The
rational, just person would have to agree that with personhood came citizenship and with citizenship came the right to vote. To make a qualification based on sex is a "violation of the supreme law of the land." Those who insist that the masculine pronouns in constitutions and laws is proof that only men were meant to be included in those provisions impale themselves on the horns of a dilemma: the necessary exemption of women from taxation and penalty for violation of law, since those are also written in masculine language.

Thirdly, using syllogistic reasoning, she argues that since in the normal administration of government, women are reckoned as citizens, equally with men, then they had a right to the elective franchise. "In order to be a citizen one must be a voter." The protection of this right is clearly seen in the example of the emancipated Negro and the naturalized citizen—-with recognition of citizenship came the right to vote. The purpose of the Fourteenth Amendment, Anthony argues, is clearly to give the right to vote. The black man "possessed everything else before." Following a logical line, the federal government prohibited the states from denying the black man the right to vote, and this is extended to include any citizen, "for the amendment does not say that all male persons of African descent, but that all persons are citizens." And if citizens, according to the Fifteenth Amendment, then voters: "The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State on account of race, color or previous condition of servitude." To allow this abridgment would open the door to "petty tricks and cunning devices" of those seeking to exclude some class of citizens from suffrage.

Miss Anthony's fourth and last argument is the one most likely to incite reform and emotional upheaval. Using inflammatory language, she argues from analogy that women, like the black man, are included in the Fifteenth Amendment's suffrage guarantee by virtue of their "previous condition of servitude."

By 1873 some advances had been made to protect women's rights in education, inheritance, and the custody of her children. However, as Anthony points out, no State had yet given women the right to "equal ownership of the joint earning of the marriage copartnership," or the right to sue or be sued for slander; many states still did not recognize the mother's right to joint guardianship with the father of the children. In many states she could not sue for personal injury and could not be a witness in matters of joint interest between herself and her husband. To this she said:

_I submit the question, if the deprivation by law...is not a condition of servitude most bitter and absolute, even thought under the sacred name of marriage?_

She offers the disturbing illustration of a husband's right to beat his wife, keep her earnings and apprentice her children to brothels and rumsellers. These examples of the
actual servitude of women could not be denied and proved the woman's condition of servitude, entitling her to the guarantees of the Fifteenth Amendment.

The last and most important idea of the address is the argument that there was no need to petition Congress to give women the right to vote--they already had it. All that was needed was for the governments (federal and state) to enact laws that would enable inspectors of election to receive the votes of all United States citizens, including women. She pleads with women to exercise their right to vote, with election inspectors to receive their votes and with juries to refuse to return guilty verdicts against honest, law abiding, tax paying United States citizens for offering their votes.

It has been said of Miss Anthony that no male lawyer would argue with her on this issue, so well acquainted was she with the legal aspects. She appealed to her audience's sense of duty, and because of her argumentative speaking style--demanding rather than persuading--she was nicknames "Battle Ax." She generally developed a good rapport with her audience, identifying them with the "common work" that needed to be done to prevent the unhappy events sure to follow if women were to be denied the vote.

Miss Anthony had two reasons for addressing the citizens of Ontario and Monroe counties: first to present woman's Constitutional right to vote and secondly to ask jurors to find a woman voter "Not guilty" of any crime. Was she successful in persuading a jury to find her not guilty? Unfortunately, we can not know. At the close of her trial, the presiding judge, Ward Hunt, instructed the jury to find Miss Anthony guilty, and refused to allow a poll of the jury. Several protesting jurors, after being discharged, said that they had "intended to vote in favor of the defendant." This gross violation of her legal rights astonished the nation and magnified woman's inequity under the law. As a result of the subsequent appeals, the issue was clarified: Since the constitution does not confer suffrage on anyone, a constitutional amendment would be required to provide for woman's suffrage. To this task Susan B. Anthony applied her considerable energy and talent. She continued to argue the issue publicly before Congressional hearings and privately before Presidents. Fourteen years after her death the Nineteenth Amendment was passed. Its passage was due in no small part to the dedicated, clear, and strong rhetoric of Susan B. Anthony.
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41 Whately, p. 82.

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53 Thonssen and Baird. p 311.


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3 Aristotle, 1377b


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22 *Susan B. Anthony Papers*, Dartmouth College “Diaries”
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3 Aristotle, 1359b.

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16 Aristotle, 1385b

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24 Aristotle, 1380a
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