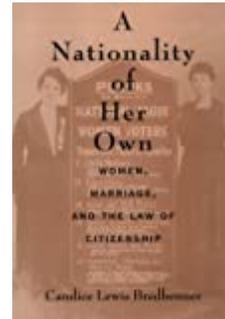




Candice Lewis Bredbenner. *A Nationality of Her Own: Women, Marriage and the Law of Citizenship.* Berkeley and London: University of California Press, 1998. xi + 294 pp. \$45.00 (cloth), ISBN 978-0-520-20650-2.



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“I Deny the Right of Congress to Legislate Away my Citizenship” Rebecca Shelley, Marital Expatriate, in *A Nationality of Her Own* (p. 151)

After several decades of being the overlooked little sister of the far more popular study of women’s ultimately successful campaign to achieve the vote, the issue of women and citizenship has suddenly come into its own. Various aspects of the relation between gender and citizenship became the subject of at least three major studies in 1998: Linda Kerber’s, *No Constitutional Right to be Ladies: Women and the Obligations of Citizens’ Rights.* (New York: Hill and Wang), Nancy Isenberg’s, *Sex and Citizenship in Antebellum America* (Chapel Hill: University of North Carolina, and *A Nationality of Her Own: Women, Marriage, and the Law of Citizenship* by Candice Lewis Bredbenner, Associate Professor in the American Studies Department at Arizona State University West.

There’s good news and there’s bad news about Professor Bredbenner’s particular window into this complex yet crucial relationship. The good news is that it is a meticulously researched, exhaustively detailed chronicle of the impact of a 1907 statute declaring that American women must assume the nationalities of their husbands, climaxing in 1934 with the passage of the equalization bill sponsored by the National Women’s Party and, on the same day, 24 May, ratification of the equal-nationality

treaty by the Senate. The bad news is that it is a meticulously researched, exhaustively detailed chronicle of the impact of a 1907 statute declaring...well, you know the rest.

First, the good news. Bredbenner navigates this enormously complex and thorny set of issues calmly and carefully, using issues of citizenship to illuminate the folly in exaggerating the suffrage amendment’s ability to guarantee political equality. Moreover, through the application of her painstaking research she earns the right to state in her epilogue, “no other pre-World War II reform effort except woman suffrage rivaled it [the nationality-rights campaign] as a demonstration of the force of women’s unified political strength brought to bear on the federal government”(p. 250).

Bredbenner’s story begins in 1855, when Section Two of the Naturalization Act declared “Any woman who is now or may hereafter be married to a citizen of the United States, and who might herself be lawfully naturalized shall be deemed a citizen” (p. 15). Rather than being viewed as a denial of a married woman’s right to chose her citizenship, this law was based on a myriad of assumptions perhaps best communicated by a 1922 *Chicago Tribune* story entitled, “A Woman’s Citizenship is Her Husband’s,” which declared, “Women sentimentally adopt the land of their husbands...” (p. 84). In real-

ity, Bredbenner notes, “it was a nod to male prerogative, the power of the federal government, and the principles of international comity” (p. 42).

Matters were complicated in 1907, when a new law (the Expatriation Act) revoked the U.S. citizenship of women who married aliens. The guiding assumption was that any woman who would voluntarily marry a foreigner was no longer deserving of, and no longer to be trusted with, U.S. citizenship. The combined impact of the two laws was that the citizenship of their husbands was the single factor ruling women’s citizenship. It also revealed a remarkably gendered double standard under which a woman who could not speak English and had no knowledge of American laws, customs or society, became a citizen on her wedding day, while the American born and bred bride, if lucky, “merely” involuntarily forfeited her citizenship or, if unlucky, ran the risk of becoming a woman without a country if the nation of her husband did not automatically grant her citizenship. In a truly fascinating study of values that deserves deeper investigation than that granted by Bredbenner, paternalism proved stronger even than racism and ethnocentrism.

Bredbenner nonetheless excels at spinning out the various political ramifications of these two acts. She notes, for example, that a married immigrant woman seeking U.S. citizenship could not initiate her own naturalization. Bredbenner details the significance of that deceptively simple prohibition: “Her right to remain a citizen or become one, to vote or exercise other political perquisites of American citizenship, to reside in the United States without threat of deportation or expatriation, to enter certain occupations, to re-enter the country after an absence abroad, to enjoy the protection of the U.S. government while traveling outside the country, and to secure American citizenship for her children was now wholly dependent on the citizenship of the man she wed ” (p. 60). Because married women’s citizenship remained a mere reflection of their husbands’ status, there was no incentive for these wives to take citizenship classes, which effectively reinforced their old world ties. Suffragists found this particularly problematic, for the existence of thousands of foreign born women whose sole qualifications for citizenship was a wedding band, weakened their argument that American women were fully qualified to vote. This concern was compounded as nativist concerns expanded to meet the rising number of immigrants. (Bredbenner points out that the Expatriation Act passed, not coincidentally, the year immigration from southern and eastern Europe peaked).

To suffragists, the double standard of labeling the same act (marriage) one of disloyalty or patriotism based purely on the sex of the American involved was abundantly clear. In the words of one American woman who lost her citizenship upon marriage, “If for men it is even a patriotic deed to extend by marriage their influence and partnership of their country in foreign lands, why should it not be the same when it is an American girl who marries a foreigner?” (p. 105). Women activists had to be careful not to appear ethnocentric in their opposition to the Naturalization Act, nor anti-American in their efforts to appeal the Expatriation Act. Even after ratification of the Nineteenth Amendment, the various attempts organized by women to expunge all gender-based double standards from nationality legislation met with staunch opposition from Congressional Democrats and Republicans alike, as well as from the State Department. Moreover, the overriding goal of the National Woman’s Party (NWP), of absolute, global legal equality between the sexes was at odds with many women’s groups dedicated to issues of U.S. citizenship exclusively, creating an alliance that was frequently uneasy. The Cable Act of 1922 marked some progress but fell far short of ridding immigration and citizenship legislation of sexism.

Women activists tried a variety of tactics to further their goal, from highlighting the political limbo of American-born women abandoned by their alien husbands yet denied the possibility of citizenship by their own government, to arguing that foreign born women were being denied the opportunity to independently seek American citizenship and thereby become better mothers to their children. (An entirely different approach to the issue of gender was taken in the case of *Tinker v. Colwell*, in which a judge declared that the deportation of a wife would violate her citizen husband’s property right.) The various women’s groups persevered, however, as did their opponents, who continued to claim that wives almost universally threw their lots in with their husbands and did not care deeply about issues of citizenship (p. 147).

After sorting the complicated domestic history of the interplay between gender and citizenship, Bredbenner presents her very ambitious Chapter Six, “Nationality Rights in International Perspective,” detailing the efforts by the delegates to the League of Nations and to The Hague Conference on the Codification of International Law (1930) to attempt to codify nationality, including married women’s nationality rights. In a world made smaller by increasing travel, the U.S. State Department viewed the increasing number of transnational

marriages, and the question of the citizenship of their resultant children, with growing concern. Yet when The Hague Convention failed to guarantee that citizen women would receive the same nationality rights enjoyed by their male counterparts, American feminists played a crucial role in the U.S. delegation's decision to cast the only dissenting vote against the convention.

In the wake of the Hague Convention, women's organizations, under the leadership of the NWP, picked up speed, culminating on 24 May 1934, when President Franklin D. Roosevelt signed in their nationality bill and the Senate ratified the equal-nationality treaty. Combined, Bredbenner concludes, these actions "put to rest the notion that marriage constituted an act of elective expatriation" (p. 242). They also provided "married men and women with a common set of standards for naturalization, expatriation, repatriation, and immigration, [which] marked the abandonment of one significant form of discrimination against individuals of foreign nationality or connections," but, Bredbenner cautions, "race, color, and nation origin still remained weighty factors in an immigrant's attainment of permanent residency, citizenship, and social acceptance" (p. 244). And finally, Bredbenner concludes, even the feminist v. citizen, equalitarian v. protectionist, emphases that divided the campaign's foot soldiers should be considered not an indication of weakness, but of "female reformers' collective intellectual vitality," the same vitality that enriches the feminists of today.

For the reader really interested in every detail of this complex political battle against derivative citizenship, Bredbenner leaves no stone unturned. Her archival research is particularly impressive, cited as part of an extensive bibliography that will be a great reference source for future scholars. For the less specialized reader, the results of her research have been crafted into such a detailed account that it becomes overwhelming, especially the sections unleavened by the usually riveting, frequently heartbreaking accounts of the real people whose lives were drastically affected by this discriminatory legislation. These accounts, as well as excerpts from a vari-

ety of related public and private documents, breathe life into Bredbenner's sometimes rather sterile political discourse and, when absent for too many pages, are sorely missed. Bredbenner also fails to seize a plethora of opportunities to enlarge her study, to place it more firmly in the larger context of racial attitudes, progressivism, gender issues, and labor history.

To offer such suggestions for a book whose text already runs 256 pages is perhaps unreasonable, and scholars of citizenship might protest the condensation of some of Bredbenner's detailed legal and political accounts. However, the more general reader would welcome some condensation, as well as the excising of the many repetitive passages. Moreover, incorporation of close readings of works such as Kathryn Sklar's *Florence Kelley and the Nation's Work: The Rise of Women's Political Culture, 1830-1900* (New Haven and London: Yale University Press, 1995) and especially Judy Yung's *Unbound Feet: A Social History of Chinese Women in San Francisco* (Berkeley and London: University of California Press, 1995) would inform this study of certain contemporary labor, immigration, and gender background issues. Both these works also serve as excellent examples of studies that manage to highlight the interplay between the subject of their focus and the many larger issues. Instead, Bredbenner buries some key opportunities to enlarge her study within her footnotes, as she does in note four on page 115, which comments briefly on the intriguing fact that the Immigration Act of 1917 demonstrated the federal government's greater willingness to admit adult women than men. (I am, I must confess, rarely as careful in reading endnotes as I am with footnotes. The contents of this note would likely have otherwise escaped my attention, so I am particularly grateful for Bredbenner's footnote format).

Professor Bredbenner has written an excellent, scholarly study of women and citizenship. I only wish the personal were illuminated so masterfully as the political.

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