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**Nancy F. Cott.** *Public Vows: A History of Marriage and the Nation.* Cambridge: Harvard University Press, 2000. 297 pp. $27.95 (cloth) ISBN 0-674-00320-9; $15.95 (paper), ISBN 978-0-674-00875-5.

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## Beneath the Private Mask: Marriage as a Public Institution

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In the past months, a gnawing question has haunted me. Has the United States entered a period which is as conservative as, and in some respects similar to, the 1950s? Is this especially so if we look at issues of gender and the family? Let me present some anecdotal but relevant evidence.

Recently I attended a party of about sixty people. Only three of the women, myself included, were employed outside of the home. The others had husbands who worked while they tended the home and raised the children. Many had recently moved to suburbia where they had their hands full driving their children to activities, decorating the house, and coordinating an ever-expanding list of play dates, chores, and sports practices. As they described their lives, the suburban kitchen, complete with sub-zeros and free standing isles, was anything but a "comfortable concentration camp" as Betty Friedan described it, almost thirty years ago, in *The Feminine Mystique.*[1] Rather, these couples had decided that the husband was to be a breadwinner and the wife, as housewife, financially dependent upon him. Interestingly none commented that in many ways this was an economically rational decision, as in most cases their husband's earning potential (as partners in major law firms, or in the upper echelons of Wall Street) far exceeded their own earning potential, although their educational achievements were similar. Rather, these couples appear to understand the choices that they have made to represent private and individual decisions.

Sylvia Ann Hewlett's much-publicized new book *Creating a Life: Professional Women and the Quest for Children* claims that women's career success has come only at the cost of forgoing marriage and children, leaving women in their forties and fifties unfulfilled and desperately searching for love and a family life. She urges women in their twenties to set out to find a husband and to have children before their thirties, when their fertility precipitously declines.[2]

In numerous conversations with acquaintances and strangers, I hear the argument–to support anything from the administration's "war on terror" to the further dismantling of the welfare state–that one has to think of

their families first. The argument is as follows: "I don't support the government's welfare spending on the poor because it doesn't benefit my family–lower taxes do. My responsibility is to my family, not to other people's families." A variant is: "I feel bad if we kill civilians in Afghanistan but I need to worry about protecting my own family against terrorism."

In the July 5, 2002 *New York Times*, the Ad Council ran an advertisement in which the text appearing below an illustration of the American flag reads in part, "Your right to backyard barbeques, sleeping on Sundays and listening to any darned music you please can be just as fulfilling as your right to vote for president. Maybe even more so because you enjoy these freedoms personally and often."

In the popular HBO cable television series "Sex and the City," the leading characters seem ever more urgently to be searching for true romantic love. While waiting, they spend increasing sums of money, from their all-but-invisible labor, on designer fashions.

In a U.S. women's history class I taught this past semester, thirteen of the fifteen self-selected, bright and motivated students had never heard the slogan, "The personal is political."

These examples are not unrelated. Rather, as with 1950s domesticity, the family has once again taken on a certain quality of being the last bastion of stability in what is perceived as an increasingly unstable and frightening world. Describing the family ideology of the 1950s, historian Regina Kunzel writes, "A crucial site for fighting cold war battles, the family was charged with nothing less than providing refuge from nuclear weapons, halting communist subversion, ensuring economic progress by operating as a consuming unit, and reviving conventional gender roles."[3] To what extent could such a description apply to today's family? This stress on the family as a cohesive and conflict-free unit with a relatively rigid division of labor, providing for the emotional and physical needs of its members is not necessarily problematic–but it becomes so when the privatized family serves as a mechanism for de-politicization and assumes an imaginary but nonetheless atavistic quality, making it appear unattached to the polity.

Nancy Cott's *Public Vows: A History of Marriage and the Nation* is thus especially important at this moment. In her examination of marriage from the early Republic through the late 1990s, Cott, professor of history at Harvard University and director of Radcliffe's Schlesinger Library, reminds us that marriage is not only about the joining of a couple but rather is an institution deeply connected to the polity through which the state apparatus shapes and institutionalizes gender arrangements (p. 3). Yet, as Cott observes, "The monumental public character of marriage is generally its least noticed aspect" (p. 1). In making this argument, Cott subtly brings before her readers the question of the extent to which marriage and the structure of married life is truly voluntary and the ways that its compulsory aspects have been masked by an ideology of choice and consent.

Although Cott is perhaps best known for *The Bonds of Womanhood*, her groundbreaking 1977 work in women's history, one of her great strengths is her ability to synthesize material as evidenced by her widely-read and assigned book *The Roots of Modern Feminism*.[4] *Public Vows* answers Thomas Bender's call for works of historical synthesis; it beautifully takes the scholarship of the last twenty years produced in the fields of gender and women's history, African-American history, southern history, native American history, immigration history, and the development of the welfare state and produces something larger than the sum of its parts.[5] A reader familiar with these fields can predict the content of Cott's endnotes and the sources from which she has drawn. Although little in the work comes as a surprise and some of her examples are widely known and have been studied in depth elsewhere, Cott's narrative puts together the *bricolage* in an innovative manner, which allows for fresh interpretation. Indeed, *Public Vows* can be read as a re-narration of the history of the United States through the lens of marriage.

Cott provides a coherent framework for this chronologically wide-ranging work by focusing on the theme of citizenship–what it means, how it is enacted and performed–and its relationship to marriage. Unlike other recent works on marriage by historians such as Hendrik Hartog, Norma Basch, and J. Herbie DiFonzo, Cott is less interested in the ways that the law of marriage, coverture, separation, and divorce functioned in courts, legal offices, or even among couples themselves, and more focused on the political and social meaning of marriage and its relationship to the construction of gender, race, the nation, and citizenship.[6] Further, although it is axiomatic for legal scholars to understand marriage as the epitome of federalism (in that it is regulated by state law), Cott demonstrates the myriad ways that federal law and policy shaped and promoted monogamous matrimony.

Cott begins by exploring marriage in the Revolution-

ary era and early Republic, and examining how marriage and citizenship became intertwined. She argues that virtue, understood as a necessary trait of the citizen of a republic, also informed marriage. The virtuous citizen was public-spirited and concerned with the social good rather than with promoting his own self-interest. Marriage became "a training ground for virtue" where citizens learned to care for one another and the male citizen's natural reason and judgment complimented women's natural affection (pp. 18-19). Furthermore, like a republic, marriage seemingly rested upon voluntary consent through which the wife became represented by her husband. Cott writes that in the years of the early Republic, marital monogamy became deeply associated with political liberty and a republican state. Married couples, enacting appropriate gender roles, would form the units on which to construct the nation. For instance, Cott points to federal efforts to reform Native Americans' understanding and practice of marriage as evidence that they were appropriately civilized to be incorporated into the polity. Likewise, slave marriages were not legally recognized for marriage represented at least one indicator of the citizenship that a slave could not claim.

Cott recognizes, however, that during the antebellum period state and federal control were weak and community standards regarding what constituted marriage and appropriate behavior within marriage prevailed. Cott describes the familiar landscape of antebellum heterogeneous marriage practices, including self-marriage, separation, desertion, out of wedlock births, bigamy, and (less often) marriage across the color line, as well as the experiments of numerous utopian communities in radically restructuring marriage, gender, and family arrangements. Although Cott attempts to demonstrate that even within this space (which allowed for a variety of marital practices), community mechanisms, formal and informal, policed marriage, her argument regarding the relationship between citizenship and marriage unfortunately seems to falter as she pauses to examine these practices that formed an alternative to life-long monogamous marriage.

One of Cott's most powerful chapters is her analyses of abolitionists', slavery defenders', and women's rights activists' arguments over the question of marriage. Although Cott does not unearth new material, her juxtaposition of these various understandings of marriage provides a new perspective and allows these groups of historical actors to enter into dialogue with one another, while demonstrating the centrality of marriage to the discourse of all three. Abolitionists argued that slavery's great injustices were its denial of Christian marriage to the slave and slave owners' disregard for monogamy as they raped slave women and sold members of slave families.

In contrast, slavery's defenders portrayed it as a paternalistic institution in which the slave stood in a relationship of natural hierarchy, similar to the relationship between husband and wife or parent and child. As Cott notes, white Southern elites believed that "[j]ust as women were fitted by nature and God to conform to their place as wives, enslaved African Americans were suited for slavery; and slavery, like marriage, was a relationship of unequals benefiting both parties" (p. 61). This ideology provided all white southern men (most who were not slaveholders) with the patina of being masters of their own household. Unfortunately, Cott does not discuss Justice Thomas Ruffin's 1829 opinion for the North Carolina Supreme Court in *State v. Mann*. In *Mann*, the court specifically rejected the analogy between slavery and domestic relationships.[7] Examining *Mann* might have added further complexity to her argument. As slavery's defenders analogized slavery to marriage, some women's right's activists, many of them committed abolitionists, agreed with the analogy, condemning both slavery and marriage as anathema to self-ownership and liberty. Cott makes the important if at times forgotten point that the early woman's right movement emphasized marriage reform as much as if not more than suffrage.

With Union victory, the slaves' emancipation, and the growing power of the state, monogamous marriage took on a hegemonic quality. Marriage became one of the primary foundations on which a unified and national state was constructed. The Freedmen's Bureau (the first foray of the federal government into a bureaucratic welfare state) equally emphasized the importance for freedmen of wage labor and of marriage. The male slave, formerly dependent, was to be reconstructed as an independent wage-earner and provider for a dependent family that he controlled. The possibility of his attaining citizenship depended, in part, upon such a transformation, and former slaves often embraced marriage as part of freedom. Yet state-sanctioned Christian marriage foreclosed older African-American practices of self-marriage and divorce (rooted in part in their creative responses to the tyranny of slavery). Furthermore, as Cott emphasizes, masculinity and male citizenship depended upon a man having a wife who was financially and politically dependent upon him. A wife's dependency underwrote her husband's political independence.

Using an almost Hegelian dialectic, Cott balances

the hegemonic quality of state-sanctioned monogamous marriage with alternatives that could not be entirely quashed. Thus in the post-bellum period, divorce generated concern among the Protestant clergy, cultural elites, and politicians alike. Cott writes, "Divorce was the leading edge.... It stimulated the vagaries of desire, which Christian-model monogamy had meant to foreclose" (p. 107). If divorce provoked nightmares on the part of some, many saw Mormon polygamy in the Utah territories as a visible rupture in the promotion of a national marriage model. In *Reynolds v. United States* (1878), the U.S. Supreme Court ruled that Congress had the power to criminalize polygamy in the territories and that polygamy was not protected by the First Amendment. Chief Justice Morrison R. Waite made clear the Court's understanding of the link between monogamy and democracy, on the one hand, and polygamy and despotism, on the other hand.[8] Engaging with some of the new scholarship on racial construction, Cott argues convincingly that Mormons were discursively constructed as non-whites.

In the post-Civil War years, the federal government promoted monogamous marriage through the Freedmen's Bureau, social purity, anti-obscenity and birth control laws such as the Comstock Act, Indian policy, and immigration laws. Turning to immigration, Cott demonstrates how such laws and policies were both deeply related to marriage and profoundly gendered. They sought to transform the immigrant family into an appropriate male-headed household. For instance, when Congress debated a literacy test for immigrants, one controversy arose over whether the test would apply to men and women. As passed, the test applied to both–but exempted members of a male immigrant's immediate family.[9] Cott argues that this measure, as well as other immigration laws, promoted a national policy that saw male citizenship as encompassing the right to be a husband and father. Yet immigration law recognized only certain types of marriage. Marriage in the popular imagination and enacted through national policy was supposed to be consensual and grounded in romantic love which stood outside of market relationships. Port inspectors and officials guarded the nation's borders against "sham," un-American marriages, which included Asian picture brides and arranged marriages.

Cott detects a shift in marriage in the second quarter of the twentieth century. Where marriage had been linked to good governance, public virtue, and the creation of the nation, by the 1920s it primarily underwrote an economic order in which the husband functioned as breadwinner. Cott makes the important point that by the 1920s women were increasingly employed in the work force, primarily in low-paying jobs. Access to wage labor, however, reconfigured the role of housewife as a freely-chosen individual decision made by a woman.

In the 1930s, New Deal programs sought to shore up the male breadwinner and were structured to provide the most generous benefits to white men. Many of the New Deal's best-funded work programs, such as the Civilian Conservation Corps, provided construction work from which women were excluded. Section 213 of the Economy Act of 1932 prohibited two people in the same family from simultaneously holding federal jobs. Although gender-neutral on its face, Section 213 resulted in wives leaving federal employment as their husbands almost always held the higher paying job (p. 173). Social Security's old age provisions covered only full-time workers and excluded domestic, agricultural, and government employees (including teachers). This structure effectively created a mediated relationship between women and the state in that it benefited many women only through the male head-of-household's payments.

The least satisfying chapters of *Public Vows* are those discussing the period following World War II. These chapters seem rushed, lacking some of the creative analysis and juxtapositions earlier achieved. They also have a slightly teleological quality and culminate in the partial popular acceptance of a multitude of alternatives to non-monogamous marriage. They are not, however, without keen insight. For example, in discussing Cold War politics, Cott writes, "In confrontations with the Soviet Union and its socialist allies, American propaganda and Americans themselves often translated their political economy into private aspirations, linking capitalism and representative democracy to personal choices in marrying, having children, buying a home, and gaining access to a cornucopia of consumer goods" (p. 197). Cott then briefly discusses the Supreme Court's decisions in *Griswold v. Connecticut* (1963), *Eisenstadt v. Baird* (1972), and *Roe v. Wade* (1973).[10] Although these cases are rightly celebrated as landmarks, the reader is left wondering how they too were part of the Cold War political agenda. Although hinting at it, Cott does not fully develop this analysis.

*Public Vows* ends by querying why marriage remains such a powerful draw when over half of them end in divorce. Somehow, against all odds, like clapping our hands for Tinkerbell, we keep believing in the possibility of happy endings. Marriage, Cott theorizes, presents one

of the few spaces where we imagine that our full subjectivities can blossom. Cott does not make the argument quite this way, but she inspires the reader to wonder whether marriage and family life, cloaked in the illusion of privacy and representing an ersatz bright-line boundary between the public and private, has taken on such renewed importance because of the relative poverty of our other public institutions in playing a positive role in fashioning our creativity, well-being, citizenship, and sense of community. Cott ends *Public Vows* with a point well worth contemplating and perhaps even more important than when she wrote the book two years ago: How can a renewed institution of marriage, with its understanding of private intimacy, nurture generous attention to the public interest?

Notes

[1]. Betty Friedan, *The Feminine Mystique* (New York: W. W. Norton, 1963), 305. For a discussion of this analogy and the roots of *The Feminine Mystique* in McCarthyism see Daniel Horowitz, *Betty Friedan and the Making of the Feminine Mystique: The American Left, the Cold War, and Modern Feminism* (Amherst: University of Massachusetts Press, 1998).

[2]. Sylvia Ann Hewlett, *Creating a Life: Professional Woman and the Quest for Children* (New York: Hyperion, 2002). In response see Katha Pollitt, "Backlash Babies," *The Nation* (May 13, 2002).

[3]. Regina G. Kunzel, *Fallen Women, Problem Girls: Unmarried Mothers and the Professionalization of Social Work, 1890-1954* (New Haven: Yale University Press, 1993).

[4]. Nancy F. Cott, *The Bonds of Womanhood: 'Women's Sphere' in New England, 1780-1835* (New Haven: Yale University Press, 1977); Nancy F. Cott, *The Grounding of Modern Feminism* (New Haven: Yale University Press, 1987).

[5]. Thomas Bender, "Wholes and Parts: The Need for Synthesis in American History," *Journal of American History* 73 (1986): 120-136.

[6]. Hendrik Hartog, *Man and Wife in America: A History* (Cambridge, Mass.: Harvard University Press, 2000); Norma Basch, *Framing American Divorce: From the Revolutionary Generation to the Victorians* (Berkeley: University of California Press, 1999); J. Herbie DiFonzo, *Beneath the Fault Line: The Popular and Legal Culture of Divorce in Twentieth-Century America* (Charlottesville: University Press of Virginia, 1997).

[7]. *State v. Mann*, 13 N.C. 263 (1829).

[8]. *Reynolds v. United States*, 98 U.S. 145 (1878).

[9]. A literacy test for immigrants was first proposed and debated in 1896 but was not enacted until 1917 (pp. 141-142).

[10]. *Griswold v. Connecticut*, 381 U.S. 479 (1965); *Eisenstadt v. Baird*, 405 U.S. 438 (1972); *Roe v. Wade*, 410 U.S. 113 (1973).

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