

Public Vows: A History Of Marriage And The Nation

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Thesis

The author attempts to shed some light on the institution of marriage. The government has an interest in the institution of marriage by controlling the social, political and population. These are the key reasons for a modifiable marriage. The author goes ahead to show how race and gender are discriminated against by monogamous Christian institutions of marriage in the United States. The author's purpose of this book is divided into two folds.

The first is to highlight the rigorous efforts of the U.S. government in promoting monogamous Christian-based marriages by discouraging any other forms of marriage. Its impact is greatly explicit on gender roles in society, hence affecting various types of private lives among men and women. Secondly, the definition of gender is strongly influenced by the institution of marriage.

Cott emphasizes the institution of marriage endorsed by the government, shaping human identity in both the private and public spheres of life. This has intensely influenced gender roles in society, which is an integral piece of information in comprehending our community as of today. The author is out to prove her allegation by giving the readers a historical account of a marriage in a systematic way from when the United States began.

The author also discusses widely the legal measures put in place by the government to support monogamous marriage and discourage any other form of marriage in the history of the United States. Cott also debates at great length how the economic positions of men and women changed over the past marriage. She demonstrates how the Federal, Local authorities, Legislative and Judicial had a significant role in charting and shaping marriage direction in the United States.

As a reader of Public Vows, there is no controversy about how correct is the interpretation of monogamous marriage just as the government promoted the institution as having a separate effect on women, men, and minorities. If this book had been written in the 1950s, it would have been shocking to its readers, but since it was published in 2002, declaring that the marriage institution is bound within the legal spheres attached to public benefits, befitting married couples is now a prominent piece of information. The question to the reader is what new information Nancy Cott provides in her book.

Chapter Analysis

Chapter 2: Perfecting Community Rules With State Laws

Chapter Summary

Emphasis on a monogamous contractual marriage relationship was not the critical form of intimacy at this time. Other types of cohabitation existed, which also had cultural support, like monogamous marriage, although the Americans decided to naturalize monogamy and marriage. The whites referred to Native Americans' practices as scandalized. The Christian missionaries and settlers did not agree with Indian methods that amounted to promiscuity. The government officials regarded the Native American marriage system as unintelligible foreignness. For the Native Americans to qualify as citizens, their practices needed to be changed more, so gender and racial considerations played a primary role as the white man's marriage provided civilization to Native American women only and not the men. Native American marriage became more significant, increasing the saliency as the United States expanded its territory in the indigenous areas. This led to the establishment of marriage laws on citizenship and property rights of married women; the federal government also created incentives. Cott goes to more considerable lengths in exhibiting how the state government had powers in shaping the marriage laws.

The state passed a bill on new rules for marrying, a political theory claiming that the nation depended on monogamy. Getting a legal divorce was an adversarial process, very different from what we have today. This reflected on the traits of marriage which were a separate contract between a husband and wife who consented to terms set by the state who was the third party.

Thesis

In a move to perfect community rules in regard to marriage, the rise of interracial marriages surfaced. Local communities and judges were forced to accept these kinds of unions created by the local reputation as equivalent to the ceremonialised ones. The perfect marriage could not hold, as marriages that began bigamously were also recognized.

The state apparently wanted men to support their dependents and was utilitarian about it. Different laws were created by the state, such as desertion, which was a direct divorce. Local communities endured such seeming aberrations such as self-divorce and remarriage. If a married couple often experienced friction, self-divorce was accepted mostly by the slaves. And all the traditional American native groups, these traditions were commonly used and justified among the white Christians than is usually assumed.

Argument

The author states that the laws passed by the legislators did not concern mixed marriages. The laws aimed at keeping the white race unmixed, more precisely, the legitimacy of the white race. Amidst promoting monogamous marriage, the laws demeaned colored marriages, referring to them as the unnatural mutual attraction between individuals.

Bans on such intermarriages surfaced; Clanton Thomas's slaveholding elite states that there was high hypocrisy when slaveholders enjoyed intercourse with blacks and mulatto slaves and, at the same time, found the idea of marriage abhorrent.

Conclusion

Married women's property law was enacted during this time. It raised the wealth held by women in the nineteenth century. Even though divorce was sought as a last resort, it was regarded as a more excellent action in the direction of freedom. It was implied as the lifting of a life sentence by the few people who sought it in an impossible marriage. They yearned for a more equitable and voluntary kind of marriage, one that was indeed chosen. State legislators undermined this reasoning, declaring that the nature of marriage was not voluntary as it was essential in the political definition for it to be a voluntary choice as the fixed roles of a wife and husband.

Sources

- Secondary Source

Stephen Skowronek, *Building a New American State: The Expansion of National Administrative Capacities, 1877-1920* (Cambridge, Cambridge UP, 1982); Richard L. McCormick, "The Party Period and Public Policy: An Exploratory Hypothesis," *JAH*, 66 (1979), 279-98; Richard John, *Spreading the News: The American Postal System from Franklin to Morse* (Cambridge, Harvard UP, 1995), 1-20, quotation from the historian John Murrin on 18.

- Primary Source

Quotations from southwestern state court cases in James Hugo Johnston, "Documentary Evidence of the Relations of Negroes and Indians," *Journal of Negro History*, 14:1 (Jan. 1929), 41.

Chapter 5: Monogamy As The Law Of Social Life

Summary

The traditional monogamy marriage needed that it needed some boosting after the civil war. Alternatives to free love and communitarian bedeviled marriage institutions, as well as wartime, threaten the formal way of life. The public attempts to regularise informal kinds of marriage and multiple numbers of marriages among ex-slaves, thereby spreading innovation about married women's property rights and divorce proceedings.

Women gathered in capitols demanding their rights as wives. The Mormons in Utah became more vociferous and more than ever. Brigham Young became more confident in declaring a nationally publicized conversation stating that he would defy the Morrill Act's Prohibition of "Plural Marriage." Announcements such as "have an equal right to make laws protect polygamy." were made.

Thesis

After the Union victory and slaves' emancipation, there is a growing power of the state. Marriage becomes the most critical establishment in a unified and national country.

Arguments

Cott argues that masculinity and male citizenship all was dependent on men who had to get a woman and act as a wife; this established the man both financially and politically. The fact that the wife depended on the husband underwrote the husband's independence.

Nancy Cott, the hegemonic of a state-sanctioned monogamous marriage, in addition to different who are entirely defeated. Hence, the clergy Protestants were concerned with the high number of divorce cases. The author insists on writing, "Divorce was the leading edge..... It stimulated the vagaries of desire, which Christian-model monogamy had meant to foreclose."

Conclusion

The laws placed on moral tenors are maintained with judicial vindication assisting to reduce the influence and size of minorities that searched for alternatives to a standard form of marriage. The post-Civil War federal acted in support of standardized monogamy, creating a force for the proper regulations.

In *Reynolds v. United States* (1878), the United States Supreme Court ruled that Congress was vested with powers to illegalize polygamy in all the states where marriage was illegal. The courts made an understating that there was no link between monogamy and democracy and polygamy and despotism, bringing on the new construction of racism.

Sources

- Secondary Source

New York Times, Dec. 5, 1868, 4; see also May 11, 1870, 4, and May 12, 1870, 4. Cf. the editorial in the New York Post, May 11, 1870, calling the trial a farce; and see Miller, "Public Price." "The McFarland Case," The Nation, May 12, 1870, 300-02, the quotation from 301; cf. The Nation's first, skeptical notice of the murder, Dec. 2, 1869, 474-75.

- Primary Source

Between 1867 and 1886, Utah courts granted 4,087 divorces, and only 1,267 of the couples had been married in Utah. Riley, Divorce, 96-99; Sarah Barringer Gordon, "'The Liberty of Self-Degradation': Polygamy, Woman Suffrage, and Consent in Nineteenth-Century America," JAH, 83 (Dec. 1996), 843-45. Gordon's work stresses that ant polygamists wanted to establish a national standard of monogamy

Chapter 6: Consent, The American Way

Summary

In the nineteenth century, bills on property law were passed in ways that reaffirmed gender roles in a marriage. For example, a woman who petitions for divorce had to illustrate why divorce was necessary. She had to show how she was suffering from her husband's abuse while she remained sexually faithful to her husband. She had to show her victimization at the hands of her husband. Women's helplessness in the labor industry created a dependency on their husbands forever; this established the maintenance law for married women after divorce.

In the southern states, some judges awarded alimony to some guilty wives with the acknowledgment that they did not possess any assets of their own to live. These grants led to the assumption that women were like dependents with disabilities and their husbands were forever their supporters. The misogynistic hostility among the working class men and their female counterparts changed the laws on women's status. Cott draws attention to how the legislators used these reforms in highlighting the reforms in marriage, "the voluntary nature of nature.... as essential in its political definition as were the fixed roles of husband and wife." In the increase in contractual society, consent was highly regarded as an essential factor in marriage.

The massive flow of immigrants into America between 1890 and 1920 created new pressure on the relationship between policy and marriage. Causing the nation to change and develop its immigration policy drastically.

Thesis

Immigrant and marriage are interrelated in various ways. Early legislation linking citizenship to immigrants needed less debate. A woman of any origin became an American citizen through naturalization. Also, a child born in America qualified for citizenship. In this chapter, the author seeks to engage the readers with the new policies in regard to marriage that were brought up.

Arguments

The author states that early confrontations with Native Americans and Mormon polygamists led to the emancipation of slaves and immigrant spouses. The invention of the federal New Deal income tax and welfare programs has consistently impacted marriages.

She insists on one of the paradoxes of American policy as a fact that simultaneously, marriage has been confined and encouraged. She wants to know why Christian monogamous marriage was idolized to the exclusion of any other form of marriage.

Conclusion

The state was ready to bolster citizenship through marriage, but those people started taking advantage of it. Women became dependent on marriage for nationality. Men began abusing this right of naturalization and began marrying prostitutes.

Sources

- Secondary Source

Rep. Rowland Mahany, CR 54/1, May 20, 1896, 5474. See George W. Stocking, Jr., *Victorian Anthropology* (New York, Free P, 1987), and "The Turn of the Century Concept of Race," *Modernism/Modernity*, 1 (1993), 4-16; Barbara J. Fields, "Ideology and Race in American History," in *Region, Race, and Reconstruction*, ed. J. Morgan Kousser and James MacPherson (New York, Oxford UP, 1982); and Matthew Frye Jacobson, *Whiteness of a Different Colour* (Cambridge, Harvard UP, 1998).

- Primary Source

Shanks v. Dupont, 3 Pet. 242 (1830); Virginia Sapiro, "Women, Citizenship, and Nationality: Immigration and Naturalization Policies in the United States," *Politics and Society*, 13:1 (1984), 1-26; Nancy F. Cott, "Marriage and Women's Citizenship in the United States, 1830-1934," *AHR*, 103:5 (Dec.1998), 1440-74.

Overall Conclusion

Nancy Cott paints a picture to her readers of the institution of marriage as not merely a private domestic act but a public institution with structures created by the state. She uses marriage as a frame to dip into a dazzling palette of secondary sources and original research. The book covers the significance of a marriage contract for public policing of gender, national identity and race. Blending scholarly arguments in the new synthesis of American history.

Her arguments heavily depend on secondary sources and original analysis of the legal choices and legislative actions related to marriage. Cott emphasizes that marriage mattered as much as community standings as for self-comprehension. She conceptualizes her research on the history of the nation as much as the history of marriage, paying more attention to questions of individual identity and circles of intimacy. Thus, she focuses her efforts on analyzing the compulsive and coercive aspects of the marriage contracted on the monogamous Christian marriage model.

The intense legal and social kinds of marriages and marital policies over the twentieth century have not unraveled the official reliance on marriage as a state's pillar. By including and excluding some forms of marriage, matrimonial systems have been sculpted to the state's citizenry together with its social and moral standards, directly affecting the social understanding of roles played by all genders and races. This book creates a panoramic view of a marriage based on political history, revealing of a national government's character in people's private lives. After reading this book, I cannot think of marriage the same way.

Works Cited

Cott, Nancy F. *Public Vows: A History of Marriage and the Nation*. Cambridge, Mass: Harvard Univ. Press, 2000. Print.

Quotation from Rep. Richard Bartholdt of Mo., CR 54/1, May 19, 1896, 5423–24. *Wong Kim Ark v. the U.S.*, 169 U.S. 649 (1898). Two justices dissented, despite the clarity of the Fourteenth Amendment on this point.