

The question of female citizenship

[Sociology](#), [Women](#)



The Question of Female Citizenship Catherine Tupper In the early 1800's a young man by the name of James Martin was denied by the lower court when he claimed that his deceased mother's property in the United States was confiscated from his family. After being denied for an appeal in the lower court, James appealed his decision to the Supreme Judicial Court. The problem at conflict in this case was whether or not James mother, Anna, was defined as a feme-covert or as a citizen of The United States. This court case was called Martin v. Massachusetts.

According to the Source, in eighteenth-century Anglo-America a married women, by law, was known as a feme-covert. A woman considered a feme-covert was completely covered by her husband and had no recognized legal identity. She had no right to buy, sell or own property independently of her husband. In the case of Martin v. Massachusetts, the plaintiff James Martin presented the fact that his late mother left the United States because his father did. In other words, Anna had no choice due to the feme-covert law which states that the man speaks and acts for the wife.

The argument made by the ter-tenants was that Anna had the right to stay and claim citizenship due to the fact that all of the land owned by her husband was indeed hers because it was passed down by her father. In the end, the Supreme Judicial Court of Massachusetts ruled that Anna Martin was bound by her marriage vows and had to follow her husband to England. The court reversed the confiscation and the land was returned to the Martin family. Due to the fact that the confiscation of Anna Martin's property was reversed, the justices stated that women could not act independently of her husband in political or economic matters.