

# ST. LUKE'S INN OF COURT

## “Law & Religion Forum”

Volume 1, Apostolate Paper #41

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**“A History of the Anglican Church—Part XXVI:  
An Essay on the Role of Christian Lawyers and Judges within the Secular  
State”©**

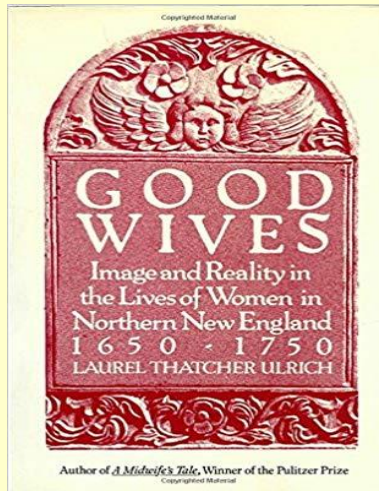
**By**

**Roderick O. Ford, Litt.D., D.D., J.D.**

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**“GOOD WIVES” – A Book Report**

Section Two: Eve (Genesis 2:18, 21-25; 3:12-17, 20)



**By**  
**Laurel Thatcher Ulrich**

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The ideas expressed in this Apostolate Paper are wholly those of the author, and subject to modification as a result of on-going research into this subject matter. This paper is currently being revised and edited, but this version is submitted for the purpose of sharing Christian scholarship with clergy, the legal profession, and the general public.

## PREFACE

The organized Christian church of the Twenty-First Century is in crisis and at a crossroad. Christianity as a whole is in flux. And I believe that Christian lawyers and judges are on the frontlines of the conflict and changes which are today challenging both the Christian church and the Christian religion. Christian lawyers and judges have the power to influence and shape the social, economic,

political, and legal landscape in a way that will allow Christianity and other faith-based institutions to evangelize the world for the betterment of all human beings. I write this essay, and a series of future essays, in an effort to persuade the American legal profession to rethink and reconsider one of its most critical and important jurisprudential foundations: the Christian religion. To this end, I hereby present the forty-first essay in this series: “A History of the Anglican Church—Part XXVI,” Section Two.

## INTRODUCTION<sup>1</sup>

The story of Eve and the Fall of Man is at the heart of the constitutional crisis regarding same-sex marriage and gender equality in the United States today. Within mainline Protestantism in England, the United States, and other parts of the English-speaking world, the challenges of ordaining gay clergy and the

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<sup>1</sup> This paper is presented in honor of the preeminent historian **Dr. Rosalyn Terborg-Penn (A.B., Queens College, C.U.N.Y.; M.A., George Washington University; Ph.D., Howard University)**. Dr. Penn was a pioneering professor of women’s history at Morgan State University. “Her book *African American Women in the Struggle for the Vote, 1850-1920* was a ground-breaking work that recovered the histories of black women in the women's suffrage movement in the United States.” [https://en.wikipedia.org/wiki/Rosalyn\\_Terborg-Penn](https://en.wikipedia.org/wiki/Rosalyn_Terborg-Penn) During the academic year 1987-88, Dr. Penn taught me world history courses 101 and 102, and during the fall of 1988, the advanced history course titled “History of the African Diaspora.” Dr. Penn introduced me to the Afrocentric viewpoint of world history, including Pan Africanism. She remained a dear life-long friend and consultant throughout my professional career as a lawyer.

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**One of my last communications with Dr. Rosalyn Terborg-Penn occurred on February 2, 2014, as follows:**

“02/02/2014, 14:32

Hello Roderick,

Who was the author of the "waronthehorizon" site you sent to me? First, the references mentioned have been taken out of historical context. Much of what the person quoted was stated 40 to 60 years ago, but has been spun to be current. Second, I used Chancellor Williams book, *The Destruction of Black Civilization*, when teaching different periods of Black thought in US History at Morgan, and you know I would not demonize myself. Williams died in the early 1970s. Third, John Henrik Clarke was one of my mentors and we worked on projects together. He was very supportive of me as a person and of Black women historians, regardless of shade, back in the 1970s and 1980s. He passed away about twenty years ago, so neither Clarke nor Williams could have possibly made statements about Baraka Obama, for example, who came on the scene in the twenty-first century. Consider the source, read critically, and filter out fiction.

Take care, Dr. Penn

02/02/2014, 15:38

...

Very Kind Regards, Roderick Ford”

performance of same-sex marriage now threaten to rip apart whole congregations.<sup>2</sup> But the crisis runs much deeper than we care to admit. Our traditional understanding of Christian marriage has not only fallen into disrepute, but today it also threatens the United States Constitution!<sup>3</sup> And all of this has led to great sorrow within the African and African American church, and to great despair amongst those of us who had, since the last few decades of the Twentieth Century, much hope for ameliorating the plight of the traditional black family in the United States. And one thing today is now quite certain: the problem of the Twentieth-First Century is the problem of the Separation of the Church from the secular State,-- the relation of the Christian faith to American law and constitutional jurisprudence.

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According to Judea-Christian Sacred Scripture and tradition (including the seminal writings of St. Paul, St. Augustine of Hippo, St. Thomas Aquinas, and several other Christian theologians), male dominance over woman was prescribed by the LORD God as punishment for Eve's sin in the Garden of Eden. From this theology, the Calvinists opined that the nature of woman had been fundamentally changed *so that her desires would be whatever her husband wished*, and that her

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<sup>2</sup> Of homosexual conduct, St. Augustine of Hippo says: homosexual actions are "offenses against nature.... Such offenses, for example, were those of the Sodomites; and, even if all nations should commit them, they would all be judged guilty of the same crimes by the divine law, which has not made men so that they should ever abuse one another in that way." Saint Augustine, *Confessions* (New York, N.Y.: Barnes & Nobles Classics, 2007), p. 36.

<sup>3</sup> Of the institution of traditional marriage, St. Augustine of Hippo says: "But we, for our part, have no manner of doubt that to increase and multiply and replenish the earth in virtue of the blessing of God, is a gift of marriage as God instituted it from the beginning before man sinned, when He created them male and female—in other words, two sexes manifestly distinct. And it was this work of God on which His blessing was pronounced. For no sooner had Scripture said, 'Male and female created he them,' than it immediately continues, 'And God blessed them.... Increase, and multiply, and replenish the earth, and subdue it,' etc. And though all these things may not unsuitably be interpreted in a spiritual sense, yet 'male and female' cannot be understood of two things in one man, as if there were in him one thing which rules, another which is ruled; but it is quite clear that they were created male and female, with bodies of different sexes, for the very purpose of begetting offspring, and so increasing, multiplying, and replenishing the earth; and it is great folly to oppose so plain a fact. It was not of the spirit which commands and the body which obeys, nor of the rational soul which rules and the irrational desire which is ruled, nor of the contemplative virtue which is supreme and the active which is subject, or of the understanding of the mind and the sense of the body, but plainly of the matrimonial union by which the sexes are mutually bound together, that our Lord, when asked whether it were lawful for any cause to put away one's wife (for on account of the hardness of the hearts of the Israelites Moss permitted a bill of divorcement to be given), answered and said, 'Have ye not read that He which made them at the beginning made them male and female, and said, For this cause shall a man leave father and mother, and shall cleave to his wife, and they twain shall be one flesh? Wherefore they are no more twain, but one flesh. What, therefore, God hath joined together, let not man put asunder.' It is certain, then, that from the first men were created, as we see and know them to be now, of two sexes, male and female, and that they are called one, either on account of the matrimonial union, or on account of the origin of the woman, who was created from the side of the man. And it is by this original example, which God Himself instituted, that the apostle admonishes all husbands to love their wives in particular." Saint Augustine, *The City of God* (New York, N.Y.: The Modern Library, 1950), pp. 469-470.

husband would rule over her. This same theology taught that the woman was to function as a *help meet* and as consort to the man, because the LORD God had decreed that a man should not be alone. For this reason, this theology also directed adult men to leave their fathers and mothers and cleave to their wives, and thus to become “one flesh,” as described in the Book of Genesis, and as affirmed by Christ in the Gospels and by St. Paul in the New Testament. Indeed, this Christian theology not only laid the foundation for our understanding of the fundamental role and purpose of women in society, but it also laid the foundation for the institution of marriage throughout western Christendom, including England and colonial North America during the seventeenth and eighteenth centuries. We must not forget that in colonial New England, as well as in several of the other colonies such as Virginia and South Carolina, the church was established and financed by the state; and the Law of Christ<sup>4</sup> was thoroughly incorporated into the English common law,-- particularly in the chancery courts where the law of domestic relations and marriage was administered.

Nor should we forget that the Book of Genesis describes African history. That region of the world where mankind and world civilization originated was in East Africa. Indeed, the first woman in the Book of Genesis was an African mother whom Adam called “Eve”—the mother to all mankind and to world civilizations. That Eve was likely a dark-skinned black African woman is not seriously disputed among scientists today. And, the geographical proximity of the Hebrew prophet Moses to where Eve lived in East Africa lends more credence to Moses’ biblical description of Eve that is found in the Book of Genesis. Moses was learned in all of the scientific knowledge, law, and philosophy of the ancient Egyptians, who passed along to him its theological systems: mathematics, science, law, and a philosophy of a Supreme Deity (i.e., God).<sup>5</sup> This points modern-day Anglo-American lawyers and judges to a very ancient source of their laws governing domestic relations. The English common law is very much a reflection of the Law of Moses, which has African origins and is akin to the Egyptian mystic and legal systems, particularly the natural law philosophy called “Ma’at.” According to the Roman Catholic and Anglican Church divines, the Book of Genesis was, among other things, a written account of *natural law* and *the law of God*-- and not simply a written account of past human events. And thus for three millennia our understanding of the natural law of women and womanhood was governed by a

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<sup>4</sup> The Law of Christ is to “love ye one another” (John 15:12); to do justice and judgement (Genesis 18:18-19; Proverbs 21: 1-3); to judge not according to appearance but to judge righteous judgments (John 7:24); and to do justice, judgment, and equity (Proverbs 1:2-3).

<sup>5</sup> Acts 7:22 (“And Moses was learned in all the wisdom of the Egyptians, and was mighty in words and in deeds.”)

Mosaic analysis of Good and Evil, and by a description of the first woman called Eve, which is found in the Book of Genesis.

The Calvinists who influenced colonial American culture were strict constructionists of the Law of Moses, and they carefully defined the English and colonial American woman’s role within society in accordance with this divine Law of Moses. See, e.g. Table 1, “The Mosaic Life-Death Grid,” and Table 2, “The Mosaic Life-Death Grid and the Women of Colonial New England,” and below.

**Table 1. The Mosaic Life-Death Grid**

<b>Law of Moses (Life)</b>	<b>Law of Sin (Death)</b>
Virtue	Vice
Liberty	Slavery

Human civilization had to be ordered around God’s natural laws, otherwise the social order would disintegrate through vice into chaos, slavery, and death. The woman played a critically important function and role within the grand scheme of things: she must be, above all else, “good wife” and a “good mother”; otherwise, human civilization must cease to exist. The Calvinists of colonial New England especially shunned all women who rejected the Christian ideal of motherhood and marriage— in the most extreme cases, many of these women were believed to be possessed by Satan the devil or viewed as witches or suspected of practicing witchcraft. The reason is that they were often unmarried, childless, and ostracized from the community; or they simply were unchristian women who openly refused to conform to the Christian standard of community, marriage, motherhood, and morals. Hence, the Law of Moses played a significant role in defining the roles, duties, and obligations of women in colonial New England. See, e.g., Table 2, “The Mosaic Life-Death Grid and the Women of colonial New England,” below.

**Table 2. “The Mosaic Life-Death Grid and the Women of colonial New England”**

<b>Law of Moses (Life)</b>	<b>Good Wife</b>	<b>Law of Sin (Death)</b>	<b>Bad Woman</b>
Virtue- Female	Dutiful wife; responsible motherhood; good	Vice- Female	Witches/ Witchcraft/ or Christian Heresy

	neighbor; modesty, abstinence until marriage, and high moral character		Rejection of the Christian ideals of motherhood, marriage, and neighborliness.
Liberty-- Female	Blessing of domestic peace, wholesome children and thriving communities; strong family bonds, social order and civilization.	Slavery- Female	Curse of domestic discord; neglect of child rearing; hatred of the institution of marriage, children, child birth, and maternity; decline of family order and social dislocation.

Growing up as an African American child and as a member of a local African Methodist Episcopal (A.M.E.) Church, I adopted what I believed to be Christian image of the “Good Wife” from various women whom I observed growing up. I had no conception that African American women naturally made “bad wives”; nor did I ever doubt the ability of African American women to be “good wives”; *but I did notice that most white American women, whom I observed in my little town and nearby local communities, appeared to have a superior mastery over the “art of wifely obligations and duties.”* A reason for this, I surmise, can be found in Gerda Lerner’s *Black Women in White America*<sup>6</sup> and Rev. Alexander Crummell’s essay, “The Black Woman of the South: Her Neglects and Her Needs.”<sup>7</sup>

Even as a teenager and young adult, almost intuitively, I concluded that attaining a “good wife” was not only necessary to my normal and natural

<sup>6</sup> Gerda Lerner, *Black Women in White America* (New York, N.Y.: Vintage Press, 1972).

<sup>7</sup> Alexander Crummell, *Africa and America: Addresses and Discourses* (Springfield, MA: Wiley & Co., 1891).

development as a Christian man, but also, within a larger social context, I considered the institution of African American marriage to comprise an indispensable ingredient within the formula for black liberation in the United States—in fact, as a result of my Christian upbringing in rural, northern Florida, I subconsciously believed that attaining a “good wife” was just as important as attaining a college degree or a successful career. For, as the Scripture says: ***“Whoso findeth a wife findeth a good thing, and obtaineth favour of the LORD.”***<sup>8</sup> And a part of considering whether a woman would make a “good wife” was whether she might make a “good mother” as well. I believed with classical African American thinkers such as Booker T. Washington, James Weldon Johnson, and W.E.B. DuBois, that a woman’s natural function and role as wife and mother were paramount. For instance, in an 1898 commencement speech at Fisk University, titled “Careers Opened to College-bred Negroes,” W.E.B. Du Bois said:

Especially is the calling open to young women, who ought to find here congenial, useful employment, and employment, perhaps, next in nobility to that of the noblest and best—motherhood.<sup>9</sup>

And yet for a whole host of reasons, during the last two decades of the twentieth century, as I can now vividly recall, “being and becoming good wives” were strangely absent from the dogma of the American church and the course curricula of the American university! Even our great historic African American churches and historically black colleges and universities-- notwithstanding the fact that the greatest legacy of American slavery had been the destruction of black family life and the institution of black marriage-- had strangely deprecated, or at least omitted, this most important and critical function of human civilization— being and becoming a good wife and a good mother.

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Now this doctrine of the duties of motherhood is derived from the Law of Moses and the Garden of Eden. The story of Eve in the Garden of Eden was taught to me some time during the early 1970s (about '73 or '74) when I was a child in rural, northern Florida. The moral lessons that were extracted from these conversations with my parents during the early 1970s can be summarized in 1Timothy 2:11-15, as follows:

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<sup>8</sup> Proverbs 18: 22.

<sup>9</sup> W.E.B. Du Bois, *Writings* (New York, N.Y.: The Library of America, 1986), p. 836.



Let the woman learn in silence with all subjection.

But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence.

For Adam was first formed, then Eve.

And Adam was not deceived, but the woman being deceived was in the transgression.

Notwithstanding she shall be saved in childbearing, if they continue in faith and charity and holiness with sobriety.

And I distinctly remember then asking my mother and stepfather, “Where did we come from?” The answer given then, and subsequently throughout my childhood and teenage years, was always, “we come from God.” And then, my dear mother, a devoted, born-again Evangelical, would typically add: “God made Adam and Eve, not Adam and Steve! And you must remember that a woman is naturally deceived, because Eve was deceived.”

What my mother meant, through implication and otherwise, was that God ordained the institution of marriage as between one man and one woman, and that within this institution, the husband is the natural head of the wife. And my stepfather, who was a Baptist deacon and a life-long farmer in northern Florida and who was one of the last great black farmers in the Southeastern United States, would often end his rendition of the Fall of Man, as found in the Book of Genesis with: “you can’t be a man, and think like a woman.” Though this advice might sound cruel and archaic to the modern eardrum, it does in fact harken back to the “judgment of God against Adam” that is found in the Book of Genesis,<sup>10</sup> and suggests that a man should be careful before hearkening to the *sinful voice* of a woman.<sup>11</sup> See, e.g., Table 1, “Man’s Dilemma with God and Woman.” The nature of this dilemma between choosing the *sinful voice* of a woman and the will of God denotes the sexual power and attraction of women. Indeed, a major theme that runs throughout the Book of Proverbs is that young men should remain vigilant in

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<sup>10</sup> Genesis 3:17 (“And unto Adam he said, Because thou hast hearkened unto the voice of thy wife, and hast eaten of the tree, of which I commanded thee, saying, Thou shalt not eat of it: cursed is the ground for thy sake; in sorrow shalt thou eat of it all the days of thy life.”)

<sup>11</sup> In this case, Adam knew that what Eve was doing was wrong and a sin, but he adhered to her requests and ate from the Tree of the knowledge of Good and Evil. For this reason, a man should not be seduced by a woman whose advice he already knows is contrary to God’s will.

avoiding the deadly venom of the seductress. Similarly, a man should have the fortitude to avoid succumbing to the *bad advice* of a good woman, as well the *sinful voice* of a bad woman, particularly when he already knows that her advice or desires are contrary to the will of God. And in *The City of God*, Saint Augustine lucidly explains both how and why Adam was taken in by Eve's deception, even though Adam himself was not deceived:

Man then lived with God for his rule in a paradise at once physical and spiritual. For neither was it a paradise only physical for the advantage of the body, and not also spiritual for the advantage of the mind; nor was it only spiritual to afford enjoyment to man by his internal sensations, and not also physical to afford him enjoyment through his external senses. But obviously it was both for both ends. But after that proud and therefore envious angel (of whose fall I have said as much as I was able in the eleventh and twelfth books of this work, as well as that of this fellows, who, from being God's angels, became his angels), preferring to rule with a kind of pomp of empire rather than to be another's subject, fell from the spiritual Paradise, and essaying to insinuate his persuasive guile into the mind of man, whose unfallen condition provoked him to envy now that himself was fallen, he chose the serpent as his mouthpiece in that bodily Paradise in which it and all the other earthly animals were living with those two human beings, the man and his wife, subject to them, and harmless; and he chose the serpent because, being slippery, and moving in tortuous windings, it was suitable for his purpose. And this animal being subdued to his wicked ends by the presence and superior force of his angelic nature, he abused as his instrument, and first tried his deceit upon the woman, making his assault upon the weaker part of that human alliance, that he might gradually gain the whole, and not supposing that the man would readily give ear to him, or be deceived, but that he might yield to the error of the woman. For as Aaron was not induced to agree with the people when they blindly wished him to make an idol, and yet yielded to constraint; and s it is not credible that Solomon was so blind as to suppose that idols should be worshipped, but was drawn over to such sacrilege by the blandishment of women; so we cannot believe that Adam was deceived, and supposed the devil's word to be truth, and therefore transgressed God's law, but that he by the drawings of kindred yielded to the woman, the husband to the wife, the one human being to the other human being. For not without significance did the apostle say, 'And Adam was not

deceived, but the woman being deceived was in the transgression’;’ but he speaks thus, because the woman accepted as true what the serpent told her, but the man could not bear to be severed from his only companion, even though this involved a partnership in sin. He was not on this account less culpable, but sinned with his eyes open. And so the apostle does not say, ‘he did not sin,’ but ‘He was not deceived.’ For he shows that he sinned when he says, ‘By one man sin entered into the world,’ and immediately after more distinctly, ‘In the likeness of Adam’s transgression.’ But he meant that those are deceived who do not judge that which they do to the sin; but he knew. Otherwise how were it true ‘Adam was not deceived?’ But having as yet no experience of the divine severity, he was possibly deceived in so far as he thought his sin venial. And consequently, he was not deceived as the woman was deceived, but he was deceived as to the judgment which would be passed on his apology: ‘The woman whom thou gavest to be with me, she gave me, and I did eat.’ What need of saying more? Although they were not both deceived by credulity, yet both were entangled in the snare of the devil, and taken by sin.<sup>12</sup>

Hence, for these reasons, my stepfather would often tell me: “You can’t be a man, and think like a woman.” Of course, a man may listen to his wife, and he has an obligation to do so; and he should adhere to the good advice of good women; but he should never adhere to a woman’s sinful desires or directives—especially while under the influence of carnal lusts-- which he already foreknows to be against the will of God.

**Table 3. “Man’s Dilemma with God and Woman”**

<b>Life</b>		<b>Death</b>
<b>God’s Will -----&gt;</b>	<b>Adam’s Dilemma</b>	<b>&lt;----- Eve’s Bad Desires; Advice Contrary to God’s Will or Law</b>

And all of these Christian teachings instilled within my mind, at a very early age, the idea that God had made man and woman to perform different and distinct roles

<sup>12</sup> Saint Augustine, *The City of God* (New York, N.Y.: The Modern Library, 1950), pp. 458-459.

both within the home and in society, but that the man was the natural leader, husband, and protector of the woman. And for all of my adult life, as a direct result of my Christian upbringing in rural, northern Florida, I concluded that in order to ameliorate the plight of the African American community, the entire community must commission African American men to fulfill the leadership roles of husband and father within the home.

Indeed, there was in traditional African American folklore throughout the rural, agricultural regions of South an inveterate belief in distinct gender roles, gender identities, and well-defined, traditional concepts on marriage. When I turned sixteen, my stepfather told me that I “needed to learn to wear a suit,” because that is what men did when they “went to town to do business.” (In retrospect, I suspect that my step-father might have meant—through implication—that women were not so well qualified as men for such tasks as doing business with other men in downtown, because women needed to be protected and guided by their husbands. I surmise, in retrospect, that this may be what he implied.) Like southern white women, the southern African American woman was expected to proudly wear her husband’s surname. And southern African American women who were married to farmers were expected to give birth to as many children as physically allowed, since extra hands on the farm was always a great economic benefit and, so sadly in many instances, solved the need for unregulated and cheap farm labor. My mother gave birth to only three children, but my stepfather’s first wife gave birth to six children. Other African American women throughout the rural South typically gave birth to from between four to ten or more children. My maternal grandmother, for instance, gave birth to five children; and my paternal grandmother to ten children. Even the well-to-do white women in the rural and suburban South where I grew up, gave birth to from between three to five children; and I knew some white families in the rural areas of the South where there were from between five and ten children. My mother often told me, while paraphrasing St. Paul, that “a woman is saved through childbearing.” And this fundamentally Christian idea defined the social, civil, and political role of rural African American women throughout the rural South. From 1865 up to the late 1960s, the southern feudal agricultural system had tied many African Americans to the farm, through the crop-lien and mortgage systems, and to a system of cheap labor. African American mothers in the rural South were often called upon to bear as many children as they could bear within wedlock to African American farmers. Family stability thus had a strong economic motive and foundation: the family farm promoted economic and family stability, together with well-defined gender roles which were reinforced by both the nearby African Baptist or African Methodist Church, together with the local civil courts. The Mosaic or Calvinistic ideal of

husband, wife, motherhood, and children, were very much part and parcel of the local customary law of the American South, even as late as the 1970s.

During the 1970s and early 80s, Southern blacks in northern Florida and southern Georgia were deeply and profoundly Christian and guided by Christian ideas and ideals. The local African Baptist or Methodist churches reinforced Calvinist-like ideals of marriage and motherhood. The African American mother and grandmother held a distinct and ennobled position within their communities. She was the symbol of Eve to the family—the origin and mother of living family members; the caregiver and nurturer; the midwife, the Sunday-school teacher, and the mother of the Church. Indeed, the African American mother was revered among the local southern whites as well as the blacks. For instance, I distinctly remember on one occasion, perhaps during the late 1970s or early 80s, when a middle-aged white man visited my maternal grandmother (b. 1910 to 2008) in order to pay homage and respect to her, since, as he had acknowledged, she had nursed him as a toddler and baby-sat him as a youngster! Indeed, white and black men throughout the rural South of the early- and mid-twentieth century were brothers nursed often by the same black mother! Even today, despite dislocation and urbanization, the African American woman of the American South is unsurpassed as a nurturing mother. And I surmise that the African American woman is indeed the visual replica of the Eve of all living souls.

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In England and colonial New England of the seventeenth and eighteenth centuries, the theological principles that were extracted out from the story of Eve in the Book of Genesis were infused throughout English more ways, folkways, and customary practices, and these theological principles found their way into the English common law, and thus became enforceable in the English and American courts of law. I have no doubt that southern African Americans inherited these theological principles and ideals from American whites, thus subjecting African American women to the Christian ideal of motherhood. But from the story of Eve came, too, the idea of *help meet*, *helpmate*, or *consort*—the Book of Genesis had also taught us that the woman was made for the man. The woman was created from Adam's rib, and so she was to be his partner and companion. Laurel Thatcher Ulrich's classic work, *Good Wives: Image and Reality in the Lives of Women in Northern New England, 1650-1750*, describes the tension between the spiritual equality between the man and the woman and the civil and ecclesiastical inequality imposed by Jewish law and the injunctions of St. Paul. In the Book of Genesis, the woman Eve was deceived by Satan, and therefore all of the daughters

of Eve were deemed to be susceptible to satanic deception. Moreover, God himself had placed Eve under Adam's government: "and your desire shall be to your husband, and he shall rule over you." Genesis 3:16. Hence, within western Christendom, St. Augustine of Hippo further clarified the Book of Genesis, through defining the fundamental relationship between man and woman, as follows:

We see the face the earth, replete with earthly creatures; and man, created in your image and likeness, in the very image and likeness of you—that is, having the power of reason and reason and understanding—by virtue of which he has been set over all irrational creatures. And just as there is in his soul one element which controls by its power of reflection and another which has been made subject so that it should obey, so also, physically, the woman was made for the man; for, although she had a like nature of rational intelligence in the mind, still in the sex of her body she should be similarly subject to the sex of her husband, as the appetite of action is subjected to the deliberation of the mind in order to conceive the rule of right action. These things we see, and each of them is good; and the whole is very good!... [Y]ou subordinated rational action to the higher excellence of intelligence, as the woman is subordinate to the man.<sup>13</sup>

Under classical Christian doctrine, God's sentence upon Eve in the Garden of Eden (i.e., Genesis 3:16) essentially meant that the man was both naturally endowed and authorized by God to rule over the woman, but to do so in love, equity, and with justice; and the woman was thus enjoined by that same law of God, to love, respect, and obey her husband. Thus, the "curse of Eve" or the "judgment of Eve by God" stemmed from Eve's pride and hope to attain the knowledge of Good and Evil, and, in fact, to be equal to God. The Book of Genesis reports this event as follows:

Now the serpent was more crafty than any other wild animal that the LORD God had made. He said to the woman, 'Did God say, "You shall not eat from any tree in the garden"?''

The woman said to the serpent, 'We may eat of the fruit of the trees in the garden; but God said, "You shall not eat of the fruit of the tree that

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<sup>13</sup> St. Augustine, *Confessions* (New York, N.Y.: Barnes & Noble Classic), pp. 258-259.

is in the middle of the garden, nor shall you touch it, or you shall die."'

But the serpent said to the woman, 'You will not die; for God knows that when you eat of it your eyes will be opened, and you will be like God, knowing good and evil.'

So when the woman saw that the tree was good for food, and that it was a delight to the eyes, and that the tree was to be desired to make one wise, she took of its fruit and ate; and she also gave some to her husband, who was with her, and he ate.<sup>14</sup>

Christian theologians, lawyers, and judges have, since at least the second century, A.D., extrapolated from this Bible passage the theological and legal justifications for concluding that the moral weaknesses and gullibility of women are immutable laws of nature that were caused by Original Sin and the Fall of Man. However, one should point out, too, that nearly every major world religion and human social organization, whether primitive clans or large empires, have assigned a separate and subordinate (or support) role for women within some form of conjugal institution.

Hence, the "judgement of Eve by God" appears to have been almost universal and identical in its universal and global effect upon the human race. Men have reigned as predominant governors over women in almost all known human societies. And, within the context of English common law, the man was given authority as husband and father to rule over his wife and his family. In colonial North America, and during the early years of the United States, this benign form of patriarchy was predominant. And, according to Alexis de Tocqueville's *Democracy in America*, this social order served Americans very well:

There are people in Europe who, confounding together the different characteristics of the sexes, would make man and woman into beings not only equal but alike. They would give to both the same functions, impose on both the same duties, and grant to both the same rights; they would mix them in all things--their occupations, their pleasures, their business. It may readily be conceived that by thus attempting to make one sex equal to the other, both are degraded, and from so

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<sup>14</sup> Genesis 3:1-6.

preposterous a medley of the works of nature nothing could ever result but weak men and disorderly women....

Thus the Americans do not think that man and woman have either the duty or the right to perform the same offices, but they show an equal regard for both their respective parts; and though their lot is different, they consider both of them as beings of equal value. They do not give to the courage of woman the same form or the same direction as to that of man, but they never doubt her courage; and if they hold that man and his partner ought not always to exercise their intellect and understanding in the same manner, they at least believe the understanding of the one to be as sound as that of the other, and her intellect to be as clear. Thus, then, while they have allowed the social inferiority of woman to continue, they have done all they could to raise her morally and intellectually to the level of man; and in this respect they appear to me to have excellently understood the true principle of democratic improvement.

As for myself, I do not hesitate to avow that although the women of the United States are confined within the narrow circle of domestic life, and their situation is in some respects one of extreme dependence, I have nowhere seen woman occupying a loftier position; and if I were asked, now that I am drawing to the close of this work, in which I have spoken of so many important things done by the Americans, to what the singular prosperity and growing strength of that people ought mainly to be attributed, I should reply: To the superiority of their women.<sup>15</sup>

In Laurel Thatcher Ulrich's classic work, *Good Wives: Image and Reality in the Lives of Women in Northern New England, 1650-1750*, highlights many of the same viewpoints that de Tocqueville observes, but Ulrich reveals how the biblical story of Eve guided and shaped Anglo-American values and practices governing sex, conjugal relations, and the role of women in society. Ulrich explains how the physical differences between men and women, such as the ability of childbirth, birth-pangs during childbirth (i.e., "travail"), breast-feeding of infants, subsequent child-rearing duties, infant mortality and the general duty to have children, and consortium obligations, all were fundamentally extracted from the Book of Genesis and woven into the fabric of Anglo-American life and English common law, and enforced as a matter of law in the civil courts.

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<sup>15</sup> See, e.g. Appendix A, Alexis de Tocqueville, *Democracy In America*.



## SUMMARY

This essay is in essence a “book report” on Laurel Thatcher Ulrich’s classic work, *Good Wives: Image and Reality in the Lives of Women in Northern New England, 1650-1750*. Dr. Ulrich sets forth the proposition that Christian virtue governed the custom of women throughout the American colonial period. The woman was held to a separate and subordinate status; but her status also followed the status of her husband, with whom her entire identity was fused in order to form an entity known as “one person” before the law.

The chief role was that of housewife, and it was indeed a revered honor for a woman to have the reputation of being a “good wife.” The “good wife” was revered as the “virtuous woman” whose “price is far above rubies,” as stated in Proverbs 31, and as exemplified in the lives of noble and virtuous women found throughout the Bible. The Puritans of colonial New England strictly construed the Bible and considered it to be authoritative, operative law. For this reason, almost every aspect of the customs and duties which were imposed upon New England’s women came from some source in the Bible. Laurel Thatcher Ulrich’s groundbreaking work, *Good Wives*, describes three of the Bible’s influential characters—Bathsheba, Eve, and Jael—in order to explain precisely how the lives and examples of the Bible’s female heroines and role-models were used to fashion and shape the culture, custom, and duties of New England and English women.

What resulted in New England and in colonial America was a well-organized, morally wholesome, and refined social order which held American women in very high esteem. Writing on this same subject several decades after 1750, the French sociologist Alexis de Tocqueville would attribute the greatness of the young United States of America to the “superiority of their women.” See Appendix A, Alexis de Tocqueville, *Democracy In America*. Well-defined gender roles, based upon family welfare and high moral standards, served well the New England Puritans and the colonial American communities. A striking contrast, for instance, can be displayed from the impact of the institution of chattel slavery upon the African American community, such that the validity of the Puritan standard of sex, gender, and morality has stood the test of time.

In this section, we specifically look at the story of Eve, the “mother of all living,” as found in the Book of Genesis. Hatcher’s work points out that God’s sentence upon Eve, who sinned in the Garden, provided answers to why women

were generally weaker, susceptible to being deceived, experienced pain in childbirth, and needed the guidance and protection of their husbands.

**Part XXVI. Anglican Church: “Puritanism and the Status of Women in Colonial New England (1600-1750)” -- Section Two: *Eve***

Dr. Hatcher uses the following bible verses to show how the story of Eve impacted the development of Christian ideals of consortium and motherhood in colonial New England:

**Genesis 2:18; 21-25; 3:12, 17-20)**

***The Woman as Help Meet***

<sup>18</sup> And the Lord God said, It is not good that the man should be alone; I will make him an help meet for him.

***The Woman Created For Man***

<sup>21</sup> And the Lord God caused a deep sleep to fall upon Adam, and he slept: and he took one of his ribs, and closed up the flesh instead thereof;

<sup>22</sup> And the rib, which the Lord God had taken from man, made he a woman, and brought her unto the man.

<sup>23</sup> And Adam said, This is now bone of my bones, and flesh of my flesh: she shall be called Woman, because she was taken out of Man.

<sup>24</sup> Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh.

<sup>25</sup> And they were both naked, the man and his wife, and were not ashamed

***The Woman as Cause for the Sin of Man***

<sup>12</sup> And the man said, The woman whom thou gavest to be with me, she gave me of the tree, and I did eat.....

<sup>17</sup> And unto Adam he said, Because thou hast hearkened unto the voice of thy wife, and hast eaten of the tree, of which I commanded thee, saying, Thou shalt not eat of it: cursed is the ground for thy sake; in sorrow shalt thou eat of it all the days of thy life;

<sup>18</sup> Thorns also and thistles shall it bring forth to thee; and thou shalt eat the herb of

the field;

<sup>19</sup> In the sweat of thy face shalt thou eat bread, till thou return unto the ground; for out of it wast thou taken: for dust thou art, and unto dust shalt thou return.

<sup>20</sup> And Adam called his wife's name Eve; because she was the mother of all living.

## 5. The Serpent Beguiled Me

In rural, northern Florida amongst the black Baptists, a woman was believed to be dependent upon her husband, because she was susceptible to deception by temptation. This old folk belief came, no doubt, from the bible, where in the Book of Genesis, is written:

And the woman said unto the serpent,  
We may eat of the fruit of the trees of the garden:  
But of the fruit of the tree  
Which is in the midst of the garden,  
God hath said, Ye shall not eat of it,  
Neither shall ye touch it, Lest ye die.  
And the serpent said unto the woman,  
Ye shall not die: For God doth know that in the day  
Ye eat thereof, then your eyes shall be opened,  
And ye shall be as gods, knowing good and evil.

-- Genesis 3:2-5

Similarly, in colonial New England, it was believed that the “fallen state of womanhood” (i.e., Eve’s original sin) makes women susceptible to deception and enticement largely because the story of Eve had taught that the nature of women in general was believed to be “weak, unstable, susceptible to suggestion. She was ‘beguiled.’”<sup>16</sup> “New England ministers did not berate women for the sin of Eve. In fact, in referring to the transgression in Eden they almost always spoke of the ‘sin of Adam,’ perhaps unconsciously assuming male pre-eminence even in evil but at least sometimes intentionally countering the ancient misogyny.”<sup>17</sup> And Saint of Augustine of Hippo, who was the spiritual father to the Lutherans, Calvinists, and other Protestant sects, certainly did not saddle the woman with complete blame for

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<sup>16</sup> Laurel Thatcher Ulrich, *Good Wives: Image and Reality in the Lives of Women in Northern New England: 1650-1750* (New York, N.Y.: Vintage Books, 1991), p. 97.

<sup>17</sup> *Ibid.*, p. 97.

the Fall of Man. In assigning an equal portion of the blame to Adam, St. Augustine of Hippo says:

But it is a worse and more damnable pride which cast about for the shelter of an excuse even in manifest sins, as these our first parents did, of whom the woman said, 'The serpent beguiled me, and I did eat;' and the man said, 'The woman whom Thou gavest to be with me, she gave me of the tree, and I did eat.' Here there is no word of begging pardon, no word of entreaty for healing. For though they do not, like Cain, deny that they have perpetrated the deed, yet their pride seeks to refer its wickedness to another—the woman's pride to the serpent, the man's to the woman. But where there is a plain transgression of a divine commandment, this is rather to accuse than to excuse oneself. For the fact that the woman sinned on the serpent's persuasion, and the man at the woman's offer, did not make the transgression less, as if there were any one whom we ought rather to believe or yield to than God.<sup>18</sup>

Nevertheless, early Christians and the Puritans believed that the woman's gullible nature was exposed in the story of Eve and the Fall of Man. New England women were considered to be sexually passive but subject to latent sexual temptations which needed to be constantly abated.<sup>19</sup> "[Women] were physically and sexually vulnerable, easily aroused, quick to succumb to flattery."<sup>20</sup> Older women were therefore expected to monitor and mentor the younger women.<sup>21</sup> This custom was extracted from the Pauline doctrine in Titus 2:3-5, that:

The aged women likewise, that they be in behaviour as becometh holiness, not false accusers, not given to much wine, teachers of good things;

That they may teach the young women to be sober, to love their husbands, to love their children,

To be discreet, chaste, keepers at home, good, obedient to their own husbands, that the word of God be not blasphemed.

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<sup>18</sup> Saint Augustine, *The City of God* (New York, N.Y.: The Modern Library, 1950), p. 462.

<sup>19</sup> *Ibid.*, pp. 89-105.

<sup>20</sup> *Ibid.*, p. 97.

<sup>21</sup> *Ibid.*

Dr. Ulrich notes that “[o]lder women derived their authority both from their established position in the community and from gender. They not only understood enticement, they also knew its consequences—as no magistrate could. Proved in life, they were capable of recognizing and of judging sin. Experience—not innocence—was the supreme female virtue in rural New England.”<sup>22</sup>

During the seventeenth and eighteenth centuries, the primary function of the woman was to be a chaste and virtuous wife and mother. Therefore, a woman’s sexual reputation was critically important to her status within the community. Therefore, young unmarried women especially needed to guard themselves against “enticement” by married or unmarried men.<sup>23</sup> In *Good Wives*, Dr. Ulrich explores several accounts of adultery and attempted adultery that were recorded within seventeenth-century New England court records. These records reveal not simply the importance of sexual morality among women, but they also recount the challenges women faced. Young women were subject to sexual assault or enticement, and they were judged based largely upon their reputation within the local community. Here, again, the older women served as the important interpreters of female thought and behavior whenever these incidents occurred.

## 6. Consort

The Calvinists of colonial New England believed that woman was made for man so that he not be lonely and alone. As the following bible verse states:

And the Lord said, It is not good  
That the man should be alone;  
I will make him an help meet for him....  
And the Lord God caused a  
Deep sleep to fall upon Adam,  
And he slept: and he took one his ribs,  
And closed up the flesh instead thereof;  
And the rib, which the LORD God had taken from man,  
Made he a woman, and brought her unto the man.  
And Adam said, This is now bone of my bones,  
And flesh of my flesh; she shall be called Woman,  
Because she was taken out of Man.  
Therefore shall a man leave his father and mother  
And shall cleave unto his wife:  
And they shall be one flesh.

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<sup>22</sup> Ibid., p. 103.

<sup>23</sup> Ibid., p. 103.

Hence, in colonial New England, a principal duty of the wife to her husband was to provide consortium and a “consort was indeed a gift of God....”<sup>24</sup> “From the time of Paul,” writes Dr. Ulrich, “Christian writers have used the story of Eden to justify a wide range of attitudes toward women.... For [Protestant Reformers] the crucial scripture was Genesis 2:18, ‘And the Lord God said, It is not good that the man should be alone; I will make him an help meet for him.’”<sup>25</sup> In colonial New England, the typical attitude regarding the status and role of women were as follows:

‘Women are creatures without which there is no comfortable Living for man,’ exclaimed New Hampshire’s John Cotton in a sermon entitled *A Help Meet*. Cotton insisted that only blasphemers ‘despise and decry them, and call them a necessary Evil, for they are a necessary Good; such as it was not good that man should be without.’ Yet the very language of the argument shows its limitations. Protestantism destroyed convents as well as monasteries, giving every woman only one choice in life, to provide a ‘comfortable Living for man.’ ... God made Eve a ‘parallel line drawn equal’ to Adam, taken not from the head ‘to claim Superiority, but out of the side to be content with equality.’ The word equality is in Calvin’s own commentary on this passage. Eve’s meetness lay not just in her ability to provide progeny but in ‘an affinity of nature.’ Like Adam, she was created in the image of God.<sup>26</sup>

The Christian ideal of the subjection of the wife to the husband was a unique theological idea. “Over and over again New Englanders heard the love of man and wife compared to the bond between Christ and the Church. Although the analogy obviously ratified the authority of men over women, ministers seldom explored this implication, preferring to draw upon the emotional dimension of marriage to personalize the believer’s relationship with Christ. Such a comparison idealized the spiritual oneness of husband and wife.”<sup>27</sup> Also, “[w]ithin marriage, sexual attraction promoted consort; outside marriage, it led to heinous sins. For this

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<sup>24</sup> Ibid., p. 125.

<sup>25</sup> Ibid., p. 106.

<sup>26</sup> Ibid, pp. 106-107.

<sup>27</sup> Ibid., p. 108.

reason female modesty was essential.”<sup>28</sup> “The role of consort was based on a doctrine of creation which stressed the equality of men and women, an ideal of marriage which transcended legal formulations, and a concept of love which was spiritual, yet fully sexual.”<sup>29</sup> “Husband and wife could never forget that they were wedded to Christ before they were joined to each other.”<sup>30</sup> These Christian concepts promoted holiness of relations between the sexes, order within the home, as well as the dignity of marriage.

In 1750 as n 1650, New Englanders acknowledged the multiple aims of marriage: a good wife provided material, spiritual, emotional, and sexual comforts. Within this common framework, however, the balance shifted. Where seventeenth-century preachers found Eve’s ‘meetness,’ eighteenth-century poets and painters discovered her beauty. Eve became not so much an emblem of spiritual equality as an image of perfected sexuality. At the same time some New Englanders really did begin to take Earth for Heaven’s bower.<sup>31</sup>

Marriage served a public, social, and economic function as well, “it was an alliance of families and a linchpin in the social structure.”<sup>32</sup>

## 7. Travail

The birth pangs of childbirth was also explained in Christian theology in the Book of Genesis as divine punishment by the LORD God for Eve’s sins in the Garden of Eden, as follows:

Unto the woman he said  
I will greatly multiply thy sorrow  
And thy conception; in sorrow thou shalt  
Bring forth children; and thy desire shall be to  
Thy husband, and he shall rule over thee.

-- Genesis 3:16

Indeed, Jesus of Nazareth added to the solemnity of this Scripture, when he had said, “[a] woman when she is in travail hath sorrow, because her hour is come:

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<sup>28</sup> Ibid.

<sup>29</sup> Ibid., p. 109.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid., p. 117.

<sup>32</sup> Ibid., p. 119.

but as soon as she is delivered no more the anguish, for joy that a man is born into world.”<sup>33</sup> And St. Paul had taught the early church that women “shall be saved in childbearing.”<sup>34</sup> Thus, as Dr. Ulrich writes, within the Christian tradition, “[t]ravail, the curse visited by God upon the daughters of Eve, was not only an emblem of weakness and sin but a means of redemption.”<sup>35</sup>

For these reasons, womanhood in colonial New England was defined largely by the duty and sacred obligation of childbirth. Due to high infant mortality rates, childbirth was a very important and necessary duty for women. Childbirth was predominant within the lives English and American women, and it permeated the entire culture as the domain belonging almost exclusively to women. The older women became the experts not only on chastity, but also on childbirth and childrearing. “In historical documentation the nature of ‘travail’ is almost always a subjective impression reported by women and recorded by men. Childbirth was not only an emblem of the suffering of Eve—it was a moment of supreme drama. One need not diminish in any way the actual suffering of women to recognize that the expected pain and trial were also a source of attention and sympathy. In the drama of childbirth, husbands were twice removed from the scene. Their sex was excluded them not only from direct participation but in a very real sense from active support. In the early stages they ran errands, summoning the midwife and getting supplies, but at the height of the crisis their only real calling was to wait.”<sup>36</sup> Hence, the English and New England midwives thus developed the “old wives tales” within this context.<sup>37</sup>

## 8. Mother of All Living

Lastly, but most importantly, the status of women in seventeenth- and eighteenth-century England and colonial New England was elevated to the status of “Honoured Mother.”<sup>38</sup> This idea elevated the role and function of motherhood to the status of deity and perfection. “‘Honoured mother’—the phrase rings through letters, diaries, wills, estate accounts, and sermons from seventeenth- and

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<sup>33</sup> John 16:21

<sup>34</sup> 1 Timothy 2:15.

<sup>35</sup> Laurel Thatcher Ulrich, *Good Wives: Image and Reality in the Lives of Women in Northern New England: 1650-1750* (New York, N.Y.: Vintage Books, 1991), p. 131.

<sup>36</sup> *Ibid.*, pp. 130-131.

<sup>37</sup> *Ibid.*, pp. 133-136.

<sup>38</sup> *Ibid.*, pp. 146-163.



eighteenth-century New England,” writes Dr. Ulrich.<sup>39</sup> “Mothers represented the affectionate mode in an essentially authoritarian system of child-rearing.”<sup>40</sup> Mothering, however, was an expansive social construct, which defined the relationship of women not simply to their own children but to society as a whole. “Mothering meant generalized responsibility . . .”<sup>41</sup> Women were the teachers, nurturers, and the transmitters of culture; they were the “tender” side to the male actors within the society.<sup>42</sup> The crown of mothering came in old age; “[t]o bear children and, above all, to see those children bear children were accounted rich blessings.”<sup>43</sup>

For this reason, the women who did not live up their “general mothering responsibilities” were considered to be not simply “bad mothers” and “bad neighbors” but also, in the more extreme cases, “witches.”<sup>44</sup> On this note, Dr. Ulrich writes: “[t]he extensive nature of mothering also helps to account for the existence in rural communities of witches. If a witch was by definition a bad neighbor, she was also a bad mother.”<sup>45</sup> The antisocial behavior of women who revolted against this Calvinistic social order were believed to be manifestations of Satan the devil and were labelled as witches. Witchcraft became defined as practices which might also be labelled as heresy within the Christian worldview of womanhood:

Witchcraft belief confirms the social nature of the material role. Because women were perceived to have real, though mysterious power, they could become the focus of communal fear and anger. But it also testifies to the psychological complexity of mothering in this insecure and frightening environment. As Bruno Bettelheim has shown, fairy tales with their wicked witches, cruel stepmothers, and fairy godmothers allow children to separate the tender, all-giving, self-denying aspects of motherhood from the angry, punishing, and revengeful. Only by separating the frightening mother from the real

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<sup>39</sup> Ibid., p. 147.

<sup>40</sup> Ibid., p. 154.

<sup>41</sup> Ibid., p. 157.

<sup>42</sup> Ibid., p. 153-163.

<sup>43</sup> Ibid., p. 159.

<sup>44</sup> Ibid., p. 158.

<sup>45</sup> Ibid., p. 158.

mother can a child feel fully protected by her. In early New England, of course, witches were not fantasies but realities, a measure perhaps of the depth of conflict and need for security in this often incomprehensible world. There should be no surprise in finding witchcraft in the same time and place as idealized motherhood.<sup>46</sup>

Therefore, the woman as “mother of all living” was ordained by God to play an equal but separate role from men within society as a whole. Not only was the woman’s role as mother highly honoured, but it was also indispensable to the transmission of Christian civilization. The women who refused their solemn obligation of motherhood, or who worked to undermine the Christian social order wherein motherhood was held in high esteem, were indeed treated as outcasts, sinners, and witches. But the women who aspired to live up to the Christian ideal of saintly motherhood were highly honoured.

## CONCLUSION

According to Christian tradition, the primary role and function of the woman was as “consort-wife” and as “honoured mother.” These roles were ordained by the LORD God in the book of Genesis, affirmed by Christ in the Gospels, and reaffirmed by St. Paul in the New Testament. As the consort-wife, the woman was ordained by God as a necessary good for man; she was believed to be equal in mental and spiritual endowment and essence, but uniquely different and subordinate to man in her roles within both family and society. The teachings of St. Paul in 1 Timothy 2:11-15 clearly set forth the Puritan theological understanding of the subordinate status of women, as follows:

Let the woman learn in silence with all subjection.

But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence.

For Adam was first formed, then Eve.

And Adam was not deceived, but the woman being deceived was in the transgression.

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<sup>46</sup> Ibid., p. 159.

Notwithstanding she shall be saved in childbearing, if they continue in faith and charity and holiness with sobriety.

As the mother of all living, the woman was in fact dignified and elevated to the status of “honoured mother.” For she was believed to be the mother of human civilization; and, as such, she was the teacher and nurturer within the larger society. The roles of “consort” and “mother” thus extended beyond simply the home and into the larger society as a whole, where women were expected to perform roles that were appropriate for women—such as midwife, teacher to the children, advisor and mentor to younger women, and “deputy-husband” capable of assisting and taking the place of her husband during his absent. And although the modern, twenty-first century view is that these sex or gender differences deprecated the dignity and status of colonial women, Dr. Laurel Thatcher Ulrich’s *Good Wives* clearly shows that these gender differences revolved around the biblical concept of “honoured motherhood” and were highly ethical, humane, and elevated the dignity of women and the family. These well-defined sexual or gender roles, which were extracted from the story of Eve and the Fall of Man, were incorporated into colonial American customary law (i.e., the English common law) of domestic relations and guided American gender and domestic relations law well into the twentieth century. As Alexis de Tocqueville pointed out in *Democracy in America* (Appendix A), gender differences did not necessarily mean gender inequity, but instead the division of labor between the sexes in the young United States not only created a great nation but also elevated the status and dignity of women.

**THE END**

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## APPENDIX A

### Chapter XII, “How the Americans Understand the Equality of the Sexes”

*Democracy In America* (1836)

By

Alexis de Tocqueville

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#### HOW THE AMERICANS UNDERSTAND THE EQUALITY OF THE SEXES

*I have shown how democracy destroys or modifies the different inequalities that originate in society; but is this all, or does it not ultimately affect that great inequality of man and woman which has seemed, up to the present day, to be eternally based in human nature? I believe that the social changes that bring nearer to the same level the father and son, the master and servant, and, in general, superiors and inferiors will raise woman and make her more and more the equal of man. But here, more than ever, I feel the necessity of making myself clearly understood; for there is no subject on which the coarse and lawless fancies of our age have taken a freer range.*

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“There are people in Europe who, confounding together the different characteristics of the sexes, would make man and woman into beings not only equal but alike. They would give to both the same functions, impose on both the same duties, and grant to both the same rights; they would mix them in all things--their occupations, their pleasures, their business. It may readily be conceived that by thus attempting to make one sex equal to the other, both are degraded, and from so preposterous a medley of the works of nature nothing could ever result but weak men and disorderly women.

“It is not thus that the Americans understand that species of democratic equality which may be established between the sexes. They admit that as nature has appointed such wide differences between the physical and moral constitution of man and woman, her manifest design was to give a distinct employment to their various faculties; and they hold that improvement does not consist in making beings so dissimilar do pretty nearly the same things, but in causing each of them to fulfill their respective tasks in the best possible manner. The Americans have applied to the sexes the great principle of political economy which governs the manufacturers of our age, by carefully dividing the duties of man from those of woman in order that the great work of society may be the better carried on.

“In no country has such constant care been taken as in America to trace two clearly distinct lines of action for the two sexes and to make them keep pace one with the other, but in two pathways that are always different. American women never manage the outward concerns of the family or conduct a business or take a part in political life; nor are they, on the other hand, ever compelled to perform the rough labor of the fields or to make any of those laborious efforts which demand the exertion of physical strength. No families are so poor as to form an exception to this rule. If, on the one hand, an American woman cannot escape from the quiet circle of domestic employments, she is never forced, on the other, to go beyond it. Hence it is that the women of America, who often exhibit a masculine strength of understanding and a manly energy, generally preserve great delicacy of personal appearance and always retain the manners of women although they sometimes show that they have the hearts and minds of men.

“Nor have the Americans ever supposed that one consequence of democratic principles is the subversion of marital power or the confusion of the natural authorities in families. They hold that every association must have a head in order to accomplish its object, and that the natural head of the conjugal association is man. They do not therefore deny him the right of directing his partner, and they maintain that in the smaller association of husband and wife as well as in the great social community the object of democracy is to regulate and legalize the powers that are necessary, and not to subvert all power.

“This opinion is not peculiar to one sex and contested by the other; I never observed that the women of America consider conjugal authority as a fortunate usurpation of their rights, or that they thought themselves degraded by submitting to it. It appeared to me, on the contrary, that they attach a sort of pride to the voluntary surrender of their own will and make it their boast to bend themselves to the yoke, not to shake it off. Such, at least, is the feeling expressed by the most virtuous of their sex; the others are silent; and in the United States it is not the practice for a guilty wife to clamor for the rights of women while she is trampling on her own holiest duties.

“It has often been remarked that in Europe a certain degree of contempt lurks even in the flattery which men lavish upon women; although a European frequently affects to be the slave of woman, it may be seen that he never sincerely thinks her his equal. In the United States men seldom compliment women, but they daily show how much they esteem them. They constantly display an entire confidence in the understanding of a wife and a profound respect for her freedom; they have decided that her mind is just as fitted as that of a man to discover the plain truth, and her heart as firm to embrace it; and they have never sought to place her virtue, any more than his, under the shelter of prejudice, ignorance, and fear.

“It would seem in Europe, where man so easily submits to the despotic sway of women, that they are nevertheless deprived of some of the greatest attributes of the human species and considered as seductive but imperfect beings; and (what may well provoke astonishment) women ultimately look upon themselves in the same light and almost consider it as a privilege that they are entitled to show themselves futile, feeble, and timid. The women of America claim no such privileges.

“Again, it may be said that in our morals we have reserved strange immunities to man, so that there is, as it were, one virtue for his use and another for the guidance of his partner, and that, according to the opinion of the public, the very same act may be punished alternately as a crime

or only as a fault. The Americans do not know this iniquitous division of duties and rights; among them the seducer is as much dishonored as his victim.

“It is true that the Americans rarely lavish upon women those eager attentions which are commonly paid them in Europe, but their conduct to women always implies that they suppose them to be virtuous and refined; and such is the respect entertained for the moral freedom of the sex that in the presence of a woman the most guarded language is used lest her ear should be offended by an expression. In America a young unmarried woman may alone and without fear undertake a long journey.

“The legislators of the United States, who have mitigated almost all the penalties of criminal law, still make rape a capital offense, and no crime is visited with more inexorable severity by public opinion. This may be accounted for; as the Americans can conceive nothing more precious than a woman's honor and nothing which ought so much to be respected as her independence, they hold that no punishment is too severe for the man who deprives her of them against her will. In France, where the same offense is visited with far milder penalties, it is frequently difficult to get a verdict from a jury against the prisoner. Is this a consequence of contempt of decency or contempt of women? I cannot but believe that it is a contempt of both.

“Thus the Americans do not think that man and woman have either the duty or the right to perform the same offices, but they show an equal regard for both their respective parts; and though their lot is different, they consider both of them as beings of equal value. They do not give to the courage of woman the same form or the same direction as to that of man, but they never doubt her courage; and if they hold that man and his partner ought not always to exercise their intellect and understanding in the same manner, they at least believe the understanding of the one to be as sound as that of the other, and her intellect to be as clear. Thus, then, while they have allowed the social inferiority of woman to continue, they have done all they could to raise her morally and intellectually to the level of man; and in this respect they appear to me to have excellently understood the true principle of democratic improvement.

“As for myself, I do not hesitate to avow that although the women of the United States are confined within the narrow circle of domestic life, and their situation is in some respects one of extreme dependence, I have nowhere seen woman occupying a loftier position; and if I were asked, now that I am drawing to the close of this work, in which I have spoken of so many important things done by the Americans, to what the singular prosperity and growing strength of that people ought mainly to be attributed, I should reply: To the superiority of their women.”