

## Timeline of Legal History of Women in the United States

**1769** American colonies based their laws on the English common law, which was summarized in the Blackstone Commentaries. It said, “By marriage, the husband and wife are one person in the law” The very being and legal existence of the woman is suspended during the marriage, or at least is incorporated into that of her husband under whose wing and protection she performs everything.”

**1777** All states pass laws which take away women’s right to vote.

**1789** United States Constitution ratified. The terms “persons,” “people” and “electors” are used, allowing the interpretation of those beings to include men and women.

**1839** The first state (Mississippi) grants women the right to hold property in their own name, with their husbands’ permission.

**1848** At Seneca Falls, New York, 300 women and men sign the Declaration of Sentiments, a plea for the end of discrimination against women in all spheres of society.

**1866** The 14th Amendment is passed by Congress (ratified by the states in 1868), saying “Representatives shall be apportioned among the several States according to their respective members, counting the whole number of persons in each State, excluding Indians not taxed. . . .But when the right to vote . . . is denied to any of the male inhabitants of such State . . . the basis of representation therein shall be reduced in proportion.” It is the first time “citizens” and “voters” are defined as “male” in the Constitution.

**1869** The first woman suffrage law in the U.S. is passed in the territory of Wyoming.

**1870** The 15th Amendment receives final ratification, saying, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.” By its text, women are not specifically excluded from the vote.

**1873** Bradwell v. Illinois, 83 U.S. 130 (1872): The U.S. Supreme Court rules that a state has the right to exclude a married woman (Myra Colby Bradwell) from practicing law.

**1875** Minor v Happersett, 88 U.S. 162 (1875): The U.S. Supreme Court declares that despite the privileges and immunities clause, a state can prohibit a woman from voting. The court declares women as “persons,” but holds that they constitute a “special category of \_nonvoting\_ citizens.”

**1890** The first state (Wyoming) grants women the right to vote in all elections.

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**1900** By now, every state has passed legislation modeled after New York’s Married Women’s Property Act (1848), granting married women some control over their property and earnings.

**1908** Muller v State of Oregon, 208 U.S. 412 (1908): The U.S. Supreme Court upholds Oregon's 10-hour workday for women. The win is a two-edged sword: the protective legislation implies that women are physically weak.

**1916** Margaret Sanger tests the validity of New York's anti-contraception law by establishing a clinic in Brooklyn. The most well-known of birth control advocates, she is one of hundreds arrested over a 40-year period for working to establish women's right to control their own bodies.

**1918** New York v. Sanger, 222 NY 192, 118 N.E. 637 (Court of Appeals 1917), National Archives, Records of the U.S. Supreme Court, RG 267 (MSDME-CDS C 15:298). **Margaret Sanger wins her suit in New York to allow doctors to advise their married patients about birth control for health purposes.**

**1920 The Nineteenth Amendment to the U.S. Constitution is ratified. It declares: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."**

**1923** National Woman's Party proposes Constitutional amendment: "Men and women shall have equal rights throughout the United States and in every place subject to its jurisdiction. Congress shall have power to enforce this article by appropriate legislation."

**1932** The National Recovery Act forbids more than one family member from holding a government job, resulting in many women losing their jobs.

**1938** The Fair Labor Standards Act establishes minimum wage without regard to sex.

**1961** In Hoyt v. Florida, 368 U.S. 57 (1961): The U.S. Supreme Court upholds rules adopted by the state of Florida that made it far less likely for women than men to be called for jury service on the grounds that a "woman is still regarded as the center of home and family life."

**1963 The Equal Pay Act is passed by Congress, promising equitable wages for the same work, regardless of the race, color, religion, national origin or sex of the worker.**

**1964 Title VII of the Civil Rights Act passes including a prohibition against employment discrimination on the basis of race, color, religion, national origin, or sex.**

**1965** Weeks v. Southern Bell, 408 F. 2d. 228 (5th Cir. 1969), marks a major triumph in the fight against restrictive labor laws and company regulations on the hours and conditions of women's work, opening many previously male-only jobs to women.

**1965 In Griswold v Connecticut, 381 U.S. 479, the Supreme Court overturns one of the last state laws prohibiting the prescription or use of contraceptives by married couples.**

**1968** Executive Order 11246 prohibits sex discrimination by government contractors and requires affirmative action plans for hiring women.

**1969** In *Bowe v. Colgate-Palmolive Company*, 416 F. 2d 711 (7th Cir.1969), the Seventh Circuit Court of Appeals rules that women meeting the physical requirements can work in many jobs that had been for men only.

**California adopts the nation's first "no fault" divorce law, allowing divorce by mutual consent.**

**1971** *Phillips v. Martin Marietta Corporation*, 400 U.S. 542: The U.S. Supreme Court outlaws the practice of private employers refusing to hire women with pre-school children.

**1972 Title IX (Public Law 92-318) of the Education Amendments prohibits sex discrimination in all aspects of education programs that receive federal support.**

**1972: In *Eisenstadt v. Baird*, 405 U.S. 438, the Supreme Court rules that the right to privacy encompasses an unmarried person's right to use contraceptives.**

**1973 *Roe v. Wade*, 410 U.S. 113 and *Doe v. Bolton*, 410 U.S. 179: The U.S. Supreme Court declares that the Constitution protects women's right to terminate an early pregnancy, thus making abortion legal in the U.S.**

**1974** Housing discrimination on the basis of sex and credit discrimination against women are outlawed by Congress.

**1974** *Cleveland Board of Education v. LaFleur*, 414 U.S. 632 (1974), determines it is illegal to force pregnant women to take maternity leave on the assumption they are incapable of working in their physical condition.

The Women's Educational Equity Act, drafted by Arlene Horowitz and introduced by Representative Patsy Mink (D-HI), funds the development of nonsexist teaching materials and model programs that encourage full educational opportunities for girls and women.

The Equal Employment Opportunity Commission, the Justice and Labor Departments, and AT&T sign a consent decree banning AT&T's discriminatory practices against women and minorities.

**1978** The Pregnancy Discrimination Act bans employment discrimination against pregnant women.

**1981** The U.S. Supreme Court rules that excluding women from the draft is constitutional.

**1981** *Kirchberg v. Feenstra*, 450 U.S. 455, 459-60, overturns state laws designating a husband "head and master" with unilateral control of property owned jointly with his wife.

**1981** Sandra Day O'Connor is appointed by President Ronald Reagan to serve as the first woman Supreme Court Justice.

The state of Mississippi belatedly ratifies the 19th Amendment, granting women the vote.

**1986** In *Meritor Savings Bank v. Vinson*, 477 U.S. 57 (1986), the U.S. Supreme Court held that a hostile or abusive work environment can prove discrimination based on sex.

**1989** In *Webster v. Reproductive Health Services*, 492 U.S. 490 (1989), the Supreme Court affirms the right of states to deny public funding for abortions and to prohibit public hospitals from performing abortions.

**1994** The Violence Against Women Act funds services for victims of rape and domestic violence, allows women to seek civil rights remedies for gender-related crimes, provides training to increase police and court officials' sensitivity and a national 24-hour hotline for battered women.

**1998** Mitsubishi Motor Manufacturing of America agrees to pay \$34 million to settle an E.E.O.C. lawsuit contending that hundreds of women were sexually harassed.

**2005** Hillary Clinton becomes the first First Lady to be elected to public office as a U.S. Senator from New York. Condoleezza Rice becomes the first black female Secretary of State.

**2006** The Supreme Court upholds a ban on the "partial-birth" abortion procedure. The Partial-Birth Abortion Ban Act, a federal law passed in 2003, was the first to ban a specific abortion procedure.

**2013** The ban against women in military combat positions is removed; this overturned a 1994 Pentagon decision restricting women from combat roles.

