

Sarah Chapone and the First Claim of Civil Identity for Women

Sarah Chapone e a primeira reivindicação de identidade civil para mulheres

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RESUMO:

Propõe-se, nesta pesquisa, a corroborar na defesa inclusão da filósofa Sarah Chapone no cânone da história da filosofia. Isso se justifica porque, conforme é analisado, a autora produz um escrito no qual, pela primeira vez, é reivindicado para as mulheres a condição de cidadã que participa da sociedade civil. Além disso, interpreto que parte da centralidade do argumento da autora – mediante uma influência de Astell e Hobbes –, parte da análise de que as mulheres vivem em um Estado de Natureza que tem sua manutenção garantida pelo Estado Civil.

PALAVRAS-CHAVE: Sarah Chapone, identidade civil, iluminismo, liberdade, opressão.

ABSTRACT:

This research aims to support the inclusion of the philosopher Sarah Chapone in the canon of the history of philosophy. This is justified because, as analyzed, Chapone produces a text in which, for the first time, women are claimed the status of citizens who participate in civil society. Furthermore, I interpret that a central part of her argument—through the influence of Astell and Hobbes—stems from the analysis that women live in a State of Nature whose persistence is guaranteed by the Civil State.

KEYWORDS: Sarah Chapone, civil identity, Enlightenment, freedom, oppression.

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We are, by nature, their lovers, their friends, their patrons: Would we willingly exchange such endearing appellations, for the barbarous title of master and tyrant? In what capacity shall we gain by this inhuman proceeding? (Hume, 1987, p. 184)

In November 1736, in the sixth volume of *The Gentleman's Magazine*, an anonymous gentleman expressed his horror and sense of injustice at the writing of a lady. Calling her a “Female Proteus”, since he considered the exemption of women from English laws and penalties not as a privilege but as an “Insult” (p. 649), the anonymous gentleman took offense. After all, in Turkey, he says, women could be killed by their husbands, whereas in England a lady dares to complain about being excused from obedience and from the penalties of civil law. “Mercy on me!” exclaims the gentleman. To him, before demanding so much and so unjustly, the lady author should first acknowledge that she did not live amid the barbarity of uncivilized nations, but in the very paradise of women.

Beyond this acknowledgment—something that to him seemed both basic and self-evidently true—the proper foundation for such an unsuitable demand would have to rest on the equality of merit between the sexes. Quickly concluding that such equality does not exist, the gentleman who wrote to *The Gentleman's Magazine* defends himself in the following way against what he regards as injustices committed against the honor of his sex:

Let the Females, pleaded for, come up to this Parallel of Virtue and Publick Spirit, and then let them lay their Claim to equal Honours, and we will willingly allow it. When the English History supplies us with an Instance of the Sacrifice of one Female Vanity to the Publick Good; if our Women will give up their Ornaments to the Exigence of the State [...] When publick and private Peace are their first Ambition (Gentleman's Magazine, 1736, p. 650)

The opinion that the status of women, under British Enlightenment, was superior to that granted by neighboring nations, by nations across the Atlantic, or by the ancients, was hardly a novelty. Near the end of the century of politeness, in 1778, Kames had already noted that the condition of barbarity imposed upon women in uncivilized states differed greatly from the near equality “existing” in the Age of Enlightenment. According to him, “A degree of coarseness and indelicacy is connected with rough manners. The manners of the Greeks, [...] were extremely coarse; such as may be expected from a people living among their slaves, without any society with virtuous women” (2007, p. 191). This, he argued, inclined them to treat their wives as slaves. Such barbarity and injustice had already been observed by Hume twenty years earlier in his essay *Of Polygamy and Divorces*, in which he reminds us that “In another

country, where polygamy is also allowed, they render their wives cripples, and make their feet of no use to them, in order to confine them to their own houses” (1987, p. 186).

Throughout the eighteenth century, the rhetorical device of pointing to other nations, or to the past, in order to remark upon how barbarous they were toward women—and how such treatment served as a mark of barbarity not applicable to enlightened Britain—was not only widely employed, but also used to corroborate the conviction that Britain had reached a superior stage of civilization [as I have shown elsewhere (see Santos, 2023)].

The reaction of the gentleman who wrote in *The Gentleman’s Magazine* therefore belongs to this context, but was above all provoked by a text published anonymously in 1735, entitled *The Hardships of the English Laws in Relation to Wives*. In this work, the lady author dared to expose the supposed benevolence and justice of English laws toward women as false. The stigma of barbarity—so proper to those human groups treated as inferior, and from which Enlightenment gentlemen prided themselves on being the exact opposite—was, by her pen, “brought into” the very heart of the civility that so distinguished them.

In her treatise, the author presented cases of violence and cruelty against women as both real and frequent in the Age of Enlightenment, thereby threatening the veil of silence constructed through comparison with the “barbarized.” With arguments already anticipated in Mary Astell’s *Reflections upon Marriage*, the anonymous author went one step further. If Astell, in 1700, had exposed male tyranny as unjust and sought ways for women to escape its violence, this lady author showed how such tyranny was rooted in the imperfections of civil law itself, which, if left unaltered, would place women in a condition akin to a State of Nature. It was, in effect, a petition that extended Astell’s reasoning on male tyranny while introducing a profound innovation in human history (Broad, 2015): the legal claim for the very existence and civil liberty of women. The author addressed Parliament and King George II, declaring it impossible to reconcile the laws under which she lived “with the Rights and Privileges of a free People”, and thus imposed upon herself the identity of subject. For the first time, therefore, the legal existence of women within civil society was claimed.

Beyond the philosophical framework mobilized by this author—from Astell, Hobbes, Wollaston, and Delany, as Todd (1998) observes—she was able to identify repressive aspects of conjugal law in more detail than any other writer, and her effort highlights the immense difficulties women faced in understanding their legal status and in legally resisting the conditions to which their sex was manifestly subjected. Her work was, moreover, a solitary protest against the marriage laws for a long time (Greenberg *apud* Broad, 2015), capable of drawing attention to juridical inequalities (Orr, 2016).

Such arguments could hardly be answered in any way other than through verbal violence and appeals to threatened privilege—as seen in *The Gentleman's Magazine*—which, interestingly, only confirms some of the lady author's claims, as we shall see shortly. The gentleman had no other recourse but to appeal to the common sense of polite society: after all, given the supposed weakness of the sex, it was improper to entrust women with the interests of others, when they “cannot maintain their own” (*The Gentleman's Magazine*, 1736, p. 649).

The argument advanced by this author—that women, upon marriage, could be turned into the slaves of their husbands—though unusual, was not entirely foreign to the Enlightenment. Journals such as *Magna Britannia* in 1718 had already noted that women were regarded as the property of their husbands, and prominent philosophers such as Bernard Mandeville (1670–1733), in his practical morality for women *The Virgin Unmask'd* (1709)², had already claimed that the married state was a condition of slavery created by men for the female sex. Yet whereas in *Magna Britannia* or in Mandeville's work there is no condemnation of this artificial inequality—indeed, it is asserted quite the opposite, that the condition of Englishwomen “is the best of the World; for such is the good Nature of Englishmen towards their Wives, such is the Tenderness and Respect [...] that they are, generally speaking, the most happy Women in the World” (*Magna Britannia*, 1718, pp. 177)—the anonymous author of *Hardships* pursued a strikingly different line. Employing the concept of liberty as the opposite of slavery, she demanded civil liberty for women, especially wives, insisting upon the rights of free movement, property, land, custody of their own children, financial autonomy, and above all, equal access to legal judgment for both sexes.

Until 1985, the authorship of this treatise remained a mystery. The woman who had dared to question this supposed state of happiness—born of submission and false care—remained unknown. At the same time, this erased author nonetheless continued to shape interpretations such as those of Hunt (1992), who sought to expose the cruelty suffered by women in the Age of Enlightenment, as well as the feminine reactions to the politics of politeness. It was only through the efforts of Ruth Perry (Glover, 2018) that the lady author was finally identified, and in 2018 her writings were gathered and more widely disseminated: she was Sarah Chapone.

Born on November 11, 1699, the second of nine children of Damaris and Lionel Kirham, Chapone was raised in a rural environment surrounded by books. Much of her education, her early bonds of community with other women, and her critical formation were due to her insertion in the clerical

² For a more in-depth discussion of Mandeville's views on women, see Santos (2024).

network which, as Orr (2016) aptly notes, was essential not only for Sarah Chapone, but also for the later creation of the connections that enabled the existence of the Bluestockings—a circle in which her daughter-in-law, Hester Chapone, author of *Letters on the Improvement of the Mind* (1775), would become a member.

What Orr (2016) identifies as “Christian feminism” present both in Astell and in Chapone seems to find its roots precisely in that environment, one in which women found more than merely instrumental existence. Although today it may seem somewhat strange that the first feminists drew so strongly on Christianity to denounce the injustices they suffered, this appears justifiable insofar as this environment brought women together, educated them, listened to them, and provided both a figure and a text (the Scriptures) through which they could interpret the existing system as inadequate—a feature still visible at the end of the eighteenth century in Wollstonecraft’s *Vindication*. Whereas gentlemen gathered in clubs and coffeehouses, generally restricting female participation, the associations women could form were often in parishes, which in turn offered some access to libraries (Orr, 2016)—something that, along with a degree of mutual support, they would likely have found difficult to access elsewhere.

In 1725, Chapone married the vicar John Chapone (who died in 1759), with whom she apparently maintained a relationship quite unlike those most women might experience with their husbands. In her *Hardships*, the author reveals her own experience as exceptional compared to the condition of other women that inspired her petition: “God be thanked, I have an Husband who lets me be alive, and gives me leave to be some Body, and to tell other People what I think they are” (Chapone, 1735, p. 51). Her desire, however, was that all women might be somebody not because a husband allowed it, but because the law itself ought to recognize it.

PARTICIPATION ON CIVIL SOCIETY

The opening of Chapone’s treatise begins with a boldness not yet attempted. The author declares:

presumes upon the Privilege Of the **Free-born Subjects** of England to approach their Sovereign, represent their Grievances, and humbly to implore Redress.

We hope that this inestimable Privilege is **not wholly confined to the Male Line, but that we his Majesty's faithful Female Subjects, may also shelter ourselves under his most gracious Protection**, our Condition being of all others in his Dominions the most deplorable, we being the least able to help ourselves, and the most exposed to Oppression.

This is certainly true, in every State of Life, but in none so notoriously, and without all Redress, as when we put ourselves in a Condition of adding to his Majesty's Subjects by becoming Wives, under which Character we humbly

address his most sacred Majesty, and the honourable Houses of Parliament, **for an Alteration or a Repeal of some Laws, which, as we conceive, put us in a worse Condition than Slavery itself.** (Chapone, 1735, p. 2, emphasis mine)

The manner in which the author referred to herself was unprecedented and, at the same time, shattered (for her readers) a certain illusion that Britain's polished gallantry was in the process of constructing for itself. Although deeply influenced by Astell—who had already portrayed gentlemen as tyrants and instructed ladies in a series of principles to avoid becoming wife-slaves in *Reflections upon Marriage*—I observe that it is Chapone who seizes for herself the identity of “subject” and demands not merely strategies to avoid male tyranny, but juridical guarantees that women might never again be made victims. Such an appropriation could hardly be well received at the time: male property now manifested itself in full, and any political involvement by women was far from welcomed. Chapone was seen as a kind of “aberration”, and to recall Addison in number 81 of the *Spectator*, female involvement in politics served only to “deprive the Fair Sex of those peculiar Charms with which Nature has endowed them” (2004, no. 81).

Violence, anger, and misconduct had no place in the idealized world of politeness, even while it was commonly considered acceptable within society, as Hunt (1992) notes, for husbands to physically correct their wives. The dispute that began in the mid-seventeenth century with courtesy, and that became more entrenched with polished ideals, was that—even though men were supposedly superior in physical and rational strength—the former should be exercised only when no other option was possible (cf. Hunt, 1992; Foyster, 2002 and 1996; Todd, 1998). As seen in *Magna Britannia*, the man was imputed the power of caretaker of the woman, and thinkers of the time endorsed this idea. To give only two examples: Mandeville, in his *Fable*, highlights the impropriety of employing stratagems to corrupt women's point of honor (chastity), and declares it uncivilized behavior to gaze excessively at a woman: “the reason is plain, it makes her uneasy [...] the consequence would be, that he would be called a brute, the woman would run away, and himself be never admitted in any civil company” (Mandeville, 2018, p. 32-3) (cf. Santos, 2024). Steele, in number 236 of the *Spectator*, went so far as to describe violence against wives as such a barbarous practice that it would tarnish the gentleman's own honor.

According to Hunt (1992) and Foyster (2002), such barbarized conduct was attributed above all to the poorer and working classes, given the supposed roughness of their manners. Yet the legal cases of the time, the stories circulating among polite circles, and Chapone's treatise made it abundantly clear that violence was not confined to the unlettered poor. The barbarity attributed to uncivilized peoples was, in fact, present within the very community that prided itself on politeness. Thus, the motive of the author's petition—namely, the oppression endured by women—was in itself an affront to the values of her age.

The second affront, directly linked to the first, concerned her right to publish and to regard herself as a free subject. Since at least Cicero—an author much honored and celebrated by Enlightenment thinkers (see Santos, 2023)—there existed a conception that “it is the peculiar function of the state and the city to guarantee to every man the free and undisturbed control of his own particular property” (2014, p. 255). Yet wives were conceived as belonging to their husbands. Once again, whether in Mandeville or *Magna Britannia*, we find the perception that women pass from the authority of the father into that of the husband. Studies such as those of Hunt (1992), Foyster (2002, 1996), and Todd (1998) demonstrate that this was not merely a philosophical conception, but an institution that led many women to their deaths. To cite only two examples recounted by these interpreters: “merely” throwing a stool at one’s wife could be considered a form of behavioral correction, as did beating her to the point of blindness. These were strategies generally understood as part of domestic discipline, often considered justifiable when the wife supposedly failed to respect household and social order. Worth mentioning that such disrespect could be not only something as minor as Chapone’s challenging writing—since, after all, the dignity of reading and writing was still heavily restricted for eighteenth-century women. “Female misconduct” might mean, for instance, putting too much butter in a pudding—something that could supposedly justify a husband hurling a stool at her face or physically abusing her before their servants.

In sum, as Hunt (1992) emphasizes, women’s identity was absorbed into male authority; and even though, as Foyster (2002) observes, legal cases initiated by women were beginning to receive greater recognition and protection, sometimes couched in the polite discourse of care and rational authority, this did not prevent violence against women from continuing—justified and normalized within eighteenth-century politics. Chapone’s treatise testifies to this reality.

These elements help clarify the tensions and conflicts Chapone confronted even in the opening paragraphs of her text: first, she claimed for her sex the identity not of property, but of subject; second, she pointed out how this portion of the people suffered oppression; and third, she blamed the legal apparatus itself as the safeguard of female oppression. It is no accident that the philosopher thanks God for having a husband who allows her to be somebody, for, as Todd (1998) and Orr (2016) note, women’s identity was legally absorbed by their husbands—so that she, in fact, required his permission in order to express herself. By establishing for her sex the identity of subject, Chapone asserted the right to reparation, drawing upon a long tradition in which subjects possessed the right to petition in the face of injustice and vulnerability (Todd, 1998).

Chapone continued to challenge these statutes of female civil existence and marital subordination, noting that the quality of subject was especially removed from women “by becoming Wives”, which necessitated “an Alteration or a Repeal of some Laws, which, as we conceive, put us in a

worse Condition than Slavery itself” (Chapone, 1735, p. 2). The oppression of these laws, the philosopher observes, is a mark of affront to Christianity, but despite this, for her, it is an area that can and must be subject to investigation. Chapone’s point is that “we seem to be hastening into a State of Nature” when human equity is not established as a legal foundation and when the laws fail to prevent “the Strong from oppressing the Weak” (Chapone, 1735, p. 3). Probably inspired by Hobbes—whom she would later cite, and whom Broad (2015) and Orr (2016) identify as a clear influence on her thought—I consider that Chapone here calls attention to the duty of the sovereign, echoing unmistakably the *Leviathan* of 1651:

The OFFICE of the Sovereign, (be it a Monarch, or an Assembly,) consisteth in the end, for which he was trusted with the Sovereign Power, **namely the procuration of the Safety Of The People**; to which he is obliged by the Law of Nature, and to render an account thereof to God, the Author of that Law, and to none but him. **But by Safety here, is not meant a bare Preservation, but also all other Contentments of life, which every man by lawfull Industry**, without danger, or hurt to the Common-wealth, shall acquire to himselfe. (L 30.1, Hobbes, 1651, emphasis mine)

I consider that, insofar as women are oppressed by their husbands and this is legally guaranteed, ultimately, for Chapone, women are placed in a State of Nature vis-à-vis their supposed lovers. Even equity—celebrated by Hobbes as the summary of the natural laws—is recalled by Chapone as something as forgotten as that which the author of the *Leviathan* points to as necessary for the existence of the Civil State: namely, the guarantee of the safety of all subjects, as well as of their comforts and the freedom to act according to their own industry, provided it be legitimate.

To recall Limongi (2013), in his interpretation of Hobbes’s notion of power: “if the State does not have the necessary power to accomplish the end for which it was instituted, the pact of its institution becomes legally null”³ (2013, p. 161), and I interpret that it is precisely this tension to which Chapone seems attentive in claiming for herself the condition of subject. In this sense, women lived in a State of Nature with respect to men, since none of these elements were guaranteed to them by the State, but this condition was, contradictorily, preserved by the government. The author asks: if the laws of the Country did not prevent the strong from oppressing the weak, “what then shall restrain [...] they being in such a State the only established Rules of Society?” (Chapone, 1735, p. 3). I maintain: this is, above all, to question the legitimacy of contracts as they were not being preserved for half of humankind.

Insofar as “that the English Husband has but one Vassal to treat according to his variable Humour” (Chapone, 1735, p. 3)—that is, his wife—I draw the inevitable interpretation that the

³ All translation is mine.

government allows a certain State of Nature to subsist within the Civil State. This, contradictorily, secures laws that sustain inequality of treatment, inequality of punishments, and inequality of rules among its subjects, while at the same time it systematically denies women security and the comforts of life.

To prove her point, Chapone draws upon cases published in newspapers attesting to the cruelty exercised by husbands against their wives, demonstrating how the legal treatment afforded to each subject differed solely by reason of sex. By means of these representations, says the author, she seeks to show that wives “have no Property, neither in their own Persons, Children, or Fortunes” (Chapone, 1735, p. 5), so that they were not being recognized as subjects. The philosopher recounts various cases of conjugal injustice: wives who fled abuse to the homes of relatives, only for these relatives to be compelled by law to return them to their husbands; others whose fortunes were entirely destroyed by their husbands’ management, leaving them in misery without redress; cases of confinement and physical abuse; and even reports of women who were allegedly driven to commit suicide at the command of their husbands, among others. Let us consider the following case, a husband:

confined his wife for some Years in a Garret, without Fire, proper Cloathing, or any of the Comforts of Life; that he had frequently Horse-whipt her; that her Sufferings were so great and intolerable, that she destroyed her wretched Life by flinging herself out at the Window.

But as there was Bread found in the Room, which, though hard and mouldy, was supposed sufficient to sustain Life; and as it was not thought that he pushed her our at the Window himself, he was acquitted, and that Complaint of her Sufferings served only to instruct Husbands in the full Extent of their despotick Power. (Chapone, 1735, p. 9)

In light of this account, Chapone observes not only that the husband is granted a power more afflictive than that of life and death, but also that tyranny appears to be legalized within a state that designates itself as free. Men end up being vested with so much power that, even when creating all the conditions for the death of a subject, they are acquitted for having fed her with moldy bread. To recall Hobbes once more: no contract can possess validity if it requires of its subjects the act of not resisting violence or of not attempting to escape death—something that, as the case above attests, was demanded of women. Such contracts, as Limongi (2013) reminds us in his interpretation of Hobbes, hold no legal validity; yet, as I observed above, this was not the case for wives.

On this basis, Chapone highlights the kind of psychological harm that husbands may inflict upon their wives—together with the poor education that men provide for women—as among the causes of their supposedly weaker minds. Mental confusion, the author notes, “naturally rises upon ill Treatment, from those whom we have greatly trusted or loved” (Chapone, 1735, p. 12), thus creating circumstances

in which self-destruction appears as a form of liberation from present misery. In this way, Chapone speculatively inverts the sex of the aggressor and asks whether the legal and social reaction would be the same. If a wife were capable of “find means to confine her Husband in his own Home”, preventing “any Attempt for his Releasement”, the indignation and resentment of men would be caused solely by such an “insolent Supposition!” (Chapone, 1735, p. 12). Though she could be accused of usurping male power, Chapone once again appeals to the role of equity in making this comparison.

I cannot but think it an excellent Rule to suppose our selves capable of receiving the Treatment we give Others, and then to reflect upon the Resentments we should make upon it. Do unto all men as thou wouldest they should do unto thee, is an universal Precept given to both Sexes, and all Conditions from the Prince upon the Throne, to the Labourer that digs in the Mines. (Chapone, 1735, p. 12-3)

The absence of the principle of equity among subjects, and the lack of legal guarantees to preserve it, constitutes an affront to existence within a civil society. On the one hand, men are acquitted for creating circumstances that disorient their wives into bringing about their own deaths, while the laws delegitimize, for women, the most basic rules of resistance. On the other hand, the mere supposition of inverting the sexes in a situation of captivity is regarded as an outrage and would, under English law, be unforgivable. Since, according to Chapone, the law enables the tyrannical power of men over women, she is left to appeal to the conscience of her readers and to demand greater legal safeguards for persons of her sex. After all, as the author remarks, who would not wish “that some Expedient might be found by the Legislature to prevent such Calamities for the Future” (Chapone, 1735, p. 14)?

Yet it seems that precisely the opposite is offered to ladies. To demonstrate this, Chapone introduces into her argument an analogy with the Ring of Gyges, found in the second book of Plato’s *Republic*. As is well known, this artifact had the power to render its wearer invisible. On this basis, the philosopher argues that an honorable man would not even desire such a ring, whereas a dishonorable one not only covets it, but, endowed with such power, would commit evils to whatever extent he aspired—and invisibly. For, as Chapone notes, the laws found it “very politick to present every Man in his Majest's Dominions with such a Ring” (Chapone, 1735, p. 50). Thus, Chapone appears to highlight how cruelty against women occurs under a veil of invisibility, through a power that the Civil State legally grants to husbands, thereby ensuring that no reparation can be made to the victims of such power. With the Ring of Gyges, bestowed upon men by the government, they receive the right to “confining, Half-starving his Wife, or squandering her Estate” and “a bad Husband should not be allowed it” (Chapone, 1735, p. 50).

As Todd (1998) rightly observes, Chapone's argument underscores the contradiction of, on the one hand, the existence of a tyrannical and enslaving power imposed upon the female subject, and, on the other hand, the national claim that persons born in that country were free subjects. What is at stake is the incompatibility between the simultaneous existence of slavery and liberty: one necessarily cancels out the extension of the other. From the moment that husbands are endowed with the power to enslave their wives—even if they do not exercise it, whether out of refined manners or lack of will—it follows that the country itself cannot be considered a regime in which liberty is real.

Accordingly, for the philosopher, women run a risk in wishing to venture into alliance with the other sex, since all men hold the power to act tyrannically over their wives, who have been reduced by the male sex to the status of being as “Dead in Law” (Chapone, 1735, p. 51).

As Broad (2015) reminds us, the author appeals to the notion of liberty as non-domination: it is not enough for women to hope to find husbands who do not act as tyrants and restrict their freedom; such security must be guaranteed for all subjects. To depend entirely upon another party, the interpreter stresses, for one's own preservation is to place women at risk of falling at any moment victim to the unrestrained power of men. To exist in a state in which one is legally dead is not to exist within that state at all, but to be enslaved by it.

This becomes even clearer when the author reminds us that women are exempt from civil punishment, since the husband bears the legal obligation to answer for the crimes committed by his wife. Such exemption from punishment for women, Chapone explains, “never was designed as a Privilege to Wives, [...] but is a Snare and Temptation to them, to comply with the Command of an Husband” (Chapone, 1735, pp. 26–27). Indeed, I observe that to exempt a subject from answering legally for her actions is to exempt her from existence within a civil society; for if such subjects are incapable of answering for themselves, they are likewise excluded from existence as free agents within a community. This exemption, consequently, ensures the moral, spiritual, intellectual (Todd, 1998), and political nonexistence of women. The result is that they are liberated from penalties at the same time that they are liberated from existence in society. According to the philosopher,

To divest a Man of all Property, and then exempt him from a Jail in Consequence of his Debts, is just such a Privilege in his Civil Capacity, **as it would be in his Natural one, to divest him of all Pleasure, and in Return to decree that he should feel no Pain.** As such Exemption from Pleasure and Pain would, in Effect, strike him out of Being as a Man, so Inch divesting him of all Property, with such Exemption from Payment of Debts, is, in Effect, to **cut him off from being a Member of Civil Society.**

As a Man would chuse to retain his Natural Pleasures, and run the Hazard of Natural Pains, so he would chuse to retain his Civil Rights, and run the Hazard of Civil Inconveniencies.

Till it shall appear that these are not parallel Cases, I believe I may conclude, that Exemption from Debts is not a Recompence for divesting of Property. (Chapone, 1735, p. 42, emphasis mine)

The exemption of women from punishment is the exemption from civil existence. To deprive them of the responsibility for their crimes is the same as depriving them of their political existence and their freedom. An individual can only be a subject, a citizen, and a free agent if, and only if, the rules of the State are applied to them; otherwise, they are equally deprived of the benefits of the contract (Limongi, 2013). And this is precisely the case, I believe, that the philosopher seeks to highlight here. This supposed “kindness” granted by the State, for Chapone, merely transfers the judgment of women’s errors to another sphere of power: that of the husband. Since the State refrains from judging the wife, it falls upon the husband—who is legally accountable for her—to erect his own tribunal to correct, according to his temper, whatever he deems inappropriate in feminine behavior. In this way, marital tyranny is built, justified, and legalized, and consequently, the woman is always placed “in the Condition of a Slave, tho' she is not treated as such” (Chapone, 1735, p. 46).

If, as the author observes, the laws allow male children, upon reaching adulthood and the use of reason, to leave paternal authority in order to become free agents in civil society, the opposite happens with women.

that tho' domestick Authority is lessened as to Children, that it is augmented as to Wives, [...] [they] have not a Degree of Liberty and Property, correspondent to that Degree of Liberty and Property, which is allowed all other subordinate Persons in the whole Community. (Chapone, 1735, p. 49)

I note that, once again, there is an echo of Hobbes. Chapone seems to attempt to make clear that if, in a State of Nature, dominion is maintained as long as the individual remains under the care of the power established therein, in the Civil State there exists a moment—the dominion of reason—that releases children from the authority of their parents. However, I observe that this logic is not applied to women; to them is guaranteed the same existence a child would have in Hobbes’s State of Nature: that of owing obedience to the power with which they are associated.

In this way, once again, the philosopher draws attention to the problem of legal inequality attributed to each sex. On the one hand, there is a subordination that serves the community which exists as a free agent; on the other, such agents may create tyrannical laws concerning how things must occur within their domain. Thus, I argue that small states of nature may indeed subsist within the Civil State,

since the stronger—that is, the husband—is empowered with the authority of unrestricted oppression, without any legal restraint, while at the same time the right of resistance is entirely denied to wives. The problem here arises when we turn to the opening paragraphs of Chapone’s text: she is a subject. Therefore, to recall Hobbes, there must be a guarantee of security and conveniences for her sex. This is the tension that the philosopher’s writing establishes between legislation and the quality of being a subject.

Nevertheless, the author seems to attempt to emphasize that there is a rupture in the bonds that link a woman to the state, since they, upon marrying, are merely transferred from paternal authority to that of the husband.

The only cases in which, curiously, they are not exempt from the law are those of alleged treason. This “Interest of the Community as a Body Politick” (Chapone, 1735, p. 24), whereby women are treated as children and idiots, merely proves the lack of equity between the sexes: in matters of private rights and financial cases, the husband answers for his wife, but in cases of treason, they magically become agents of civil society—after having been stripped of all the qualities that would allow them to be subjects. The legal construction of England, as Chapone notes, makes this nation, before being a paradise for women—as her detractor in the *Gentleman’s Magazine* claims—is above all a paradise for men, in which they are empowered to undermine their wives’ capacities, answer for their actions, and in every case absolve their identity, except when they betray them: then, they are judged equally before the law and possess a separate identity.

As for the supposed fragility of women’s intellectual capacity, which partly justified the absorption of the wife’s identity into that of the husband—who would answer and decide on her behalf—Chapone, alongside Enlightenment philosophers such as Astell, Manley, and Wollstonecraft asserts that it was due to nothing other than the education they received, which in turn “is at the Discretion of the Men” (Chapone, 1735, p. 45). Men, consequently, use the irregularity of reason that they themselves instill in women to justify the tyrannical authority of husbands. After all, the philosopher asks, “whence does that Inability arise, but from those Laws which give the Husband so exorbitant a Power over the Wife, that she cannot exert herself in those Duties which God has commanded her to do, unless it be at the Will and Pleasure of her Husband?” (Chapone, 1735, p. 21).

That is to say, the author constructs her argument, thus far, by evidencing how, although she claims the identity of subject for her sex, the qualities of that class of persons are subtracted from women. They are excluded from civil society for being victims of laws that cripple them intellectually, civilly, and legally—above all, I argue, by imposing upon them a State of Nature with their husbands. Unlike children, who become free agents and true members of society, women become the property of men and are

released from civil laws—in exchange for blind obedience to their husbands. Although, as the philosopher reminds us, paternal authority over children does not stem from the weakness of the child's body but from the weakness of intellect, this consideration is denied to female subjects.

This “gentle” exemption from the laws is nothing but a sentence of slavery for wives, who are deprived of intellect, property, finances, children, and their very will. For this reason, exemption from civil law is taken by Chapone as a snare for women. If a woman's guilt in the case of murder is transferred to her husband, and if her entire personal liberty likewise depends on this same individual, this cannot be proof of anything other than the “asunder the very Bands of Society” (Chapone, 1735, p. 22). After all, the “Rights and Privileges of a free People” (Chapone, 1735, p. 47) are not compatible with the deprivation of freedom and resistance necessary for half of the English people to exercise their civil existence and ingenuity.

It is worth recalling that, by liberty, as Broad (2015) argues, Chapone would be referring precisely to the notion proposed by Hobbes. It concerns the “absence of opposition,” that is, the lack of “externall Impediments of motion” (L 21.1, Hobbes, 1651), such that this would constitute, for the philosopher, the liberty of subjects. Thus, I argue that if wives are deprived of any autonomous act, always depending on the benevolence of the domestic ruler, the idea of liberty could not be associated with them.

For Chapone, the end of the state consists in securing authority and subjection through prerogatives that establish order and equity throughout the political body, and furthermore in ensuring that all may stand equally before the law, so that “no one Set of People might be exposed to Oppression, either from their publick or private Governors” (Chapone, 1735, p. 47). I maintain that if the laws concede this guarantee only to a portion of the members of a society, they ensure that a State of Nature subsists within the Civil State. Therefore, in claiming for herself the privilege of expressing her complaints as a subject, Chapone understands that this identity, within a civil society, must not be merely a name attached to an individual.

The philosopher exposes how the quality of being a member of a social body is accompanied by certain characteristics, namely: equal accountability before the law, and equal liberty over one's own body, understanding, property, offspring, and fortune. To that extent, as wives are placed under male authority and exempted from responsibility and reason, they are, I contend, at the same time excluded from political and social existence. They, therefore, do not partake in the pact secured by the State. In the end, civil exemption means not only the deprivation of liberty but a sentence of slavery.

THE ORIGIN OF INEQUALITY BETWEEN THE SEXES

In addition to having shown how the philosopher's text allows us to consider that civil laws cause a State of Nature to subsist within the Civil State, I observe that Chapone speculates on what might have been the cause of the permissiveness of oppression and subjection that the English government preserves for husbands against their wives. To do this, the author turns to three intellectuals: Wollaston, Hobbes, and Delany, though not without first apologizing for her reflections, since "Custom and Education has dwindled us into very Trifles! such meer Insignificants! that it may be thought Presumption and Folly in one of us, to presume to plead our own Cause, even tho' it should appear to be upon the most justifiable Pretensions"; yet, "Notwithstanding this discouraging Reflection" (Chapone, 1735, p. 53), she will attempt to explain why women find themselves subjected to their husbands.

From Wollaston, Chapone highlights that, for this author, the subjection of one sex to the other must derive from the superiority of reason, and for that reason male power would be established by convention. However, faced with this, the philosopher notes that, if such were the case, in situations where a woman possessed superior reason, she ought to dominate the household. But this possibility is denied them, since husbands have "the Advantages of Universities, publick Negotiations, and a free unconstrained Converse with Mankind, in Pursuance of their several Professions, Arts, and Occupations" (Chapone, 1735, p. 55), so that all these benefits which stimulate reason are impossible for women. Chapone, therefore, observes that the difference in reasoning is the product of the social and political structure, reinforcing what she had already affirmed concerning paternal authority: it is only justifiable as women's reason is not equally cultivated.

Moreover, the philosopher remarks that the natural endowments of the intellect, without the aid of the artifices listed above, would not differ so greatly between the sexes, something which, to her, can be seen among the poorer classes of subjects. But to deepen this argument, Chapone recalls the twentieth chapter of *Leviathan*, in which Hobbes affirms that, in the State of Nature, the mother could possess authority over the family, in short, because "In this condition of meer Nature, either the Parents between themselves dispose of the dominion over the Child by Contract; or do not dispose thereof at all. If they dispose thereof, the right passeth according to the Contract" (L 20.4, Hobbes, 1651), and with regard to the Civil State, dominion is generally paternal only "because for the most part Common-wealths have been erected by the Fathers, not by the Mothers of families" (L 20.4, 1999, Hobbes, 1651). This opens the possibility that mothers might be invested with power and authority not only over their offspring but also over the household⁴.

⁴ However, the argument employed by the philosopher as the strongest proof that authority over the children should belong to both the father and the mother — and not to the former alone — consisted in emphasizing that nature and God had endowed women with a greater sense than men for caring for their offspring. Thus, this divine and natural endowment could not be without purpose.

From these elements, the philosopher concludes that “supposing we were in a State of Nature, this, and many other things which he [Hobbes] says, are (I believe) incontestably true” (Chapone, 1735, p. 57). Thus, Chapone makes it quite clear that the State of Nature would not justify the subjection of women to men.

The philosopher then turns to another possibility that might justify this oppressive inequality between the sexes, resorting to theology. Drawing on the cleric Delany, Chapone highlights that the justification would stem from the Fall brought about by Eve’s disobedience: the first woman was the first to succumb, “a Tradition of the Curse of Subjection [was] passed upon the Woman, and [men] formed the Government of their families accordingly” (Chapone, 1735, p. 60). This curse would be the sole justification for the “universal Subjection of the Sex” (Chapone, 1735, p. 60). In view of this, Chapone stresses that, as long as this tradition is maintained and propagated, and only if “the Fashion of the World passeth away”, will it be possible to find the “Laws of Equality” (Chapone, 1735, p. 66) for women to exist as part of civil society. With this, the author demonstrates her awareness that such subjection is maintained only by virtue of the customs and fashions of a country.

Nevertheless, faced with the conclusion that the tradition of Eve’s⁵ fall justifies female subjection, Chapone presents two arguments to show how this tradition has been misinterpreted and legally abused. First, the philosopher emphasizes that as women, according to the laws, owe servile obedience to their husbands, they are prohibited from contemplating the divine will to do good and may be compelled to do evil. This is because, according to the philosopher, by civil law the authority of the husband ultimately overrides the authority of God,

our Laws give an Husband the Power to supersede that [divine] Command, by allowing him to take all things from his Wife, and then to prevent her obtaining any thing more, by her Labour or Ingenuity. Her intellectual and personal Abilities seem to be her own, since no Pacts can transfer them to another, yet her Husband can prevent her Exertion of them, either for herself or Children, even when he won't do any thing for them himself. (Chapone, 1735, p. 67-8)

Thus, it would be a crime against the divine to allow men the power to supplant women’s goodness and to secure this as a right of husbands. If, as seen in the first part, the laws themselves proved inadequate with respect to part of the subjects, since each person was treated with leniency or oppression depending on their sex; and if nature does not justify male tyranny, here Chapone makes clear that not even Christianity upheld the guarantee of women’s oppression. After all, if wives are to possess the power

⁵ An argument frequently mobilized by women authors since at least the Renaissance, as highlighted by Benevenuto (2025, forthcoming) and Martins (2025, forthcoming).

to do good for the civil community, as well as to care, according to divine law, for their children, they must be granted the means to do so. In other words, to suppress women's liberty has as consequence the annihilation of their very possibility of obeying God.

Pushing the argument to the other extreme, Chapone notes that the mark of the curse is not equally demanded, by civil society, of both sexes, which reinforces her observation about the customs of a country and thereby prompts her to ask:

When the Men refuse to bear their Part of the Curse, with what Equity can they require us, to bear ours? In the sweat of thy Brows shalt thou eat Bread. But when they refuse to stir a Finger for their Support, is it equitable that they should tye their Wives Hands behind them, and make their helpless Offspring Fatherless and Motherless also? (Chapone, 1735, p. 66)

Thus, observing how even religious demands differed between the sexes, it becomes evident that the expectations imposed upon women were unjust. For Chapone, either both should equally endure the dictates of the Scriptures, or neither should require such from the other. Regarding the argument Chapone mobilizes from Eve's fall, both Green (2014) and Orr (2016) tend to interpret it as an expression of the author's Christian feminism. I do not deny this, but it should be observed that she also employed religious rhetoric, alongside discussions of morality and legality, to demonstrate that, from any standpoint, female subjection was unjustifiable. Furthermore, Broad (2015) tends to identify in Chapone the use of arguments from Wollaston, Hobbes, and Delany as a philosophical reinforcement of her exposition, whereas Todd (1998) defends the very opposite. In light of this, it must be noted that many cases of conjugal cruelty in the eighteenth century, as Foyster (2002) demonstrates, were judged within churches. It is therefore unsurprising that Chapone showed such interest in appealing to the dictates of Christianity. In my view, the philosopher in fact articulates different starting points concerning women's oppression in order to demonstrate, to the most distinct political communities, the error of each one in sustaining female subjection.

Thus, whether in the political, legal, moral, or religious domain, the philosopher makes it clear that "Nature of Societies, and established Rules of Government, all Parts of a Community have [...] a Right to a Degree of Liberty and Property correspondent to the Constitution" (Chapone, 1735, p. 68), and that equity, from whatever standpoint one may choose, should be respected and guaranteed for both sexes. Otherwise, the State, as it seems possible to infer from Chapone's writings, ensures either the persistence of a State of Nature, or of immorality, or of irreligion.

Sarah Chapone wrote at a time when, unfortunately, the question was not whether women deserved physical correction, but rather to what extent physical violence was deemed appropriate (Hunt, 1992)—something that codes of politeness had mitigated but not eliminated (Foyster, 2002). Since at least Cicero, one of the most celebrated authors of the Enlightenment, property had been considered a right to be especially praised, and Chapone established enormous tension regarding this conception when she argued that she herself, and others of her sex, ought to have rights to property, given that they themselves were considered no more than property. In an age in which women lacked legal personality and their existence was subsumed under that of their husbands (Broad, 2015), Chapone drew both the attention and the resentment of the male public (Todd, 1998).

Married in 1725 to John Chapone, the philosopher had five children, of whom only four survived, and was regarded as an extremely dedicated mother. Besides managing a clerical school with her husband, she fulfilled the role of wife and mother, remembered by her friends such as Mary Delany for her “extraordinary understanding, lively imagination and humane disposition” (Orr, 2016, p. 96), and by Richardson as a true defender of her sex (Broad, 2015). The philosopher found freedom to form a circle of gentility in which she not only encouraged her friends to read Mary Astell but also successfully petitioned Queen Caroline—consort of George II—for a pension for Mary Pandarves, who had been left entirely destitute (Orr, 2016).

Beyond what I have addressed throughout this research, Chapone also developed reflections on the scope of maternal power, on female nature, on women’s education and its implications, as well as on a comparison between the laws to which women were subjected before the revolutions of 1649 and 1689 and the losses that followed such changes (Todd, 1998)—topics that still deserve further exploration.

Currently, only two works are attributed to Sarah Chapone: *The Hardships of the English Laws in Relation to Wives* (1735) and *Remarks on Mrs. Muilman’s Letter to the Right Honourable The Earl of Chesterfield* (1750). Those who have engaged in interpreting the author—Barbara J. Todd (1998), Jacqueline Broad (2015), Clarissa Campbell Orr (2016), and Susan Paterson Glover (2018)—highlight the correspondence she exchanged with Richardson in the 1750s as an important element of her thought. The philosopher also contributed to the publication of George Ballard’s *Memoirs of Several Ladies of Great Britain* (1752). She did so by obtaining public approval and discussing with her friend who would compose this celebration of women’s writings, thoughts, learning, and distinction in arts and sciences—things her detractor claimed to be nonexistent.

Although the philosopher wrote little, we cannot ignore the material circumstances imposed upon her. As Perry (1980) reminds us, women often had their lives interrupted by fertility: the success

enjoyed by Manley, Astell, Behn, and Haywood in writing was due, in part, to their renunciation of motherhood. As Perry further argues, once married, women spent their lives bearing children—half of whom survived pregnancies—raising them, and coping with miscarriages. “Given these conditions of life, it is impossible to imagine a fertile woman living both as an intellectual and a sexual being” (Perry, 1980, p. 36). Yet Chapone faced such difficulties and demanded equality and freedom for her sex.

According to Todd (1998), Chapone’s petitions would only find redress in 1973, when England repealed the legal dissolution of wives’ identity under their husbands, allowing them to use their own capacities, control their property, and be free—as the philosopher had demanded 238 years earlier.

Sarah Chapone must certainly be remembered and celebrated, but above all, she must be urgently included in the history of philosophy. Whether by mobilizing the values of English republicanism, as Broad (2015) argues, to claim women’s rights; whether by being an early version of Christian feminism, as Todd (1998) and Orr (2016) note; or, as I suggest, by reclaiming for women the category of subject and by discerning the existence of the State of Nature within Civil Society, this philosopher should not be forgotten. Alongside Mary Astell, Mary Manley, Wollstonecraft, and many others, Chapone stands as living proof of crimes that cannot be obscured or swept under the rug. Despite the valid and fruitful contributions that the age and the politics of politeness have bequeathed to us, we must never forget what Walter Benjamin reminds us in *On the Concept of History*: “There is no document of civilization which is not at the same time a document of barbarism” (2020). The philosophy, as well as the very existence of Sarah Chapone, is incontestable evidence of this with regard to the Enlightenment in Great Britain.

REFERENCES

ADDISON, J; STEELE, R. *Spectator*, Volumes 1, 2 and 3. USA: Gutenberg, 2004.

ASTELL, M. *Some Reflections Upon Marriage*. USA: Gutenberg, 2020.

BELLARD, G. *Memoir of several ladies of Great Britain*. Wayne State University Press. Detroit: 1985.

BENEVENUTO, F. Arcangela Tarabotti: Igualdade entre os sexos e o problema da liberdade das mulheres. *Kalagatos*, 2025, no prelo.

BENJAMIN, W. *Sobre o Conceito de História*. Tradução de Adalberto Müller e Notas de Márcio Seliggman-Silva. São Paulo : Alameda, 2020.

BROAD, J. “A Great Championess for Her Sex”: Sarah Chapone on Liberty As Nondomination and Self-Mastery. *The Monist*, v. 98, n. 1, p. 77-88, 2015.

CHAPONE, S. *The hardships of the English laws in relation to wives with an explanation of the original curse of subjection passed upon the Woman*. Em:

https://en.wikisource.org/wiki/The_Hardships_of_the_English_Laws_in_Relation_to_Wives ou

https://archive.org/details/bim_eighteenth-century_the-hardships-of-the-eng_chapone-sarah_1735_0/mode/2up

CÍCERO, M. T. *Dos deveres*. Tradução de Angélica Chiapeta. São Paulo: Martins Fontes, 1999.

FOYSTER, E. Creating a veil of silence? Politeness and marital violence in the english household. *Transactions of the Royal Historical Society*. v. 12, pp. 395-415, 2002.

FOYSTER, E. Male Honour, Social Control and Wife Beating in Late Stuart England. *Transactions of the Royal Historical Society*, Vol. 6 , pp. 215-224, 1996.

GENTLEMAN'S MAGAZINE. 1736, p 648-650 disponível em:

<https://babel.hathitrust.org/cgi/pt?id=hvd.hw294j&seq=33>

GREEN, K. *A history of women's political thought in Europe, 1700-1800*. Reino Unido: Cambridge University Press: 2014.

GLOVER, S. P. Introduction. In: CHAPONE, S. *The hardships of the English laws in relation to wives with an explanation of the original curse of subjection passed upon the Woman*. Reino Unido: Routledge, 2018.

HOBBS, T. *Leviatã*. In: Os Pensadores: Hobbes. Tradução de João Paulo Monteiro e Maria Beatriz Nizza da Silva. São Paulo: editora Nova Cultural.

HUME, D. *A arte de escrever ensaios e outros ensaios (morais, políticos e literários)*. Tradução de Márcio Suzuki e Pedro Paulo Pimenta. São Paulo: Iluminuras, 2008.

HUNT, M. Wife Beating, Domesticity and Women's Independence in Eighteenthcentury London. *Gender & History*, v. 4, n. 1, p. 10-33, 1992.

KAMES. *Sketches of the History of Man*. Indianapolis: Liberty Fund, 2007.

MAGNA BRITANNIA. 1718, disponível em:

<https://books.google.com.br/books?id=mlg2AAAAMAAJ&printsec=frontcover&hl=pt-BR#v=onepage&q=Women%20in%20England%2C%20with%20all%20their%20Moveable%20Goods%20so%20soon%20as%20they%20are%20married&f=false>

MANDEVILLE, B. *A Fábula das Abelhas: ou vícios privados, benefícios públicos*. Tradução de Bruno Costa Simões. São Paulo: Editora Unesp, 2017.

MANDEVILLE, B. *The Virgin Unmask'd*. New York: Scholars' Facsimiles & Reprints Delmar, 1975.

MARTINS, B. Figuras do silêncio em Isotta Nogarola: como calar (ou não) uma mulher na Itália do século XV. *Kalagatos*, 2025, no prelo.

ORR, C. C. The Sappho of Gloucestershire: Sarah Chapone and Christian Feminism. In: HELLER, Deborah (Ed.). *Bluestockings now! The evolution of a social role*. Routledge: p. 91-110, 2016.

PLATÃO. *A república*. Tradução de Anna Lia Amaral de Almeida Prado. São Paulo: Martins Fontes, 2006.

PERRY, R. The Veil of Chastity: Mary Astell's Feminism. *Studies in Eighteenth-Century Culture*. USA: v. 9, pp. 25-43, 1980.

SANTOS, M. D. P. As ideias iluminadas e polidas sobre as mulheres nas filosofias britânicas. *Sapere Aude*. Minas Gerais: v. 1, n. 1, p. 385-407, 25 nov. 2023.

SANTOS, M. D. P.. Liberdade política e sexual das mulheres no iluminismo britânico. No prelo, *Prometeus*, dezembro 2024.

TODD, B. J. "To be some body": married women and The Hardships of the English Laws. In: SMITH, H. *Women Writers and the Early Modern British Political Tradition*. Cambridge University Press: p. 343-61, 1998.

WOLLSTONECRAFT, M. *Reivindicação dos Direitos da mulher*. Tradução de Ivania Pocinho Motta. São Paulo: Boitempo, 2016.



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