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Women in Britain since 1750
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Unknown Terms

Coverture: the legal idea that when a man and a woman got married, the woman's personhood became enveloped and superseded by that of her husband.

Feme sole: a local borough custom that allowed a woman to trade with the same freedom as a man

Takeaways

The writings of Nicola Phillips and Fiona Montgomery, as well as Lord Hardwicke's 1753 Marriage Act, paint a picture of an era where marriage was much more sacred and societally expected than it is oftentimes viewed as today. Women were expected to get married and have their husband's children, and after they came under coverture their legal identities ceased to exist separate from their husbands. Hardwicke's Marriage Act put emphasis on the strict views of a proper marriage, as well as how negatively an improper marriage or elopement was viewed by society. Both Phillips's and Montgomery's writings, despite stating to be about the law's interactions with the broad category of "women," appeared to instead mostly focus on a more specific group of women: likely middle class and urban, or at least living in proximity to London, probably Christian, probably white. They also highlight the extent to how widespread and common patriarchy and a general disregard for women as people with opinions was at the time. Many of the laws listed by Montgomery were skewed against the better interests of women and instead towards their husbands, and the majority of those that granted women more rights were only passed under two centuries ago. Before these laws passed, women could not sue or be sued, they could not divorce their husbands nearly as easily as their husbands could divorce them, they often were not granted custody of their children, and for a long time they were unable to vote or work in government, and thus had to fight and protest from the outside in order to gain the rights they desired.