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Title: "Fitness for military service and patriarchal authority used as pretext to prevent the political entitlement of women (women's enfranchisement and suffrage) with special consideration of Switzerland and the Principality of Liechtenstein"

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### **Formulation of Questions:**

Political entitlement was linked to fitness for military service, which is why the sword served as pass for the right to vote. The fitness for military service was used as argument against the political entitlement of women. As the able-bodied man in general also was the head of the family, political entitlement was also tied to ownership of real estate property. This also enabled female house owners (mostly widows) with political rights. Together with the fitness for military service, the patriarchal authority served as pretext to prevent the political entitlement of women. This thesis discusses the legal, political, formal and external, correlations, as well as the real, social and internal correlations of these pretexts against the political entitlement of women.

### **Methodology:**

I have adapted a "dendrochronological bridging procedure" (by means of overlapping, the chronology of annual rings can gradually be extended so far into the past as there is suitable wood) to draw an imaginary line of the historical development which - similar to a pragmatic conception of history - is structured according to an inner correlation but also chronologically. The doctoral thesis was begun as a feminist historiography, elaborated as "New Research on Men" and completed as a gender study.

### **Results:**

The sword-hand was identical to the hand with which the head of the family exercised his authority in the family (manus - munt). The right hand glove of the able-bodied man and head of the family can therefore be considered as insignia of fitness for military service and patriarchal authority, and consequently of male dominance in general. Both patriarchal authority and fitness for military service were used as a pretext in political discussions against political entitlement of women. From early modern age onwards, the right of women house-owners to vote was contested, permitting parallels to be drawn to the second half of the 19th century.

"Human rights don't have gender" (Hedwig Dohm, \*1833; +1919), which is why they were demanded and still are demanded by women. Nevertheless, women were not enfranchised in Switzerland until 1971. In the canton of Appenzell-Ausserrhoden women were only granted suffrage in 1989 by open show of hands by men who held the right to vote. (Direct democracy of "Landsgemeinde") The "Landsgemeinde" - canton Appenzell-Innerrhoden had to be forced to introduce women's suffrage by Swiss federal dictate in 1990. In the Principality of Liechtenstein women were granted suffrage in 1984. Until the second half of the 20th century, fitness for military service and patriarchal authority thus served as pretext to prevent women receiving political rights.

## Summary

### **A) FITNESS FOR MILITARY SERVICE**

#### "Male" fetishism of weapons: the spear and the sword

Using the ancient Greeks and Romans as examples, as well as the Teutons, I point out that men worshipped spears as their gods of war (fetishism) and that through rationalisation they became the attributes of their gods (e.g. the spear of Mars, Odin's spear). Such a spear became the first symbol of male reign and as such transferable. Eventually the Christians turned it into a holy relic (holy spear), which is also where the (Tyrolean) cult of the Sacred Heart has its origin. In addition to the spear, swords also acquired ritualistic significance and were used in ceremonies, which I demonstrate giving the example of the imperial and ceremonial sword of the ruler ("Wiener Weltliche Schatzkammer", secular treasury in Vienna) and the ceremonial swords still used today in the Swiss Landsgemeinde (people's assembly in the open air in a canton).

#### The sword as an enfranchisement pass

In the Swiss Landsgemeinde, swords not only served to legitimise the people's assembly, the Landammann (governor in a Swiss canton) and the judge, but also to legitimise those in possession of political rights. Thus it was an enfranchisement pass until the present time; this can be seen in the cantons of Appenzell-Innerrhoden (to date) and Appenzell-Ausserrhoden (until 1989).

#### The pretext of fitness for military service as an argument against women students and the political entitlement of women

The pretext of fitness for military service not only played a major role in the discussion about women's suffrage but was also used as an argument against women's access to university education. In the 19th and 20th century the right to duel, which was reserved to able-bodied men, was used against women's emancipation. The issue of compulsory military service for women is raised by men whenever "Manneskraft" ("manly vigour", quote from Austrian Miliz Information 2/89, 6) is lacking.

#### Fighting women

We can find fighting women from ancient times until today. They, too, prove that the argument of fitness for military service is being used as a pretext against women's rights.

Fighting women among the Celts and Teutons are followed by examples from Switzerland which demonstrate that, until the 19th century, fighting women were not an exception but rather the rule. (At one point I also discuss fighting women in the Tyrol). Finally, there is also evidence of fighting women in Liechtenstein and in its immediate vicinity in Vorarlberg and Eastern Switzerland. As mercenaries, women fought wearing men's clothes. I point to the historical change from permitted clothing of women like men to forbidden clothing and then back again to legitimate male clothing in military.

A clear distinction has to be made between fighting women and sutlers. The bitter fate of the sutlers made war men's "favourite pastime".

Using the example of women's ability to do battle in the French Revolution, it becomes clear how the revolutionary women republicans substantiated their political demands through their fitness for military service, comparable to women who join the army today in order to promote equal rights. This is something which historically has never worked out until present days.

## **B) WOMEN'S RIGHTS**

### Women in the Swiss Landsgemeinde

As house owners women were able to participate in certain people's assemblies until early modern time; due to patriarchal regulations. The political involvement of women at the Landsgemeinde 1516 in Schwyz provides the first evidence of a political speech at a Landsgemeinde by woman: an appeal for peace.

While political rights of women were frequently deleted by a single stroke of a pen in the second half of the 19th century, this was not as easily done in early modern time as is demonstrated by an example from Saanen.

It might be assumed that women were politically involved as heads of households in all people's assemblies in the Middle Ages from the 13th to 15th century.

### Early women's rights in the canton of Valais and their possible influences on the Shrovetide tradition in Stans (CH)

Early women's rights also found their way into carnival traditions where they were carried on. This is how women's rights, probably from the ancient Valais, survived in Stans. In 1525 (Terminus ante quem) women succeeded in gaining access to a male Shrovetide tradition and almost turned it into a serious matter. In a separate court, the women were able to pass sentence on sexual offences, namely criminal offences which were not prosecuted by the male court outside the Shrovetide carnival. The demand for women courts has been made since the 18th century and is still not realized. At the end of the 17th or at the beginning of the 18th century, men in Stans were no longer willing to tolerate this women's tradition. In the second half of the 18th century female inhabitants of Stans several times had to fight for their right to get invitation by men not only to the carnival dance but also to the preceding banquet.

### Reactionary men in the second half of the 19th century

Like until early modern age, in the 19th century patriarchal regulations also ensured political entitlement of women. And just like in early modern time, women were deprived of this right in the second half of the 19th century. In Switzerland, the Bernese municipal law of 1887 deprived women of the right to vote. In Austria, female taxpayers' right to vote at the Lower Austrian Landtag was abolished in 1888. In 1890, female teachers affected by the incorporation of Vienna founded formal women's suffrage movement in Austria. In Liechtenstein there is to date no documented evidence of any women protests after the female heads of household were deprived of their right to vote on municipal level in 1864.

## **C) PATRIARCHAL AUTHORITY**

### Patriarchal authority as pretext to prevent the political entitlement of women

All their lives women were under the tutelage of a man and, in terms of hierarchy, they stood on the same level as children and the mentally ill. Canonical matrimonial law sanctioned male supremacy, giving a husband the right to use corporal punishment until 1918 (Corpus Juris Canonici). The voting rights of the 19th century contain a lot of patriarchal regulations. The Swiss Landsgemeinde and the municipal legislation of Liechtenstein contain patriarchal regulations as well. Patriarchal authority often involved and still involves paternal violence. Sometimes women subjected to such violence saw no other solution than to kill their husbands. As male courts in the USA in the 19th century saw no reason for the murder of a man by a woman who had been beaten, such cases often ended with an acquittal.

The history of the "Landsgemeinden" in Liechtenstein, which I explain by showing the genesis of the country as a state, is followed by a look at the men from the 18th to the 19th century, who had political rights on account of their fitness for military service.

## From early women's university education in Switzerland to the late women's suffrage in Switzerland and the Principality of Liechtenstein

Zurich university will be used to present early university education for women in Switzerland in the second half of the 19<sup>th</sup> century. Parallels appear between women's suffrage movement in Switzerland and Liechtenstein. I examined the fight for women's suffrage in Switzerland by taking into consideration Art. 4 of the federal constitution: "All Swiss are equal before the law ". (Today Art. 8 of the federal constitution: "All human beings are equal before the law.") I studied the fight for women's suffrage in Liechtenstein taking into account the "Aktion Dornröschen" ("Sleeping Beauty - campaign") (1981 - 1984) and Art. 31 of the constitution: "All citizens are equal before the law".

### Paternal authority in the Principality of Liechtenstein

Paternal authority was legally valid in Liechtenstein until 1993 and in Switzerland until 1987. Finally, the new matrimonial law in Liechtenstein is quoted, as well as the patriarchal regulations of the new house law of the Princely House of Liechtenstein which came into effect in 1993.

## **D) QUINTESSENCE**

### The glove as insignia of fitness for military service and patriarchal authority

Both the Roman "manus" and the Teutonic "munt" signify hand and are synonymous with power. The right hand of the patriarch who exercised his authority was also the hand of the able-bodied man gripping his sword. Since the high Middle Ages, this right hand wore a glove which played a significant role both in the law and traditions of the patriarch and the able-bodied man. However, patriarchal authority and fitness for military service were/are combined in one and the same hand, which is why male dominance is based both on patriarchal power and on the fitness for military service, both of them pretexts used to prevent the political entitlement of women. The glove was furthermore an insignia of secular and ecclesiastical power and jurisdiction, which is why I consider the right-hand glove as an insignia of male dominance on the whole.

### Conclusion

Both the legitimisation of male democracy and male jurisdiction as well as rulership were based on war, and on the exclusion and the oppression of women. Patriarchal authority made the family the nucleus of male dominance and the warring nation. As the able-bodied man was generally also the head of the family, fitness for military service and patriarchal authority became the pretext which was used to prevent the political entitlement of women. Patriarchal authority and/or house ownership afforded political rights until the 19th century, sometimes even to women (mainly widows). The right-hand glove can be regarded as a symbol of the patriarchy (rule of the male heads of family and able-bodied men) as well as of male dominance in general from the high Middle Ages on until the beginning of the 19th century. It also played an important role in the law and the traditions of rulers, bishops, judges, able-bodied men and male heads of family. Both fitness for military service (in Switzerland) and patriarchal authority (in Switzerland and Liechtenstein) remained pretexts against the political rights of women in the Principality of Liechtenstein at state level until 1984 and until 1986 at municipal level (in Balzers, Triesen and Triesenberg), in Switzerland at state level until 1971 and at cantonal and municipal level (in Appenzell Innerrhoden) until 1990.