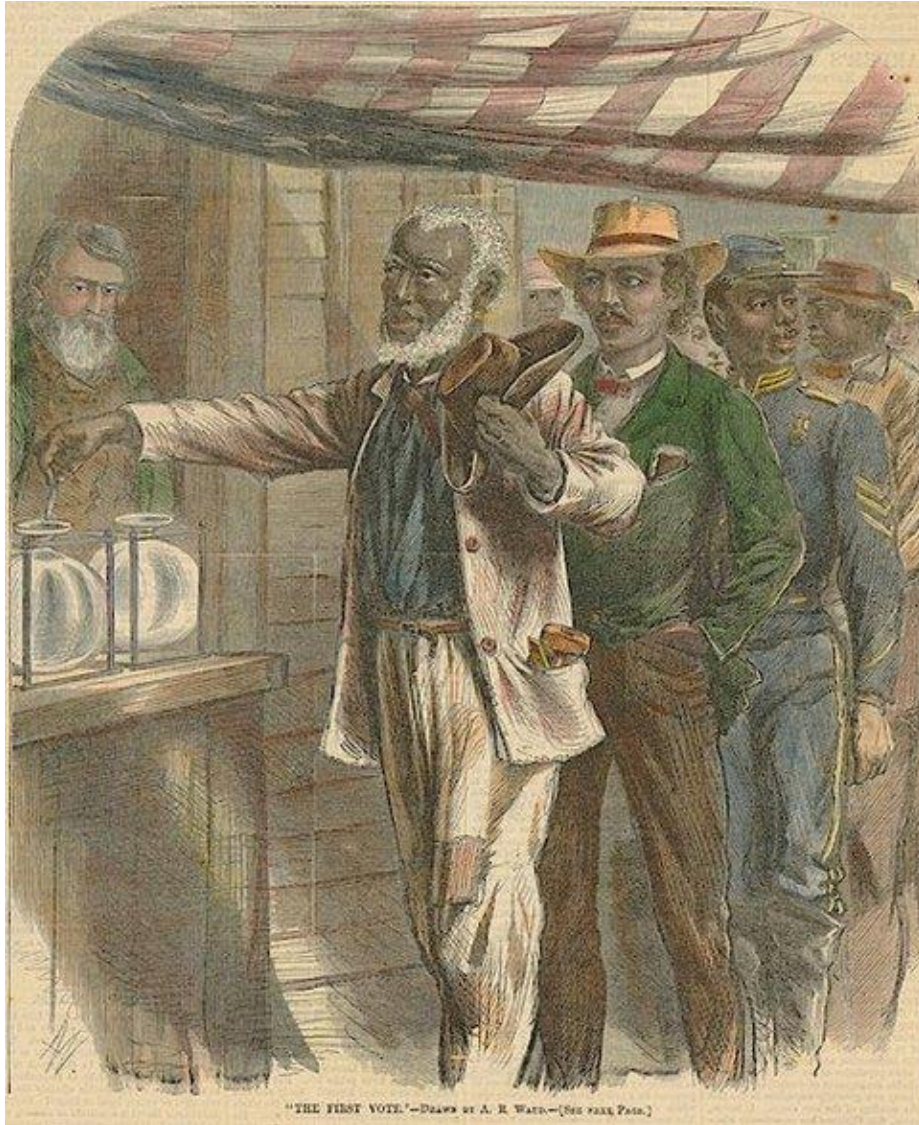


# The Right to Vote



# Key Themes

- Expansion of franchise:
  - National Expansion
  - Rise of Political Parties
  - Broadened economic opportunity
  - Protest and activism
  - War

# Key Themes

- Restrictions on voting
  - Anti-democratic ideology
  - Partisanship
  - Racism
  - Sexism
  - Gender Identity
  - Ethnic antagonism
  - Class tensions

# The Right to Vote

- Citizenship and Suffrage - a badge of citizenship but legally not identical
- Gender and race
  - Dependence v. Independence
  - For many African Americans, the vote was a badge of manhood
  - For women -- suffrage was tied up with ideals of woman's place, religion, marriage, etc.

# Fourteenth Amendment

Passed by Congress June 13, 1866. Ratified July 9, 1868

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

# Fourteenth Amendment

**Section 2.** Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

# Fourteenth Amendment

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

# Fourteenth Amendment

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.



# Fourteenth Amendment

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

# Military Reconstruction Act

## Specific steps for restoration

- Constitutional convention elected by manhood suffrage

  - New constitution must include black suffrage

  - Voters must ratify this new constitution

  - Voters must ratify 14th Amendment

  - People excluded by 14th Amendment barred

  - No permanent disfranchisement

Johnson vetoes, Congress overrides, 2 March  
1867

# 2nd Reconstruction Act

23 March 1867, Fortieth Congress

Provides machinery for elections

District commanders to register eligible voters

Begin process of electing constitutional conventions

Carpetbaggers, Scalawags, freedmen begin to form new state governments

# Third Reconstruction Act

## In Response to Stanbery

Southern provisional governments are subordinate in all respects to military rule

Confirmed power of commanders to replace civilian officers

Authorized registration boards to reject a voter's oath if they believed it to be false

More broadly defined those liable to disfranchisement

# Fifteenth Amendment

Passed by Congress February 26, 1869. Ratified February 3, 1870

Section 1. 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.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.



SOME  
COME  
ONE  
ALL

UNCLE SAM'S THANKSGIVING DINNER.

FREE  
AND  
EQUAL

# United States v. Reese, 1975

- 15th Amendment
  - does not confer “the right of suffrage
  - Only prohibits “giving preference” based on “race, color or previous condition of servitude”
  - Opens loopholes for disfranchisement

# Disfranchisement in the South

- Reconstruction, 1865-1870
  - Federal extension, protection of voting rights for black men
  - Violence to stifle voting
- “Redemption”, 1870-1876
  - vote manipulation - state law to gerrymander districts, fraud, rigging ballot, secret ballot, etc.
- Restoration, 1880-1910
  - Constitutional elimination of black voting - registration laws and white primary





THE COLOR LINE STILL EXISTS—IN THIS CASE.

# Purifying the Ballot Box

- Elitism - born of class, wealth disparities
  - Questioning who should vote
  - Anti-southern
  - Anti-immigrant
  - “In-between” - Latinx, Asians, Native Americans
- Anti-corruption
  - Urban machines
  - Alleged fraud



UNCLE SAM'S THANKSGIVING DINNER.



# Woman Suffrage

- American Woman Suffrage Association
  - Founded Nov. 24-25, 1869 in Cleveland
  - Lucy Stone (Oberlin) Less radical - especially on the issue of easy divorce
  - Henry Ward Beecher was first president
- Focused on state by state and special issue voting (prohibition, taxation, schools)

# Woman's Suffrage

- National Woman's Suffrage Association
  - Founded 1869 in New York
- Stanton and Anthony
- Focused on national amendment
  - 1879 - "Anthony Amendment" first introduced in Congress
  - Introduced and Fails every year until 1919
  - Condemn 14th and 15th amendment
  - Oppose suffrage for black men before suffrage for women
  - More radical on social issues

# Minor v. Happersett, 1875

Minor claimed as a citizen, denial of right to vote was violation of 1st Amendment free speech clause and 14th Amendment equal protection

USSC: Suffrage not co-extensive with citizenship; states may determine which citizen can vote; (generally municipalities too)

# Woman Suffrage

From 14th Amendment to 1920 -

56 campaigns of referenda to male voters

480 campaigns to state legislatures to submit suffrage amendments to voters

47 campaigns for state constitutional conventions for woman suffrage

277 campaigns to get state political parties to endorse it

30 campaigns to get presidential party conventions to endorse it

19 campaigns lobbying 19 US Congresses



# Passage and Ratification

- Carrie Chapman Catt - strategist and organizer
- Alice Paul - activist who adopted methods of British militants
- 1913 - Paul organizes Woman's Suffrage Procession
- Paul and Silent Sentinels stand at white house entrances - eventually arrested for obstructing traffic

# Why succes in 1919?

27 states allowed 1919 -- Congressmen from those states had women voters

Women were entering the workforce

Women's movement assured southerners that a national amendment would not interfere with southern restrictions on disfranchisement laws in the South

World War I -- women in war jobs changed W. Wilson's mind

# The Nineteenth Amendment

Passed by Congress June 4, 1919. Ratified August 18, 1920

Section 1. 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.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

# Ratified, August 18, 1920



RATIFICATION OF THE 19TH AMENDMENT

Green box: Prior to August 18, 1920 (the first 36 states)

Light orange box: September 1920–1923

Medium orange box: 1941–1953

Yellow box: 1969–1984

# Equal Rights Amendment

- Written by Alice Paul in 1923
- Ignored until 1960s, passed by Congress
- Phyllis Schlafly organized the defeat by rallying conservative states
- RB Ginsburg blamed her completely
- 1971 - RBG - returned to 14th Amendment
- USSC ruled that 14th Amendment protected women and banned gender discrimination
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