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Homeschool

The Growth of Voting Rights in the United States

When considering changes in American voting laws to include minorities, many people only think of the 15th and 19th amendments, which were supposed to remove voting limitations based on race and gender, respectively.¹ However, these amendments are not the only critical historical changes to voting laws in America, and they were not always as successful at bringing equal suffrage as most people assume. When the nation was first founded, only landowning white male adults were given a nationwide vote while today, almost every U.S. citizen has a say in the election process. Thus, the history behind how various groups in America gained a voice in the government is much more complex and fascinating than many Americans realize. For instance, throughout U.S. history, white men who do not own land, black men, women, and Native Americans are just a few groups that gained the right to vote through unique events and circumstances.

First, white males who did not own property in America gradually gained the right to vote in the mid-nineteenth century. Though white males historically had many more rights and privileges in the U.S. than any other demographic, only those who owned land in America were given the right to vote in all parts of the nation initially. The Constitution had left each state in charge of its own voting laws, and most had thought it better to give only landowners a vote. Though this decision seems a bit odd today, it made sense to the founding fathers because those who owned land in America were more deeply rooted in the nation, more likely to be affected by new laws and leaders. With an increased emphasis on frontiers and their settlers in the nineteenth century, though, a movement toward enfranchisement of non-landowners began to spread. President Andrew Jackson helped champion the

¹ U.S. Const. amend. XV, amend. XIX.

voting rights of white men without property, even while encouraging infringements on the rights of Native Americans, black people, and most other minority groups. Around the time of Jackson's presidency, many states began to enfranchise white men without property. Over several decades, each state changed its laws to allow non-landowning white men to vote. Almost every white man in the nation could vote by the 1860s.² Though Caucasian men who did not own land were the first to receive voting rights across the board, non-landowning Americans constitute one of the only groups with voting rights whose right to vote could still be reasonably debated today. Anyone genuinely arguing against black, Asian, female, or Native American votes is clearly a sexist or racist, but there are legitimate reasons to argue against the votes of those who do not own property. Unfortunately, the nation was so biased against minorities and women in the eighteenth and nineteenth centuries that the most easily debatable demographic that did not already have voting rights was enfranchised first due to the skin color and gender of the other groups.

Second, though the 15th Amendment gave black males the right to vote in 1870, many communities run by white people found ways to continue voting discrimination against blacks. After the Civil War, the 14th Amendment gave black people the same rights as other U.S. citizens, and the 15th Amendment soon followed, giving black men the ability to vote for the first time. However, in many areas, this right “was nullified through poll taxes, literacy tests, and violent acts designed to keep African Americans from voting.”³ Though these practices began almost immediately after the 15th Amendment passed, they were not addressed by the government for nearly a century. During this period, many black men struggled to vote due to the intolerance and neglect of the society around them. Finally, though, the Civil Rights movement began gaining momentum in the mid-twentieth century, with leaders like Martin Luther King, Jr. and Rosa Parks causing significant progress in the

2 “The Founders and the Vote,” *Elections... The American Way*, Library of Congress, www.loc.gov/teachers/classroommaterials/presentationsandactivities/presentations/elections/founders-and-the-vote.html.

3 Jeanne Zaino, *Core Concepts in American Government* (Boston, Pearson: 2012), 162.

government. One such change was when the U.S. Supreme Court began a policy of strict scrutiny over government policies of discrimination against minority groups. If the government branch or group that had instituted a seemingly discriminatory law could not prove that the regulation was necessary, the policy would be struck down immediately.⁴ Thus, though being granted the right to vote decades prior, black Americans were finally allowed to exercise this right across the nation. Institutional racism against blacks was far from over, but at least they could finally have a voice in these issues.

Third, women had to clamor for a vote for decades before finally gaining one in 1920. This struggle for a vote was unique because of how long it took to achieve the goal despite strong advocacy for the cause for decades. The American women's suffrage movement began back in the 1840s, with women's rights conventions beginning to take place and several public figures, such as William Lloyd Garrison, Frederick Douglass, and Sojourner Truth, advocating for women's votes. The Civil War hindered the movement for several years, but it came back with all its previous vigor once the war ended. Outstanding women like Elizabeth Cady Stanton and Susan B. Anthony started women's suffrage organizations, but only got a proposed amendment that was quickly shot down in Congress in 1868. Finally, the movement reached its crescendo in the early twentieth century. A major political party, the Bull Moose Party, actually had women's suffrage as part of its platform, public demonstrations took place across the nation, and women began stepping into more stereotypically masculine roles as America entered World War I. These changes led to the 19th Amendment being passed in 1919 and ratified in 1920. Women had been heard and could finally take part in the American government.⁵ In the modern era, the 19th Amendment still protects every American from voting discrimination on the basis of any gender.

Finally, Native Americans are still struggling to achieve equal voting rights today. Despite the

4 Ibid, 162-63.

5 "Women's Suffrage Timeline," American Bar Association, 30 Jul. 2019, www.americanbar.org/groups/public_education/Programs/19th-amendment-centennial/toolkit/women-s-suffrage-timeline/.

obvious fact that Native Americans lived in the United States for centuries before it became a nation, the path to their suffrage was a long and hard one. This struggle for voting rights was partially due to the legal intricacies of the existence of sovereign Native American nations within the United States. However, considering the amount of U.S. government decisions that forced tribe members from their homes and wiped out thousands of their people, the necessity of voting rights for Native Americans in U.S. elections should have been apparent. Even so, the government failed to act toward Native Americans' enfranchisement until 1924, when they officially became U.S. citizens. It took twenty-four more years for the cases *Harrison v. Laveen* and *Trujillo v. Garley* to confirm that tribe members did have the right to vote. Even after these decisions on the national scale, individual states continued to leave restrictive laws in place that prevented many native people from voting. Finally, in 1962, Utah became the last state to remove its official legal barriers against Native American suffrage. Though no official laws preventing tribe members from voting exist in America today, some states still have policies that indirectly limit Native Americans' ability to vote. For instance, some tribe members must travel hundreds of miles to vote due to a lack of polls provided near their reservations.⁶ Fortunately, lawmakers are becoming more aware of such situations, with a recent Native American Voting Rights Act being introduced in Congress as recently as 2019.⁷ Especially here in Oklahoma, where so much of the land has Native American history and current Native American inhabitants, citizens should put their full support toward such bills to ensure that these people who have been in this nation for centuries can finally receive the equal voting privileges that they have sought for so long.

In conclusion, the history of voting rights for non-landowners, African Americans, women, and Native Americans is complicated because each group had unique circumstances surrounding its

6 Peter Dunphy, "The State of Native American Voting Rights," *Brennan Center for Justice*, NYU Law, 13 Mar. 2019, www.brennancenter.org/our-work/analysis-opinion/state-native-american-voting-rights.

7 U.S. House of Representatives, *Native American Voting Rights Act of 2019*, 116th Cong., 1st sess., H.R. 1694, *Congress.gov*, www.congress.gov/bill/116th-congress/house-bill/1694/text?q=%7B%22search%22%3A%5B%22H.+R.+83%22%5D%7D&r=62&s=1.

suffrage. White men who did not own land were seen as not being invested in the nation, so due to the Constitution's wording, the movement for their suffrage had to spread into every state in order for them all to obtain a vote. Black men faced a much harder path to a fair vote because even after the 15th Amendment assured them of this right, most states did all they could for decades to keep them from the ballot box. Women also faced a long road to suffrage, speaking out adamantly but being ignored for nearly eighty years. Finally, Native Americans still face difficulties in voting and need the support of the nation to overcome them fully. Each minority group in America has its own story of how it obtained the right to vote. It would take much more time and paper to describe how Latinos, Asian Americans, Jews, and other groups have fought for the right to vote that so many people take for granted today. In addition, voting rights history is far from over, as debates rage on about which, if any, felons should be allowed to vote. While deciding whether such new groups should gain a vote, the government should also acknowledge that the voting rights of Native Americans and other minorities are not always treated equally to those of other groups, and legal action in favor of accessible, equal voting for every American voter should be taken seriously and soon.

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