

THE RIGHT TO VOTE: A CENTURIES-LONG STRUGGLE

After fighting a long and bloody war for independence, you'd think that our very first presidential election in 1789 would have been a major event. But in reality, once our nation's founders established the first modern democracy, they didn't extend the right to vote widely. Only 6% of the population were legally allowed to cast a vote, and only 1.8% actually did.

231 years ago, you mostly had to be a white landowner over the age of 21 to vote. In four states (New Jersey, New York, North Carolina, and Pennsylvania), the small number of free black male property owners could vote. Women living in New Jersey had the right to vote, but every other state constitution explicitly prohibited them from voting. (And in 1807, New Jersey took that right away.) In Maryland, only Christians were allowed to have a ballot.

The fight to expand the right to vote has been a long and torturous one.

The first major expansion of voting rights took place in the 1820s, following a push for 'universal white male suffrage' which extended the right to vote to all white men, regardless of whether or not they owned property. However, this was shortly followed in many locations by new rules which allowed voting only by taxpayers, disenfranchising the poor.

Then, following the Civil War, the 15th amendment to the Constitution was passed, providing the right to vote to all men regardless of race, color, or "previous condition of servitude." This important new right was diminished almost immediately in many regions of the country, particularly the former Confederate South, where new rules (called 'Jim Crow' after a demeaning black-face song and dance of the 1820s) were quickly established. These rules made voting nearly impossible for anyone but white men. Among the new restrictions were poll taxes that had to be paid by anyone who wanted to vote, meaning that the poor, which included nearly all black men, could not. In some areas, voters also had to pass a 'literacy test,' a challenge for former slaves who had been prohibited from receiving education. In many states, 'grandfather clauses' allowed citizens to bypass these requirements if either their father or grandfather had voted prior to 1867. Since no black man in the South had been allowed to vote prior to 1867, only whites could benefit.

Additionally, voting rolls were regularly "purged" by civic leaders – and citizens who had been purged had no idea they'd been removed until they showed up to vote, when they had no time or recourse to correct the situation. The victims of 'purges' were almost always black.

If a black man managed somehow to maneuver through these obstacles and cast a ballot, he would risk extreme violence, as racist whites sought to "make an example" of him. This often meant murder, and these horrific incidents were reported well into the twentieth century.

Meanwhile, women were also prohibited from voting.

In 1848, suffragettes gathered in Seneca Falls, New York for the first U.S. women's rights convention and passed a resolution calling for the right to vote. Their movement gained steam over the next few decades, and in the 1870s, several women filed lawsuits after being refused ballots in the hopes that they would win their case in front of the U.S. Supreme Court. In 1875, those hopes were dashed when the Supreme Court took up the case and ruled against them.

In 1887, Native American men were allowed to vote – however they first had to renounce membership in their tribe. (In 1924, all Native Americans were given U.S. citizenship and the right to vote, although that right was withheld in some states until the late 1940s.)

Meanwhile, women had not given up, and leaders like Susan B. Anthony and Elizabeth Cady Stanton rallied their followers and public sentiment through marches and demonstrations, ultimately winning passage of the 19th amendment in 1920 (sadly, after both Anthony and Stanton had died). But while white women could now vote freely, black women in most areas faced the same life-threatening restrictions that black men had endured.

In 1965, the hard work of the Civil Rights movement resulted in passage of the Voting Rights Act, which aimed to protect the rights of people of color to vote. While this was intended to make the voting process safer, the long and brutal history of murder and intimidation has continued to impact voter turnout among minority populations in many parts of the country. In 2014, the *New York Times* reported that “in states like North Carolina and Georgia, the black share of registered voters remains low among those who reached voting age before 1965.”

In 1966, barriers against the poor of all colors were removed with a national prohibition against the use of income levels and tax payments as qualifiers for the right to vote.

Next, in 1971 the pool of eligible voters grew when the voting age was reduced from 21 to 18 following widespread protests that anyone old enough to fight in the Vietnam War should also be granted the right to vote.

Most recently, a national movement to let convicted felons who have served time for their crimes to once again vote has led to the removal of voting restrictions against them in 28 states.

But as we've seen, voting rights have both advanced and been pulled back throughout U.S. history.

In 2013, the Supreme Court weakened the Voting Rights Act when, in a 5-4 ruling, they determined that a key provision – that if states or local governments want to change their voting laws, they must first appeal to the U.S. Attorney General – was unconstitutional, possibly leaving the door open to new or revived restrictions.

And a recent ballot-measure re-establishing voting rights to Florida residents who've completed serving time for their felonies was quickly followed by a requirement from the Florida State

Legislature that they must first pay off court fines and fees before receiving a ballot. “The Legislature purposely set up a system that was designed for voter suppression, and it has worked,” Palm Beach County State Attorney Dave Aronberg, a former Democratic state senator, told The News Service of Florida. Experts estimate that only “a fraction” of the more than one-million former felons in Florida will be able to pay off their debts in time to cast a ballot.

In 2020, as we prepare for a presidential election during the COVID-19 pandemic, some efforts to make voting safer or easier have become the subject of lawsuits. The Associated Press recently reported that, “President Donald Trump’s campaign committee and the Republican National Committee sued Saturday to block North Carolina election officials from enforcing rule changes that could boost the number of ballots counted in the presidential battleground state.” As the *Raleigh News & Observer* reports, this is just one of several lawsuits pending with only a month until the election: “A flurry of lawsuits are challenging numerous pieces of the state’s voting laws — mostly, but not entirely, backed by liberal groups. From absentee voting rules to photo ID, voter fraud safeguards, felon voting rights and important election deadlines, many important and last-minute changes to the 2020 elections either have just recently happened or could still come down in the next several weeks.”

Still, following centuries of hard-won struggle, more than 250 million Americans, or approximately 77% of the population, were eligible to vote in 2016 – quite a healthy increase from the 6% eligible in 1789. This year, let’s honor those who fought so hard to bring the right to vote to so many of us.

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