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Blood, Sweat, and Literacy Tests: Chronicling Voting Rights in America

Of the rights the United States has vowed to protect for its citizens, one of the most fundamental is the right to vote. The inability of citizens to directly access their government and choose their representatives was one of the causes of the American Revolution, with the phrase “no taxation without representation” being a rejection of Britain’s claim of virtual representation to the colonists. Nonetheless, since its independence, voting rights have had a tumultuous history in the country that claims to hold them dear, with enfranchisement of new groups being slow and infrequent.

In 1789, there were no federal standards for suffrage; each state determined its own requirements to cast a ballot at the polls. In all states, a certain amount of property was required to be eligible to vote on top of citizenship (Bailey and Kennedy 80). Though this did not explicitly exclude black men, only freedmen could own any property and Native Americans were rarely, if ever, considered citizens until the 1900s (Bennett 225). The property requirement also barred most women, who could only own property if there were no other men in her family to claim ownership. As such, the only women who could possibly vote were women who outlived their fathers, brothers, husbands, and sons (Bennett 225). In effect, only white men with a certain degree of wealth could access the ballot- about ½ of all adult white males (Bailey and Kennedy 80). The first states to abandon the property requirement were those on the frontier of the new country, since land was plentiful in these areas, making the property a nonissue for white men in these areas. The first state to do so was Vermont, followed by the Western territories when they were admitted to the Union. The original Thirteen Colonies resisted, but by 1828, all states had abandoned a property requirement in favor or suffrage for all white male citizens in what was dubbed “the New Democracy” (Bailey and Kennedy 244-245).

Suffrage for immigrants has always been a real possibility, since American law as always provided means for immigrants to become naturalized citizens, though the stringency of the requirements varied depending on the public sentiments toward immigrants (Bailey and Kennedy 192-193). Nonetheless, naturalized immigrants have universally had the same access to the ballot box as natural-born citizens. Suffrage for black men also became an increasing reality, at least in the North, as states outlawed slavery and therefore made black men citizens. However, the majority of America’s black population remained in chains in the South. A devastating blow to black suffrage came nationwide with the *Dred Scott* decision in 1857, which declared that any black man, free or not, was not a citizen of the United States. This move threatened the enfranchisement of many, particularly the 250,000 free blacks in the South who were already considered second-class citizens by local laws (Bailey and Kennedy 414).

When the dust of the Civil War settled, the new America took its first steps toward enfranchisement on a national level. The Fourteenth Amendment was ratified, in part, to reverse the *Dred Scott* decision by guaranteeing citizenship to anyone born on American soil (Hewitt and Lawson 458). The Fifteenth Amendment, ratified in 1970, explicitly forbid denial of the right to vote on grounds of race alone (Hewitt and Lawson 463). However, the Amendment’s decision to forbid only racial considerations did not go unnoticed, and many women’s suffrage groups formed to protest this exclusion. After the Amendment’s passage, they attempted to get a new Amendment ratified that would expressly give women suffrage and pushed for enfranchisement on the state level.

In the decades after the Civil War, attempts to disenfranchise blacks came through unofficial means, such as the Ku Klux Klan intimidating black voters or observing whom they cast their votes for. De jure means to curb black enfranchisement began in the South in 1890, when Mississippi became the first state to institute two means to restrict access to the polls: the literacy test and the poll tax (Bullock et al. 5). These provisions passed muster under the Fifteenth Amendment because they were not outwardly racial, but still ultimately led to the disenfranchisement of Southern blacks in practice. Literacy tests, even when applied fairly, disenfranchised most blacks and poor whites, who both had minimal education. Poll taxes were similarly crippling to the poor, who could not afford the several extra dollars it cost to register. Exemptions from the literacy tests for poor whites were codified into the law, primarily through the “grandfather clause”, which either enabled someone to vote if his grandfather had served in the Civil War (on either side) or had voted in the 1860 election (Bullock et al. 6)- two categories dominated almost exclusively by whites. In reality, the literacy tests were not equally applied- since much of the specific requirements were left to the registration officer, such as what passage(s) the registrant had to read or write, white registration officers typically gave white registrants much more lenient passages than black registrants. Whites were often required to read passages little more difficult than nursery rhymes while blacks were expected to read and interpret Shakespeare. The poll tax, while administered fairly, did have a disparate impact on potential black voters, as blacks made up a larger share of the South’s poor than whites did. By 1908, literacy tests and poll taxes had been adopted universally across the American South, disenfranchising anywhere from 66% to over 95% of eligible blacks, depending on the state (Bullock et al. 7). Such disenfranchisement in the South remained the status quo until the 1960s.

Women’s suffrage emerged on the state level before it was guaranteed federally. The first states to allow voting regardless of gender were those in the West, where, like with universal male suffrage before, egalitarian sentiments ran strong. Wyoming and Utah first allowed women to vote in 1869 and 1870, respectively, while they were still territories (Hewitt and Lawson 623). Wyoming became the first state to universally grant women the vote in 1890, with fourteen other states following by 1918, only two of which- Michigan and New York- were east of the Mississippi River (Hewitt and Lawson 623). A thirteen additional states also allowed women to vote in a select few elections by 1918. Of the nineteen states that did not allow women to vote in any capacity in 1918, all but Louisiana were east of the Mississippi River (Hewitt and Lawson 623). The push for women’s suffrage culminated with the Nineteenth Amendment, ratified in 1920, which forbid restrictions on voting regarding gender (Hewitt and Lawson 624). Women across America thereafter maintained the same access to the ballot box as men did.

Throughout all the discussion of black and female suffrage, little was made about the suffrage of Native Americans. The Fourteenth Amendment rarely applied to them since Natives born within tribes or on reservations were not considered to be born in the United States, and therefore, did not have birthright citizenship. The first widespread push for Native American citizenship (and by extension, Native American suffrage) came with the Dawes Act of 1887. In this act, Native Americans who lived on government-allotted lots of 160 acres for twenty-five years and did not get in trouble with the law were granted American citizenship after those twenty-five years (Bailey and Kennedy 594). Though the waiting period was tampered with over the next four decades, Native Americans were given universal citizenship in 1924, regardless of tribal status or residency outside reservations (Bailey and Kennedy 594).

The major push to restore lost black voting rights came in the 1960s, most prominently via the Voting Rights Act of 1965. This act, rising out of the Civil Rights movement bringing national attention to the disenfranchisement of blacks in the South by not only forbidding laws that discriminated in effect, but also making any changes to voting laws of offending states subject to approval from the federal government- specifically, the Department of Justice (Bullock et al. 19). The states subject to this “preclearance” included Alabama, Georgia, Louisiana, Mississippi, Virginia, South Carolina, and parts of North Carolina. The Voting Rights Act led to the registration of an additional 20% of the black voting-age population in these states by 1970, and states like Alabama and Mississippi saw the registration of an extra 40% and 60%, respectively, of their black voting-age population (Bullock et al. 23). Voting rights expansion did not stop with the Voting Rights Act: The Twenty-Fourth Amendment, ratified in 1964, forbid the poll tax in federal elections (Bailey and Kennedy 930). As a reaction to the Vietnam War, the Twenty-Sixth Amendment was passed in 1971, which lowered the voting age nationwide to 18 from 21, the standard age for all American history before that point (Bailey and Kennedy 950). Since then, no major attempts to expand or curb voting rights has been made, with the latter at least in part due to the continued renewal of the Voting Rights Act. As it stands in the United States today, nearly every American citizen, by birth or naturalization.

Despite our country being founded on the principles of egalitarianism and access to the government, the nation’s move to enfranchise all its citizens has been a two-century-long struggle. Through the blood and sweat of suffragists throughout the nation’s history, what started as a republic for well-off white men has evolved into a democracy for nearly all adult citizens, regardless of race or gender or income. The only group of adult citizens left disfranchised today are convicted criminals, whom society generally agrees have forfeited most of their rights and privileges, voting among them, by committing a crime. Even then, many states re-enfranchise convicts upon completion of their sentences and a few even permit convicts to vote while serving their sentences. The United States revived the Roman model of republicanism to give its citizens access to the government in a way the Founders believed was necessary for a just government; 200 years after the Revolution, the United States finally achieved its goal of giving democratic power to all its people, not just a few.

**Appendix:**

The following is a series of charts meant to better illustrate the major changes that occurred in voting rights. While there were exceptions to each of these rules, as mentioned above, these are based on how they affected most Americans in that category. For the purposes of these charts, “Immigrant” is meant to broadly include naturalized immigrants from Europe, Asia, Latin America, and miscellaneous other areas that would not easily fall into the other categories. Green cells represent enfranchisement for that group; red cells represent disenfranchisement. Blue cells indicate the enfranchisement of the specified group due to the stated event, compared to the previous chart. Yellow cells indicate disenfranchisement for that group due to the stated event, relative to the previous chart.

**Table 1: 1789- Property Requirements**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | N | Y | Y | Y | N |
| White Female | N | N | N | N | N | N |
| Black Male | N | N | N | N | N | N |
| Black Female | N | N | N | N | N | N |
| Native American Male | N | N | N | N | N | N |
| Native American Female | N | N | N | N | N | N |
| Immigrant Male | Y | N | Y | Y | Y | N |
| Immigrant Female | N | N | N | N | N | N |

**Table 2: 1828- The New Democracy**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | Y | Y | Y | Y | N |
| White Female | N | N | N | N | N | N |
| Black Male | Y | N | Y | N | Y | N |
| Black Female | N | N | N | N | N | N |
| Native American Male | N | N | N | N | N | N |
| Native American Female | N | N | N | N | N | N |
| Immigrant Male | Y | Y | Y | Y | Y | N |
| Immigrant Female | N | N | N | N | N | N |

**Table 3: 1857- *Dred Scott v. Sandford* Ruling**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | Y | Y | Y | Y | N |
| White Female | N | N | N | N | N | N |
| Black Male | N | N | N | N | N | N |
| Black Female | N | N | N | N | N | N |
| Native American Male | N | N | N | N | N | N |
| Native American Female | N | N | N | N | N | N |
| Immigrant Male | Y | Y | Y | Y | Y | N |
| Immigrant Female | N | N | N | N | N | N |

**Table 4: 1870- Ratification of the Fifteenth Amendment**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | Y | Y | Y | Y | N |
| White Female | N | N | N | N | N | N |
| Black Male | Y | Y | Y | Y | Y | N |
| Black Female | N | N | N | N | N | N |
| Native American Male | N | N | N | N | N | N |
| Native American Female | N | N | N | N | N | N |
| Immigrant Male | Y | Y | Y | Y | Y | N |
| Immigrant Female | N | N | N | N | N | N |

**Table 5: 1908- Literacy Tests and Poll Taxes in the South**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | Y | Y | Y | Y | N |
| White Female | N | N | N | N | N | N |
| Black Male | Y | Y | Y | N | Y | N |
| Black Female | N | N | N | N | N | N |
| Native American Male | N | N | N | N | N | N |
| Native American Female | N | N | N | N | N | N |
| Immigrant Male | Y | Y | Y | Y | Y | N |
| Immigrant Female | N | N | N | N | N | N |

**Table 6: 1920- Ratification of the Nineteenth Amendment**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | Y | Y | Y | Y | N |
| White Female | Y | Y | Y | Y | Y | N |
| Black Male | Y | Y | Y | N | Y | N |
| Black Female | Y | Y | Y | N | Y | N |
| Native American Male | N | N | N | N | N | N |
| Native American Female | N | N | N | N | N | N |
| Immigrant Male | Y | Y | Y | Y | Y | N |
| Immigrant Female | Y | Y | Y | Y | Y | N |

**Table 7: 1924- Citizenship Given to Native Americans**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | Y | Y | Y | Y | N |
| White Female | Y | Y | Y | Y | Y | N |
| Black Male | Y | Y | Y | N | Y | N |
| Black Female | Y | Y | Y | N | Y | N |
| Native American Male | Y | Y | Y | Y | Y | N |
| Native American Female | Y | Y | Y | Y | Y | N |
| Immigrant Male | Y | Y | Y | Y | Y | N |
| Immigrant Female | Y | Y | Y | Y | Y | N |

**Table 8: 1965- The Twenty-Fourth Amendment and The Voting Rights Act**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | Y | Y | Y | Y | N |
| White Female | Y | Y | Y | Y | Y | N |
| Black Male | Y | Y | Y | Y | Y | N |
| Black Female | Y | Y | Y | Y | Y | N |
| Native American Male | Y | Y | Y | Y | Y | N |
| Native American Female | Y | Y | Y | Y | Y | N |
| Immigrant Male | Y | Y | Y | Y | Y | N |
| Immigrant Female | Y | Y | Y | Y | Y | N |

**Table 9: 1971- Ratification of the Twenty-Sixth Amendment**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Race/Sex** | **Rich** | **Poor** | **North** | **South** | **Age 21+** | **Age 18-20** |
| White Male | Y | Y | Y | Y | Y | Y |
| White Female | Y | Y | Y | Y | Y | Y |
| Black Male | Y | Y | Y | Y | Y | Y |
| Black Female | Y | Y | Y | Y | Y | Y |
| Native American Male | Y | Y | Y | Y | Y | Y |
| Native American Female | Y | Y | Y | Y | Y | Y |
| Immigrant Male | Y | Y | Y | Y | Y | Y |
| Immigrant Female | Y | Y | Y | Y | Y | Y |

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