

Beyond the 19th: A Brief History of the Voter Suppression of Black Americans

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The history of voting rights for African Americans has been tumultuous. It began at the moment West Africans became the chattel of white men and women. For the next 200 years, enslaved African Americans had virtually no voting rights. In the *Dred Scott* decision of 1857, the Supreme Court declared that even “free” African Americans did not have the right to be citizens. After this, African Americans went through varied periods where the vote was repeatedly given and taken away. What anchors this history is what Derrick Bell calls the *permanence of racism*, which is the idea that racism remains a stable feature of American society.¹ We contend in this essay that the story of voting rights of African Americans from Post-Reconstruction to the present illustrates how racism has changed over time. In this essay, we focus on three periods of history: Post-Reconstruction, Civil Rights, and Post-Civil Rights. In the sections that follow, we offer a brief history of voting rights for African Americans during these periods. We conclude with some recommendations for how teachers might approach this history.

‘The Nadir’: The Vote is Given and Taken Away

The 13th, 14th and 15th Amendments, often called the “Civil Rights Amendments,” are an example of something we as educators might preach as progress in a history classroom. But such pedagogy without the whole story can hide great nuance—and insidious white supremacist oppression—when it comes to the rights actually fulfilled for African Americans from 1877–1954. Although the amendments’ creation and existence are indeed key features of Radical Reconstruction and post-slavery steps towards equity of African Americans, the 15th Amendment fell short of securing the right to vote for Black communities and Black women, especially in the South.² Its creation speaks volumes about the possibilities of

expanded citizenship via enhanced constitutional powers of the federal government. But the 15th Amendment did *not* eradicate racist forces bent on suppression of African Americans—both in their right to vote and in their aim to live free in Jim Crow America.³ The time period from Reconstruction’s end until the start of the civil rights movement is called ‘the Nadir’ for its deliberate removal of African American voting rights.⁴

We often associate the 15th Amendment of 1870 with voting rights for African Americans, and the 19th Amendment of 1920 with voting rights for women. However, before examining these periods of suffrage, it’s important to spotlight this crucial fact: no women of color received the right to vote in 1870, and nearly all had to fight Jim Crow barriers for a right

to vote in 1920 and far beyond. After the 15th Amendment, Black women would continue and intensify their suffrage activism, digging into the Black “woman question.”⁵ Even after the 19th Amendment for women’s suffrage was ratified in 1920, Black women were subjected to the same restrictions on voting faced by Black men. These restrictions came in various forms, all cloaked with guile and creativity to execute the same egregious purpose: stopping African Americans from voting at all costs. For instance, something called the “grandfather clause” was publicly penned as a nod towards *allowing* the right to vote for certain parties. A closer look, however, shows that states adopted this discriminatory practice in order to give the right to vote only to men whose grandfathers had voted *before* the years 1866 or 1867.⁶ This effectively cut out most Black men, for their grandfathers had been enslaved before the 15th Amendment of 1870 and had therefore been unable to vote in 1866/67.

Other flagrant efforts at suppressing the exercise of the franchise by African Americans included literacy tests, poll taxes, “losing” the ballots of Black voters, changing polling places right before the vote without informing Black citizens, setting up polling places in locations African Americans could not reach and arresting drivers in advance, or simply locking the doors of polling places in

certain communities. In addition, tactics of intimidation and racial violence helped to repress the Black vote.⁷

Throughout all this, Black women continued the fight to obtain the vote for all women. The women of color who splintered off from the women's suffrage movement after the 15th Amendment excluded them were again marginalized in the new century under Jim Crow pressures. Susan B. Anthony, fearing racial repercussions, asked her friend Frederick Douglass not to speak at an 1895 Atlanta suffrage rally; and Alice Paul infamously requested that Ida B. Wells-Barnett and her all-Black Alpha Suffrage Club of Chicago march at the back of the 1913 D.C. suffrage parade.⁸ At the same time, Black women regularly faced traumatic physical and sexual violence under local laws that turned a blind eye to their rape or murder, while also penalizing them with incarceration just as harshly as Black men for any small infraction.⁹ These tactics may have varied by county, state, or even gender. But as governor and then senator James K. Vardaman from Mississippi stated in the language of plain racist hatred, the local laws existed with barely "no other purpose than to eliminate" African Americans from voting altogether.¹⁰

The Voting Rights Act: A Pyrrhic Victory?

Despite the racial politics of the South, the region of the country in which these restrictions were used most aggressively and comprehensively, activists forged on. While there were a number of issues that the civil rights movement prioritized through the mid-20th century, the central and core issue was suffrage. Concerns over voting rights would come to a head in the mid-1960s when it became clear that voting rights legislation was not a priority of the Kennedy or Johnson administrations. Ryan Crowley's detailed analysis of the phone transcripts between President Lyndon B. Johnson and Dr. Martin Luther King, Jr., manifest the tensions around prioritizing voting rights for African



A marcher holds up a National Council of Negro Women (NCNW) sign at the March on Washington, August 28, 1963. The NCNW, founded by Mary McLeod Bethune, was active in registering and educating Black women on the importance of voting. (Photographer: Marion S.

Trikosko. Courtesy of the Library of Congress)

Americans.¹¹ However, sustained activism and a convergence of interests eventually helped to galvanize support for African American voting rights. After on-going public pressure on the Johnson administration, the Voting Rights Act (VRA) passed in 1965, calling for the end of legal barriers preventing African Americans from exercising their constitutional right to vote at the state and local level. In theory, this legislation would fulfill the promise of the 15th Amendment by extending the vote to African American men, as well as enacting the right to suffrage for Black women by way of the 19th Amendment.

Legal scholar Lani Guinier described the VRA as a landmark piece of legislation in its ability to directly respond to "impediments to registration and voting."¹² Guinier further noted that the effectiveness of the legislation was in its ability to span the ideological continuum of African Americans (between integrationism and nationalism). The African American integrationist viewed full integration into U.S. society as the key pathway to equality, whereas the Black nationalist viewed separation and self-sufficiency as the keys to social change.

The legislation's appeal rested on its promise of changing African Americans' access to power. Integrationists saw the VRA as America's living up to the demo-

cratic ideals outlined by the 15th amendment. By contrast, nationalist activists viewed the VRA as an opportunity for African Americans to gain local control of political power. The problem, however, according to Guinier, was that the VRA's attention to representational politics presumed that a Black person elected to office would automatically pursue or work for Black interests. She referred to the promise of presuming that Black leaders would address Black politics as a form of *racial tokenism*.¹³ Guinier affirmed that VRA's failure was in the civil rights movement's inability to transform the structural issues that sustained political inequality. Guinier stated,

In that vision, the purpose of political equal opportunity was to ensure fairness in the competition for favorable policy outcomes, not just fairness in the struggle for a seat at the bargaining table. In addition, legislative responsiveness would not be secured merely by election day ratification of black representatives.¹⁴

In the decades following, the mass incarceration of Black men would have a significant impact on persistent disenfranchisement.¹⁵

“The online master’s program in history was truly life changing.”



“I started with the plan of taking a couple history classes at the University of Nebraska at Kearney — and **I was hooked after the first class.** The quality of the curriculum and professors made me decide to keep going and get my master’s degree. After earning my degree, I was named **Texas History Teacher of the Year**, and was recruited from the classroom to a district leadership role.”

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Voter Suppression: “Post-racial” Jim Crow

Policies and laws have not adequately nor effectively addressed the issues of African American suffrage. Despite passage of the 15th and the 19th Amendments, in addition to the VRA, current challenges attest to the need for protecting the right to vote and its access from an intersectional lens. Not only gender, but race and class have again come to the fore since protections from the Voting Rights Act of 1965 were removed in the Supreme Court decision *Shelby v. Holder* (2006). Additionally, the Supreme Court decision in *Citizens United v. Federal Election Commission* (2010), which granted corporations the same rights to political speech as people, opened a path for the Republican Party and conservative lobbies to enact strategies that disenfranchised those who lean Democrat, particularly people who are Black, Latinx, Asian American, or poor.¹⁶ Since 2008, voter ID laws have been especially effective in stripping away voting rights as many Republican controlled states pared down the list of acceptable forms of identification (ID) for voting, discarding some government-issued options used most commonly by Black and poor voters. The spreading of misinformation that raised fears of voter fraud enabled many U.S. states to enact such requirements despite the fact that actual voter fraud is rare. Coordinated efforts to shut down agencies that issue drivers’ licenses in predominantly Black neighborhoods and efforts to require expensive or unobtainable paperwork have been supported by many legislatures, courts, and government officials, despite challenges by legal organizations such as the ACLU and the NAACP.¹⁷

Efforts to suppress Black voters have gone beyond voter ID laws to gerrymandering, or drawing voting districts in ways that favor one party over the other. Racial gerrymandering

has threatened, in the words of Justice Ruth Bader Ginsburg, “the precious right to vote.”¹⁸ While both parties are guilty of employing this technique to produce electoral outcomes that are more favorable to their own party, the 2010 census offered the Republican Party, which controlled more states at the time, the means to redraw congressional districts in its favor to an absurd extent. For example, states such as Wisconsin and Pennsylvania recorded more popular votes for Democrats, yet remained firmly in Republican control.¹⁹ Although partisan gerrymandering has historically been acknowledged as a threat to U.S. democracy, a split Supreme Court led to a plurality decision, *Vieth v. Jubelirer* (2006), in which partisan gerrymandering was considered a political issue, not a constitutional one, and so outside the scope of the judiciary.²⁰ Gerrymandering based overwhelmingly or solely on race, however, was considered illegal, based on the equal protection clause of the 14th amendment. Yet this practice of racial gerrymandering is closely linked to partisan gerrymandering, as non-white voters tend to vote Democratic.²¹ Thus, not only does racial gerrymandering lead to token non-white representatives when packing districts, but the practice has also diluted the number of Democrats elected to office. In Texas, the state gained several more congressional seats, solely through the growth of Latinx and Black communities; however, this demographic change somehow led to an increase in Republican held seats.²² When challenged in court, the decision in *Abbott v. Perez* (2018) almost completely absolved the state of racial gerrymandering, citing a supposed lack of evidence proving intentional discrimination,²³ the standard required by the Supreme Court. The precedent set by this decision will have long reaching effects. Challenging voting laws that discriminate, including those based on race, has been made more difficult due to the cumulative effects of legislative policies and judi-

cial decisions over the last two decades, especially as the judiciary has tilted conservative.²⁴ Even so, the passage of laws that ensure or protect the right and access to vote by marginalized communities, such as the 19th amendment, should be celebrated. However, they must be examined with consideration of the many intersectionalities that continue to determine which bodies are granted the privilege of participation in positions of power in our society.²⁵ The intent of VRA was to keep federal oversight over voting districts that had a standing reputation of voter repression. In subsequent years, however, this oversight was perpetually challenged, and new racial barriers emerged to suppress the enfranchisement of African Americans.

Lesson Recommendations

In considering these dimensions of suppressing the vote of African Americans, there is much educators can do to help students understand the significance of these still-present realities. Whether students are in kindergarten or high school, asking students *who*, *when*, and *why* in regards to voting rights is essential. Open-ended questions can elicit prior knowledge that students bring into the classroom about which groups students believe suffered from voting suppression. Fruitful classroom discussions must be rooted in critical history, spotlighting the hard-won and ongoing fights of collective individuals and social/political movements, rather than an arc of progress framing (usually male) heroes as the harbingers of democratic change. Support this idea with sources such as a 1964 Louisiana literacy test (featured in a 2013 Slate article²⁶), which can show students the traumatic unfairness of these policies first-hand. After fielding student reactions to the fact that this test was actually given to African Americans, explain that this was one of dozens of historical obstacles to voting participation.

When engaging with this historic content, consider staging a class vote as

a “hook” around a topic that is relevant to students (think dance theme, field trip experience, or actually registering seniors to vote) for a powerful, interactive introduction. This fosters ownership of voting rights, and makes it real when followed up by hard-hitting, historically-grounded questions about how it would feel if they had not been able to partake afterwards, and how this still happens to people today (for instance, incarceration is an unfortunately rich and timely tie-in with race and voting rights).

Another activity could start with students making voter ID cards of people who fought hard for the right to vote in America. Reach for unsung yet integral individuals in the suffrage battle too often left out, including women such as Hallie Quinn Brown, Fannie Lou Hamer, Marie Louise Bottineau Baldwin, Adelina Otero Warren, Mabel Lee, Coralie Franklin Cook, Lucy Stone, Anna Julia Cooper, Vilma Martínez, and others—and then have students reflect in mini-research circles if those people (1) could vote in their lifetimes, (2) what impediments they encountered, and (3) how they fought collectively to overcome suffrage obstacles via activism and protest. If you follow this up with a jigsaw discussion and queries on why we aren’t likely to see these women prominently listed in today’s textbooks, the activity can powerfully push back on history’s dominant narratives.²⁷

Stirring up student compassion evokes interest in the lives of people who suffered and suffer from oppression. But when wading into an interactive lesson space, skip unintentional tactics of garnering inauthentic empathy via the slippery slope and problematic exploitation found in simulations. However a teacher chooses to walk students through the three epochs of voter suppression, the pedagogical choices might include: reading biographies and primary sources; considering laws and court cases; and discussing leaders’ choices for tactics and strategies as

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part of the struggle. Above all, keep in mind that one group's historical suffering is not a clever entry point for another's educational empathy. Justice and power reside in identifying with historical figures sans simulations, and echo the C3 Framework's push for inquiry at the heart of teaching towards young people's responsibilities as future voters—because pretending to be historical figures, especially people of color, is a far cry from an interactive research project on them.²⁸ These racialized understandings of ethics in the classroom guide students' current and imminent civic lives.

Above all, knowing one's students deeply is essential in teaching this difficult history of voter suppression. Will educators need to amend parts of activities because their students and/or families currently experience the very voting blocks taught? Does the class have discussion norms for the heft of the topic? When doing inquiry around a literacy test, has content been scaffolded so students of color don't feel ostracized come discussion time? Also, keep in mind the value of ending the lesson with a dialogue about where we stand today and a re-visitation of how racial barriers to voting are overlapped and thus bolstered by sex, religion, ethnicity, immigration and more. This will provide a clear-eyed view of how many Americans at different historical time periods were blocked from voting due to their race, sex, ethnicity and more—and still are. It's also an exercise in the comprehension of historical change over time. Lastly, research about people who are underrepresented in popular culture and history textbooks is an act of curricular resistance unto itself, to be practiced wisely and often.

The historical content of voter suppression of African Americans—as well as many other groups—needs to show up in today's curriculum, accompanied by thoughtful pedagogy rooted in social justice. Richer, more active civic participation from young people is essential in today's political climate. The history of voting rights for African Americans, and

especially African American women, offers a powerful narrative for students to understand and explore the tensions and persistent struggles for a true democracy. 🌍

Notes

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