



MINORITIES AND THE RIGHT TO VOTE

by Joseph Fornataro

Part of a democracy is electing a government through a fair and open process. In the United States of America, the right to vote is both a political and civil right, a right that is valued by its citizens. The citizens that exercise their right to vote give power to the government. It is imperative that adult citizens be granted the right to vote regardless of gender, age or race. On June 4, 1919, Congress passed the Nineteenth Amendment. It was ratified on August 18, 1920. The Nineteenth Amendment granted all women the right to vote. The right to vote is now guaranteed to all citizens regardless of gender. Then, the Indian Citizenship Act of 1924 declared all non-citizen Native Americans born in the USA to be citizens. Along with this came their right to vote. Finally, in 1948, any state laws denying Native Americans the right to vote were overturned. The Voting Rights Act was signed into law in 1965. It prohibits any election practice that denies the right to vote to citizens on the basis of race. In 1971, the Twenty-Sixth Amendment declared the national voting age to be 18.

However, throughout the history of the United States, many different groups have been denied voting privileges. Achieving the right to vote was a real struggle. These minority groups include women, African Americans, Latinos, Asian Americans and Native Americans. "Voting is central to the equality of all Americans" ("History of Voting Rights"). Although this quote exemplifies the foundation of a true democracy, all people living in the United States did not always experience this voting equality. The United States Constitution did not include where people were eligible to vote; instead, each state decided who was eligible to vote.

As far back as 1776, the right to vote began in the United States as a legal right for white, Protestant men that owned property. Slaves were counted as 3/5's of a single person on the national census ("History of Voting Rights") and not permitted to vote. Women were also denied the right to vote. Native Americans, the first real inhabitants, were even denied the right to vote. Eventually, throughout American history, different minorities were finally recognized and granted the right to vote. How has winning the right to vote for various minorities changed over time? Minorities have fought for the right to vote. Through social action, Native Americans, African Americans and women have fought for the right to vote, which eventually resulted in legislation granting them the right to vote.

One minority group of interest is Native Americans. Just as their ethnicity implies, Native Americans were the first people to inhabit America's soil. Native Americans are a people that truly desire to preserve their culture. To the present day, there are various Native American nations that live on chosen reservations. Before 1924, the United States did not consider Native Americans to be citizens. In what was later known as the Marshall Trilogy rulings, the Chief Justice

established the precedents for how the United States legal system would deal with political and social rights for American Indians who lived in the territorial boundaries of the United States.

In the 1800s, some Indians and tribes were granted citizenship, but not necessarily the right to vote. In 1870, citizenship was offered to some tribes and their children. Then, in 1876, the Supreme Court ruled, "Native Americans are not citizens as defined by the Fourteenth Amendment and, thus, cannot vote" ("US Voting Rights Timeline"). John Elk was a Winnebago Indian who gave up his tribal affiliation, moved to Omaha, Nebraska, spoke English, paid taxes, and then tried to vote. He was denied that right. He took his case to the courts. The case of *Elk v Wilkins* went to the Supreme Court. The decision was against Elk. It wasn't until 1924 that American Indians were granted federal citizenship through the Indian Citizenship Act and the right to vote.

In order to be certain that Indians were confined to reservations, treaties were written, like the Fort Laramie Treaty of 1851. However, sometimes the treaties were not honored. The Homestead Act of 1862 went against these treaties. It granted land to mainly white settlers. Indians such as Red Cloud, Sitting Bull and Crazy Horse had to fight for what was theirs. Crazy Horse and Sitting Bull defeated George Custer at Little Big Horn on June 25, 1876, but the turmoil was not over. Federal troops forced the Plains Indians from their lands.

However, after many years of different wars, in 1890 the Indian Naturalization Act granted citizenship to Native Americans whose applications were approved. That left many Native Americans without citizenship. Then, in 1919, Native Americans who served in the military during World War I were granted U.S. citizenship ("US Voting Rights Timeline"). Subsequently, in 1924, citizenship was granted to those Native Americans who were born in the United States of America. This is known as the Indian Citizenship Act of 1924. However, this Act still did not allow all Native Americans the right to vote, as voting was governed by state law. At this time, there was also the Dawes Severalty Act, which divided reservations into smaller entities. These lands were given to individuals. Any surplus land was used for Indian schools. Native Americans lost two thirds of their land. Even after this, some states prohibited Native Americans their right to vote until 1957.

The Native American people went through turmoil to get the right to vote. According to Salvatore, et al., "Voting rights does not mirror exactly the experiences of other people of color in this country." He describes how the Indians are "unique" socially, economically and legally. I do agree with this. The Native Americans were the first people to inhabit the United States of America. They are proud of their culture. They are America's truly first citizens, care for the land, and should always have been considered citizens of the United States of America.

Another minority group of interest is African Americans. The right to vote is closely associated with the struggle for freedom and equality that African Americans have faced. After slavery was abolished, the right to vote was a symbol of equality with the white race. Before freedom, blacks from Maine,

Massachusetts, New Hampshire, Rhode Island and Vermont could vote. New York was a little different. Blacks that owned \$250 in freehold property could vote. Interestingly, this rule did not apply to whites. This is another example of the inequalities that black Americans faced. Why could a white person that did not own \$250 in freehold property vote? This showed how the white race still did not consider African Americans equal to them. In the southern states, the right to vote was limited to white people (Salvatore, et al. at 8).

Before the Fifteenth Amendment, African Americans, including those that were not slaves, were not granted permission to vote. The right to vote was only afforded to white male citizens. In the Supreme Court case of 1857, *Dred Scott v Sanford*, it was established that African Americans were not allowed to vote. The United States Supreme Court ruling stated, "A black man has no rights a white man is bound to respect." African Americans are then further deprived of the right to citizenship, and so the right to vote is still not accepted ("History of Voting Rights").

In 1866, the first Civil Rights Act granted citizenship to persons born in the United States of America. However, this did not mean that the right to vote came with it. In 1869-70, the Fifteenth Amendment legally guaranteed all male citizens regardless of "race, color, or previous condition of servitude" the right to vote ("History of Voting Rights"). As a result, southern states used poll taxes, literacy tests, intimidation, threats and violence to keep African Americans from voting ("Voting Rights"). At this point, no matter what strides were being made with regard to legalizing voting for African American males, white supremacists were keeping that vote down. Considering this was illegal, the Civil Rights Act of 1957 allowed lawsuits on behalf of any African Americans who were denied the right to vote. As a result of numerous lawsuits, the Civil Rights Act of 1964 made discrimination on the basis of race, national origin, gender or religion in voting, public areas, the workplace and schools illegal ("History of Voting Rights"). In 1965, the Voting Rights Act became law. It prohibited any election practice that denied the right to vote based on race. Basically, it outlawed illegal practices including literacy tests and poll taxes. The Voting Rights Act of 1965 is "generally considered the most successful piece of civil rights legislation ever adopted by the United States Congress" (Salvatore, et al. at 5). Without this act, illegal practices would have gone on indefinitely, and voting equality would not be where it is today.

The Women's Right to Vote, or women's suffrage, should also be addressed. In the United States, women were not allowed to vote until the ratification of the Nineteenth Amendment in 1920. Gaining the right to vote was a long process. After the antislavery movement in the 1840s, abolitionists wanted all people treated equally regardless of their race or gender. In 1848, the Seneca Falls Convention was held in New York. It was the first women's rights convention. Lucretia Mott and Elizabeth Cady Stanton ran the meeting and produced the Declaration of Sentiments, which declared that women should have equal rights to men. One of these rights was the right to vote. This applied to all women, including those of color. It was time for women to band together and be heard in the government.

Approximately twenty years later, in 1869, the National Women's Suffrage Association was formed by Susan B. Anthony and Elizabeth Cady Stanton. They wanted an amendment for women to vote. When the Fifteenth Amendment passed, it did not include women in the right to vote. In 1869, the American Woman Suffrage Association was formed. The American Woman Suffrage Association and the National Women's Suffrage Association joined in 1894. This was known as the National American Woman Suffrage Association. Susan B. Anthony was the leader. The group wanted a Nineteenth Amendment passed, allowing women the legal right to vote. Progress was slow. In 1893, Colorado was the first state to adopt an amendment that granted women the right to vote. Utah and Idaho followed suit in 1896. From 1912-13, women led voting rights marches throughout New York and Washington, D.C. ("US Voting Rights Timeline"). These marches enlightened people to the severity of this issue. In 1918, President Wilson supported the Nineteenth Amendment, and by 1920 it became law. The Nineteenth Amendment gave women the right to vote in state and federal elections. It was a long fight, but worth it. Women, just like men, deserve to have a voice in the government.

Voting is one of the most basic rights in a democratic nation, such as the United States of America. The Voting Rights Act is one of the most important Acts in the history of the United States. This act enabled minority populations to be a part of the government. Without this, equality in the government would be non-existent. Our government would be comprised of only white men and this would divide our country. As President Lyndon B. Johnson signed the Voting Rights Act into law on August 6, 1965, he declared that enactment was a matter of morality and not just politics (Walsh). This could not be a more accurate statement. He sums it up clearly: "This act flows from a clear and simple wrong. Its only purpose is to right that wrong. Millions of Americans are denied the right to vote because of their color. This law will ensure them the right to vote" (Walsh).

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