



AFRICAN AMERICANS: WINNING THE RIGHT TO VOTE

by Zhenxian Li

Have African Americans really “won” the right to vote? “Winning” the right to vote in my opinion means that African Americans not only have the legal right to vote, but are actually able to vote in elections as free Americans without any restrictions. The Fifteenth Amendment, which gave African Americans the legal right to vote, was a big step forward, since the Declaration of Independence had given voting rights to mostly wealthy white Protestant males (“Mobilize the Immigrant Vote”). As discussed in this paper, although laws have been passed to give African Americans the legal right to vote, they have had difficulty throughout history to be able to actually vote in elections. Even today, roadblocks continue to prevent many African Americans from being able to vote, such as voter identification (ID) laws, and laws preventing those with a felony conviction from voting (Lieberman). In my view, African Americans have not yet really “won” the right to vote because of these roadblocks. In order to truly “win” the right to vote, I believe African Americans will need to continue to battle for “one person, one vote” (Waldman at 140).

The right to vote in the United States was only for wealthy people in the early days of American history. Because of constitutional amendments and laws that were passed, all citizens of the United States over the age of 18, including African Americans, now have the right to vote. When the Declaration of Independence was signed in 1776, only property owners had the right to vote, and most of these individuals were wealthy, white male Protestants over 21 years old (“Mobilize the Immigrant Vote”). The United States Constitution, which was passed in 1789, did not say who could vote, which allowed the states to determine who was eligible to vote and, as a result, the right to vote continued to be mainly for white males who owned land (“Mobilize the Immigrant Vote”). The Supreme Court’s ruling in 1857 in the *Dred Scott v Sanford* case that “a black man has no rights a white man is bound to respect,” did not allow African Americans to become U.S. citizens and, as a result, African Americans were not able to vote (“History of Voting Rights”).

In 1870, however, the Fifteenth Amendment was added to the U.S. Constitution and said that race could no longer be used to prevent someone from voting, as “voting was neither denied nor abridged on account of race or

color" (Abrams). While the Fifteenth Amendment gave voting rights to African Americans, southern states still tried to prevent African Americans from voting in 1889-90 by making voters pay a poll tax and take literacy tests ("Voting Rights TIMELINE"), and violence from groups such as the Ku Klux Klan was used to stop African Americans from voting ("African Americans and the 15th Amendment"). In the State of Mississippi, for example, approximately 90% of the voting-aged African American men in the state were allowed to vote after the Fifteenth Amendment was passed. This percentage fell to about 6% in 1892 because most African Americans in Mississippi were former slaves who were poor and could not afford the poll tax, and many could not pass the literacy tests since they could not read ("Race and Voting in the Segregated South"). In 1964, the Twenty-Fourth Amendment stated that poll taxes in federal elections were no longer legal ("The Voting Rights Act").

The violence, however, continued. During a peaceful protest on voting rights in Selma, Alabama, in March 1965, protesters were beaten by Alabama State Troopers ("The Voting Rights Act"). A week later, President Lyndon Johnson summarized in a speech to Congress how election officials prevented African Americans from voting:

*"The Negro citizen may go to register only to be told that the day is wrong, or the hour is late, or the official in charge is absent. And if he persists, and if he manages to present himself to the registrar, he may be disqualified because he did not spell out his middle name or because he abbreviated a word on the application. *** He may be asked to recite the entire Constitution ... For the fact is that the only way to pass these barriers is to show a white skin" (Johnson, 1965).*

The Voting Rights Act, which was passed in May 1965, no longer allowed literacy tests for voters, gave the federal government the power to oversee "voter registration in areas where less than 50 percent of the non-white population had not registered to vote," and allowed the United States Attorney General to look into the use of poll taxes in state elections after the U.S. Supreme Court banned their use in 1966 ("The Voting Rights Act"). After the Voting Rights Act was passed, African American voter turnout improved. In the State of Mississippi, for example, African American voter turnout increased to 59% in 1969, from 6% in 1964 ("The Voting Rights Act").

In 2013, however, the Supreme Court made a ruling in *Shelby County v Holder* which said that federal pre-clearance of any changes to voting laws of states would no longer be needed (Morrison, 2016). This ruling removed part of the Voting Rights Act that gave the federal government the authority to approve changes to voting laws in states like Texas, Mississippi and Florida, which have tried to stop African Americans from voting in the past (Morrison, 2016). Because of *Shelby County v Holder*, there were 16 states that had voting laws before the 2016 presidential election that made it more difficult for African Americans to vote ("The Right to Vote"). Voter ID laws in several states have been passed which require voters to show certain forms of identification before they are allowed to vote. While those who support voter ID laws believe

they will help prevent voter fraud, poorer African Americans may not have proper identification with them when they try to vote (Morrison, 2016).

The State of Wisconsin, for example, passed a photo ID voting law in 2014. In the recent presidential election, the city of Milwaukee, Wisconsin, had voter turnout that was 13% lower than the prior election or a decrease of approximately 41,000 votes, while Donald Trump received only 22,177 more votes than Hillary Clinton (“Wisconsin Presidential Race Results”). Seventy percent of Wisconsin's African American population lives in Milwaukee. While it is difficult to prove that Wisconsin's photo ID voting law was to blame for Milwaukee's lower voter turnout and Donald Trump winning Wisconsin, Neil Albrecht, Executive Director of Milwaukee's Election Commission said, “We saw some of the greatest declines in districts we projected would have most trouble with voter ID requirements” (Kennedy, 2016). However, not all proposed voter ID laws which make it more difficult for African Americans to vote have been passed. In August 2016, for example, the Supreme Court ruled that a North Carolina voter ID law, which “requires voters to present any of eight different forms of identification” when voting, would not be allowed to be passed (de Vogue and Berman, 2016).

In addition to voter ID laws, laws which do not allow people with felony convictions to vote make it more difficult for African Americans to vote (Chung, 2016). People who have been convicted of a felony are not allowed to vote in most states. Statistics show that African Americans are affected more by laws which prevent people with felony convictions from voting than other Americans. “One of every 13 African-Americans has lost their voting rights due to felony disenfranchisement laws, vs. 1 in every 56 non-black voters” (“Felony Disenfranchisement”). Because a greater percentage of African Americans are not allowed to vote because of a felony conviction, they do not have as much influence on elections compared with the overall U.S. voting population (Chung, 2016).

According to the U.S. Bureau of Justice Statistics, for example, the State of Michigan has 44,000 people who are not allowed to vote because of a felony conviction, and 24,000 of them are African Americans (“State-by-State Data”). In the recent presidential election, Donald Trump won Michigan with only 13,225 more votes than Hillary Clinton (Gibbons, 2016). Since Hillary Clinton received approximately 88% of all African American votes across the U.S. (Regan, 2016), she might have received enough votes to win Michigan if the state's 24,000 African Americans with felony convictions were able to vote, depending on voter turnout.

In summary, it has been 146 years since the Fifteenth Amendment gave African Americans the legal right to vote. Having a legal right to vote, however, is not the same as actually “winning” the right to vote in my view. “Winning” the right to vote, in my opinion, means that African Americans are actually able to vote in elections as free Americans without any restrictions. Since the Fifteenth Amendment was passed, African Americans continued to have difficulty voting in elections. I believe African Americans will not be able to

say they have truly “won” the right to vote until all restrictions on voting—like voter ID laws and laws which prevent people with felony convictions from voting—are removed. I do believe African Americans have made progress improving their ability to vote since the Fifteenth Amendment was passed, as poll taxes and literacy tests are no longer required. In addition, the Voting Rights Act did give more African Americans the ability to vote. The *Shelby County v Holder* ruling, and the voter ID laws passed since that ruling which prevent many African Americans from voting, however, are clear signs that there are still challenges African Americans continue to face in being able to vote without any restrictions. Since the majority of African Americans voted for the Democratic Party in the most recent presidential election, conservative Republicans will likely continue to try to keep African Americans from voting so they can stay in power. Paul Weyrich, the founder of the conservative American Legislative Exchange Council and co-founder of the conservative Heritage Foundation, “was blunt about his goals in a 1980 speech warming up for Ronald Reagan” when he said, “How many of our Christians have what I call the ‘goo goo’ syndrome – *good government*? They want everybody to vote. I don’t want everybody to vote” (“The Right to Vote”).

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