

HISTORY OF VOTING TIMELINE ACTIVITY¹

Purpose: To learn about the history of the fight for the right to vote.

Time needed: 20-30 minutes, depending on the amount of discussion

Setup: Post 8 flip charts around the room titled with the following dates: 1788, 1870, 1920, 1924, 1965, 1971, 2013 and 2023.

Instructions:

1. Break into groups of 2 or 3 people
2. Hand out two timeline cards to each group along with post-it notes and makers.
CARDS: 1 & 10; 2 & 3; 4 & 5; 6 & 8; and 7 & 9.
3. Ask groups to read the cards and discuss the following:
 - a. Is this information you already knew?
 - b. What strikes you as important or interesting?
 - c. What else can you share?
4. Ask each group to tape their card with their comments on the chart with the event's date.
5. Have everyone do a gallery walk to read the information on each flip chart.
6. Ask a volunteer from each group to share their discussion about the historical moments. Discuss themes. Use the FACILITATOR NOTES below to fill in any gaps.

TIMELINE FACILITATOR NOTES

Why does the history of voting matter?

From the beginning – when the U.S. Constitution was created – the people in power knew that deciding who had the right to vote would have an impact on their power. If more people could vote – they might have less power – if less people were allowed to vote they would likely have more power. Who is allowed to vote has been something people have argued about since the U.S. was founded.

When a new group fights for and eventually wins the right to vote, it can take decades for it to really happen. That is because the Constitution gives the states the right to decide voting rights and to implement new voting laws. So, who is elected to state legislatures matters when it comes to voting rights.

The creation of the Electoral College was in part a political workaround for the existence of slavery in the U.S.

Voting Rights are still fought about today. After key portions of the Voting Rights Act of 1965 were struck down by the Supreme Court, some states immediately began making it harder to vote. And, the District of Columbia is still fighting to be represented in Congress. DC citizens can vote for their Mayor and for President BUT they do not have a vote for the Senate or Congress. DC has more people than WY and VT who both get to elect two senators and one representative. DC residents pay federal taxes and are required to abide by federal laws but don't have a say in who decides those laws.

¹

https://www.brennancenter.org/our-work/research-reports/voting-rights-act-explained?utm_medium=PANTHEON_STRIPPED&utm_source=PANTHEON_STRIPPED

<https://www.americanprogress.org/article/100-years-19th-amendment-fight-womens-suffrage-continues/>

https://constitutioncenter.org/blog/the-evolution-of-voting-rights-in-america?gclid=Cj0KCQjwJ5mpBhDJARIsAOVjBdp7GluYe0jPqh0IixHLI3vPRBAbdFtGOBnZtsV8XBp2Bh_Q_HltzOQaArG0EALw_wcB

<https://spectrumlocalnews.com/nys/central-ny/politics/2024/02/05/judge-upholds-new-york-early-voting-by-mail-law>

<https://www.nonprofitvote.org/wp-content/uploads/2021/03/america-goes-polls-2020-7.pdf>

<https://www.naacpldf.org/13th-amendment-emanicipation/>

CARD 1

What happened?

1788: U.S. Constitution Adopted and Voting Left to States

Why it matters to voting history

The U.S. Constitution grants states the power to establish standards for voting rights. For decades states only allowed white men who owned property to vote. Some states also used religious tests so only white, Christian men could vote.

In 1789 only 6% of the population was eligible to vote for the first president, George Washington. Gradually, state legislatures expanded voting rights to non-land owning white males.

CARD 2

What happened?

1788: Constitution created the Electoral College

Why it matters to voting history

At the 1787 Constitutional Convention one of the biggest debates was how to elect the president. Some people argued Congress should pick the president and others wanted a democratic popular vote. Their compromise was the Electoral College, a system where voters vote for electors, who then cast the actual ballots for the president.

Today, the number of electors each state has is two (for its U.S. senators) plus the number of U.S. representatives which is based on the state's population. To win, a candidate needs 270, out of 538 electoral college votes.

CARD 3

What happened?

1788: Slavery and the Three-Fifths Compromise

Why it matters to voting history

The U.S. Constitution allocated each state two senators and a number of representatives based on the population of the state. Calculating the population for each state was controversial because counting enslaved people would give the southern states more representatives and more power in Congress and not counting them would give the northern states more power. The compromise was to count every 5 enslaved people as 3 people. This formula determined the number of legislative representatives for each state and the number of electors each state has for Presidential elections.

The three-fifths compromise was repealed in 1865 when the 13th Amendment to the Constitution outlawed slavery and involuntary servitude, except for punishment for a crime. This means by law, incarcerated workers do not have to be paid. In some states these workers are not paid at all.

CARD 4

What happened?

1870: 15th Amendment to the Constitution Ratified extending the right to vote to all male citizens regardless of race

Why it matters to voting history

The 15th Amendment extended the right to vote to all citizens, regardless of race. But the Constitution left it up to the states to implement the law. At first Black men voted and there are estimates that about 2,000 Black Americans were elected to public office at the local, state and federal levels. This was not acceptable to southern states and beginning in 1890, laws were passed, such as poll taxes and literacy tests restricting the right to vote.

As a result of the restrictions on voting, Black people in the south voted at very low levels until passage of the Voting Rights Act of 1965.

CARD 5

What happened?

1920: 19th Amendment to the Constitution Ratified and Women get the Right to Vote

Why it matters to voting history

The 19th amendment was first introduced in 1878 and passed the Senate and House forty years later in 1919. Before becoming law, the amendment required approval of 36 states. In 1920 Tennessee was the last state to ratify the amendment giving women the right to vote.

While the 19th Amendment made it illegal to deny women the right to vote, in practice it only gave white women the right to vote. It took 45 more years until the passage of the Voting Rights Act of 1965 to ensure women of color were able to register to vote, cast their ballots, and elect representatives of their choice.

CARD 6

What happened?

1924: Snyder Act - Native Americans get the Right to vote

Why it matters to voting history

The 1866 Civil Rights Act excluded Native Americans from full citizenship and therefore the right to vote. The Snyder Act of 1924 did give Native Americans the right to vote, but the Constitution left it up to the states to implement the law. Winning the full right to vote took fighting for it state by state and it took over forty years for all fifty states to comply.

Until the passage of the Voting Rights Act of 1965, Native Americans faced some of the same barriers (poll taxes, literacy tests and intimidation) to voting as Black Americans.

CARD 7

What happened?

1965: Congress passed the Voting Rights Act

Why it matters to voting history

The 1965 Voting Rights Act was designed so state and local governments could no longer pass laws or policies denying citizens the right to vote based on race.

Section 5 of the Voting Rights Act required jurisdictions with a history of discrimination to prove their proposed changes do not deny the right to vote based on race. Prior to this, only an estimated 23% of voting-age Black Americans were registered nationally, but by 1969 the number had jumped to 61%.

CARD 8

What happened?

1971: 26th Amendment to the Constitution Ratified and voting age lowered to 18

Why it matters to voting history

In 1943 Georgia was the first state to lower the voting age to 18 for state and local elections. Because state and local law cannot violate the Constitution, amending the Constitution was the only way to lower the voting age.

Near the end of the Vietnam War, people argued “old enough to fight, old enough to vote.”

The U.S. Senate and House voted to lower the age and in just over two months 38 states ratified the 26th amendment.

CARD 9

What happened?

2013: Supreme Court Rules Section 5 of the Voting Rights Act was unconstitutional

Why it matters to voting history

The Supreme Court placed the burden on voters to prove they are being disenfranchised.

Shortly after Section 5 was struck down, North Carolina, Texas, Alabama, Mississippi, Florida, Virginia and Arizona began to implement policies previously denied under Section 5, including photo ID requirements, the elimination of same day registration, and other restrictions on voting. A federal court later said the NC law was designed to target African-Americans with almost surgical precision.

CARD 10

What happened?

2023: Governor Hochul signs bills to expand and strengthen the right to vote in NYS. This allows any registered NY voter to vote by mail and expands language assistance to voters with limited English proficiency.

Why it matters to voting history

A group of New York Republican and conservative lawmakers filed a lawsuit challenging the changes, which allow any registered voter in New York to file an early ballot by mail. A judge ruled on Feb. 5, 2024 the changes are constitutional. The New York Republican Party Chair said the group behind the lawsuit plans to appeal.

Making voting easier increases turnout. In the 2020 election, the ten states with the highest voter turnout either allowed voters to register or update their registration when they vote, sent all voters a mail ballot, or both. And, eight of the ten states with the lowest turnout made voting harder by cutting off voter registration four weeks before the election, requiring an excuse to vote by mail, or both.