

History of Voting Rights

Ideas and Materials for Teaching

MATERIALS:

- 1) History of Voting Rights Activity (pp. 2-4).
- 2) History of Voting Rights [video](#).
- 3) Race and Voting Rights by Andy Nash, pp. 5-6.
- 4) More about Race and Voting, pp. 7-8.
- 5) Worksheet, p. 9.

WARM-UP:

- 1) Do the “History of Voting Rights” activity on pp. 2-4 of this packet and/or watch this “History of Voting” [video](#).
- 2) Discuss what stood out to you about the activity and/or the video.
- 3) Describe what happens to voting rights over time. (Hopefully, students will notice that rights are won and lost, that rights are not always guaranteed, that people have had to fight for voting rights, etc.)
- 4) Pay special attention to the very end of the voting rights narrative, which covers what is happening currently with voting rights. What are students’ experiences with voter ID laws? What have they read in the media or from people they know? [Note: the “History of Voting” video does not cover voter ID laws. If you just show that video and do not do the “History of Voting Rights” activity, then you will need to introduce the idea of voter IDs.

BEFORE YOU READ:

- 1) Before reading, “Race and Voting Rights,” look up these vocabulary words: *citizens, voter turnout, polls, disproportionate, backlash, devising*.
- 2) What is the Constitution?
- 3) What does it mean to say, “People have worked on the state and federal level [of government].”



John Legend is one of the narrators in “History of Voting” [video](https://www.youtube.com/watch?v=ar7r5aG_BOY): <https://www.youtube.com/watch?v=ar7r5aG_BOY>.

(To answer questions #6 and #7, you could look at <bensguide.gpo.gov>. You can choose between three literacy levels (apprentice, journeyman, or master) to read about how the U.S. government works, including an explanation of the Constitution and federal versus state government.)

- 4) Skim the article. Look at the title, the subheadings, and the images. What do you think this article will be about?

WHILE YOU READ:

Mark the text. Underline words you don’t know or have a question about. Use a question mark in the margin to indicate something you don’t understand. Put an exclamation mark or a note if you agree or think the point is particularly important.

AFTER YOU READ:

- 1) Do the worksheet at the end of this packet.
- 2) Reflect on the history of voting rights. What surprised you about what you learned by doing these activities and readings?

History of Voting Rights Activity

Updated November 2023

This activity was designed by the Community Leaders Program at The Literacy Project in Greenfield, MA, and adapted by Cynthia Peters.

Purpose

To visually demonstrate when different groups of people had the right to vote in the United States, in law and in fact.

Summary

Each participant assumes an “identity” for the activity. Participants move to different sides of the room as the facilitator reads through a brief timeline of US history.

Before the Activity

1. Create cards labeled:
 - *White male, wealthy property owner*
 - *Wealthy white female*
 - *Poor white male, unable to read or write*
 - *Poor white female*
 - *African American male*
 - *African American female*
 - *Native American female*
 - *Immigrant female, not a citizen, working and paying taxes in the US*
 - *Immigrant male, not a citizen*
 - *Convicted felon, white male, in prison*
 - *18-year-old male*For a larger group, create more copies of the same “identity” cards.
2. Post two signs on different sides of the room: “*Can Vote*” and “*Can’t Vote.*”
3. Ask the group:

Who has the right to vote in the U.S.?
Has it always been this way?

Introduce the Activity

1. Explain that we are going to walk through a timeline of voting rights, to look at when different groups gained or lost the right to vote.
2. Give each person in the group a card with an “identity” written on it.
3. Have the group gather under the “can’t vote” sign.
4. Explain that you will give different dates, and ask the group to decide which groups of people had the right to vote at that point. Anyone with the right to vote should move to the “Can Vote” sign.

Begin the Activity

Read the script on the next page. The bold parts of the text should be read aloud. The non-bold text in brackets helps you facilitate the movement of participants from the “Can Vote” to the “Can’t Vote” sides of the room.

Post Activity Discussion Questions

Lead a discussion with questions like:

1. How did it feel to be denied the right to vote?
2. How did it feel to be granted the right to vote?
3. To have the right taken away?
4. What did you learn?
5. Was anyone surprised by what they learned?

Script for History of Voting Rights Activity

Read aloud all text in bold.

We are going to walk through a timeline of voting rights in the United States. We will look at when different groups gained or lost the right to vote. Everyone has a card with an “identity” written on it. You represent that group for this activity.

[Make sure everyone has a card. Ask everyone to read their identity out loud – to make sure everyone has a chance to see the different identities and understand them.]

To start, we need everyone to gather under the “Can’t Vote” sign.

[wait until the group gathers]

I am going to read different dates, and I’m going to ask the group to decide who had the right to vote at that point. Anyone with the right to vote should move over to the “Can Vote” sign. Does anyone have any questions before we start?

[wait for any questions.]

From 1600-1776, the U.S. was not a country yet. It was a group of colonies that were ruled by Great Britain. Who had the right to vote?

[wait for people to guess. No one really had the right to vote. White male property owners could vote in local elections, but they could not vote on larger issues that affected them.]

Many colonists were angry about this. They said, “We don’t want to pay taxes to Britain because we do not decide how the taxes are spent.” On July 4th, 1776, colonists declared independence from Britain, and the Revolutionary War began.

In 1789, the colonists won the Revolutionary War. Who was the first president? Right, George Washington. At the very beginning of this country, who could vote?

[wait for the group to guess]

Only white men (21 or older) who owned land could vote.

[wait while the white male, wealthy property owner moves to “Can Vote”]

During the 1800s, people moved west and made new states. Some new states wanted to attract immigrants to move there. So they said, “If you move here and stay for 6 months, we will give you the right to vote.”

[wait for immigrant men to move to “Can Vote”]

By 1860, most states allowed white men who didn’t own property to vote.

[wait for Poor White male, cannot read or write and Convicted Felon, white male, in prison to move to “Can Vote”]

Before the Civil War, some eastern states told the western territories, “You can’t let your non-citizen immigrants vote.” These eastern states worried that immigrants would oppose slavery. They didn’t want people who opposed slavery to vote. Non-citizens begin losing their right to vote.

[wait for immigrant men to move back to “Cannot Vote”]

In 1865, the Civil War ended. Slavery was now against the law. In 1870, the 15th Amendment to the Constitution gave men of all races the right to vote.

[wait while African American male moves to “can vote”]

But, in the 1870s and 1880s, some states introduced laws that prevented African Americans from voting. For example, voters had to pass a difficult reading test in order to vote, unless their grandfathers had had the right to vote. So, while the U.S. Constitution gave African American men the right to vote, many states took the right away.

[wait while African American male moves back to “cannot Vote”]

In the 1880s and 1890s, poor people became politically active. Wealthy people worried that poor people were getting too much power. In 1899, many states introduced poll taxes. People now had to pay to vote. Men who could not pay the poll tax could not vote. Convicted felons and ex-felons were also prevented from voting in some states.

[wait while Poor White male, cannot read or write, Convicted Felon, white male, in prison moves back to “Cannot Vote”]

In 1920, women finally won the right to vote. They had fought for many years to win the right to vote. The 19th Amendment to the Constitution gave women the right to vote.

[wait while wealthy white female, poor white female, Af. Am. female, and Native American female move to “Can Vote” side of the room.]

The Constitution gave all women the right to vote, but some women still couldn’t vote. Why do you think some women still couldn’t vote?

That’s right. Some women could not pay the poll tax or could not pass the literacy test.

[wait while Poor white female and African American female move back to “Cannot Vote.” What about Native American women? They have to move back too because most Native Americans did not have the right to vote.]

In 1924, the U.S. declared that Native Americans were now citizens. (In fact, almost all of them had been killed.) Native Americans could now vote.

(NOTE: Native Americans were given the right to vote in 1887 *only if they renounced their tribal affiliation*. Some Native Americans did not have the right to vote until 1957.)

[wait for Native Americans to go to “Can Vote”]

In the 1950s and 1960s, many people joined the Civil Rights movement. They fought for the rights of African Americans and poor people. They showed how certain laws and practices made it hard for African

Americans to vote. The Civil Rights movement helped pass the 24th Amendment to the Constitution. This Amendment said that states could not charge poll taxes for federal elections. Another law called the Voting Rights Act banned all reading tests.

Men and women (21 or older) of all races and economic levels could vote.

[these people move to “can vote”: Poor white male, unable to read or write; Poor White female; African American male; African American female]

In 1971, young people protesting the Vietnam War argued that if they could fight and die for their country, they should have the right to vote. 18-year-olds are given the right to vote.

[wait while the 18 year old male moves to “Can Vote”]

In 2013, the Supreme Court removed part of the Voting Rights Act. Now, states with a history of discrimination can change voting laws without approval from the federal government. States immediately pushed through discriminatory laws that make it more difficult to vote. In 2023, 34 states require voters to have identification in order to vote (according to [Ballotpedia.org](https://www.ballotpedia.org)).

[wait while people decide if restrictive voting laws will cause anyone to go back to the “Can’t Vote” side of the room.]

Who can vote today? Who can’t vote? Convicted felons and ex-felons cannot vote in some states. Non-citizens — even those who pay taxes — cannot vote. Many people are fighting for less restrictive voting laws, and sometimes they are winning. Since 2021, 29 states and Washington DC have enacted 70 laws expanding voting rights. The struggle over voting rights continues!

Thank you, everyone. You may sit down.

Race and Voting Rights

Andy Nash

NOTE: This article was written in 2016 and updated in 2023.

For decades, people have worked on the state and federal level to make it easier for *citizens* to vote. They have passed laws that make it easier to register to vote, to vote at more convenient times, and to send in their vote by mail. These efforts strengthen our democracy because they allow more voters to participate.

But in 2010, things changed. State lawmakers

across the U.S. began introducing bills to restrict voting. These laws include strict photo ID requirements, restrictions to early and mail-in voting, and limits on same-day registration.

Although each state's laws are different, they all have something in common: they affect communities of color and people living in poverty *more* than they affect other people. Researchers at UMass and the Brennan Center for Justice studied the problem. They found that if a state had increases in minority and low-income *voter turnout* in the 2008 election, then the state was more likely to push for laws cutting back on voting rights. Let's examine how.

Dumped from the Voting Rolls after 70 Years of Voting



In 1942, 21-year-old Rosanell Eaton took a two-hour mule ride to a courthouse in North Carolina to register to vote. She recited the preamble to the Constitution from memory and passed a literacy test. She was one of the few blacks to be able to vote in the Jim Crow era. But in 2013, after voting for 70 years, she became a casualty of North Carolina's new voter-ID law because the name on her voter-registration card (Rosanell Eaton) did not match the name on her driver's license (Rosa Johnson Eaton). In early 2015, Eaton tried to match her documents. She made 11 trips to various agencies – the DMV, two Social Security offices, and several banks. "It was really stressful and difficult, [a] headache and expensive," she said.

– Excerpted/adapted from an article by Ari Berman in <www.thenation.com>.

Voter ID Laws

Voter identification laws require citizens to present specific forms of ID in order to vote. Nationally, 11% of Americans do not have the current photo IDs required under the stricter laws, including 25% of African Americans, 20% of people 18-29, and 18% of seniors.¹

Under the stricter laws, what photo IDs are acceptable? Unfortunately, they are IDs that many poor people do not have. Even when the state offers a free photo ID, those voters may not have the documents they need to get one. For example, Alberta Currie was born at home and doesn't have a birth certificate. Another voter, Sammie Louise Bates, had to choose between paying \$42 for a birth certificate or buying food. She chose food. We can't "eat the birth certificate," she said.²

Also, in rural communities, there is almost no public transportation. It is hard to travel to get the needed documents. In 2016, Alabama planned to close 31 driver's license offices, including the offices in *every* county where black people make up more than 75% of the registered voters. After community protests, the governor agreed to open those offices one day per month.³

Restrictions on Early and Mail-In Voting

For people who can't easily get to the *polls*, being able to vote early or vote by mail makes a big difference. In the 2008 and 2012 presidential elections, a full one-third of Americans voted early, and a *disporportionate* number of them were Black.⁴ In 2020, to help people feel safe about voting during the pandemic, many states increased their early and mail-in voting. As a result, *voter turnout* was high, especially in communities of color. After 2020, there was a *backlash* against the expansion of voting laws, and that struggle is still being played out today.

Voter Registration Restrictions

In 2023, only about half of the states offer same-day registration.⁵ Why does this matter? Because the voting lists have many errors! In the past, if your name did not appear on the list of registered voters when you came to vote, you could just register again right there. Same-day registration made voting easier for everyone by allowing voters to do everything in one trip.

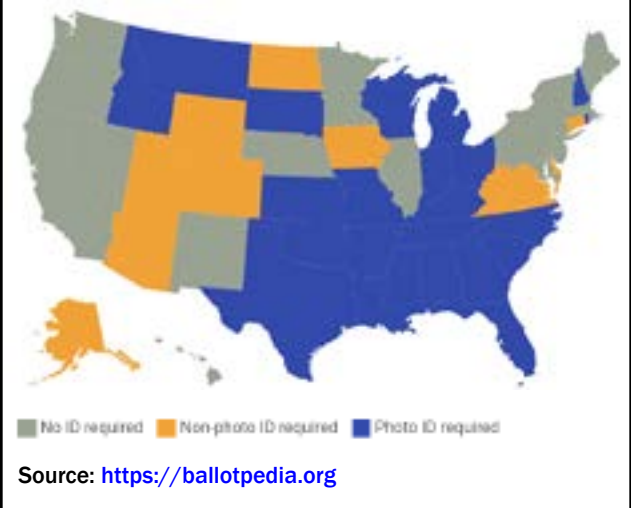
In eight states, people with felony convictions may never be able to vote again, even if they've served their time.⁶ Overall, 6.2 percent of African Americans have lost their voting rights compared to 1.7 percent of whites.⁷

Fighting Back Against Voter Restrictions

Civil rights organizations, Black churches, and other community organizations are working to restore voting rights. Here are some recent wins:

- In 2016, Oregon adopted legislation that will automatically register eligible residents when they renew their driver's license.
- In 2019, the Kentucky governor issued an executive order that restored voting rights to over 100,000 Kentuckians with past convictions.⁸
- In 2023, Minnesota restored voting rights to people on parole and probation.⁹

Voter Identification Laws by State, 2023



The Struggle Continues

Despite these efforts, not all Americans have the same opportunity to cast a ballot. There is a pattern of discrimination. Voting restrictions often make it more difficult for poor people and people of color to vote. We have come a long way since this country was founded and the Constitution gave only white male property owners the right to vote. But politicians are still *devising* ways to pick the voters they want rather than the other way around!

Sources: 1. <www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf>; 2. <www.advancementproject.org>; 3. <www.peopledemandingaction.org/component/k2/item/429-amid-voting-rights-criticism-alabama-partially-backs-off-controversial-plan-to-close-driver-license-offices>; 4. <prospect.org/article/22-states-wave-new-voting-restrictions-threatens-shift-outcomes-tight-races>; 5. <www.rockthevote.org/how-to-vote/same-day-voter-registration>; 6. <felonvoting.procon.org/state-felon-voting-laws>; 7. <https://www.sentencingproject.org>; 8. <www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-kentucky>; 9. <www.sentencingproject.org/reports/expanding-the-vote-state-felony-disenfranchisement-reform-1997-2023>.

Andy Nash has retired from World Education. She works with Showing Up for Racial Justice (SURJ) and is involved in other community-based justice work.

More about Race and Voting

Some Examples of How People are Disenfranchised

There are so many ways to be disenfranchised. Below are stories of not being able to vote. They are excerpted from various sources.

Overwhelmed by Bureaucracy

“Lindsay Gonzales moved back to Houston from Washington, D.C. in July. To get a Texas driver’s license or voter ID, she needed to show proof of identity, of residence, and of citizenship. Her family has been living with her parents, so residency was tough: Her auto registration might work, she was told, but the car was in her husband’s name, meaning she’d need to show up at a Department of Public Safety (DPS) office with him – which is hard, since he frequently travels for work. Meanwhile, her birth certificate, which she needed for proof of identity, shows her maiden name, meaning she needed a copy of her marriage certificate. And she said she and her husband were given conflicting information by DPS workers throughout.”

from: <www.msnbc.com/msnbc/texas-sees-surge-disenfranchised-voters#54860>

No Car, No Vote

“Michael Owens could not reach his assigned polling place on Election Day without a car, but was able to get to a polling place near work. Because North Carolina eliminated out-of-precinct voting, he was turned away at the polls without having the opportunity to cast his ballot. NC is a state where there are deep disparities by race in car ownership and inadequate public transportation.”

from: <www.aclu.org/blog/speak-freely/north-carolinas-step-backward-democracy>

Veteran Turned Away

“Rickey Davis, an Army veteran who served as a sergeant in the 82nd Airborne and was honorably discharged in 1978, also testified about his difficulty to obtain a state-issued photo ID. When he twice



Residents rallied in Winston Salem to support the plaintiffs in a voter suppression lawsuit being tried there that challenges the passage of North Carolina House Bill 589. Photo courtesy of the Advancement Project.

attempted to get a Wisconsin ID a few years ago, having moved from Illinois in 2006, he presented several forms of documentation, including his veterans ID card, military discharge papers, and a Social Security card. Yet Mr. Davis was turned away because he did not have a copy of his birth certificate.”

from: <www.advancementproject.org/pages/whos-really-affected-by-wisconsins-voter-id-law#sthash.9qYpv7Nu.dpuf>



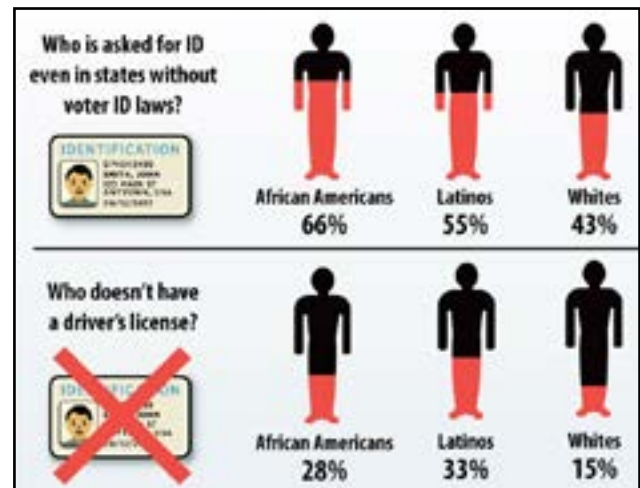
Lorene Hutchins' daughter spent \$2000 tracking down her birth certificate so she could vote.

\$2,000 for Birth Certificates

"Lorene Hutchins, a 93-year-old African-American woman, was born at home in Mississippi and lacked the birth certificate needed to get a state ID. Her 70-year old daughter spent several years and more than \$2,000, in order to track down her mother's birth certificate, as well as her

own — for their right to vote. 'If it had not been for my daughter Katherine, who had the time and money to fight to get me a birth certificate, I would have been *barred* from voting,' Hutchins testified."

from: <www.advancementproject.org>



What is the main point of this graphic? How does the chart use color to make its point? Write two true statements based on the data you see here. Graphic from: <www.sierraclub.org/sierra/2014-2-march-april/graphic/voter-suppression>

The Voting Rights Act — Then and Now

On August 6, 1965, President Johnson signed what would become the U.S.'s most effective civil rights law—the Voting Rights Act (VRA). The law ended literacy tests, poll taxes, and other discriminatory practices that prevented minorities from voting. In the 21st century, citizens still use the VRA to fight modern voting discrimination, including: redistricting plans that favor white people, restrictive voter ID laws, elimination of early voting opportunities, and unfair polling place changes.

But the civil rights legacy of the VRA began to unravel on June 25, 2013, when the U.S. Supreme Court made the disastrous decision to weaken the VRA in *Shelby County v. Holder*. The decision struck down some of the law's most crucial voter protections. For example, before *Shelby*, states and localities with a history of discrimination had to get clearance from the Department of Justice before enacting any voting law changes. Now free from federal oversight, states have pushed through discriminatory laws that make it more difficult to vote.

— excerpted/adapted from <vrafortoday.org/learn>



As these peaceful protesters marched from Selma to Montgomery, police brutally attacked them, and it was captured on national TV. The resulting outrage helped pressure Congress to pass the Voting Rights Act of 1965.

Read Carefully for Understanding

Worksheet to Accompany “Race and Voting Rights”

1. According to Andy Nash, what are three ways that voters are being deprived of voting rights?

2. What evidence does Nash present to argue that restrictions on voting rights have disproportionately affected people of color and poor people?

3. According to Nash, ordinary people are fighting back against voter restrictions. What are they doing?

Write about race and voting rights. Use one or both of the following writing prompts:

1. Read “More about Race and Voting” (pp. 7-8) and study the chart and box on Voting Rights (p. 8). Look up arguments in favor of voter restrictions, such as: these restrictions will prevent voter fraud. Make your own evaluation of what is happening to voting rights in the U.S. Write an essay using Nash’s article and the additional sources on pp. 7-8, plus your own research.

2. According to the map on p. 6, 34 states have introduced restrictive voting laws. Is your state one of them? If so, what laws have been introduced? Alternatively, are there laws to *relax* voter restrictions? Find out, and then read further about those laws. What do you think of them? Do you agree or disagree with them? Write a letter to your congressperson to express what you think. *[If you cannot find information about the laws in your state, then simply write to your congressperson expressing your opinion in general about voting restrictions.]*