

Who Gets to Vote?

Teaching About the Struggle for Voting Rights in the United States

BY URSULA WOLFE-ROCCA



Credit: Michael Flesherman

Protest in Manhattan, December 2011.

2020 IS BOTH AN ELECTION YEAR AND the 150th anniversary of the passage of the 15th Amendment, making it an important time to invite our students to consider the history of voting rights in the United States. The struggle for the ballot is emblematic of the struggle to make real the democratic promises of this country's founding narrative. Just as the United States has never been a true “government by the people, for the people,” the right to vote has always been incomplete, contested, and compromised by the racism, sexism, classism, and xenophobia of policymakers and the interests they act to protect. In a moment of [renewed and insidious voter suppression](#), examining the history of voting rights also presents an opportunity to challenge the deeply entrenched fable of the steady forward progress of U.S. history. Voting rights have expanded in the last 400 years, but they have also been taken away,

requiring activists to rise up, again and again, to restore the achievements of prior generations. The fight for the ballot is ongoing.

Recent elections have brought forth the old problem of voter suppression in a new guise — [voter ID laws](#), [voter roll purges](#), [polling places shuttered](#). As activists combat these restrictive, antidemocratic measures, it is vital that we provide students historical context for their efforts, which is why the Zinn Education Project has put together a cluster of lessons on the history of voting rights in the United States. These lessons can be taught individually, but they are presented here as a progression.

The **first lesson** considers the question of who should vote. Students first share their understanding of what makes a “qualified” voter, then reconsider their thinking after a close reading of an oral history by Fannie Lou Hamer.

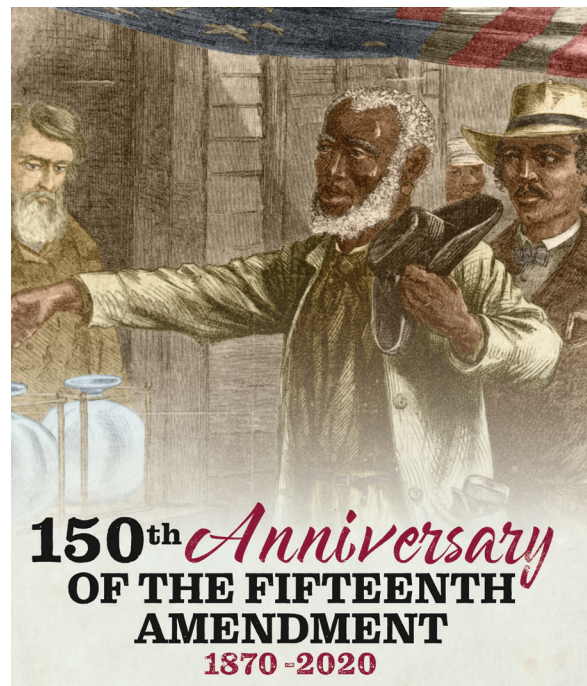
The **second lesson** asks students to predict how policymakers might have restricted the right to vote for certain groups to thwart movements and laws that expanded voting rights.

The **final lesson** is a mixer role play in which students learn about a variety of people with first-hand experience having their voting rights granted or denied. The roles reach back as far as the colonial era and forward to the present. This lesson closes with a timeline activity in which students create a visual map depicting the expansion and contraction of voting rights over time.

SMU Dedman School of Law professor Grant M. Hayden has written:

The history of voting in the United States has not been characterized by a smooth and inexorable progress toward universal political participation. It has instead been much messier, littered with periods of both expansion and retraction of the franchise with respect to many groups of potential voters.

Young people need to know this “messier” history; it is a history that calls us to action, a history that conveys that voting rights are not definitively won, but must be struggled for and defended.



LESSON 1: Who Should Get to Vote?



Credit: Michael Fleshman

Protest in Manhattan, December 2011.

In this lesson, students share and discuss their thinking about the qualifications to vote in the United States. Afterward, they read African American sharecropper Fannie Lou Hamer’s account of her attempt to register to vote in Mississippi in 1962. A close reading of Hamer’s experience enables a number of key takeaways. First, students see how the government has been implicated in voter suppression. Second, students learn to evaluate policies not just on their face, but also on their impact, and to recognize that policies are always enacted in a specific historical and social context that shapes that impact. Finally, Hamer’s story reminds students that voting restrictions are not just abstract law; they impact real people’s lives in concrete and powerful ways.

Materials Needed

Fannie Lou Hamer Oral History Excerpts

Time Required

Approximately 90 minutes

Suggested Procedure

1. Ask students to write for five minutes responding to the question: *What should be the requirements for voting in the United States?* In my experience, students consider topics like age, education, knowledge, literacy, language, citizenship. After five minutes, ask students to turn at least a couple of their ideas into policy suggestions for a class discussion. I say, “Now, take your thoughts about those requirements and put them into

a proposal that I'll ask you to share. You might start off with 'I propose that in order to vote in the United States someone must . . .' Or: 'Here are people in the United States who should have a right to vote: _____. They should be able to vote because . . .'"

2. Kick off the discussion by asking "Who wants to share a proposal that you'd like to see be part of how we deal with voting in the United States?" Usually, a student will say something like, "I propose we lower the voting age to 14." Then I ask the class, "What do we think?" In years past, my mostly white, Asian American, and suburban students have regularly offered:
 - a. Lower the voting age
 - b. Require completion of a certain year/level of schooling
 - c. Know something about the Constitution
 - d. Know something about the candidates/issues being voted on
 - e. Know how to read
 - f. Not be a felon
 - g. Expand voting rights to Green Card holders
 - h. Be fluent in English

In the discussion and debate that follow each of these proposals, students surface a spectrum of beliefs about voting. For example, regarding voting age, a student always offers this counter to the considerable support for lowering it:

"But young people will just vote like their parents. They don't know enough."

Another student will retort, "So? We get a lot of our values and beliefs from our families. That doesn't mean they're bad. And I know a lot more about current events than my parents."

Here, I might interject and ask, "It sounds like some of you want voters to know certain things or have some awareness of current events. How would you ensure that?"

3. I teach 90-minute block classes so have the flexibility to let this discussion bubble for at least a half hour. It is important to hear and discuss a number of different proposals, each of which uncovers different dimensions of students' thinking about voting. Some want voting to be easy; some want it to be hard. Some view voting as a right; some view it as a privilege. Some think voting works best when it is representative of the most people; some think voting should be exercised by the most meritorious (according to their conceptions of "merit").

Another proposal might be: "We should require a basic civics test." A suggestion like this is generally met with a chorus of groans. So I'll ask, "OK, what are some objections to that proposal?"

"I am not a good test-taker, but that doesn't mean I shouldn't get the right to vote!"

"Yeah, and who decides what goes on the test?"

"And didn't they used to use tests to keep African Americans from voting?"

Another student might offer: "That's why I think we should do two years of college. Not a test, but proof that you've been exposed to knowledge and you have some understanding of how politics work."

I interject: "That would *really* limit the number of eligible voters. In fact, a majority of adults in the United States would not be able to meet that threshold. So this is an important question: Do we want voting to be inclusive of most people or limited to a select group?"

What is always clear after having this conversation with my students is that democratic principles are not a given in their thinking. Students do not naturally or universally embrace the idea that *the people*, whatever their strengths and weaknesses, talents and flaws, by virtue of being *people*, should have a government and institutions of their own choosing.

Let me say again that I do not teach in a typical U.S. community, so I acknowledge that my students' attitudes may not be representative. However, it does not really make a difference what students come up with. The aim here is simply to get them to articulate their thoughts on voting qualifications.

4. Distribute Fannie Lou Hamer oral history excerpts to read aloud. So far, students have discussed voting requirements — and the underlying principles encoded in them — in abstraction. Now students will engage with a real-life example about which they can test their thinking.
5. Tell students that as they listen to you and their peers read aloud, they should underline or highlight powerful lines or passages. As we read, I pause every now and then to define some vocabulary or provide context. For example, in Excerpt #5, Hamer talks about submitting her [poll tax receipt](#), which students may need defined. In Excerpt #4, students are often confused by the arrest for a bus with “too much yellow on it.” I clarify that in a different oral history, Hamer explains the driver was cited for “impersonating a school bus.” Since my students have already learned about [the murder of Emmett Till](#), I also pause when Hamer mentions, in Excerpt #5, seeking refuge in Tallahatchie County. I remind students that this is the same county where 14-year-old Till was lynched.

6. After reading each excerpt, ask students to share with the whole class lines they found most poignant. Ask them to explain why. As students share their answers, I make sure to make connections to our earlier conversation. For example, this section of Hamer's history is always a favorite of students:

Well, I didn't know anything about voting; I didn't know anything about registering to vote. One night I went to the church. They had a mass meeting. And I went to the church, and they talked about how it was our right, that we could register and vote. They were talking about we could vote out people that we didn't want in office, we thought that wasn't right, that we could vote them out. That sounded interesting enough to me that I wanted to try it. I had never heard, until 1962, that Black people could register and vote.

When I ask students why they selected this passage to share, they usually remark on the fact that Hamer didn't know she had voting rights: “It's incredible that she didn't even know that she had the right to vote!” But I want to make sure they recognize something else. I say, “So we talked earlier about how some of us in this class wanted to make sure voters have a certain level of knowledge or education. Hamer only finished about six years of school. Does that mean she won't make a 'good' voter? Does Hamer know what kind of leaders she wants for herself and her community?”

Students immediately hit on the line “. . . we could vote out people that we didn't want in office, we thought wasn't right.” They say, “She has strong opinions” or “She knows what she wants.” Then I ask, “So where did she get those opinions? Where did she get that knowledge?”

“From her life.”

“From her experience as a sharecropper.”

“From being poor, like she talks about in that first excerpt we read.”

“So,” I summarize, “Some of the critical knowledge we bring with us to the ballot box comes from life experience, right? Not just school learning?”

This is also a good opportunity to remind students that, historically, white elected officials systematically denied school and education to Black people. I say, “And remember, part of why Hamer went to school for only six years is that education for Black people in Mississippi — and across the nation — was underfunded and unequal. So if educational attainment were a requirement for voting, that would mean a lot of Black people wouldn’t be able to vote. Who would that benefit?”

At this point, many of my students who earlier called for a civics test or two years of college as requirements for voting begin to rethink their assumptions. They say, “Fannie Lou Hamer should not be denied the right to vote based on education because she didn’t have the opportunity to get an education” or “Hamer probably wants to vote for leaders who will change the education system, to make it more equal, but she can’t do that if education itself is required for voting.”

7. Once students have read and discussed each of the excerpts, ask them to go back through the text and identify the many impediments Hamer faced in her journey to become a voter. In my class, prior lessons on [housing discrimination](#) have led us to learn the terminology *de jure* and *de facto*. So I say, “I want you to identify all the obstacles Hamer faced as she tried to access her right to vote. Then, I want you to decide whether these obstacles are *de jure* or *de facto*.” I ask students to work first in pairs, then share their answers with the whole class.

8. When students seem ready, ask, “So what did you come up with?” Students usually say, “She didn’t even know she had the right to vote!” I ask, “So is that a *de jure* restriction?” Some students immediately say no. But some students point out the complexity of disentangling state action and its impacts.

“Well, it kind of is *de jure*, because Black people were denied equal education — where she might have learned about her constitutional rights — by the government. So that is legal.”

Another student will say, “Violence and the threat of violence is an obstacle to her voting.”

I ask, “*De facto? De jure?*”

In the case Hamer details in which would-be voters on a bus are pulled over and harassed by the local police, students are pretty clear that this is an example of state-sanctioned intimidation. But what about the other violence and threats Hamer describes? Many students at first say that it is extralegal violence; after all, the state was not carrying it out. But then I ask, “But was the state *stopping* it? Was the state protecting Fannie Lou Hamer and her family?”

9. To end this lesson, ask students to return to their original quick-writes about voter qualifications and write a follow-up: *How would the voting requirements you advocated for at the start of this lesson have impacted Fannie Lou Hamer’s right to vote? Did anything shift in your thinking after talking with your classmates and hearing from Fannie Lou Hamer?* Always, there are a number of students who want to rescind some of their earlier restrictions, particularly around education and knowledge.

Fannie Lou Hamer in Her Own Words



Credit: Jim Pepler, Alabama Department of Archives and History

Fannie Lou Hamer at the 1966 “March Against Fear.”

Fannie Lou Hamer was born in Mississippi in 1917, the youngest of 20 children. Hamer’s parents were sharecroppers. She received about six years of formal education — though the school term in rural Mississippi was only four months — before becoming a full-time sharecropper herself. In the early 1960s, Hamer joined the Student Nonviolent Coordinating Committee (SNCC) to work on voter registration campaigns in Mississippi. She went on to help lead the Mississippi Freedom Democratic Party, ran for Congress, and became a nationally recognized voice in the Black freedom struggle. In the excerpts below, Hamer shares key moments in her political history.

The following interview excerpts are reprinted by the Zinn Education Project with permission of the USM Center for Oral History and Cultural Heritage.

This is an interview for the Center for Oral History and Cultural Heritage at the University of Southern Mississippi. The [interview is with Mrs. Fannie Lou Hamer](#) and is being conducted in her home at 721 James Street in Ruleville, Mississippi, on April 14, 1972. The interviewer is Dr. Neil McMillen.

Excerpt #1

Well, I was born 54 years ago on a plantation in the hills. . . . In fact, I was the last child of 20 children, six girls and 14 boys. I'm the 20th child of a very poor family, sharecroppers [who] never had anything — family life. [We] didn't hardly have food to eat.

My family moved to Sunflower County when I was 2 years old; that's 52 years ago [that] they moved here to Sunflower County, so I was mostly raised here in the Delta. In fact, from 2 years old up until now I've been in the Delta. My family moved here, and we moved on a plantation; the landowner was named Mr. E. W. Brandon. So we lived on his place until I was grown, but it was just hard. Life was very hard; we never hardly had enough to eat; we didn't have clothes to wear. We had to work real hard, because I started working when I was about 6 years old. I didn't have a chance to go to school too much, because school would only last about four months at the time when I was a kid going to school. Most of the time we didn't have clothes to wear to that [school]; and then if any work would come up that we would have to do, the parents would take us out of the school to cut stalks and burn stalks or work in dead lands or things like that. It was just really tough as a kid when I was a child.

Excerpt #2

McMillen: Let's move forward in time, Mrs. Hamer. When was the first time you really wanted to vote?

Hamer: That was 1962.

McMillen: Tell us about your efforts to vote.

Hamer: Well, I didn't know anything about voting; I didn't know anything about registering to vote. One night I went to the church. They had a mass meeting. And I went to the church, and they talked about how it was our right, that we could register and vote. They were talking about we could vote out people that we didn't want in office, we thought that wasn't right, that we could vote them out. That sounded interesting enough to me that I wanted to try it. I had never heard, until 1962, that Black people could register and vote.

McMillen: Never heard that in your life?

Hamer: I'd never heard that; we hadn't heard anything about registering to vote because when you see this flat land in here, when the people would get out of the fields if they had a radio, they'd be too tired to play it. So we didn't know what was going on in the rest of the state, even, much less in other places.

McMillen: When you were a child at school, did the books you have say anything about voting or democracy?

Hamer: Never! I'd never even heard that that was in the Constitution. I never heard anything about it. In fact, the first time I was aware that Mississippi had a constitution was when I tried to register to vote, and they gave me a section of the Constitution of Mississippi to write, to copy, and then to give a reasonable interpretation of it. I didn't know that we had that right.

Excerpt #3

McMillen: When you first tried to vote, where was that? Was that in Ruleville?

Hamer: When I first tried to register?

McMillen: Yes, ma'am.

Hamer: Well, when I first tried to register it was in Indianola. I went to Indianola on the 31st of August in 1962; that was to try to register. When we got there — there was 18 of us went that day — so when we got there, there were people there with guns and just a lot of strange-looking people to us. We went on in the circuit clerk's office, and he asked us what did we want; and we told him what we wanted. We wanted to try to register. He told us that all of us would have to get out of there except two. So I was one of the two persons that remained inside, to try to register, [with] another young man named Mr. Ernest Davis. We stayed in to take the literacy test. So the registrar gave me the 16th section of the Constitution of Mississippi. He pointed it out in the book and told me to look at it and then copy it down just like I saw it in the book: Put a period where a period was supposed to be, a comma and all of that. After I copied it down he told me right below that to give a real reasonable interpretation then, interpret what I had read. That was impossible. I had tried to give it, but I didn't even know what it meant, much less to interpret it.

Excerpt #4

McMillen: So what happened then? You were arrested, weren't you?

Hamer: Well, when we got started back to Ruleville, we were stopped by a state highway patrolman and the city police, and they ordered us to get off of the bus. We got off of the bus, and then they told us to get back on the bus and go back to Indianola. We got back on the bus and we went back to Indianola. When we got back to Indianola, they arrested one of the men that was with us, which was Mr. Lawrence Guyot. They arrested him, and then they told this man who'd drove us down there that his bus had too much yellow on it. They fined him \$100, but they finally cut his fine down to \$30. We got enough to pay his fine and come on into Ruleville.

McMillen: Did you think it was dangerous that first time you tried [to vote]?

Hamer: I had a feeling that [it was]; I don't know why, but I just had a feeling because the morning I left home to go down to register I carried some extra shoes and a bag because I said, "If I'm arrested or anything, I'll have some extra shoes to put on." So I had a feeling something might happen; I just didn't know. I didn't know it was going to be as much involved as it finally was. But I had a feeling that we might be arrested.

McMillen: What happened when you got back? Did anything at all happen? Did you lose your home?

Hamer: Well, when we got back I went on out to where I had been staying for 18 years, and the landowner had talked to my husband and told him I had to leave the place. My little girl, the child that I raised, met me and told me that the landowner was mad and I might have to leave. The landowner drove up and . . . I got up and walked out on the porch, and he [told] me did Pap tell me what he said. I told him, "He did." He said, "Well, I mean that, you'll have to go down and withdraw your registration, or you'll have to leave this place." I didn't recall myself saying nothing smart, but I couldn't understand it. I answered the only way I could and told him that I didn't go down there to register for him; I went down there to register for myself. This seemed like it made him madder when I told him that.

McMillen: So you had to leave right away?

Hamer: I had to leave that same night.

McMillen: Where did you go then, Mrs. Hamer, after you had to leave the house on the plantation?

Hamer: I came out here to town, right across from the main highway, and I started staying with some people, Mr. and Mrs. Tucker. Then my husband got frightened and carried me to my niece's. And after he carried me there, then they shot in that house that I was staying with those people — they shot in that house.

Excerpt #5

McMillen: So you were turned down then; your registration effort failed?

Hamer: It failed.

McMillen: When did it finally succeed?

Hamer: After my husband got so frightened, I went to Tallahatchie County and stayed awhile. When I came back, we moved here in Ruleville to 626 East Lafayette Street. We moved in on the third of December, and I went back on the fourth of December to take the literacy test again.

McMillen: 1962?

Hamer: 1962, on the fourth of December. That was one Monday. And the registrar gave me another section of the Constitution. [It] was the 49th section of the Constitution of Mississippi, dealing with the House of Representatives. He told me to copy that down and to give a reasonable interpretation. I copied that, but we had got hold of [a copy] of the Constitution of Mississippi and had been able to study it. Some of the people from the Student Nonviolent Coordinating Committee would help us to try to interpret it, so that time I gave a reasonable enough interpretation. When I went back to see about it in January, I had passed that literacy test. So I didn't take the test but twice.

McMillen: I see. So then you voted. When did you first vote?

Hamer: Well, the first attempt that I tried to vote I didn't really get to vote. I went up to vote — that was in a primary election because it was in August. We went up to vote that day, and I didn't have two poll tax receipts. I hadn't been paying poll tax, and I didn't have two prior years. They told me I couldn't vote because I didn't have two poll tax receipts.

McMillen: So you couldn't vote that time. When did you finally cast your vote?

Hamer: The first vote I cast, I cast my first vote for myself, because I was running for Congress. The first vote, I voted for myself.

McMillen: Oh, is that right! That was what year?

Hamer: That was in 1964.

Excerpt #6

McMillen: Talk about your activities as a voter registration worker in the early period.

Hamer: Well, it was rough because we would go to places, go in to do voter registration in places, and we talked to people. We would walk the streets in different little areas, and we would tell them we were coming back the next day. And by the next day somebody would be done got to them, and they wouldn't want to talk with us, and this kind of stuff. Some days it would be disgusting, some very disappointing. Some very disappointing. Then we'd go to churches, and occasionally along, they was burning up churches. These are the kinds of things we faced.

McMillen: Who would get to the people you talked to?

Hamer: Well, you know, like the landowners. The white people would get to them, and then they would tell them.

McMillen: What about the Citizens' Council? What activity did they pursue to prevent you from voter registration, or weren't they active then?

Hamer: Well, they was active. Of course, we couldn't tell what group was doing what. We just knew we would be harassed, and we knew cars would be passing the house loaded with white men, and trucks would be passing there with guns hanging up in the back. They would walk the streets sometimes with dogs. And we knew it was something, but we didn't know what group it was.

McMillen: It's been said that most or many SNCC workers, and many COFO workers, too, thought that the Justice Department under Bobby Kennedy was going to offer protection for civil rights workers and voting rights workers. Did you have that understanding, that the people from the Justice Department would keep the white police and the Klansmen and the Council people away and offer protection during your voting rights efforts?

Hamer: I thought that, but we never did get no protection. You know, we would file suits when people would be harassed to go to jail. We'd go in the court and all of that, but nobody was never really — but the FBI. I guess you know about them, too. That was the only people they would send in [to] investigate something, after something be done happened.

LESSON 2:

Designing Disenfranchisement

The history of voting rights in the United States is a story of two steps forward, one step back — or sometimes, five steps back. Activists have struggled and succeeded to expand voting rights only to see these successes undone by new, often more insidious, policies and restrictions.

In this activity, I ask students to make predictions about how officials will creatively suppress — and in one case expand — the vote for different groups. Students will see that voting rules are *designed*, not accidental, and that they always reflect particular political and economic interests. In addition, the thinking students do in this activity sets the stage for them to confront the real examples of voter suppression and expansion in the mixer role play that follows, and give them a satisfying sense of prescience when they realize some of the very measures they predicted were actually adopted.

Materials Needed

Enough copies of Voting Scenarios handout for each student

Time Required

Approximately 45 minutes

Suggested Procedure

1. This lesson is intended to activate students' thinking before introducing them to the real measures that have been created to disenfranchise voters. I'd suggest doing this activity after reading and discussing the real-world example of voter suppression: Fannie Lou Hamer's story, which is included in Lesson 1 of these materials.
2. Divide students into groups of three or four. Tell them "Today, you are going to predict how officials and lawmakers have tried to prevent different groups from voting at different moments in history. While your



Credit: GPA Photo Archive

predictions should be creative, they must also be plausible and realistic. You may not, for example, exile anyone to space or create invisibility cloaks.”

3. Hand out the Voting Scenarios and give students time to read, discuss, and craft their predictions. As you walk around to eavesdrop on discussions, if students get stuck, encourage them to think about each target group's particular set of lived experiences. For example, students might not know much about Jews or Judaism. So you can explain that Jewish people generally observe the Sabbath from Friday evening until Saturday evening, rather than on Sundays like many Christian denominations. You might also remind students that Jewish immigrants were likely not to speak English and be relatively poor upon their arrival to the United States. Note that the final scenario is different from the others. It asks students to think of ways to expand voting rights for a particular group.

4. Give students a chance to share their predictions with each other. You can either do this as a full group discussion or ask students to walk around and share one-on-one. Either way, the idea is for students to be exposed to as many different strategies of voter suppression as possible before they encounter the real history.
5. In Lesson 3, the Voting Rights Mixer, students will encounter many, but not all, of the real tactics of voter suppression that match each of the scenarios in this activity. Here is a quick account of some of the real policies on which the scenarios are based.
 - a. Scenario 1 can be found in the Voting Rights Mixer role for Lee Yok. The drafters of the 1857 Oregon Constitution added the word “white” to voting qualifications: *In all elections . . . every white male of foreign birth of the age of twenty-one years, and upwards, who shall have resided in the United States one year, and shall have resided in this State during six months immediately preceding such election . . . shall be entitled to vote at all elections authorized by law.* Roles that discuss tying voting to citizenship and race would also be relevant here, especially Ruth Muskrat Bronson and Bhagat Singh Thind.
 - b. Scenario 2: The real policy matching this scenario is not in the Voting Rights Mixer. It comes from Alexander Keyssar’s [*The Right to Vote: The Contested History of Democracy in the United States*](#). Keyssar writes in his book that in 1906 a number of local socialist leaders were gaining political support with observant Jews in New York City. Officials decided to hold the one-day election on the Sabbath, effectively suppressing the Jewish vote. However, the Timothy Duffy or Fannie Lou Hamer roles in the Voting Rights Mixer would also apply here; literacy tests and poll taxes were used to suppress not just the Black vote, but also immigrant voters.
 - c. Scenario 3 can be found in the Voting Rights Mixer roles of Hamer, Christia Adair, and Lamar Smith. The tactics of suppression included poll taxes, literacy tests, grandfather clauses, all-white primaries, and violence.
 - d. Scenario 4 can be found in the Voting Rights Mixer roles of Christia Adair, Thomas Crawford, Peter Williams Ray, and Melanie Taylor, among others. The rash of contemporary voter ID laws can be interpreted as [modern-day poll taxes or property qualifications](#) — that is, an unconstitutional obstacle preventing the poor from voting.
 - e. Scenario 5 can be found most obviously in the Voting Rights Mixer role of Denise McQuade. But voter ID laws, poll closures, and long wait times also [depress turnout by people with disabilities](#). So the roles of Gladys Harris, Maggie Coleman, Melanie Taylor, and Aracely Calderon would also be relevant here.
 - f. Scenario 6 can be found in the Voting Rights Mixer roles of Stuart Goldstein and Xitlaali Castellanos. Both of these roles explore ways in which young people’s access to the ballot was expanded. However, there are also [fierce efforts underway to depress the youth vote](#) that should be brought up here.

Voting Scenarios

Instructions: Read each of the following scenarios and work with your small group to come up with two or three predictions for each case.

1. In the 1800s, you do not need to be a citizen to vote in the state of Oregon. Instead, voting is tied to the length of one's residency in the state. But with a recent influx of immigrants from China and Hawaii, white racist lawmakers are growing uneasy about the exercise of political power by nonwhite residents. Predict how white Oregon lawmakers prevented Chinese and Hawaiian immigrants from voting while maintaining the rights of Dutch, German, or Norwegian immigrants to vote.
2. In the late 19th century, there was a large influx of Jewish immigrants to northern cities like New York City. Because of anti-Semitism, many legislators want to keep Jewish immigrants from voting. The 15th Amendment was ratified in 1870. It says that states cannot deny a citizen the right to vote based on "race, color, or previous condition of servitude." Predict the measures that officials took to eliminate or decrease voting by Jewish immigrants while not going against the 15th Amendment.
3. The passage of the 15th Amendment in 1870 prohibited states from denying a citizen the right to vote on the basis of "race, color, or previous condition of servitude." Now, in the late 1870s, 4 million recently emancipated Black people cannot be denied the right to vote on the basis of their race or their prior status as enslaved people. Predict how racist white officials in states with large Black populations tried to prevent Black people from voting without violating the 15th Amendment.
4. Poor and working-class people have often supported policies that were opposed to what the wealthy and powerful groups wanted. For example, historically, poor people supported policies like the minimum wage or limits on the workweek that business owners feared. Predict the measures that officials took to prevent or decrease the voter turnout of poor and working people.
5. People with disabilities do not all vote the same way. But researchers have shown that they do, generally, favor higher taxes so that government can play a bigger role in providing health care to all people. Predict how officials who oppose higher taxes for public health care might prevent or decrease voter turnout by people with disabilities.
6. College students are more likely to vote for Democratic candidates. For example, in 2012, 60 percent of 18- to 29-year-olds supported Barack Obama, the Democratic presidential nominee, while only 36 percent of this group supported Mitt Romney, the Republican presidential nominee. Predict the measures Democratic lawmakers have taken to ensure high voter turnout among college students.

LESSON 3: Voting Rights Mixer



Maggie Coleman



Joseph Jackson



Denise McQuade



Bhagat Singh Thind



Frances Harper



Lawrence Aaron Nixon

In this activity, students take on the role of an individual who experienced the expansion or restriction of their ability to vote during a particular historical moment in the United States. By meeting each other, students learn about changes — both positive and negative — to who could vote over time. Students use the stories they’ve gathered in the mixer to build a timeline that reflects not just the chronological order of different policies, but also the back-and-forth struggle between policies of expansion and exclusion.

Materials Needed

- Enough individual mixer roles for each student to have one
- Enough copies of Voting Rights Mixer Questions handout for each student
- Enough *sets* of mixer roles for each timeline group to have one complete set
- Name tags

Time Required

Approximately two hours

Suggested Procedure

Mixer

1. Tell students, “We’re going to be learning about voting rights and restrictions over the last 300 years.” Ask students to make some predictions about how voting will change over time. You might ask, “Do you think who gets to vote will change as we get closer to the present?” Students will likely say, “Over time, voting rights will be expanded to women and people of color.” Sometimes, interestingly, students also predict that voter turnout will decrease over time (a sign of the political alienation they sense in the body politic?). Follow up students’ predictions by asking them what they think has caused these changes in voting.

2. Distribute one mixer role to each student in the class. Alert students that some of these roles include upsetting examples of harassment, violence, discrimination, and racism. Tell students that although you are asking them to take on the “role” of the character they have been assigned, this is not an acting class. Students should speak in their own voices (no accents) and refer to the information in their role sheet as the basis for their conversations with each other.

There are 30 roles, so in most classes every student will be assigned a unique character. For smaller classes, the first 18 roles, as they are laid out here, will provide students a good balance of different time periods and laws and policies. Of course, I recommend that any educator considering teaching this lesson carefully read through all the roles ahead of time. That way you can put together a “just-right” representation of eras and groups for your curriculum and setting. Most of the roles depict real people. A few others are “made-up”; though I have created fictional names, the characters are based on real history. This group includes an asterisk next to their name so teachers can alert students that this is not a real person, but a historical composite.

3. Ask students to fill out their name tags, using the name of the individual they are assigned. Students should read their roles several times, to memorize as much of the information as possible, and circle unfamiliar words. The main law or policy addressed in each role is in boldface. Note that this is for the next part of the activity, the timeline. But it may also help students identify the key information they should prepare to discuss with their classmates. Sometimes I ask students to turn over their role sheet and list three or four facts about their character; this helps them internalize the information they will be sharing in the mixer.

4. (Optional) Ask students to write a narrative or interior monologue in the voice of their role. You might ask students to write about what voting means to them or how hopeful or demoralized they’re feeling about voting. The goal of this kind of writing is to give students a chance to imagine more fully the contours of their character, which can deepen their participation in the mixer.
5. Distribute a copy of the Voting Rights Mixer Questions to every student. Read the questions aloud with the class and ask students to mark the ones their character can answer for other members of the class. This will help them ease into the one-on-one conversations during the mixer. A student might say, “Hi! I am Oscar J. Dunn. I can help you answer #3 or #6.” Make sure students note that Question #7 is actually three questions — it calls for three different people’s stories.
6. Explain the assignment: Students should circulate through the classroom meeting other individuals, all of whom have different experiences of and knowledge about the history of voting. They should use the questions on the sheet as a guide to talk with others. They must use a different individual to answer each of the questions. Tell students that it’s not a race; the aim is for them to spend time hearing each other’s stories, not just filling in boxes or scribbling hurried answers. Clarify and assure students that they will not meet all the different individuals in the room, nor are they supposed to.
7. Ask students to circulate throughout the class to meet one another and to fill out responses on the Voting Rights Mixer Questions worksheet. Encourage students to stick to one-on-one conversations rather than grouping up. Also, this is a verbal activity, so make sure students know that they may not show their role to anyone. I usually play a role so that if I see a student without a partner, I can hop in. This also allows the teacher to “take the

temperature” of the activity, to see when it is ready to wind down. Otherwise, I rotate throughout the room, eavesdropping on conversations, and occasionally coaxing students to keep moving and meeting.

8. After the mixer, ask students to return to their seats to debrief and discuss the activity. Mixers generate high energy, so I find that it works best to give students some quiet time to collect their thoughts and write out answers to the questions before discussing. Some possible initial discussion/writing questions:

- a. Who is someone you met who intrigued you or who taught you something interesting? Explain.
- b. What did you learn that surprised you?
- c. What information did you come across that confused you?
- d. What information did you discover that disturbed you?

If you did Lesson 2, Designing Disenfranchisement, you might also ask:

- e. How did the predictions you made compare to the actual policies you encountered?

In many cases, students are able to complete this whole portion of the lesson (steps 1–8) in a single class, depending, of course, on the length of your class periods.

Timeline Activity

9. The following class period, divide students into small groups. Since they will be working on making a timeline, smaller groups — probably no more than four students — are ideal. Distribute a full set of mixer roles to each group.
10. Tell students they will be building a timeline. You might show them a couple of examples

from the internet or if you have textbooks lying around, they always include a number of timelines. I might ask students, “So what do you notice about how information is organized?” Students will quickly note that information is laid out with earliest events on the left and most recent events on the right. If students do not come to this on their own, also emphasize how few words are used for each event — you can’t be long-winded on a timeline.

11. Students should start by sorting the mixer roles by date. The policies or law they will be placing on the timeline are bolded, but in some cases they’ll want to put it in their own words. For example, writing down “New York 1777 Constitution” won’t be very informative, so students might add “had to own property to vote.” Though there are 30 roles, there will not be 30 entries on the timeline (which would be unwieldy and take too long for students to create), since some laws/policies show up in multiple roles.
12. Next, explain to students that in addition to showing the order in which policies were enacted, their timelines will also show whether the policy expanded or restricted voting. Policies that expanded voting should be placed above the line; policies that restricted voting should be placed *below* the line. As students get to work, they will discover that some laws are straightforward. Poll taxes passed after Reconstruction are a pretty clear below-the-line policy. But what about the 15th Amendment? That was certainly an above-the-line expansion for Black men. But what about for women? White women suffrage activists were furious about their exclusion from the franchise. But many Black women, like Frances Ellen Watkins Harper (included in this mixer), saw expanding the franchise to Black men as benefiting *all* Black people, since Black men would vote to enact policies that would benefit the entire community. Nevertheless, Harper was not satisfied and continued to fight for Black women’s

right to vote. Encourage students to find creative ways of showing these complexities on their timeline. Sometimes students decide to create different vertical levels, where high above the line means most people benefited from the expansion whereas slightly above the line indicates an expansion, but not one inclusive of everybody. Another complexity that students confront is that some “policies” may not be discrete policies at all — like violence. Again, give students license to be inventive in finding ways to depict the obstacles that may not have been “legal” but were nevertheless quite real in their impact.

You might also ask students to color-code federal versus state statutes, to show that some of these policies would have applied only to small groups of people in the United States, while others applied nationally.

13. After making the timeline, ask students to reflect, in writing, on what it shows. You might ask:

- What stands out to you about the timeline?
- How would you explain what has happened to voting rights over time — and why — to someone unfamiliar with U.S. history?
- What questions are you left with?

Students end up with a document that shows changes to voting policies over time, but also subverts the dominant narrative of forward progress. In the 2013 case *Shelby County v. Holder*, the U.S. Supreme Court invalidated a key provision of the Voting Rights Act, a “coverage formula” that required certain locales to submit to federal scrutiny if they wanted to make changes to their voting rules. In short, states and local governments had to prove to federal voting regulators that their policies did not suppress the vote in discriminatory ways. With this provision of the Voting Rights Act declared unconstitutional, new voting rules have proliferated across the country. So students’ timelines will show

many of the most recent voting policies, enacted since *Shelby*, are in fact below the line, that is, restricting people’s right to vote. Lest students become totally demoralized, there are also some hopeful entries — like motor voter laws and pre-registration statutes for young people.

More Roles

I have struggled to come to a stopping point on this voting rights lesson. Each time I think I have the right combination of mixer roles, I am alerted to a new instance of voter suppression that seems urgent to include, like [Crystal Mason](#), the Black woman thrown in jail after voting, because no one told her that being on supervised release (parole) made her ineligible to vote; or the Texas legislature passing a [law](#) that will close the temporary voting sites that appear on many college campuses; or a [senior advisor to President Trump caught on tape](#) saying,

Traditionally, it’s always been Republicans suppressing votes in places. Let’s start protecting our voters. We know where they are. . . . Let’s start playing offense a little bit. That’s what you’re going to see in 2020. It’s going to be a much bigger program, a much more aggressive program, a much better-funded program.

The struggle against voter suppression is urgent and ongoing.

Voting Rights Mixer Questions

1. Meet someone who was denied/granted the right to vote based on gender. Who are they? Facts of the case?

2. Meet someone who was denied/granted the right to vote based on class. Who are they? Facts of the case?

3. Meet someone who was denied/granted the right to vote based on race. Who are they? Facts of the case?

4. Meet someone who was denied/granted the right to vote based on age. Who are they? Facts of the case?

5. Meet someone who was denied/granted the right to vote based on citizenship or immigration status. Who are they? Facts of the case?

6. Meet someone who fought to expand voting rights in some way. Who are they? What did they do?

7. Meet someone who has recently faced obstacles to voting. Who are they? What obstacles did they face?
 - a. Example #1:

 - b. Example #2:

 - c. Example #3:

Mixer Roles

Thomas Crawford*

What is now called Rhode Island used to be the home of the Wampanoag, Narragansett, and Niantic peoples. Now, in the 1740s, it is occupied mostly by white settlers like you. You are a member of the colony's militia and have been called up to fight in King George's War, the causes of which, to be honest, you don't understand. But if the colonial legislature called you up, you would have to go, and you'd be taken away from working the small farm you, your immigrant parents, and your siblings own. You don't have much say in deciding things like militia service — or the taxes your family must pay each year — because you can't vote. The **colonial Rhode Island law** reads, *no Person whatever . . . shall be admitted to vote or act as a Freeman in any Town Meeting in this Colony, or at the General Election, but such only who at the Time of such their voting, or acting as Freemen, are really and truly possessed of Lands . . . in this Colony, of the full Value of Two Hundred Pounds or Ten Pounds per Annum, being their own Freehold Estate, or the eldest Son of such Freeholder.* In other words, unless you have land worth 200 pounds, you can't vote. Your family does not own that kind of property and if you can't get back to your farm soon, you might not even be able to hold on to the small holdings you have.

Peter Williams Ray*

You are a doctor who comes from a free middle-class Black family in New York City. The New York Constitution that was adopted in 1777 allowed any man to vote — white or Black — as long as he was free and met the property qualifications; some members of your family were financially well-off enough to participate in elections. But now that New York has moved to abolish slavery (albeit gradually), the laws are changing. Property qualifications for voting have been eliminated for white people, but increased for Black people. The new **1821 Constitution** says, *no man of colour, unless he . . . shall be seized and possessed of a freehold estate of the value of two hundred and fifty dollars, over and above all debts and incumbrances charged thereon; and shall have been actually rated, and paid a tax thereon, shall be entitled to vote at any such election.* In other words, unless you have an estate worth at least \$250, with no debt, and have paid your taxes, you cannot vote. But no one in your family owns property worth \$250 or more. This law means that almost no Black people can vote in the state of New York.

Penny Grover*

You are a white, middle-aged artist and a poet, living in New Jersey. You are the daughter of a prominent family, and inherited your property and wealth; you never married, but have always been active in local politics and cultural events. You have regularly voted in elections since you came of age. Back when the New Jersey Constitution was first written in 1776, it gave the vote to “all inhabitants of this colony, of full age, who are worth fifty pounds . . . and have resided within the county . . . for twelve months.” In 1790 the legislature clarified the law with the words, “he or she,” making it obvious that both men and women had the franchise in the state of New Jersey. Recently, there have been a few close elections in which large numbers of women voted, and suddenly the newspapers scream “It is evident, that women, generally, are neither, by nature, nor habit, nor education, nor by their necessary condition in society, fitted to perform this duty [of voting] with credit to themselves, or advantage to the public.” Now, in **1807**, a **new law** has passed limiting the vote to “free, white male citizens of this state, of the age of twenty-one years, worth fifty pounds proclamation money . . .” So not only are white women like you losing the right to vote. So are free Black men and women.

Lee Yok*

You came to Oregon in the 1850s from China, before Oregon was even a state. You came for work, first in mining, then on the railroads; finally, you opened a small grocery to serve the growing Chinese community in Portland. You are not a citizen — the Naturalization Act of 1790 restricted citizenship to “any alien, being a free white person,” who had been in the United States for two years. But you don’t have to be a citizen to vote in Oregon. The **1857 Oregon Constitution** reads, *In all elections . . . every white male citizen of the United States, of the age of twenty one years, and upwards, who shall have resided in the State during the six months immediately preceding such election; and every white male of foreign birth of the age of twenty one years, and upwards, who shall have resided in the United States one year, and shall have resided in this State during six months immediately preceding such election . . . shall be entitled to vote at all elections authorized by law.* You’ve been in Oregon for much longer than six months, but you are not white. So “white” Germans, Norwegians, and Dutch can vote, but because you are from China, you cannot.

Timothy Duffy*

You immigrated to Massachusetts more than 10 years ago, during the Great Famine in Ireland. Like a million other peasants during the disaster, your parents starved to death, while the British landlords exported food that could have saved them. You escaped the famine but arrived here with no money, little education, and only a few connections to some distant relatives. Becoming a citizen was easy — the Naturalization Act of 1790 said “any alien, being a free white person” who lived in the United States for at least two years could gain citizenship. You thought the right to vote came along with citizenship; but the state legislature just passed a law — in 1857 — making it harder for immigrants like you to vote. The law says you have to pass a **literacy test** in order to vote. But here’s the twist: There was a **grandfather clause** that said if your grandfather was eligible to vote, you didn’t have to take the test. Of course, this means that almost all the people being forced to take the test are immigrants, like you, or the children of immigrants. And the test is hard — you flunked it.

Frances Ellen Watkins Harper

You are a Black woman who was born free in Maryland, a state where slavery was legal. You became an antislavery activist, during the 1850s and 1860s. You gave abolitionist speeches across the country and were active in the Underground Railroad. After the Civil War, you joined the American Equal Rights Association to fight for both the rights of women and Black people. Unfortunately, the movement became divided between the issue of who should get the vote first: white women or Black men. You did not believe that giving white women the ballot would be a cure for racism — after all, didn't many white women enslave Black people? So you focused your efforts on winning Black male suffrage. **The 15th Amendment**, one of three Reconstruction amendments, was adopted in 1870, stating, *the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude*. But the ink wasn't even dry before you got back to work fighting for women's suffrage. You wrote, "When they are reconstructing the government, why not lay the whole foundation anew. . . . Is it not the Negro woman's hour also? Has she not as many rights and claims as the Negro man?" You argued the vote should immediately be extended to women.

Christia Adair

In 1918, when you were 25 years old, you went door to door organizing for women's right to vote in Texas. Your efforts — and those of other women's suffrage activists — were successful! Texas passed a law granting women the right to vote, followed by the **19th Amendment**, which stated, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex," which was added to the U.S. Constitution in 1920. Unfortunately, as a Black woman, you still couldn't vote. For one thing, the white Texas legislature had implemented a hefty **poll tax** for voting, which put a huge burden on poor people like you. In 1923, Texas also created the **all-white primary**. Texas law now said the Democratic Party was a private organization, and as such, could allow only white people to vote in the primary. A primary is when voters in each political party choose which candidates will run in the general election. But in a state like Texas, where the Republican Party was basically nonexistent at the time, the white primary was, in effect, the general election. So in spite of "women" supposedly getting the right to vote in 1920, women like you, Black women, still had no power at the ballot box.

Ruth Muskrat Bronson

You are a Cherokee poet, educator, and Indian rights activist who was born in what is today Oklahoma, but was at the time called Indian Territory. This land was set aside for you and other Native peoples after the U.S. government violently removed your tribes from their original homelands in the southeastern United States. Indian Territory was supposed to be yours forever; you came to love it and create new lives and communities there. But in the late 1870s, the government struck again, cutting up your lands, waterways, and tribes, forcing Indian children into boarding schools, and attacking your language and culture with assimilation campaigns meant to “civilize” your nations. The U.S. government said they wanted your people to act like white Americans, but did not grant you full rights, including the right to vote. So you lobbied the government to grant Native people citizenship. In 1924, Congress passed the **Indian Citizenship Act**, which stated “that all non-citizen Indians born within the territorial limits of the United States be, and they are hereby, declared to be citizens of the United States.” Not all states responded to this bill by extending voting rights to Native peoples, but many did. You knew that voting rights alone wouldn’t give you the power to protect Native lands, but it was an important tool. You spent the rest of your life advocating for the rights of Indian People — rights to water, health care, and education.

Bhagat Singh Thind

You were born in India, but immigrated to the United States in 1913 to study at a U.S. university. You enlisted in the army in 1918, and fought in World War I on behalf of the United States. After your honorable discharge from the military, you sought U.S. citizenship in the state of Washington. At first, the state granted you citizenship, but four days later, revoked it. A few months later, it was granted again, this time in Oregon. Then, Oregon revoked it. This frustrating back-and-forth had to do with how the government racially classified people of Indian ancestry. The **Naturalization Act of 1870** had extended eligibility for citizenship to “aliens of African nativity and to persons of African descent,” and white immigrants had been eligible since 1790. But what about Asians, Native Americans, people of Mexican ancestry, and others? In 1923, in the case *United States v. Bhagat Singh Thind*, the Supreme Court ruled that, as an Indian, you were neither white nor of “African descent,” and therefore ineligible for U.S. citizenship. Without citizenship, voting was nearly impossible.

Elzie McGill

You were born in Lowndes County, Alabama, in 1903. Though the U.S. Constitution’s 15th Amendment affirmed the right of a Black man like you to vote, in reality, in Alabama, like in most states that had made up the Confederacy during the Civil War, Black people could rarely register, much less vote. Even if you somehow passed the literacy test required to register (which was always “scored” by a white registrar), white terrorist violence was used to keep you from the ballot box. When you became active in organizing for change, there were 5,122 eligible Black voters in your county, but not a single one was registered. You worked with the Lowndes County Christian Movement for Human Rights (LCCMHR) to register more Black voters. The work was slow and dangerous. But following the passage of the **Voting Rights Act of 1965**, change came more quickly. It said states couldn’t use literacy tests to disenfranchise voters and that precincts with a history of racist voter disenfranchisement would be subject to federal oversight — the federal government literally sent election observers to make sure Black people’s right to register and vote was not being denied. Black voter registration shot up overnight. In Alabama alone, registration of Black voters went from about 19 percent to about 50 percent in less than three years.

Modesto Rodriguez

You are a Mexican American from Pearsall, Texas. Most of the time, you grow watermelons, peanuts, wheat, maize, and corn on your family’s ranch. But in February of 1975 you traveled to Washington, D.C., to testify to Congress. In spite of the passage of the 1965 **Voting Rights Act**, which was supposed to combat racial discrimination in voting practices, your experience taught you that it did not go far enough to protect non-English-speaking or -reading eligible voters. The Act said states couldn’t use literacy tests to disenfranchise voters. But Texas, like most states, printed their election materials only in English, which made them essentially an English literacy test, barring any voters who did not read English from the polls. The testimony of you and others was successful in convincing Congress to reauthorize and expand the **Voting Rights Act** to protect what it called “language minorities.” Today, 89 precincts in Texas provide election materials in at least one additional language other than English.

Stuart Goldstein

You were born in New Jersey in 1951. In 1969, with civil rights and anti-war activism at its height, you were an 18-year-old white student in your first year of college. But you couldn’t vote. In New Jersey, like most states, the legal age for voting was 21. You and two friends started the Voting Age Coalition of New Jersey through which you organized almost 10,000 young people to pressure the state to lower the voting age. You also looked to the federal government for reform; when President Richard Nixon was giving a speech in your city, you snuck into the event to get a word with him. You were tossed out on to the sidewalk by the Secret Service, but a photographer caught the moment and it made a great front-page photo in the paper the next day. You were part of a nationwide movement of young people whose slogan was “Old enough to fight, old enough to vote.” Your movement was successful when, in 1971, the **26th Amendment** to the Constitution was ratified by Congress, lowering the voting age, nationwide, to 18.

Floyd Carrier

You are an African American Korean War veteran in your 80s. In 2011, when you tried to register to vote in the precinct nearest to your home in Beaumont, Texas, you offered up your Veterans Administration card as identification, which you have used for the last 50 years to vote. But the state's new **Voter ID law** required government issued photo identification, which you did not have. As you told one journalist: It was like overnight you were not a citizen anymore. At first, a federal judge said Texas's photo ID law violated the Voting Rights Act of 1965. But in 2013, in the landmark case, *Shelby County v. Holder*, the U.S. Supreme Court overturned one of the most important parts of that law, the part that said states with a history of voter suppression or discrimination had to get pre-clearance (that is, permission from the federal government) before passing new voting laws. Texas politicians, like Republican governor Greg Abbott, promise to continue to defend the photo ID statute, and now, with no one looking over their shoulder, you worry that other qualified voters will also be denied the right to vote.

Marsha Appling-Nunez

You teach college in Atlanta. A month or so before the November 2018 election, you were showing your students how to check online to make sure they were properly registered to vote when you discovered that in spite of voting in multiple recent elections, you yourself were no longer registered. You had fallen victim to Georgia's Exact Match law, which requires names in the voter registration database to exactly match those in the Department of Motor Vehicles or the Social Security Administration; under the policy, non-matches are automatically unregistered. Typos are common in big bureaucracies like the DMV: Marjorie is spelled with a "y" instead of an "ie," Nicki is misspelled "Nikki, and people with hyphenated names (like yours) or names with accent marks are even more likely to suffer mistakes. You were never informed that there was a problem with your registration. The Republican secretary of state insists this is standard "voter roll maintenance." You and others call this practice **voter roll purging**. Using Exact Match, 1.4 million voter registrations have been canceled since 2012, with nearly 670,000 registrations canceled in 2017 alone. Of the most recent batch of 53,000 registrations that were put on hold, 70 percent were of Black voters, even though Black people are only 30 percent of the population. Statistics like that make this the very definition of a discriminatory law.

Maggie Coleman

You are a 71-year-old African American woman living in rural Georgia. You used to regularly vote, casting your ballot at a polling station just a mile from your home. Now, this polling site has closed and if you want to vote, you have to drive 10 miles to what has become the only polling place in the entire county. From 2012 to 2018, county election officials have shut down 8 percent of Georgia’s polling places and relocated nearly 40 percent of the state’s precincts. Most of the **precinct closures** and relocations occurred after the U.S. Supreme Court’s 2013 case, *Shelby County v. Holder*. Under the **Voting Rights Act**, which was passed in 1965 to ensure Black people’s right to the ballot, states with a history of voter suppression or discrimination had to get pre-clearance (that is, permission from the federal government) before passing new voting laws. The Shelby decision meant Georgia could make changes to voting rules without proving to the federal government that they would not have a discriminatory impact. Research shows that the farther voters live from their precincts, the less likely they are to cast a ballot. A recent investigation determined that in Georgia, precinct closures and longer distances likely prevented an estimated 54,000 to 85,000 voters from casting ballots on Election Day in 2018, and Black voters were 20 percent more likely to be affected. You were one of those voters.

Aracely Calderon

You were born in Guatemala, but are a naturalized U.S. citizen. You take voting very seriously. You went to vote in downtown Phoenix just before the polls closed in Arizona’s 2016 presidential primary, but there were more than 700 people ahead of you; the line stretched four city blocks. You waited in line for five hours! Refusing to leave, you were the last voter in the state to cast a ballot — at 12:12 a.m. You watched as dozens of people — who did not have four or five hours to spare — left without casting a ballot. Why were the lines so long? Republican election officials in Maricopa County, the largest in the state, went on a polling place closing spree. From 2012 to 2016, the number of places you could vote went from 200 to just 60 — one polling place per 21,000 registered voters. Before the 2013 Supreme Court decision, *Shelby County v. Holder*, Maricopa County would have needed federal approval to reduce the number of polling sites, because Arizona was one of 16 states with a long history of discrimination and would have had to submit voting changes under the **Voting Rights Act**. But the Shelby decision rolled back that part of the law, giving states the ability to make changes to voting rules and policies without getting federal permission. Since 2013, there has been a rash of **poll closures**; Southern voters have been hit particularly hard, with more than 1,200 sites closed. This means long lines and wait times, discouraging people from exercising their right to vote.

Joseph Jackson

In 2008, you were one of a very small and select group of voters in the United States: You cast your ballot in the historic election of Barack Obama from within the confines of a maximum security prison. You were a Black man in Maine, serving 19 years for manslaughter. Only Maine and Vermont — the two whitest states in the nation — allow felons to vote from behind bars. That means that nearly all convicted felons are disenfranchised during their prison sentences and, sometimes, long after their release. Experts estimate that in the 2016 election, **felony disenfranchisement laws** kept more than 6 million Americans from exercising the vote. There are a disproportionate number of Black, Brown, and Native American people who are incarcerated in the United States. But these rates of disenfranchisement fall most heavily on the Black communities, already hit hard by fewer polling sites, longer wait times, and strict Voter ID laws. While you were in prison, you organized your fellow inmates, and led voter registration drives. You say that your involvement in politics behind bars put you on a healthy path for life after prison. You were released in 2013, earned a master's degree, and now you advocate for inmates and their families with the Maine Prisoner Advocacy Coalition.

Xitlaali Castellanos

You're only 17 years old, so you can't vote yet, but you're already registered. You live in California, which is one of an increasing number of states that allows for **pre-registration** of 16- and 17-year-olds. You learned of the pre-registration option in your Model United Nations club at school. Now, you make sure others know about the option too; you have already pre-registered hundreds of fellow students. More than 100,000 pre-registered voters in California turned 18 in time for the 2018 midterms; of those, about 55,000 cast a ballot. You like to believe you played a small part in helping those new voters make their voices heard and getting them into the habit of voting. California also has a **motor voter law** — modeled after the one in Oregon — that *automatically* registers eligible voters when they get a driver's license. The nonpartisan Brennan Center for Justice has written that automatic registration programs are the single most important tool to increase voting in the United States. You think every state should have automatic voter registration; making registration easy and automatic would add an estimated 50 million voters to the rolls. More people voting means more representation of who we actually are as a people. And, in your opinion, that's a good thing.

Larry Harmon

You are a white Navy veteran living in Ohio. In 2008, you were excited to take part in an historic vote, the election of the first African American president. By 2012, you weren't sure you still supported President Obama, but you didn't love his Republican opponent Mitt Romney either, so you sat out the election. You also didn't vote in the midterms in 2014. But by 2015, there was something on the ballot you did care a lot about — legalization of marijuana. So on election day, you headed to the same polling station you'd always voted at only to be told that you were not registered. You'd been **purged** from the voter rolls. It turns out that in Ohio, a law passed in the late 1990s allows officials to remove registered individuals from the rolls if they have not voted in more than six years. Though the state says that it sent you a postcard informing you of the change to your registration status, you insist that you didn't receive it. You think it is outrageous that you can be de-registered just for not voting. Voting is your choice. Not voting is your choice. You were punished for not voting by being denied the right to vote!

Lamar Smith

You were born in Mississippi in 1892. You were 63 in 1955 when you were murdered, shot at close range, in broad daylight, on the lawn of a county courthouse. You were a farmer and a World War I veteran. But what got you killed was your work registering Black voters. Black people like you faced all kinds of obstacles to voting — literacy tests, poll taxes, grandfather clauses — but in the rare event that you made it through all these hoops, you still faced a final hurdle: racist violence. In fact, that is why you were on the courthouse lawn that day. You were helping Black voters access absentee ballots, so they could avoid white people violently attacking them on voting day. In spite of the fact that there were more than 30 witnesses to your murder and a white man was seen leaving the scene with a blood-soaked shirt, the authorities never charged anyone with your murder. White law enforcement's unwillingness to punish white criminal violence against Black voters carried a clear message for Black Mississippians: Don't vote, or else.

William T. Combash

You are a Black lawyer. In 1869, the Union Leagues' National Council sent you to Mississippi to help organize Union League chapters all across the Delta. Union Leagues started as pro-Union patriotic organizations in the North during the Civil War. After the war, during Reconstruction, they re-emerged across the South, as newly freedpeople organized themselves and advocated for land, education, and the right to vote. You helped the Union League in Sunflower County organize a militia for self-defense. Though the new **Mississippi Constitution**, ratified in 1868, granted Black men the right to vote, white supremacist groups — like the Ku Klux Klan — used intimidation and violence to stop Black people from showing up at the polls. Union League militias, like the one you helped create, answered this campaign of intimidation by escorting Black men, under armed guard, to cast their vote. The Union Leagues were critical institutions in the free Black communities across the South. Perhaps that is why, after growing to more than 100 in Mississippi alone, they — and you — became targets of white violence. The Ku Klux Klan lynched you, and by the mid-1870s, the Union Leagues were destroyed.

Gladys Harris

You are a 66-year-old African American woman who, despite chronic lung disease and a torn ligament in your knee, made your way to the polls to vote on Election Day in 2016. You had lost your driver's license a few weeks before, but brought your Social Security and Medicare cards as well as a county-issued bus pass with your photo. The officials at the polling center told you these were not sufficient under the new Wisconsin law saying that voters must present a driver's license, state ID, passport, military ID, naturalization papers, or tribal ID to vote. This was one of dozens of **Voter ID** laws that have swept the nation in the last decade. These laws disproportionately affect Black, Brown, elderly, and voters with disabilities. About 11 percent of all U.S. citizens — including as many as 25 percent of African Americans — lack government-issued photo identification. These demographic groups vote overwhelmingly for Democrats. Almost all these laws were passed and enacted by Republican legislatures. Although election officials told you that you could cast a provisional ballot, your ballot ended up not being counted. Wisconsin's 10 Electoral College votes went to Donald Trump, who defeated Democrat Hillary Clinton by roughly 22,000 votes in your state.

Frederick Douglass

The first time you registered to vote, you committed voter fraud. You had freed yourself (run away) from your enslavement in Maryland and fled first to New York, then to Massachusetts. There, you registered to vote under your new name, Douglass. You were essentially a criminal, a fugitive, since under the federal Fugitive Slave Law you were still the legal “property” of your former “owner,” Thomas Auld. If found out, you could be captured and returned to slavery at any time. Over time, you became one of the most famous abolitionists in the country. But you were never a one-issue activist. You campaigned for women's rights alongside your campaign against slavery. After the Civil War, you broke with white suffrage activists like Susan B. Anthony and Elizabeth Cady Stanton. They opposed the 15th Amendment, as worded — which extended the vote to Black men — because it did not ensure women's right to vote. You would have been happy to see the 15th Amendment cover women's rights as well, but given the politics of the era, and the fact that newly freed Black people were under attack all across the country, you didn't think the issue could wait. You worked hard for passage of the **15th Amendment**, and it passed in 1870. Some Black people could already vote in some states, but after this amendment, no state was allowed to deny Black men the right to vote on the basis of race.

Preston Allen

You are a Native American man living on the Uintah and Ouray Reservation in what is today called Utah. In the 1950s, you sued the state of Utah for denying you voting rights. In 1940, the state said Native Americans, both those living on and off reservations, were entitled to vote. A decade later, the state reversed itself and said only Native people living off reservations could vote. That's when you sued. In *Allen v. Merrell*, the Utah Supreme Court ruled against you, justifying its ruling with a bunch of nonsense. The court said, for example, that Indian people on reservations "are much less concerned with paying taxes and otherwise being involved with state government and its local units, and are much less interested in it than are citizens generally." The court offered zero evidence of this claim. You appealed to the U.S. Supreme Court, but before the case could be heard, Utah changed the law once again, getting rid of the prohibition against voting by Native people who live on reservations. Your experience taught you that voting is not a given — the law has shifted back and forth, back and forth, many times just in your short lifetime. Voting rights are won only when people fight for them.

Fannie Lou Hamer

You were born in Mississippi in 1917. By the time you were of voting age, there were constitutional amendments (the 15th and 19th) that said Black people and women had the right to vote. But you knew nothing of these laws, and white Mississippians created a constitution that made those amendments almost meaningless for someone like you. In 1890, the legislature adopted new rules that required voters to pay a **poll tax** for two consecutive years before an election and pass a **literacy test** to become registered. The literacy test required want-to-be voters to read a section of the state constitution and explain it to the satisfaction of the county clerk, who was always white. These clerks rejected responses even when they were perfect. After 1890, just about no Black people in your state became registered. It's no wonder that when a civil rights worker came through your town in 1962 and asked if you were registered to vote, you told them you didn't even know you had the right to vote. You were a sharecropper with no more than a 6th-grade education, and you didn't know a single Black person who could vote, so you assumed Black people were barred from voting. After learning about your rights, you became an activist and political leader, and committed your life to helping Black people acquire political power in the United States.

Denise McQuade

You are a 64-year-old white woman who, due to contracting polio when you were 3, uses a wheelchair. The last time you showed up to attempt to vote in person, in 2010, the wheelchair ramp was too steep and covered in snow and ice. It was like a ski slope. So for the last few years, you have voted by absentee ballot, which you think is a kind of second-class voting, since you're required to vote *before* election day, and your mind is not always 100 percent made up. Though there are a bunch of national laws that require voting precincts to be accessible to people with disabilities — the **Voting Rights Act**, **Voting Accessibility for the Elderly and Handicapped Act**, the **Americans with Disabilities Act** — turnout for people with disabilities is still 11 percentage points lower than people without disabilities. A recent ruling by a federal judge in your state of New York found many problems — wheelchair ramps too narrow or steep, missing disability entrance signs, and voting booths too close to the wall for wheelchairs to get to. The court said that government is required to address these.

Melanie Taylor

You headed to your regular voting site, a church in Charleston, South Carolina, on Election Day in 2018. You woke up early to make sure you could vote before work. But when you arrived, at 7:30 in the morning, there were already 100 people in line. The voting site was using a new computerized voting program, and the system was down. You waited as long as you could — 45 minutes — but eventually had to leave for work. You are a social worker; if you do not show up to work, people suffer. You heard some people ended up waiting for five hours before getting to vote. Who has five hours to wait in line? Certainly not working people like you. **Long lines and wait times** at polling stations have been studied by lots of researchers; these lines are caused by a variety of factors, including closing polling sites, new voting equipment, and Voter ID laws. In 2014, the Presidential Commission on Election Administration said no one should have to wait more than 30 minutes, but 10 percent of voters do. And if you are white, you are much less likely to have to wait than if you're not; people of color are three times as likely to wait longer than 30 minutes and six times as likely to wait more than an hour. A longer wait time means a higher likelihood that voters will give up and not vote at all. As you told one journalist, “It felt like a type of disenfranchisement . . . the wait has been all day three hours or more, which is ridiculous.”

Oscar J. Dunn

You were born in New Orleans in 1826 to an enslaved woman, which meant, under the laws of the time, you too were enslaved. But your father was a carpenter who saved up enough money to buy the freedom of your mother, your sister, and you. By the time you were 6, your family was part of the largest community of free Black people in the Deep South. Though free Blacks in New Orleans enjoyed far more rights than in other states — the right to travel without restriction and testify in court against whites — you still could not vote. During the Civil War, you were in the 1st Louisiana Native Guard, one of the first all-Black regiments to fight for the Union Army. When the war was over, in spite of your military service, you still could not vote. That all changed with the passage of the new Reconstruction era **1868 Louisiana Constitution**, which stated “Every male person, of the age of twenty-one years or upwards, born or naturalized in the United States, and subject to the jurisdiction thereof, and a resident of this State one year next preceding an election . . . shall be deemed an elector . . .” With Black men finally voting, you were one of seven Black men elected to Louisiana’s senate and the only former slave elected to that body.

Nathan Bachelder*

You were born to Irish immigrant parents in New York City, which now, in the 1820s, is the biggest city in the United States. Though you are more than 35 years old, were called up and fought in the War of 1812, and have worked hard (you are a woodworker and have lately been helping with the construction of City Hall), until recently you haven’t been able to vote. **New York’s 1777 Constitution** restricted voting to men who owned property. While you are a man, you don’t own any land or buildings. In 1821 that all changed. **New York law eliminated property qualifications:** *Every male citizen of the age of twenty-one years, who shall have been an inhabitant of this state one year preceding any election, and . . . within the next year preceding the election, paid a tax . . . ; or, being armed and equipped according to law, shall have performed, within that year, military duty in the militia of this state shall be entitled to vote in the town or ward where he actually resides. . . .* In other words, if you are male, if you are at least 21, if you have lived in the state for a year, have paid a tax, or have served in the militia, you can vote. You are glad your military service counts. Why should you be required to go off and fight if you don’t have a voice in the government?

Lawrence Aaron Nixon

You are a Black doctor living in Texas. You wanted to use your vote to elect candidates who would protect your rights and safety. But in a state like Texas, where the Republican Party was basically nonexistent at the time, this meant casting votes for the least bad of two Democratic, segregationist candidates in the primary, or wasting your vote altogether. In 1914, you helped organize a local chapter of the National Association for the Advancement of Colored People (NAACP), an organization that would help you challenge voting restrictions that kept you out of the Democratic primary. In 1923, the Texas legislature passed a new law, creating an **all-white primary**. Texas now said the Democratic Party was a private organization, and as such, could allow only white people to vote in its primaries. In 1924, you took your **poll tax** receipt (proving you had paid the tax making you eligible to vote) and went to vote at your local polling site; under the new law, you were denied entry. You sued. For the next 20 years, you and the NAACP pursued legal action to get back your right to vote in the Democratic primary. Twice — in 1927 and 1932 — your cases made it to the Supreme Court, and both times it sided with you. But Texas continued to create new rules to keep Black people from the primary. Finally, in 1944, after decades of struggle, you voted for the first time in the Democratic primary in El Paso. It had been more than 20 years since you'd last voted.

Next Steps



Credit: Kheel Center for Labor-Management Documentation and Archives

Sidewalk voter registration table in the early 1960s.

As this unit suggests, the struggle against voter suppression is urgent and ongoing. The lessons offered above are only a start. What follows are some suggestions of where to go next.

- Have students jigsaw a number of current events articles about efforts toward voter suppression and the resistance to those efforts.
 - » Each small group could read the article and answer:
 - a. Who is sponsoring the legislation/policies in question? What do they say about why they want to see these policies enacted?
 - b. Who will be most affected by the legislation/policies? What do they say about the legislation?
 - c. Who is fighting back? How are they fighting back?
- Have students read and respond to excerpts from Carol Anderson’s 2018 book, [*One Person, No Vote*](#), which is written in high school student-friendly prose and focuses mostly on the voter suppression efforts that have accelerated since the *Shelby* decision. In particular, her final chapter, “We Are Going to Warrior Up,” is a sobering overview of the most recent (through 2018) rash of restrictions, but also an inspiring catalogue of the activists and organizations challenging them.
- Do a deep dive into the history of the Voting Rights Act and the *Shelby* decision that gutted it. Then ask students to respond to the prompt: *What should a Voting Rights Act for the 21st century look like? What policies should be enacted to increase voter turnout, ease voting and voter registration, and ensure that voting is far more democratic in the future?*

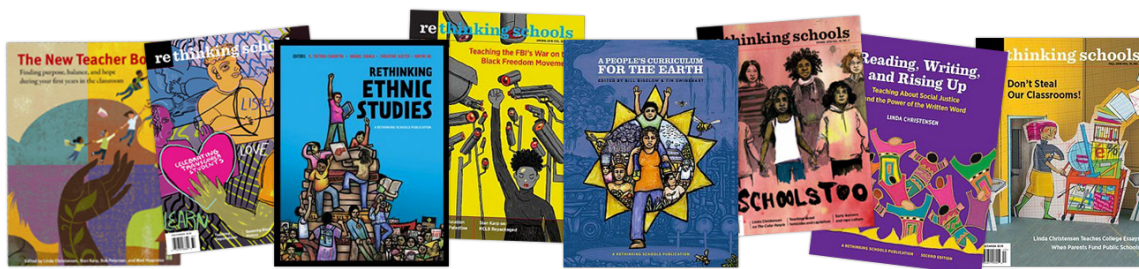
- Help students take action to protect and expand the right to vote. Find resources in the **Color of Change Voting Rights Toolkit**.
- It is important to note that none of these lessons addresses one of the most egregious forms of voter suppression: the drawing of congressional district boundaries that essentially allow candidates to choose their voters rather than the voters to choose their candidates. Known as gerrymandering, the drawing of legislative districts has become a critical terrain on which the fight for the vote is waged. In Texas, for example, white people are only 45 percent of the state’s population but hold 70 percent of congressional districts.

Journalist Ari Berman has [written extensively](#) about gerrymandering and regularly appears on [Democracy Now!](#); his explanations are clear and high-school kid friendly. Providing students opportunities to look at ill-shaped legislative maps (particularly in their home states) and design fairer alternatives would be a wonderful addition to the lessons we have shared here.

- Help students take action to protect and expand the right to vote. Find resources in the [Color of Change Voting Rights Toolkit](#).

As always, the Zinn Education Project would love to hear how you have used, adapted, or built upon our lessons. Please share your story of teaching the ongoing struggle for voting rights. On social media, use the hashtags #TeachVotingRights, #LearnVotingRights, and #TeachReconstruction. ❖

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Teach this lesson remotely with online handouts and role assignments.

[Click here](#) to make a copy of Google Doc, pictured below, with links to the online materials.

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Remote Instruction Materials for “Who Gets to Vote? Teaching About the Struggle for Voting Rights in the United States,” By Ursula Wolfe-Rocca
<https://www.zinnedproject.org/materials/teaching-voting-rights-struggle/>

LESSON 1: Who Should Get to Vote?
[Click to make a copy of Handout: Fannie Lou Hamer in Her Own Words](#)

LESSON 2: Designing Disenfranchisement
[Click to make a copy of Handout: Voting Scenarios](#)

LESSON 3: Voting Rights Mixer
[Click to make a copy of the Role Assignments Template](#) (with links to view-only roles and handouts)

Remote teaching materials for the lesson [Who Gets to Vote? Teaching About the Struggle for Voting Rights in the United States](#)
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Then, share the specific materials you want to use with your students for synchronous or asynchronous learning.