

Nineteenth Amendment (1920)

Susan B. Anthony and Elizabeth Cady Stanton [likely]

Historical Background

Although the movement to secure voting rights for women did not succeed until after World War I, the movement had roots going back to the nineteenth century. In 1848 Elizabeth Cady Stanton and other activists organized the Women's Rights Convention at Seneca Falls, New York, calling for equality and voting rights for women. Despite active relationships between prominent abolitionists and early suffragettes, the 14th Amendment, passed in 1866 and ratified in 1868, only extended the vote to formerly enslaved men. Arguing that the vote should be extended to both sexes, Stanton and Susan B. Anthony formed the National American Woman Suffrage Association (NAWSA), and began a campaign of speeches, protests, petitions and other forms of activism to secure the right to vote. As territories and states began to enfranchise women in 1869, NAWSA turned its focus to the federal government. Anthony and Stanton drafted a constitutional amendment in 1878, but it met great resistance, and later suffragists like Alice Paul continued their work. In 1920, after forty-one years of progressive activism, increasing female participation in public policy, and state enfranchisement of women, 36 states ratified the 19th Amendment and women gained the right to vote in the United States. That year, millions of women voted for the first time, but it took over 60 years for the remaining 12 states to ratify. Mississippi was the last to do so, on March 22, 1944.

Historical Significance

The 19th Amendment allowed women an equal voice as citizens of a democratic society. The debates and arguments of the suffrage movement debunked many incorrect assumptions widely held about women's capabilities. The 19th Amendment did not eliminate gender discrimination, but it articulated and codified the American government's commitment to formal equality before the law for both sexes.

The direct result of the new voters themselves on elections is difficult to determine. While contemporary elections frequently exhibit a "gender gap," this was not always the case. In many instances, women simply doubled the votes of their husbands. There was significant conflict within the movement as to whether or not women should vote as a bloc. One group argued that they instead should act as a purifying, nonpartisan force at the polls, countering the vote-buying and corruption alleged to be rampant during elections. While neither view clearly triumphed, the "nonpartisan" view continues to play out in the work of the League of Women Voters, a group that helps provide election guides to voters. During several post-Watergate presidential elections the League ran the televised presidential debates and continues to run debates for candidates at the local level.

Key Concepts and Learning Objectives

Concepts: women's suffrage, suffragettes, feminism, social activism, equal rights, civil society.

Learning objectives: On completion of this unit, students will be able to:

- describe the process of amending the United States Constitution;
- describe changes in the role of women in society in the first half of the twentieth century;
- define and describe “first wave feminism” from 1848-1920;
- compare and contrast national and state centered conceptions of citizenship;
- explore and develop a conception of citizenship;
- describe the rights and obligations incurred by citizenship in a state or nation.

Questions to Explore

Why do you think the enfranchisement of women faced so much opposition? Aside from prejudice and bigotry, can you think of other reasons why traditional societies and even early liberal societies were reluctant to give the vote to women? It is strange that those who held political power were willing to extend the vote first to men without property and later even to former slaves before extending it to their wives and daughters. How can we understand this? What principled arguments could be and have been made for keeping men and women in separate spheres?

Granting the premise that women should have an equal vote, we may still ask whether the 19th Amendment was necessary. Should the right to vote be a federal or state-governed issue? Explain. In the late nineteenth century suffragists took their claims to court and argued that since the 14th Amendment protected the rights of all persons born or naturalized in the United States (and that since women were both persons and citizens) that they should be able to vote. Although the Supreme Court rejected this argument, the questions raised by this legal maneuver remain. Should it have mattered whether those who originally wrote the 14th Amendment meant to give voting rights to women? Should existing legal practices and institutions at the time the constitution was written or amended determine what the Constitution means, or should the Constitution be read as an aspirational document, expressing enduring principles and subject to an evolving understanding of those principles? Should those aspirations be vindicated by formal amendment or by constitutional interpretation?

How important was activism and protest in gaining the right to vote for women? Do you think women would have gained the right to vote without it?

Extending the vote to women did not end discrimination against woman based on sex. Why do you think deeply engrained social practices are so hard to change by law?

The struggle of the suffragettes raises important questions about the legitimacy of punishment even today. In fighting for the right to vote the suffragettes engaged in acts of civil disobedience

(such as illegally casting votes and holding unauthorized protests) and were incarcerated for these offenses, often undergoing abuse and mistreatment in jail. However, these women clearly had never voted for the laws that resulted in their incarceration. An analogous situation occurs when young men and women interact with the criminal justice system. Despite not having any say in the laws that govern them, many juveniles are punished in a special juvenile system and some are even tried and punished as adults. Is it necessary to have a say in forming a law – even if indirectly through elections or jury service – to be legitimately bound by those laws?

Comparison

Examining the Nineteenth Amendment alongside the Declaration of Sentiments of 1848 provides an interesting look at the nature of change in our polity. Which calls for reform in the Declaration (if any) were accomplished by the time that the amendment was enacted? Which were aided by women's suffrage? Which still remain elusive today? How do you think the convention attendees in 1848 would have evaluated the Nineteenth Amendment?