



*The History of the American Vote: Kansas Looks Back at Our Nation's Most Important Right* is a companion to *The Art of Voting Right* pop-up exhibition. Based on an original exhibition created by the Watkins Museum of History in Lawrence, *The Art of Voting* is designed to inform Kansans about the history of electoral engagement and the right to vote.

*The Art of Voting* pop-up exhibition was funded by the "Why it Matters: Civic and Electoral Participation" initiative, administered by the Federation of State Humanities Councils and funded by the Andrew W. Mellon Foundation.



## VOTING NOW

While the American vote has become increasingly accessible and equitable over the years, there is still much work to be done. Voter ID laws, voter registration restrictions, voter registration list purges, felony disenfranchisement (or the banning of people convicted of felony crimes from practicing the right to vote), and continued gerrymandering remain as obstacles to the equal right to vote for all US citizens.

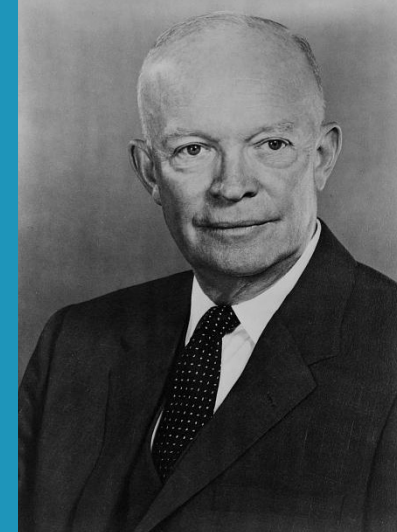
As a Kansan, you can participate in the ongoing effort to make the American vote accessible to all.

- Make sure you know your voting rights by visiting [vote.org](http://vote.org).
- Share the link above with friends and loved ones so that they know their rights too!
- Contact the Office of the Kansas Secretary of State at 1-800-262-8683 for volunteer opportunities with polling places across our state.

It takes practice and perseverance to ensure that the right to vote is accessible to all, but together, we can do it!



Representative Sharice Davids of the third district of Kansas. A member of the Ho-Chunk Nation, Davids became one of the first two Native American women to serve in Congress when she was sworn in on January 3<sup>rd</sup>, 2019.



**"I believe that the United States as a government, if it is going to be true to its own founding documents, does have the job of working toward that time when there is no discrimination made on such inconsequential reason as race, color, or religion."**

-President Dwight D. Eisenhower, The President's News Conference of May 13th, 1959

## REFLECTION QUESTIONS

- Which of the constitutional amendments or legislative acts listed in this pamphlet has made the greatest impact on your family? Why?
- What is the connection between censorship and voter suppression? Do you see the right to freedom of speech and the right to vote as related? Why or why not?
- The vote has been and, in some ways, continues to be regulated differently from state to state. In what ways is this problematic to democracy? Are there ways in which this could be beneficial to democracy?
- What do you forecast as the future of voting? Do you think we will be casting ballots from our home computers or our cellphones one day? Why or why not?



## THE HISTORY OF THE AMERICAN VOTE:



# Kansas Looks Back at Our Nation's Most Important Right



"Maybe all of us would value the right of suffrage more if we stopped to look back a moment at what the struggle for the vote has cost."

-*The Ballot and Me*, Langston Hughes, 1956



**“It is fitting that Kansas, which led the States in the great battle of freedom, shall lead the world in the enfranchisement of all her citizens.”**

–“Address to the Voters of Kansas,”  
S.C. Pomeroy, 1867

## DESIGNING THE AMERICAN VOTE

In 1776, Thomas Jefferson wrote in the Declaration of Independence, “Governments are instituted among men, deriving their just powers from the consent of the governed.”

The American vote is the tool through which the US citizenry demonstrates its consent, but initially, America’s founders left decisions about who could vote up to the states. As a result, the only citizens who were allowed to vote in government elections in the State of Kansas upon its admission to the Union in 1861 were property-holding white men, aged 21 and older.

While the US Constitution did leave the decision about who was eligible to vote up to the states, it also included a caveat: “The Congress may at any time make or alter such regulations.” Since 1776, the United States has been the site of struggle over who should have the right to vote and how to ensure that the vote really does represent the voice of **all** the American people. Through activism and amendments, grassroots organization and congressional legislation, the vote has evolved, still an imperfect image of America’s many voices, but one that is coming ever more surely into focus.



A wooden container, initially designed to store teaspoons, was repurposed as a ballot box for the 1880 national election in Rawlins County, Kansas.

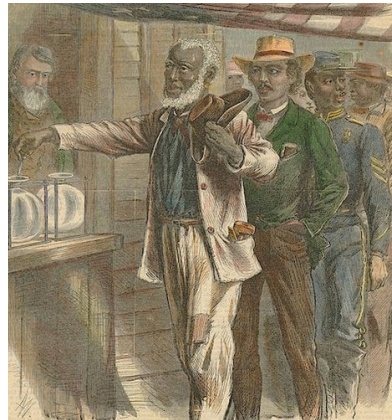
## THE 15<sup>TH</sup> AMENDMENT

The 15th Amendment was adopted into the US Constitution in 1870 and made it illegal to deny US citizens the right to vote “on account of race, color, or previous condition of servitude.”

Kansas was the 25<sup>th</sup> state to ratify the amendment, doing so on January 19<sup>th</sup>, 1870. Some southern states pushed back against this federal mandate, refusing to give Black men the right to vote by instituting barriers such as literacy tests and poll taxes.

Literacy tests denied voting rights not explicitly on the basis of color but on the basis of literacy, a skill that many African Americans did not possess due to the only recently abolished institution of slavery, which made it illegal for enslaved people to read and write. Poll taxes denied voting rights by requiring citizens to pay a tax before being allowed to register to vote, a tax which many African Americans could not afford, again, as a result of having been recently enslaved.

The 15<sup>th</sup> Amendment did nothing to expand the suffrage of Indigenous Americans, many of whom were still not considered US citizens in 1870.



“The First Vote” by A.R. Waud, 1867.  
Library of Congress.



## THE 19<sup>TH</sup> AMENDMENT

The 19th Amendment was adopted into the US Constitution in 1920 and made it illegal to deny US citizens the right to vote on the basis of sex. Kansas ratified the amendment on June 16<sup>th</sup>, 1920. But in fact, the state had already given Kansas women the right to vote by approving the Equal Suffrage Amendment to the state constitution on November 5<sup>th</sup>, 1912, thereby making Kansas the eighth US state to extend equal voting rights to women.

While the 19<sup>th</sup> Amendment gave women the right to vote, Black women continued to face the same barriers to voting that Black men had been facing for years, including literacy tests, poll taxes, and various forms of voter intimidation.

## THE INDIAN CITIZENSHIP ACT AND THE NATIONALITY ACT

Enacted into law on June 2<sup>nd</sup>, 1924, the Indian Citizenship Act, or Snyder Act, granted citizenship to all Indigenous Americans born after its passage, thereby extending the right to vote to these “new” American citizens.

In practice, however, many states continued to bar Indigenous citizens from voting either because these citizens were exempt from paying state taxes or because they resided on Indian reservations under federal trusteeship. Indigenous citizens in Kansas did not secure the right to vote until the late 1930s.

Indigenous Americans without citizenship—those born before the passage of the Indian Citizenship Act—had to wait until the Nationality Act of 1940 to become citizens and obtain the right to vote.



A group of delegates to the Kansas Equal Suffrage Association in Topeka, Shawnee County. Although Kansas women had already won the right to vote in 1912, this group decided to affiliate with the National Woman Suffrage Association to fight for a women’s suffrage amendment to the US Constitution.

## THE CIVIL RIGHTS ACT

On September 9<sup>th</sup>, 1957, President Dwight D. Eisenhower, who grew up in Abilene, Kansas, signed into law the Civil Rights Act. This Act, the first civil rights legislation passed by Congress since 1875, established the Civil Rights Division in the Justice Department and authorized the federal prosecution of individuals who conspired to violate American citizens’ right to vote. It also instituted a federal Civil Rights Commission to investigate complaints of voter discrimination.

## THE 24<sup>TH</sup> AMENDMENT

Passed by Congress on August 27<sup>th</sup>, 1962, the 24<sup>th</sup> Amendment made it illegal to deny US citizens the right to vote in federal elections for “failure to pay poll tax or other tax.” This amendment was an attempt to stop disenfranchisement based on economic status, which often intersected with both gender and race.

## THE VOTING RIGHTS ACT

Signed into law just three years later by President Lyndon Johnson, the Voting Rights Act established nation-wide protections for the voting rights for all US citizens on August 6<sup>th</sup>, 1965. The Act prohibited certain state-sanctioned disenfranchisement practices, such as literacy tests, and instituted protections against voter intimidation and gerrymandering, or the process of manipulating voting district boundaries in order to dilute the political power of minority voting blocks. Today, the Voting Rights Act is the piece of legislation credited with the steady increase in the number of people of color elected to serve in political office in the United States since the 1960s.

And yet, gerrymandering continues to be an issue today. In 2013, the Supreme Court struck down key sections of the Voting Rights Act, which required nine states with a history of voting rights injustices to have their redistricting maps approved by the federal government before going into effect. The court’s decision makes it possible for gerrymandering, or unethical redistricting, to take place, once again, resulting in the dilution of the impact of votes by marginalized groups.