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Author(s): Akhil Reed Amar

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How Women Won the Vote

In the pleasant haze of half-remembered history, the ratification of the Nineteenth Amendment is surrounded by images of determined suffragist on the march over the protests of buffoonish men. The reality was a lot more interesting than that.

by Akhil Reed Amar

In August 1920, with the ratification of the Nineteenth Amendment to the Constitution, some 10 million American women finally became the full political equals of men, eligible to vote in all local, state, and federal elections. In terms of sheer numbers, the Woman Suffrage Amendment represented the single biggest democratizing event in American history. Even the extraordinary feats of the Founding and Reconstruction had brought about the electoral empowerment or enfranchisement of people numbering in the hundreds of thousands, not millions.

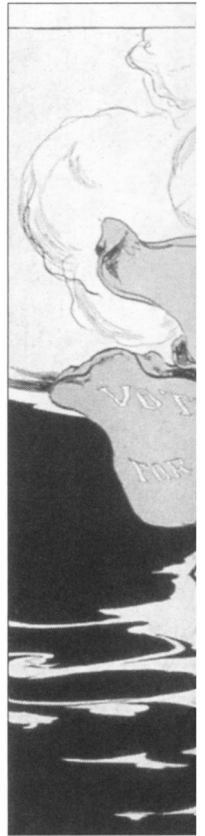
Woman suffrage came as a thunderclap. As late as 1909, women voted on equal terms with men only in four western states, home to less than two percent of the nation's population. How did they get from the Wilderness to the Promised Land in so short a span? First, it's necessary to ask how they got from bondage to the Wilderness—that is, how they managed to get equal voting rights in four Rocky Mountain states in the late 19th century.

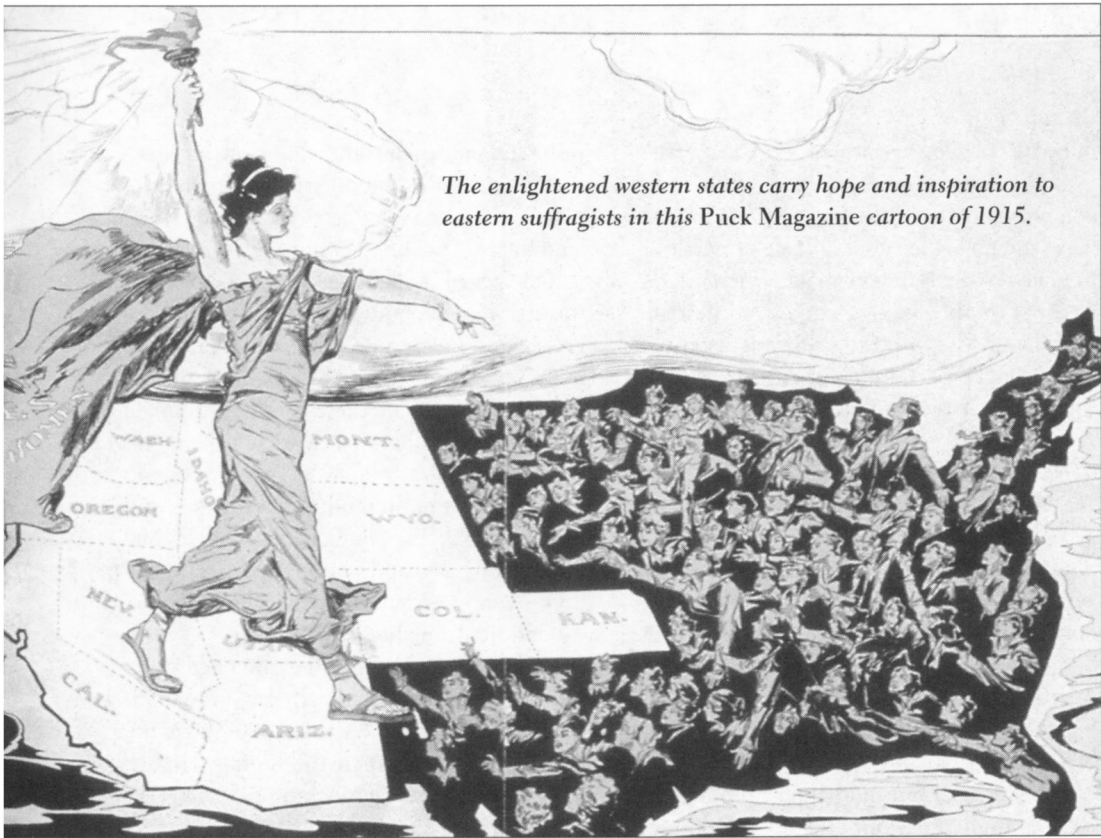
The process began when the Wyoming Territory broke new ground in 1869 and 1870 by giving women equal rights with men to vote in all elections and to hold office. Twenty years later, Wyoming entered the Union as the first woman-suffrage state. Colorado, Utah, and Idaho soon followed suit.

Conditions in the West were especially favorable for woman suffrage. Women were a rare and precious resource in the region; under the laws of supply and demand, men had to work that much harder to attract and keep

them. The city of Cheyenne's leading newspaper was quick to tout the significance of woman suffrage: "We now expect at once quite an immigration of ladies to Wyoming. We say to them all, 'come on.'" Just as the Constitution's original promises of freedom and democracy in the 1780s were meant to entice skilled European immigrants to travel across the ocean, so these immigrants' pioneer grandsons evidently aimed to persuade American women to journey through the plains and over the mountains.

The 1890 census provides some support for this admittedly crude theory. For every 100 native-born Wyoming males, there were only 58 native-born females. No other state had so pronounced a gender imbalance. Colorado and Idaho were the fifth and sixth most imbalanced states overall in 1890. The other early woman-suffrage state, Utah, had a somewhat higher percentage of women (a consequence of its early experience with polygamy), but even it had only 88 native-born females for every 100 native-born males, ranking it 11th among the 45 states in the mid-1890s. Also, the second, third, fourth, and seventh most imbalanced states—Montana, Washington, Nevada, and Oregon—would all embrace woman suffrage in the early 1910s, several years ahead of most other states. In all these places, men voting to extend the suffrage to women had little reason to fear that males might be outvoted en masse by females anytime soon.





The enlightened western states carry hope and inspiration to eastern suffragists in this Puck Magazine cartoon of 1915.

The experience of other countries is also suggestive. In 1893, New Zealand became the first nation in the world to give women the vote in all elections—though it withheld from them the right to serve in Parliament until 1919. From one perspective, New Zealand’s niche within the British Empire was not altogether different from Wyoming’s within the United States: a remote outpost eager to attract new settlers, especially women. At the turn of the century, New Zealand males outnumbered females by a ratio of 9 to 8. Among certain communities of European immigrants, the gender imbalance exceeded 2 to 1.

Australia gave women the vote in national elections in 1902, when there were fewer than 90 non-indigenous females for every 100 non-indigenous males. Before and after Australia’s continental enfranchisement, each of the six Australian states that united to form the nation in 1901 followed its own suffrage rules for elections to local parliaments. The least densely populated and most gender-imbalanced region, Western Australia, was the second-fastest to give women the vote. It did so in 1899, nearly a full decade before the most populous and gender-balanced area, Victoria, became the last Australian state to embrace woman suffrage.

In the United States, federal territorial poli-

cy also provided a modest if unintended spur to woman suffrage. In the 19th century, Congress tended to wait for a territory to achieve a certain critical population mass before admitting it to statehood, though no single formula applied in all places and at all times. Inhabitants of each western territory understood that rapid population growth would enhance prospects for early statehood, and each new woman brought not only herself but, in most cases, the possibility of future children.

In its early years, the story of woman suffrage was in some ways the converse of the black suffrage experience. Even as western men were talking about encouraging an influx of eastern women with the lure of suffrage, northern states between 1866 and 1868 were imposing black suffrage on the South while largely declining to embrace it for themselves—precisely because they wanted to discourage southern blacks from flooding north.

Later, the stories of black and woman suffrage converged. Indeed, the language of the Woman Suffrage Amendment repeated the wording of the Fifteenth Amendment verbatim, with “sex” simply substituted for “race” as an impermissible basis for disfranchisement: “The right of citizens of the United States to vote shall not be denied or abridged by the United States

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or by any State on account of sex.”

Once large numbers of black men could vote in many states, the stage was set for universalization of the equal suffrage principle articulated in the Fifteenth Amendment. In the case of both blacks and women, white male lawmakers for whom the disfranchised had never voted proved more eager to grant them the vote than did the larger mass of voters.

As early as 1878, Elizabeth Cady Stanton and other women leaders began appearing before the U.S. Senate in support of a constitutional amendment that would do for women what the Fifteenth Amendment had done for blacks. Introduced by Senator A. A. Sargent of California, the proposed amendment had been drafted by the crusading suffragist Susan B. Anthony, in collaboration with Stanton. In 1920, this amendment would prevail in the exact form in which Anthony had initially drafted it—but only after Anthony’s acolytes had transformed the landscape of state practice.

Between 1896 (when Utah and Idaho became the third and fourth woman-suffrage states) and 1909, no new states gave women the vote in general state or federal elections. Yet even in this period of seeming quiescence, powerful subterranean forces were at work. A few additional states joined an already substantial list of those willing to let women vote in school board elections or on other municipal matters. More important, merely by voting routinely in the Rocky Mountain West, women pioneers were proving by example that equal suffrage was an eminently sensible and thoroughly American practice suitable for adoption in other states.

Eventually, suffragists—inspired by early crusaders such as Anthony, Stanton, and Lucy Stone, and by the quieter examples of thousands of ordinary Rocky Mountain women—succeeded in spreading woman suffrage to neighboring western states. From this broad and expanding base the movement began to successfully colonize the East. In effect, western egalitarians aimed to even up the continental balance of trade: The East had sent bodies out west, but the idea of woman suffrage

would migrate in the other direction, reprising the American Revolution itself, in which colonial children had sought to teach Mother England the true meaning of liberty.

The special challenge confronting suffragists was that in each and every nonsuffrage state, voteless women somehow had to persuade male voters and male lawmakers to do the right thing and share the vote. Their ultimate success showed that men were not utterly indifferent to the voices of women. However, 56 full-blown state referendum campaigns and countless lobbying efforts before state legislatures, Congress, and national party conventions were needed to make the Anthony Amendment a reality.

From 1910 through 1914, the pace of reform quickened dramatically, as seven additional states—six in the West and Kansas in the Midwest—gave women full suffrage rights. Meanwhile, other democratic reforms were percolating to the top of the political agenda and capturing the national imagination. At the state level, provisions empowering voters to participate in initiatives, referendums, recalls, and direct primaries swept the country. At the federal level, the Seventeenth Amendment, providing for the direct election of senators, became law in 1913, less than a year after Congress proposed it. Corruption was out, and good government was in—and women were widely associated with the latter. The progressive politics of the era also placed strong emphasis on education and literacy, and in many places the literacy rates of women outstripped those of men.

Soon, various midwestern and eastern state legislatures began allowing women to vote for president, if not for members of Congress or state legislators. By the end of 1919, a dozen states fell into the presidential-suffrage-only category, and two more allowed women to vote generally in primary elections, including presidential primaries. These legal changes typically did not require amendment of a state constitution or a direct appeal to the voters. Presidential suffrage thus offered a handy hedge for many a state lawmaker who hesitated to get too far ahead of his (currently all-male) voting base but who also saw that one

➤AKHIL REED AMAR is *Southmayd Professor of Law at Yale Law School and the author of The Bill of Rights: Creation and Reconstruction (1998)*. This essay is excerpted from his new book, *America’s Constitution: A Biography*, which will be published by Random House in September. Copyright © 2005 by Akhil Reed Amar.



Just 50 years after the Wyoming Territory, where women were in short supply, used the vote as a carrot to draw the “ladies” west, suffragists celebrated the passage of the Nineteenth Amendment in August 1920.

day—soon—women would be voting even in state races.

Meanwhile, more states—including, for the first time, eastern and midwestern heavyweights such as New York (in 1917) and Michigan (in 1918)—were clambering aboard the full-suffrage bandwagon. By the end of 1918, women had won full suffrage rights in a grand total of 15 of the 48 states then in the Union. Because federal lawmakers in all these places would now need to woo female as well as male voters, suffragists could look forward to strong support in Congress from this bloc. Eventually, members of Congress from full-suffrage states would favor the Nineteenth Amendment by a combined vote of 116 to 6, adding extra heft to the House support and providing the decisive margin of victory in the Senate.

True, in some places during the mid-1910s, woman suffrage went down to defeat. For example, in 1912 male voters in Ohio, Wisconsin, and Michigan said no, and in 1915 suffragists lost in Massachusetts, Pennsylvania, New Jersey, and New York. But by this point, savvy politicians were beginning to appreciate the mathematical logic of what historian

Alexander Keyssar has aptly labeled the suffrage “endgame.” Once women got the vote in a given state, there would be no going back. Unlike southern blacks, women would likely always have enough votes to keep the ballot after they first got it. Conversely, whenever suffragists failed to win the vote in a given state, they would be free to raise the issue again and again: Tomorrow would always be another day, and democracy’s ratchet would inexorably do its work. Thus, New York women won in 1917 what they had failed to win in 1915, and suffragists prevailed in Michigan in 1918 after two earlier defeats.

Another aspect of the endgame: If and when women did get the vote, woe unto the diehard antisuffrage politician who had held out until the bitter end! Each state legislator or congressman from a nonsuffrage state had to heed not just the men who had elected him but also the men *and women* who could refuse to reelect him once the franchise was extended (And with the ratification of the Seventeenth Amendment in 1913, which put an end to the selection of U.S. senators by state legislatures, senators also had to be responsive to this broader constituency.) The experience in Ohio,

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where male voters had refused to enfranchise women in 1912 and again in 1914, nicely illustrated the underlying electoral math. Senator Warren Harding voted for the Woman Suffrage Amendment and went on to capture the White House in 1920. Conversely, Senator Atlee Pomerene opposed the amendment and was voted out of office in 1922.

By the end of 1919, with 29 states already having adopted full or partial suffrage, no serious presidential candidate could afford to be strongly antisuffrage. To win the White House without several of these states would be the political equivalent of filling an inside straight. Even a senator from a nonsuffrage state had to think twice about opposing woman suffrage if he harbored any long-term presidential aspirations.

America's decision to enter World War I added still more momentum to the movement. In a military crusade being publicly justified as a war to "make the world safe for democracy," the claims of those Americans excluded from full democratic rights took on special urgency. Because America claimed to be fighting for certain ideals, it became especially important to live up to them. All across Europe, women were winning the vote in countries such as Norway, Denmark, Holland, Sweden, and even Austria and Germany. Surely, suffragists argued, the United States should not lag behind.

Also, women on the home front were making vital contributions to the general war effort, even if they did not bear arms on the battlefield. In a word, America's women were loyal—as America's blacks had been in the 1860s—and wars generally serve to remind nations of the value of loyalty. Given that a disproportionately high percentage of women across the country were American born, the nation's widespread nativist anxiety about German aliens in America, and even about naturalized citizens from Central Europe, also fueled the suffrage crusade.

Wars also generally increase executive power, and World War I was no exception. In September 1918, President Woodrow Wilson dramatized his support for the Woman Suffrage Amendment by appearing in person before the Senate to plead for constitutional reform. Reminding his audience that women were "part-

ners . . . in this war," Wilson proclaimed the amendment a "vitally necessary war measure" that would capture the imagination of "the women of the world" and enhance America's claim to global moral leadership in the post-war era. Several months after this flamboyant presidential intervention, Congress formally proposed the amendment. The endgame had entered its final stage.

The scene then shifted back to the states. In Congress, opponents of suffrage had unsuccessfully urged that the amendment be sent for ratification not to the 48 regular state legislatures but to ad hoc state conventions, as permitted by Article V of the Constitution. State ratifying conventions probably would have approximated referendums, because one-time convention delegates wouldn't have worried about their political futures. Supporters of the amendment resisted; they faced better odds with state legislatures.

In the final stage of the struggle for woman suffrage, the only major opposition to the Susan B. Anthony Amendment (as it was generally called) came from the South. White southerners, who by the turn of the century had effectively nullified the Black Suffrage Amendment in their region, had little sympathy for a Woman Suffrage Amendment written in parallel language and reaffirming the root principles of national voting rights and national enforcement power. In late August 1920, Tennessee put the Anthony Amendment over the top, becoming the 36th state to vote for ratification, but it was only the third of the 11 ex-Confederate states to say yes.

Read narrowly, the Nineteenth Amendment guaranteed women's equal right to vote in elections. Yet its letter and spirit swept even further, promising that women would bear equal rights and responsibilities in all political domains. In 1787, the amended Constitution consistently referred to the president with the words "he" and "his"—never "she" or "her." Yet today, no one doubts that women have an equal right to run for president. At the Founding, a jury meant, "twelve men, good and true." No longer. And once, every member of the federal legislature was a "congressman," and every Supreme Court member bore the title "Mr. Justice." No more—all thanks to an extraordinary amendment that literally changed the face of American government. □