



***The Deception of the American Democracy***

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This curriculum unit is recommended for:  
High School students taking American History.

However, it also can be utilized in:  
Civics and Economics, AP Government, and AP Seminar.

**Keywords:** democracy, complete, fair, free, electoral college, Constitution, elections, voting, service learning, slavery, gerrymandering, mass incarceration, inclusion

**Teaching Standards:** See [Appendix 1](#) for teaching standards addressed in this unit.

**Synopsis:** Democracy is not a spectator sport; it requires consistent participation to achieve its fundamental values. But, according to the Pew Research Center in 2016 election only 61% of eligible voters cast a ballot. This curriculum unit will navigate the historical reasons for why so many Americans are left out of the process. Students will critically analyze the Constitution in depth as well as voting rights over time. Students will participate in various project based learning projects, improve annotation practices, and carry out a service learning project. The service learning project will encourage students to officially register and pre-register their classmates and surrounding communities, while engaging with local officials. Often, critical conversations and needs that arise from the community can be addressed in this process.

*I plan to teach this unit during Spring and Fall of 2018. Repeating the service learning project during the 2020 election cycle. This unit is ideal for American History I courses, civics and Economics, and AP Seminar.*

*I give permission for the Institute to publish my curriculum unit and synopsis in print and online. I understand that I will be credited as the author of my work*

## Introduction

The data and information obtained for the demographics and socioeconomics of West Mecklenburg High School, part of the Charlotte-Mecklenburg School System, was gathered from the following site: <http://public-schools.startclass.com/1/66895/West-Mecklenburg-High>. West Mecklenburg High is a Title I school. Title I provides funding to public schools with the highest percentages of children from low-income families and is intended to help ensure that all children have an opportunity to obtain a high quality education.

A majority of the student body identifies as African-American, which makes up the largest segment of the student population, currently 64%. Compared to a typical school in Charlotte, West Mecklenburg High, has a drastically different ethnic distribution with African-Americans typically making maximum up to 42.0% of the student population. West Mecklenburg High is also drastically different from that of a typical school in the state of North Carolina, which on African Americans on average only make up 26.0% of the school population.

West Mecklenburg High gender breakdown to 51% males and 49% females that total the student population. The gender distribution at West Mecklenburg High closely mirrors the average school in the city of Charlotte which is 48.3% female and 51.7% male, as well as, a typical school in the state of North Carolina which is about 48.4% female and 51.6% male on average.

The socioeconomic data for students that attend West Mecklenburg High states that all 100% of students are considered socioeconomically disadvantaged. Also, 99.6% of West Mecklenburg High students participate in the National School Lunch Program (NSLP). To qualify for the free lunch program, the income of a child's family must be under \$15,171 (below 130% of the poverty line). 99.4% of West Mecklenburg High students receive free lunch and remaining 0.2% receive reduced lunch. The qualifications for reduced lunch states that the child's family income must be below \$21,590 annual income (185% of the poverty line). West Meck's NSLP participation rate is higher than average for Charlotte (62.1%) and higher than average for North Carolina (57.2%). Recently, West Meck has been awarded a grant for the foreseeable future all students without registration will be allowed to receive free lunch and breakfast.

According last year's North Carolina End of Course Tests (EOC) reports, West Mecklenburg High, had a significantly lower percent of students at this school who pass the across all subjects is compared to the average for Mecklenburg County and North Carolina:

- West Mecklenburg High: 26.8%

- North Carolina average: 54.5%
- Mecklenburg County average: 49.4%

There is a noticeable achievement gap between ethnicities on the math exam. Although African-American students comprise the largest segment of the student population at West Mecklenburg High, they achieve the lowest level of math proficiency out of the five ethnic groups that are represented at the school.

West Mecklenburg High has a significantly higher rate of students that have been absent 15 or more days of the school year compared to the median across all reported schools in North Carolina. The school's struggle with chronic student absenteeism is shown in the following percentages that showcases students that have missed 15 or more days during the school year: 43% of students at West Mecklenburg High, compared to 18% for the state of North Carolina.

Lastly, I will discuss the graduation rates from West Mecklenburg High. The Class of 2015 had 85% of its students graduate, which was the highest graduation rate from 2011 to 2015. However, the average graduation rate at West Mecklenburg High over the most recent 5 years is below average for North Carolina and Charlotte Mecklenburg Schools. The average graduation rate for West Mecklenburg High is 76%, the state of North Carolina is 82%, and the Charlotte-Mecklenburg School District is 81%.

## Rationale

Democracy can be seen as the ultimate equalizer for a system of governance. The concept is simply one person, one vote. But throughout history, one factor has contributed to the rise and subsequent fall of global democracies: society never desires full equality. The textbook definition of democracy universally promotes the ideals of suffrage among all. Yet, in every example in global history, democracy has excluded minority subgroups from participating fully in the democratic process. This is evident in America's system of democracy, where since the inception of the American rebellion many voices have been excluded from the process.

The rationale for this unit is goes beyond state standards, standardized testing, or recurrence of common knowledge. It is my hope that those who do not partake in the democratic process develop a new understanding and appreciation for the process. And for others who are not aware that democracy is a method to deliver one's voice in a society while ultimately projecting a vision of self in the world. It is an awesome privilege that few in the world enjoy. Democracy, from a typical perspective, is viewed as a mundane task that has no immediate impact on the world that surrounds us. To some degree, due to the systematic oppression and suppression, this mentality can be valid. But democracy is more than a task; it provides a chance for progress and protection in the lives of many citizens. Simultaneously, though, American democracy can be utilized as tool to systematically oppress and suppress those who wanted to participate in the national conversation. But the question is who determines the qualifications for this conversation?

During the fall of 2016 some colleagues and myself led an initiative at West Mecklenburg High School where we strived to register and pre-register every 16-18-year-old scholar. As a result, over 400 students are now able to participate in their civic duty. Studies show the earlier an individual participates in the democratic process, the more likely it is that he/she will continue to vote.

As a culminating activity for my unit, I will conduct a mass voter registration drive during the 2018 midterm, spring 2020 primary, and 2020 general election seasons, utilizing higher order thinking strategies and a Service Learning Project. In conjunction with Social Studies departments, Student Council/Government Associations, and various grants to fund GOTV activities, this initiative will allow students to become hands-on and immersed in the electoral process. Support from nonpartisan groups such as OFA, NAACP, VOTO Latino!, and League of Women Voters will ensure full compliance with election laws. When I worked in the Durham Public Schools we invited all candidates to our schools for local nonpartisan town halls to meet the candidates during the primaries. Students and families were often able to have personal conversations with their representatives. Students can lead this initiative at their respective schools to ensure all groups in the community's concerns are represented and addressed. It is important to engage citizens from the start of the process to the end.

Democracy is more than a system of governance: it is philosophical approach to life. It embodies the bold possibilities of individual potential and freedoms. During the civil rights era, North Carolina A&T State University led the movement for equality. In 2008 as a sophomore, and first-time eligible voter, I joined the Barack Obama presidential campaign as a community organizer. Movements are often inspired by our ability to change society with a democratic vote. My collegiate experience created the central belief – paramount to my life mission – that each one of us must be a change agent. So voting to me is more of an emotion and mission. But my experience is an outlier. American Democracy for the vast majority of its citizens is failing.

Democracy's roots of course hark back to ancient Greek and Roman governance, but preparing today's students for participation in the public life of a democratic society is a chief responsibility. It is important to instill these values and practices of democracy for my students. Public schools in the United States arose in the onset of our republic's experiment with democracy. As a result, public education in this country has aspired to prepare students for their lives as democratic decision-makers.

If we look at US history, however, we can see that democracy and citizenship were never meant to be a symbolic equalizer or extended to all. The question of who and how one qualifies as a citizen is central to democracy. From the onset Greek and Roman democracy was excluded too many. Women, newcomers, poor, and the youth were forbidden from democratic participation. The American constitution and its founding principles, which are based off those same Greco-Roman values, saw qualifiers scattered throughout our principle document. Under the compromise of the constitution the United States has continually denied the practice of citizenship and ultimately the inclusion in our democracy to many.

## Content Research

### Context

The history of American democracy begins long before the founding leaders collaborated in the late 18th century. The Magna Carta limited the power of the British monarchy and gave shared power among nobility and the king. The idea of a bicameral body gave rise to the House of Lords and House of Commons, similar to Montesquieu's separation of powers and our own U.S. Congress. Before, individuals who govern were most likely tied to a special status due to their familial ties or money. As democracy developed, the right to vote was extended to a large subset of people, whereas before it was only reserved for white males with noble status. Ordinary citizens gained the right to join parliament and represent society. During this age two concepts also appear that are present in American governance. A unitary state allows the national legislature to make laws for everybody, with local government merely executing those laws. Federalism, in contrast, reserves powers for states and provinces. In addition, American democracy followed the trend in Britain by developing a two party system – even against the advice of George Washington in his farewell address.

So while democratic rights have expanded over the centuries in Britain and the US, even when there is a process of expansion, rarely in American history are all citizens able to participate. American Democracy is visibly a work in progress. Inclusion in the United States has never been complete. The founding leaders, representing various social, economic, and political interests, agreed what was best for the new nation. Their deliberations in the Constitutional Convention gave rise to some unique concepts and agreements that have lasting effects in today's society. For example, they created an electoral college as a check on direct democracy. Yet the electoral college has proven problematic: four times in American history the electoral college, created under the 12th amendment, has strayed from the popular vote. The most recent occurrence was in the 2016 elections. Democratic candidate Sen. Hillary Rodham Clinton received 3 million more votes than candidate, now president, Donald J. Trump.

To measure how well America's democracy measures up to democratic standards, this unit uses the definition of democracy proposed in Samuel Huntington's *The Third Wave: Democratization in the Late Twentieth Century*. Huntington defines democracy in succinct terms: In order to fulfill the essence of democracy, elections (unabridged to all), must be open (competitive), free, and fair. How fair, free, and competitive is American democracy, in practice?

### How Fair?

The Electoral College is a process, not a place. The founding fathers established the Electoral College in the Constitution as a compromise. The compromise consisted of the election of the President by a vote of qualified citizens. Selecting each state's electors is a two-part process.<sup>1</sup> The first part of the process is controlled by the political parties in each state and varies from state to state. Typically, the parties either nominate slates of potential Electors at their state party conventions or they chose them by a vote of the party's central committee. This happens in each state for each party by the rules the state party (and sometimes the national party) have for the process.

This first part of the process results in each Presidential candidate having their own

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<sup>1</sup> Robert W. Bennett, *Taming the Electoral College* (Stanford, California: Stanford University Press, 2006), 2-11.

unique set of potential Electors.<sup>2</sup> Most political parties choose Electors that provide service and dedication to that political party. These Electors may be state elected officials, state party leaders, or even people in the state who have a personal or political affiliation with their party's Presidential candidate.<sup>3</sup> The second part of the process happens on Election Day. When the voters in each state cast votes for the Presidential candidate of their choice they are voting to select their state's Electors.<sup>4</sup>

Electoral votes are allocated among states based on the census report. Every state is given a number of votes equal to the number of senators and representatives in its U.S. Congressional delegation. There are two votes for its senators in the U.S. Senate plus a number of votes equal to the number of its members in the U. S. House of Representatives. The Electoral College consists of 538 electors. A majority of 270 electoral votes is required to elect the President.<sup>5</sup>

Historically, northern delegates – representing states that had begun ending slavery – opposed giving southern states a political advantage by allowing them to count people who had no civil or political rights, but in the end, they accepted conditions that produced that result.<sup>6</sup> Indeed, Madison, himself a slave owner, noticed that interests did not differ between the large and small states, but between the North and the South. This was showcased when Georgia and South Carolina threatened to withdraw from the process if their demands were regarding the counting of slaves to determine Congressional representation were not met.<sup>7</sup> In a rapid response, those from the North compromised and agreed to the “three-fifths clause,” which allowed three-fifths of all slaves to be counted for congressional representation and, thereby, in the electoral college.<sup>8</sup> The Constitution also reinforced slavery in other ways. For instance, it forbade citizens of any state, even those that abolished slavery, to harbor or prevent the return of escaped slaves to another state.

Andrew Jackson believed John Quincy Adams stole the presidential election in 1824. Jackson received far more popular votes than Adams (152,901 versus 114,023), and also more votes in the Electoral College (99 versus 84).

However, because neither Jackson, Adams, nor any of the other three candidates (John C. Calhoun, William Crawford, and Henry Clay) received a the required 131 Electoral College votes, the election was thrown into the House of Representatives.<sup>9</sup> As Robert Remini explains, Henry Clay, the Speaker of the House, ensured that Adams would win the House vote. Adams rewarded Clay with the post of Secretary of State. Jackson was furious, but, in fact Clay and Adams were long-time allies who shared many ideological and policy preferences. Still, the Jacksonians viewed the election as proof of a “corrupt bargain” between two elite politicians who had acted against the will of the voters. And to some extent they were right; the 1824 election revealed deep flaws in the presidential election process.<sup>10</sup>

Andrew Jackson’s two terms in office (1829 to 1837) had a strong influence on

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<sup>2</sup> Ibid, 14-18.

<sup>3</sup> Ibid, 20-25.

<sup>4</sup> Ibid, 28-32.

<sup>5</sup> Ibid, 46-48.

<sup>6</sup> Robert Remini, *The Life of Andrew Jackson* (New York: Harper and Row, 1988), 150-151.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid, 40-43.

<sup>9</sup> Ibid, 102-105.

<sup>10</sup> Remini, *passim*.

American politics, influence that lasted even after he left office.<sup>11</sup> In fact, historians call the period from 1824 to 1840 the “Age of Jacksonian Democracy” and the “Era of the Common Man” in recognition of Jackson’s lasting impact on the presidency. Despite these labels, however, the US during Jackson’s time fell far short of modern standards of democracy. Women still lacked many legal rights, including the right to vote. Meanwhile, slavery was increasing in the southern states, and even free blacks had few rights.

For those who did enjoy political rights, the Age of Jacksonian Democracy was imbued with a democratic spirit rooted in Jackson’s populist claims, including his promise to end what he called a “monopoly” of government by elites. Jackson’s supporters – many of whom were newly-enfranchised voters – supported a strong presidency and a weaker role for Congress. They also believed ordinary citizens should play a strong role in government.<sup>12</sup> They called for the election of judges, who previously had been appointed. They also rewrote several state constitutions. Nonetheless, as Remini writes, “the fact that a man was now legally allowed to vote did not necessarily mean he routinely voted. He had to be pulled to the polls, which became the most important role of the local parties. They systematically sought out potential voters and brought them to the polls.”<sup>13</sup>

## How Free?

In the introduction to *The New Jim Crow : Mass Incarceration in the Age of Colorblindness*, Michelle Alexander provides a brief synopsis of the failure of Constitutional law to protect or serve the most vulnerable citizen in United States, the black American. She writes:<sup>14</sup>

Jarvious Cotton cannot vote. Like his father, grandfather, great-grandfather, and great great-grandfather, he has been denied the right to participate in our electoral democracy. Cotton’s family tree tells the story of several generations of black men who were born in the United States but who were denied the most basic freedom that democracy promises—the freedom to vote for those who will make the rules and laws that govern one’s life. Cotton’s great-great-grandfather could not vote as a slave. His great-grandfather was beaten to death by the Ku Klux Klan for attempting to vote. His grandfather was prevented from voting by Klan intimidation. His father was barred from voting by poll taxes and literacy tests. Today, Jarvious Cotton cannot vote because he, like many black men in the United States, has been labeled a felon and is currently on parole. Cotton’s story illustrates, in many respects, the old adage “The more things change, the more they remain the same.” In each generation, new tactics have been used for achieving the same goals—goals shared by the Founding Fathers. Denying African Americans citizenship was deemed essential to the formation of the original union. Hundreds of years later, America is still not an egalitarian democracy. An extraordinary percentage of black men in the United States are legally barred from voting today, just as they have been throughout most of American history. They are also subject to legalized discrimination in employment, housing, education, public benefits, and jury service, just as their parents, grandparents, and great-grandparents once were.

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<sup>11</sup> Lynn Hudson Parsons, "In Which the Political Becomes the Personal and Vice Versa: The Last Ten Years of John Quincy Adams and Andrew Jackson," *Journal of the Early Republic* 23:3 (Fall 2003), 429.

<sup>12</sup> Stanley L. Engerman and Kenneth L. Sokoloff, "The Evolution of Suffrage Institutions in the New World": 14–16.

<sup>13</sup> Robert V. Remini, *The Life of Andrew Jackson*, 307-308.

<sup>14</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York, NY: The New Press, 2010), 1-10.

Currently, fourteen percent of black men are barred from voting either because they are in prison or because they have been convicted of a felony, according to a study published in the *New York Times*.<sup>15</sup> A study, by the Sentencing Project in Washington found that of a voting age population of 10.4 million, an estimated 1.46 million black men had lost the right to vote because a felony conviction.<sup>16</sup> Of this disenfranchised group, 950,000 are ineligible to vote because they are in prison or on probation or parole, while about 510,000 are permanently barred in 13 states that take away the right to vote for life for most convicted felons, the study found.<sup>17</sup> According to these studies, the rate of disenfranchisement varies from state to state because states' voting prohibition rules vary greatly. In six states, including Alabama, Florida, and Mississippi, more than seven percent of the adult population is disenfranchised. This can be broken down to more than one in five African Americans that are disenfranchised. Modern-day disenfranchisement of black men is increasing due to the rise of mandatory minimum sentencing requirements.

"The cumulative impact of such large numbers of persons being disenfranchised from the electoral process clearly dilutes the political power of the African-American community," said the study reported by Uggen, Larson and Shannon, entitled "Intended and Unintended Consequences: State Racial Disparities in Imprisonment."

According a source quoted in the *New York Times*, in the 1996 elections, when fewer than half the voting age population voted, "...even if the black males convicted of a felony had the same voting pattern as the general population, the likelihood is that only half of them would have voted' ...Nevertheless, he said, the huge number of black men disenfranchised by a felony conviction 'clearly diminishes black influence politically' and may contribute to the fact that black voter turnout is 10 to 20 percent lower than white turnout.<sup>18</sup> Because blacks – who constitute 14 percent of Americans – are 51 percent of the 1.1 million inmates in state and federal prisons, David Bositis, a political analyst at the Joint Center for Political and Economic Studies concludes that "blacks are disproportionately incarcerated."<sup>19</sup>

Despite these statistics, it is hard to know precisely how the disenfranchisement of black men affects voting patterns. "You have a prison system where black men are back in servitude, along with an economy where blacks are in the low paying jobs," Bositis told the *New York Times*, "so it all ends up in the minds of black Americans that the system is basically rigged to diminish their political power and recreate the plantation system with prisons." "But the disqualification of so many black men is important as a matter of democratic principle, he said, and 'further handicaps an already disadvantaged people.'"<sup>20</sup>

According to historian Steven Lawson, "southern states adopted the poll tax as a requirement for voting as one of a series of laws intended to marginalize black Americans from politics so far as practicable without violating the Fifteenth Amendment, which required that voting not be limited by 'race, color, or previous condition of servitude.'"<sup>21</sup> While in

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<sup>15</sup> Christopher Uggen, Ryan Larson, and Sarah Shannon, "6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement", *The Sentencing Project*, October 06, 2016, <http://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>.

<sup>16</sup> Fox Butterfield, "Many Black Men Barred From Voting," *The New York Times*, January 30, 1997, <http://www.nytimes.com/1997/01/30/us/many-black-men-barred-from-voting.html>.

<sup>17</sup> Uggen, Larson, and Shannon, "6 Million Lost Voters."

<sup>18</sup> Fox Butterfield, "Many Black Men Barred From Voting."

<sup>19</sup> Fox Butterfield, "Many Black Men Barred From Voting."

<sup>20</sup> Fox Butterfield, "Many Black Men Barred From Voting."

<sup>21</sup> Steven F. Lawson, *Black Ballots: Voting Rights in the South, 1944–1969* (New York: Columbia University Press, 1976), 57.



theory all voters had to pay the tax, poor voters – especially African Americans – were most affected. The populist, Democratic candidates low-income voters tended to support in the 19<sup>th</sup> century found their electoral fortunes undercut by the new system, but poll tax advocates promised that whites would not be prevented from voting. Poll taxes came into wide use in the 1890s in the hope of breaking up Populist-Republican coalitions that were putting significant numbers of African Americans into local offices. “By 1902, all eleven states of the former Confederacy had enacted a poll tax, containing new aspects such as literacy or comprehension tests to suppress the amounts of African American voters. Disenfranchisement included a mix of the poll tax combined with grandfather clauses, the ‘white primary’, and threats of violence against blacks who attempted to vote. For example, potential voters had to be ‘assessed’ in Arkansas, and African Americans were ignored in the assessment.”<sup>22</sup>

Poll taxes were required to register to vote in some states until 1966. The tax emerged after the Fifteenth Amendment to the Constitution extended the right to vote to all races. States used the poll tax, along with other Jim Crow laws, to deny African Americans the vote. Many states used devices such as grandfather clauses (which allowed adult males whose fathers or grandfathers had voted prior to the Civil War to vote without paying the tax) to exempt whites from the requirement. Other measures aimed at suppressing the votes of African Americans, Native Americans, poor whites, and immigrants included literacy tests and extra-legal intimidation.<sup>23</sup>

Booth Gunter tells the story of Dorothy Guilford, born in 1920 in Montgomery, Alabama, who lived through most of the Jim Crow years.<sup>24</sup> She lived during a time when the laws discouraged African Americans like her, as well as poor white people, from voting. When Guilford first became eligible to vote, she had to take a literacy test and pay a poll tax totaling \$1.50 (about \$25 today). She told Gunter that anyone who couldn’t read or couldn’t pay the tax, couldn’t vote. However, white voters whose ancestors voted prior to the Civil War were exempt from the literacy test. Gunter wrote, “Ms. Guilford vividly recalls the struggle for voting rights, which eventually would make her city of Montgomery the cradle of the Civil Rights Movement. Guilford was active in the Bus Boycott and watch Freedoms Riders violently attacked by Klansmen, with no police interference. Therefore, she doesn’t approve of the many recently enacted state laws that could disenfranchise hundreds of thousands of otherwise eligible voters in her home state and elsewhere.” Guilford’s concerns about modern voter suppression referred to a new photo ID law enacted in Alabama.

According to George Stoney, Alabama’s poll tax was the most severe in the US: “White Alabamians argued that if the poll tax was lifted: ‘it would give the Negro the vote. An editorial in the *Tuscaloosa (Alabama) News* for November 3 states it plainly: ‘This newspaper believes in white supremacy, and it believes that the poll tax is one of the essentials for the preservation of white supremacy. It does not believe in a democracy with a small ‘d,’ because it knows this country never has had such a democracy and never will have such a democracy as long as white supremacy is preserved.... If it is ‘undemocratic’ to argue for white supremacy—as it certainly is—then we plead guilty to the charge....’ Whether or not one thinks it a good thing, the fact that “poll tax defenders find the threatened loss of white supremacy “their most powerful argument, demands that it be analyzed, and analyzed in southern terms.”<sup>25</sup>

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<sup>22</sup> Frederic D. Ogden, *The Poll Tax in the South* (University of Alabama Press, 1958), 186-189.

<sup>23</sup> Frederic D. Ogden, *The Poll Tax in the South* (University of Alabama Press, 1958), 4-13.

<sup>24</sup> Booth Gunter, “Alabama Woman, at 94, Reflections on Poll Taxes, Literacy Tests and New Efforts to Limit Voting,” *Southern Poverty Law Center*, November 02, 2014, <https://www.splcenter.org/news/2014/11/02/alabama-woman-94-reflects-poll-taxes-literacy-tests-and-new-efforts-limit-voting-0>.

<sup>25</sup> George C. Stoney, “Suffrage in the South – Part I: The Poll Tax,” *Survey Graphic*, January 1, 1940, <https://socialwelfare.library.vcu.edu/issues/suffrage-south-poll-tax/>.

Florida is a state with a long history of suppressing black votes, as Darryl Paulson detailed in a 2013 article in the *Tampa Bay Times*.<sup>26</sup> According to Paulson, when the Civil War began, blacks composed almost half of Florida's population. Like in other Southern states, most blacks in Florida were slaves and none had the right to vote. The Constitution's post-Civil War amendments, the 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup>, ended slavery, protected against state discrimination and outlawed disenfranchisement by race, respectively. As a condition for rejoining the Union, Florida and the rest of the Confederate states had to draft new constitutions protecting these newly-created political rights of the newly freed slaves. However, despite common perception, the 15th Amendment did not guarantee blacks the right to vote. It states that the right to vote cannot be denied because of race. This distinction is critical, because it allowed the South to develop barriers to voting that would eliminate African American's votes without conflicting against the 15th Amendment.

According to Paulson's research, directly after the Civil War ended, there was an explosion in the number of male black voters and black elected officials. Nineteen African Americans were elected to the 76-member Florida Legislature. Josiah Walls, a former slave and Union soldier from Alachua County, became Florida's first black member of Congress in 1870. Unfortunately, he would be the only black member of Congress from Florida for the next 116 years. Once Reconstruction ended, Florida politicians adopted numerous mechanisms to eliminate black voting, by 'legally' eliminating black voters without violating the 15th Amendment. Remember: elections and our democracy itself are on a state and local level. Between all the laws passed by the Legislature and the adoption of the 1885 Constitution, almost every black vote was eliminated. Florida, like every one of the former Confederate states, adopted disenfranchisement including the white primary, grandfather clause, poll tax, literacy test, long residency requirements and other obstacles to black voters. It was designed as a fail-safe system. If one obstacle failed, there would always be another to stop black citizens from voting.

Florida was also a leading innovator of discriminatory obstacles to voting. For example, some Florida counties used tissue ballots or undersized ballots in areas where there were significant numbers of black voters. Then election officials would stuff the ballot boxes so there would be more ballots than legal voters and then they would pull out the excess ballots. Not surprisingly, they pulled out the tissue or undersize ballots that had been given to blacks. Another Florida innovation was the "multiple ballot box" or "eight-box" law of 1889. This law required voters to place eight separate ballots into eight ballot boxes. However, since blacks were denied an education and over 40 percent were classified illiterate the year 1900, they could not read to know which ballot was supposed to go in which box. Even the secret ballot, a "hallmark" of democracy, was used in Florida to discriminate against blacks. Due to African Americans' high illiteracy rates, they needed assistance in casting their ballot. Under the "ruse" of preserving the integrity of the ballot, Florida either denied assistance to illiterates or limited the number of illiterate voters a person could assist. One of the most common barriers for black Floridian voters was the white primary. The white primary stated that only whites could vote in the primary election, which is obviously a clear violation of the 15th Amendment. However, the federal government could not regulate primaries, and Southern states could limit who participated in those elections. Typically in the South, whoever won the primary won the general election. The use of Florida's white primary dates back to 1892 when the Democratic Party banned blacks from voting in its elections to preserve the "purity and integrity of the party."<sup>27</sup>

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<sup>26</sup> Information in the next several paragraphs is drawn from Darryl Paulson, "Florida's History of Suppressing Black Votes," *Tampa Bay Times*, October 10, 2013, <http://www.tampabay.com/news/perspective/floridas-history-of-suppressing-blacks-votes/2146546>.

<sup>27</sup> Darryl Paulson, "Florida's History of Suppressing Black Votes."

However, in *Davis v. Cromwell* (1945), the Florida Supreme Court declared that the state's white primary was unconstitutional. In response to the court's decision, the city of Jacksonville switched from ward to at-large elections to prevent the election of blacks in majority-black districts. For example, when a black minister in Jacksonville attempted to register and vote in 1944, he was told, "You won't go to jail, but you will be killed! This is Florida. We don't allow niggers to vote here in Democratic primaries."<sup>28</sup> Florida was the first state in the nation to adopt a poll tax. In 1889 the Legislature adopted a \$2 annual poll tax as a requirement for voting. On the surface, there was nothing discriminatory about the tax. Both whites and blacks had to pay it. However, in reality, the legislators knew that the \$2 tax would affect blacks more because they were so poor. Although some poor whites also were disfranchised, they could often find ways to circumvent the tax. As Paulson writes, "Election officials frequently "overlooked" the tax for whites; candidates even paid the tax for some white voters. Florida was one of only four states that relied extensively on the poll tax to impede black voting."<sup>29</sup>

Also in Florida, whites often used violence to intimidate potential black voters. Immediately following the Civil War, the Ku Klux Klan (KKK) formed in Tennessee and quickly spread throughout the South. It was strongest where the black population was largest. In 1920, Republicans had been organizing blacks to vote in Ocoee in Central Florida. Violence erupted when a black man attempted to vote. According to the NAACP's Walter White, who came to Ocoee to investigate the resulting massacre, 60 blacks were killed and 20 blacks' homes were burned to the ground. Three years later, Rosewood, a lumber village near Cedar Key, was wiped off the map when the KKK and others killed eight black residents and burned down every black home. However, the most infamous violence occurred on Christmas Eve in 1951 when a bomb was placed under the home of Harry Moore, president of the Florida NAACP and the leader of a black voter registration campaign. Moore and his wife were killed, and no one was ever arrested. In 2006, then-Attorney General Charlie Crist reopened the case and concluded that four Klan's members were responsible for the bombing. All of them were dead when the report was issued in 2008.<sup>30</sup>

The Twenty-Fourth Amendment of the United States Constitution prohibits both Congress and the states from conditioning the right to vote in federal elections on payment of a poll tax or other types of tax.<sup>31</sup> Unfortunately, there is now another way African American and poor white voters are being disenfranchised once again through Voter ID laws.<sup>32</sup> These laws require a person to provide some form of official identification before they are permitted to register to vote, receive a ballot for an election, or to actually vote.

### How Competitive?

The practice of manipulating the boundaries of electoral districts for party or class gain is as old as the United States, although the term is not. The U.S. is the only democracy in the world where politicians have an active role in creating voting districts, and says it plays a large role in the divisive nature of our politics.<sup>33</sup> Before the term "gerrymander" was coined and even

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<sup>28</sup> Darryl Paulson, "Florida's History of Suppressing Black Votes."

<sup>29</sup> Darryl Paulson, "Florida's History of Suppressing Black Votes."

<sup>30</sup> Darryl Paulson, "Florida's History of Suppressing Black Votes."

<sup>31</sup> "24<sup>th</sup> Amendment," Legal Information Institute, <https://www.law.cornell.edu/constitution/amendmentxxiv>.

<sup>32</sup> Daniel P Tokaji, "The Help America Vote Act: An Overview," The E-Book on *Election Law: An Online Reference Guide*, Moritz College of Law, 85-93.

<sup>33</sup> Information on gerrymandering is drawn from Emily Barasch, "The Twisted History of Gerrymandering in American Politics," *The Atlantic*, September 19, 2012, <https://www.theatlantic.com/politics/archive/2012/09/the-twisted-history-of-gerrymandering-in-american-politics/262369/>.

prior to the U.S. Constitution taking effect, redistricting was already being employed for political gain. Late in 1788, just after Virginia voted to ratify the Constitution and join the union, former Governor Patrick Henry persuaded the state legislature to remake the 5th Congressional District, forcing Henry's political enemy James Madison to run against the formidable James Monroe. The word gerrymandering comes from Elbridge Gerry. Gerry, who signed the Declaration of Independence, helped write the Constitution, and served as governor of Massachusetts became an Anti-Federalist, because he believed the Constitution had gotten the balance of power between states and the national government wrong.

Gerry's many contributions to the early United States would have been his legacy, but instead he decided to lead his party in the 1810 election. He favored his partisans, the Democratic-Republicans, in state hiring, and the party's legislators Massachusetts' state senate districts to benefit their party. As Eric Trickey put it, "Until then, senatorial districts had followed county boundaries. The new Senate map was so filled with unnatural shapes, Federalists denounced them as 'carvings and manglings.'" <sup>34</sup> In 1812 Governor Gerry signed a bill to redraw state Senate districts in such a way as to favor his party over the opposition. One of the districts resembled a salamander. "The word "gerrymander" was coined at a Boston dinner party hosted by a prominent Federalist in March 1812." <sup>35</sup> Trickey writes, "the gerrymander did its job, giving the Democratic-Republicans a bigger state Senate majority in Massachusetts' April 1812 election, even though the Federalists actually got more votes statewide." <sup>36</sup> Gerry's role in gerrymandering echoes his most famous comment at the Constitutional Convention, "The evils we experience flow from an excess of democracy." It seems, we will never fulfill Huntington's definition of democracy in terms of competitiveness.

Today the practice of gerrymandering continues throughout the United States as a way to maximize the seats won by a particular party. The most obvious downside to gerrymandered districts is that they make voting for all but statewide or national offices largely futile, because elections are non-competitive and often do not offer multiple candidates. Gerrymandered districts thus discourage turnout and reduce citizen participation in governance. This can be seen especially in the politics of North Carolina and Wisconsin. This unfair practice of gerrymandering typically has racial undertones and bias that directly affects black voters and their communities. Without gerrymandering, democracy is like free-market capitalism: It generates better ideas and candidates by fostering competition for votes. In this system, politicians compete for the center and avoid extreme positions supported by only a fraction of voters.

Regardless of which party wins, gerrymandered systems like those in North Carolina do not represent popular preferences. The actual choices occur in primaries, when the most energized and extreme voters usually choose the dominant party's candidate. Since relatively few people vote in primaries, and even fewer moderates, candidates have incentive to offer extreme views that appeal to the fringes of the electorate. The legislature ends up full of politicians with extreme views. Meanwhile, the party that has no chance of winning in a district gradually withers in that district. Worse, lack of competition ultimately means the dominant party will produce increasingly uninspiring candidates. And worst of all, once in power elected officials have no incentive to collaborate with legislators less extreme than themselves. A truly

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<sup>34</sup> Eric Trickey, "Where Did the Term "Gerrymander" Come From?" *Smithsonian.com*, July 20, 2017, <https://www.smithsonianmag.com/history/where-did-term-gerrymander-come-180964118/>.

<sup>35</sup> Eric Trickey, "Where Did the Term "Gerrymander" Come From?"

<sup>36</sup> Eric Trickey, "Where Did the Term "Gerrymander" Come From?"

competitive environment leads to outcomes preferred by a majority.<sup>37</sup>

North Carolina's current system of gerrymandered voting districts is indeed harmful. Undemocratic and alien to American values, gerrymandering – drawing electoral districts to favor certain parties and minimize competitiveness of general elections – also undermines our society in many ways. For example, the Supreme Court decided to strike down two North Carolina congressional districts on May 22, 2017.<sup>38</sup> The ruling determined that lawmakers had violated the Constitution by relying too heavily on race in drawing them, in decisions that could affect many voting maps, generally in South. The Supreme Court has insisted that packing black voters into a few districts, which dilutes their voting power, violates the Constitution. This decision set back Republican-led legislatures who state they tried to comply with the Voting Rights Act, which in some settings requires that black voters be concentrated in numbers sufficient to provide them with an opportunity to elect their preferred candidates. However, critics of the voting map believe that the Republican-legislatures are attempting to diminish the number of districts in the state that could be won by Democrats.

It has been said that North Carolina's maps were among the worst racial gerrymanders in the nation, again Republican legislatures deny this claim stating that they believe the current map is not only legal but fair, and that they are being victimized by inconsistent standards.<sup>39</sup> The Supreme Court will soon consider yet another North Carolina election law appeal, this time from a federal trial court's decision that found some of the state's Generally Assembly districts had been tainted by racial gerrymandering.

In the case of Wisconsin, there are numerous Republican candidates that benefit from gerrymandering. For example, in the spring of 2011, Dale Schultz noticed that Republicans controlled the State Senate and the State Assembly as well as the governor's office, giving them total sway over the redistricting process that follows the census taken at the beginning of each decade. Emily Bazelon quoted Schultz in the *New York Times*:<sup>40</sup>

“The way I saw it, reapportionment is a moment of opportunity for the ruling party,” stated Schultz. Schultz explains how he visited what party aides called the “map room.” They asked him to sign a nondisclosure agreement, which he did without complaint. He then sat down and was given a map with the new lines for his rural district west of Madison. Schultz noticed that the newly drawn district mostly included precincts he'd won before. “I took one look at the map and saw that if I chose to run for reelection I could win, no trouble,” Schultz remembered.

Bazelon described what happened next:<sup>41</sup>

Nearly all of the 79 Republicans in the Wisconsin Senate and Assembly made a similar trip to the map room, signing the same secrecy pledge to see the new shape of their districts. The new maps efficiently concentrated many Democratic voters in

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<sup>37</sup> Adam Liptak, “Justices Reject 2 Gerrymandered North Carolina Districts, Citing Racial Bias” *The New York Times*, May 22, 2017,

<https://www.nytimes.com/2017/05/22/us/politics/supreme-court-north-carolina-congressional-districts.html>.

<sup>38</sup> Adam Liptak, “Justices Reject 2 Gerrymandered North Carolina Districts, Citing Racial Bias.”

<sup>39</sup> Adam Liptak, “Justices Reject 2 Gerrymandered North Carolina Districts, Citing Racial Bias.”

<sup>40</sup> Emily Bazelon, “The New Front in the Gerrymandering Wars: Democracy vs. Math” *The New York Times*, August 29, 2017.

<sup>41</sup> Emily Bazelon, “The New Front in the Gerrymandering Wars.”

a relatively small number of urban districts and spread out the remainder among many districts in the rest of the state. These are the twin techniques of gerrymandering, often called packing and cracking, which distribute voters to benefit the party that is drawing the district lines. The Republicans tried hard to keep the mapmaking process a secret. But they weren't successful. In the first of two lawsuits brought by Democratic voters, three federal judges berated Republican leaders in 2012 for 'flailing wildly in a desperate attempt to hide' their methods. A year later, the court ordered Republicans to turn over three computers. One appeared to have been tampered with, and a hard drive on a second computer had been wiped clean. But in 2016, a computer expert hired by the plaintiffs in the second lawsuit found, on another hard drive, spreadsheets that used a powerful new gerrymandering tool, based on sophisticated computer modeling. The tool was created by Keith Gaddie, a political science professor at the University of Oklahoma. Gaddie devised a way to measure partisanship for every precinct, which two Republican aides and a consultant used to draw a series of possible maps. They matched those maps against a regression analysis that Gaddie devised, which showed how the districts would perform, in the aggregate, in the event of any likely electoral outcome.

Voting maps being drawn by politicians to give advantage to their parties are a problematic aspect of American democracy, the constitutionality of which the Supreme Court is still determining. Constitutional or not, even a small amount of partisan concentration can become cumbersome to the ideals of democracies.

### **Instructional Implementation**

A democratic society depends on citizens' participation in public life and the exercise of their rights and duties as citizens. I would like to focus on concepts and materials that facilitate students' understandings of the rights established in the U.S. Constitution, the Bill of Rights, state and local legislation. I would also guide students' understandings of how these rights provide a foundation for ongoing civic engagement in today's world, and how reality often fails to match the ideals expressed in these documents.

In the unit and class, I will develop students' abilities to engage in a variety of forms of civic action to preserve valued social institutions and practices, as well as to bring about desired social changes. It is important for me to assist students in developing an understanding of the complex nature of U.S. identity. This identity includes a deep understanding of our national heritage, ideals, and founding principles, as well as the knowledge, values, and skills important to functioning in a pluralistic democratic society. I want to provide opportunities for students to explore how national identity involves appreciation of the ideals of democracy and a willingness to strive for their realization. The *Know Your Rights* Campaign will focus on students identifying the principles found in the Declaration of Independence, the Federalist papers, and the Constitution, and then discuss how the application of these ideals has changed over time and how these ideals apply to current issues. Students could also look at changing definitions of U.S. identity throughout the nation's history. By asking "what does it mean to be American?" we will strive to uncover the process of citizenship and the continuation of the American experiment. Use of fish bowl or Socratic seminar yields the best desired results of an inclusive classroom environment.

Although my students are young adolescents and adults, I expect full participation from all students and model democratic principles. Classrooms are organized in ways that provide all students access to information and allow them to speak and to be heard. In the course we will implement strategies such as Socratic seminars and moot court simulation, so that all students can participate in discussions. The health of our democracy depends on this format, which helps students learn to use multiple sources, confront multiple perspectives, and make their own decisions. Students are exposed to multiple primary and secondary perspectives. Students are supported with analyzation anchor charts and close reading strategies.

Students will complete a service learning project centered around mobilizing their respective communities. Service learning is not community service. Community service, such as a food drive, campus clean up, etc. are noble causes that should be promoted. Service learning allows students to be active participants and change agents in the community. Service learning is a hands-on experience for the educator and scholars. The fundamental value is that there is a problem in the community and students aim to find a viable long term solution. There are several components and designated roles are need to ensure fidelity. Service learning is based on collaboration within the classroom and the surrounding community. Service learning can easily be connected to various curriculums and standards. Some examples could be: Explain how citizens contribute politically, socially and economically to their community. Write opinion pieces on topics or texts, supporting a point of view with reason and information. There are four key steps defined in what is known as “The Cycle of Service Learning.”

Step 1 is Preparation. Preparation consists of introducing what service-learning is, defining it, and how it differs from community service and community-based learning by focusing on brainstorming what is a need in the area.

Step 2 is Action. This step investigates needs and research solutions by determining the need and solution of the community through a thorough evaluation process. Students will then develop an action plan and follow through with the implementation of that plan.

Step 3 is Evaluation. Students will reflect by revisiting the project through an analyzation of what skills were developed, what was learned about themselves, what was learned about others, and what was discovered about the community. Students will continue to evaluate the success of the project by identifying the effects of the service focusing on what parts of the project worked well, and what were some challenges of the overall implementation of the project.

Step 4 is Celebration. This step is where students share the outcomes through informing the community (local media) and present to the school (principal conference, student assembly, posters). An additional celebration might be to hold an awards ceremony, sponsor an open house, or to showcase products.

There are several benefits of service learning project. This project can foster a sense of care and concern for others. This aligns well with social and emotional aspect of learners and increase student engagement. Generation Y and Z are often characterize as the most altruistic generation. This task also extends the boundaries of the classroom and creates a learning lab in the community. Students needs for multiple stimulation can be achieved by the various aspect of the service learning project format. Service learning also provides opportunity for inquiry-based experiential engagement with real-life situations. After the Supreme Court struck down the egregious North Carolina voter ID law, students as young as 16 can register to vote. This will ensure that they are engaged in the process at earliest time.

The DBQ Project and its selection of primary texts are great for various sub groups of students and differentiation. Each DBQ spans a time or event in a particular content subject area. The DBQ project instructional materials have a level of understanding that our students come to the classroom setting with differentiated levels of understanding and knowledge. The materials lays out context in the background essay, which ensures all students have enough historical context to be engaged. The DBQ set focuses on understanding the question to create a clearer purpose and increase students chance of a successful response or performance task. Close reading and



analysis of primary sources documents are key initiatives for the secondary education. Students need guidance in how to read like a historian. The document analysis organizers provide the support needed to turn struggling readers to confident historians. Using a higher order (RBT) thinking strategies of synthesis, students will group the documents to see broader relationships. This will also give students visual cues to make their arguments more tangible and accessible. Finally, the DBQ project prepares students to write well thought out essay. By having students engage in an informal debate. They are able to clarify their thinking, hear the views of their classmates, and become more emotionally attached to the subject. While structured supports like the chickenfoot and outline guides helps students to plan and organize their thoughts. The DBQ Project has an excellent DBQ title: How democratic was Andrew Jackson? This DBQ aligns well with a project based learning activity of a Moot (mock) trial of Andrew Jackson. The Age of Jacksonian has consequential effects in history. Students will utilize various sources and legal procedures to determine if Jackson should be removed from the office of the presidency for high crimes. This PBL was created and shared on the AP Central website in the AP U.S. History section. The creator of the project and the associated documents below are credited to Lisa Norton.

See [Appendix 2](#) for teaching materials.

## **Appendix 1: Connection to Standards**

### American History I Essential Standards

The essential standards of American History I: The Founding Principles have been designed to provide a framework for studying political, social, economic, and cultural issues, and for analyzing the impact these issues have had on American society over time. Students will continue to build upon previous studies of American History, the fundamental concepts in civics and government, economics, culture and geography taught in grades kindergarten through eight and use skills of historical analysis as they examine American history. This course goes beyond memorization of isolated facts to the development of higher level thinking skills, encouraging students to make historical assessments and evaluations.

Aligns to:

Section 2 (1)

- a. The Creator-endowed inalienable rights of the people.
- b. Structure of government, separation of powers with checks and balances.
- c. Frequent and free elections in a representative government.
- d. Rule of law.
- e. Equal justice under the law.
- f. Private property rights.
- g. Federalism.

- h. Due process.
- i. Individual rights as set forth in the Bill of Rights.
- j. Individual responsibility.

AH1.H.2.1 Analyze key political, economic, and social turning points from colonization through Reconstruction in terms of causes and effects (e.g., conflicts, legislation, elections, innovations, leadership, movements, Supreme Court decisions, etc.)

AH1.H.4.1 Analyze the political issues and conflicts that impacted the United States through Reconstruction and the compromises that resulted (e.g., American Revolution, Constitutional Convention, Bill of Rights, development of political parties, nullification, slavery, states' rights, Civil War).

AH1.H.5.1 Summarize how the philosophical, ideological and/or religious views on freedom and equality contributed to the development of American political and economic systems through Reconstruction (e.g., natural rights, First Great Awakening, Declaration of Independence, transcendentalism, suffrage, abolition, “slavery as a peculiar institution”, etc.).

AH1.H.5.2 Explain how judicial, legislative and executive actions have affected the distribution of power between levels of government from colonization through Reconstruction (e.g., the Marshall Court, Jacksonian era, nullification, secession, etc.).

AH1.H.8.3 Evaluate the extent to which a variety of groups and individuals have had opportunity to attain their perception of the “American Dream” through Reconstruction (e.g., various ethnic, religious, racial, socio-economic groups of people; plantation society; transcendentalism; 49ers; etc.).

## **Appendix 2: Teaching Resources**

[Introduction: People v. Jackson](#)

[People v. Jackson Mock Trial](#)

[New Trial Calendar People v. Jackson](#) (Due Dates)

[Checklist](#) (for all members in the trial)

[Witness' Role](#)

[Juror's Role](#)

[Judge's Role](#)

[Background for Prosecution](#)

[Background for Defense](#)

[Attorney Folder](#)

[DBQ: How Democratic was Andrew Jackson?](#)

**Student and Teacher Resources and Suggested Readings:**

1. *THE THIRD WAVE: Democratization in the Late Twentieth Century*. Samuel P. Huntington. University of Oklahoma Press, 1992.
2. *Behind the Ballot Box: A Citizen's Guide to Voting Systems*, 2000.
3. *Real Choices / New Voices: the case for Proportional Representation in the United States*, 1993, 2002. and
4. *Proportional Representation: The Case for a Better Election System*, 1997 by Douglas Amy.
5. *How to Take Votes: New Ideas on Better Ways to Determine the Winners*, (research draft) by Lowell Bruce Anderson, 1994.
6. Kathleen L Barber: *A Right to Representation: Proportional Election Systems for the Twenty-First Century*. Ohio State University Press (2000).
7. Albright, Spencer D. *The American Ballot*. Washington, D.C.: American Council on Public Affairs, 1942.
8. Alvarez, R. Michael, and Thad E. Hall. *Washington, Point, Click, and Vote: The Future of Internet Voting*. D.C.: Brookings Institution Press, 2004.
9. Bensel, Richard Franklin. *The American Ballot Box in the Mid-Nineteenth Century*. New York: Cambridge, 2004.
10. Chute, Marchette Gaylord. *The First Liberty: A History of the Right to Vote in America, 1619-1850*. New York: Dutton, 1969.
11. Crigler, Ann N., Marion R. Just, and Edward J. McCaffery, eds. *Rethinking the Vote: The Politics and Prospects of American Election Reform*. New York: Oxford University

Press, 2004.

12. Cultice, Wendell W. *Youth's Battle for the Ballot: A History of Voting Age in America*. New York: Greenwood Press, 1992.
13. Dahl, Ronald Alan. *How Democratic is the American Constitution?* New Haven: Yale University, 2001.
14. Dinkin, Robert J. *Voting in Revolutionary America: A Study of Elections in the Original Thirteen States, 1776 - 1789*. Westport, Conn.: Greenwood Press, 1982.
15. Dudley, Robert L., and Alan R. Gitelson. *American Elections: The Rules Matter*. New York: Longman, 2002.
16. Evans, Eldon Cobb. *A History of the Australian Ballot System in the United States*. Chicago: The University of Chicago Press, 1927.
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18. Frost, Elizabeth, and Kathryn Cullen-Dupont. *Women's Suffrage in America: An Eyewitness History*. New York: Facts on File, Inc., 1992.
19. Garrow, David J. *Protest at Selma: Martin Luther King Jr., and The Voting Rights Act of 1965*. New Haven: Yale University Press, 1978.
20. Goldman, Robert M. *"A Free Ballot and a Fair Count": The Department of Justice and the Enforcement of Voting Rights in the South, 1877-1893*. New York: Garland, 1990.
21. Gritzalis, Dimitris A., ed. *Secure Electronic Voting*. Boston: Kluwer Academic Publishers, 2003.
22. Harris, Joseph P. *Election Administration in the United States*. Washington, D.C.: Brookings Institution, 1934.
23. Jacobson, Arthur J., and Michel Rosenfeld, eds. *The Longest Night: Polemics and Perspectives on Election 2000*. Berkeley: University of California Press, 2002.
24. Keyssar, Alexander. *The Right to Vote: The Contested History of Democracy in the United States*. New York: Basic Books, 2000.

25. Lawson, Steven F. *Black Ballots: Voting Rights in the South 1944-1969*. New York: Columbia University Press, 1976.
26. McCormick, Richard P. *The History of Voting in New Jersey: A Study of the Development of Election Machinery, 1664-1911*. New Brunswick, NJ: Rutgers University Press, 1953.
27. Merzer, Martin, et al. *The Miami Herald Report: Democracy Held Hostage*. New York: St. Martin's Press, 2001.
28. Reichley, A. James, ed.. *Elections American Style*. Washington: The Brookings Institution, 1987.
29. Rogers, Donald W., ed. *Voting and the Spirit of American Democracy: Essays on the History of Voting and Voting Rights in America*. Urbana, IL: University of Illinois Press, 1990.
30. Saltman, Roy G. *Accuracy, Integrity, and Security in Computerized Vote-Tallying*. Gaithersburg, MD:
31. U.S. Department of Commerce National Bureau of Standards, 1988. <http://www.itl.nist.gov/lab/specpubs/500-158.htm>
32. Strong, Donald S. *Negroes, Ballots, and Judges: National Voting Rights Legislation in the Federal*
33. Zukerman, David. *The Voting Machine: Report on the History, Use and Advantages of Mechanical*
34. *Means for Casting and Counting Ballots*. New York: Political Research Bureau of the Republican County Committee of New York, 1925.
35. Voting and Elections. <https://www.usa.gov/voting>.
36. Voting in the United States. <https://www.scholastic.com/teachers/articles/teaching-content/voting-united-states/>.
37. Voting Steps. <https://www.wikihow.com/Vote-in-the-United-States>.

38. Why Does the U.S. have such Low Voter Turnout?  
<http://www.bbc.com/news/election-us-2016-37634526>

39. Elections and Voting. <https://www.whitehouse.gov/1600/elections-and-voting>.

### **Annotated Bibliography**

Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York, NY: The New Press, 2010.

The *New Jim Crow* is a stunning account of the rebirth of a caste-like system in the United States, one that has resulted in millions of African Americans locked behind bars and then relegated to a permanent second-class status—denied the very rights supposedly won in the Civil Rights Movement. Since its publication in 2010, the book has appeared on the *New York Times* bestseller list for more than a year; been dubbed the “secular bible of a new social movement” by numerous commentators, including Cornel West; and has led to consciousness-raising efforts in universities, churches, community centers, reentry centers, and prisons nationwide. The *New Jim Crow* tells a truth our nation has been reluctant to face. As the United States celebrates its “triumph over race” with the election of Barack Obama, the majority of black men in major urban areas are under correctional control or saddled with criminal records for life. Jim Crow laws were wiped off the books decades ago, but today an extraordinary percentage of the African American community is warehoused in prisons or trapped in a parallel social universe, denied basic civil and human rights—including the right to vote; the right to serve on juries; and the right to be free of legal discrimination in employment, housing, access to education and public benefits. Today, it is no longer socially permissible to use race explicitly as a justification for discrimination, exclusion, and social contempt. Yet as civil-rights-lawyer-turned-legal-scholar Michelle Alexander demonstrates, it is perfectly legal to discriminate against convicted criminals in nearly all the ways in which it was once legal to discriminate against African Americans. Once labeled a felon, even for a minor drug crime, the old forms of discrimination are suddenly legal again. In her words, “we have not ended racial caste in America; we have merely redesigned it.” Alexander shows that, by targeting black men through the War on Drugs and decimating communities of color, the U.S. criminal justice system functions as a contemporary system of racial control, even as it formally adheres to the principle of colorblindness. The *New Jim Crow* challenges the civil rights community—and all of us—to place mass incarceration at the forefront of a new movement for racial justice in America.



Barasch, Emily. "The Twisted History of Gerrymandering in American Politics," *The Atlantic*, September 19, 2012, <https://www.theatlantic.com/politics/archive/2012/09/the-twisted-history-of-gerrymandering-in-american-politics/262369/>.

This article offers an in-depth analysis of current instances of gerrymandering in U.S. politics. The practice of manipulating the boundaries of electoral districts for party or class gain is as old as the United States -- though the term is not. But Draper argues that the U.S. is the only democracy in the world where politicians have an active role in creating voting districts, and says it plays a large role in the divisive nature of our politics. Here is a brief history of the practice. Outlandish districts created for electoral gain are a major distorting force in the contemporary U.S., but they belong to a long tradition.

Bennett, Robert W. *Taming the Electoral College*. Stanford, California: Stanford University Press, 2006.

*Taming the Electoral College* explores poorly understood aspects of the electoral college, including two possibilities in particular that could pose the most serious danger for American democracy. These are, first, determination of the president by "faithless electors" who ignore the popular vote in their states, and, second, choice of the president in the House of Representatives, which is required if no electoral college majority votes in favor of a single candidate. In any given election, neither of these outcomes is likely, but the 2000 election showed that we would do well to take both of them seriously and take action now to prevent them from occurring. Both possibilities could be dealt with by constitutional amendment, but amendment is difficult to achieve, particularly as it bears on the electoral college process. This engaging book instead offers nonconstitutional solutions to the two possibilities, as well as to a variety of other problems that lurk in the shadows of the electoral college process. It also offers a way to work toward popular election of the president without a constitutional amendment.

Fox Butterfield, "Many Black Men Barred From Voting," *The New York Times*, January 30, 1997, <http://www.nytimes.com/1997/01/30/us/many-black-men-barred-from-voting.html>.

This article explains the impact of mass incarceration on the voting by black men who are felons.

Engerman, Stanley L. and Kenneth L. Sokoloff, "The Evolution of Suffrage Institutions in the New World": 14–16.

Most analysis of how the distribution of political power affects the patterns of growth has been

confined to the late-twentieth century. One problem associated with a focus on the modern record is that processes that take place over the long run are not examined. We may all agree that institutions concerned with the distribution of political power have an impact on growth, but our interpretation of the relationship will vary with our understanding of where institutions come from: to what degree are institutions exogenous, and to what degree are they endogenous. This paper contributes to our knowledge of where institutions have come from by examining how the rules governing the extension of suffrage, a key measure of the distribution of political influence, evolved over time within the United States and across the societies of the Americas. We have previously argued that there was enormous variation in the initial extent of inequality across the New World colonial societies established by the Europeans because of differences in their factor endowments present early in their histories. Moreover, these initial differences in inequality may have persisted over time if they affected the ability of elites to obtain disproportionate political leverage, and to shape legal frameworks and state policies to advantage themselves relative to others in terms of access to economic and other opportunities. In this paper, we show that the early patterns of the extension of the franchise, the proportions of the respective populations voting, and other aspects of the conduct of elections are indeed generally consistent with the notion that the extent of initial inequality and population heterogeneity was associated across societies -- even within the United States -- with the nature of the political institutions that evolved. Specifically, where there was greater inequality, the proportion of the population that had the right to vote was generally lower, and the timing of the extensions of this right from elite groups to a broad population generally later, than in areas where there was relative homogeneity in the population.

Lawson, Steven F. *Black Ballots: Voting Rights in the South, 1944–1969*. New York: Columbia University Press, 1976.

*Black Ballots* is an in-depth look at suffrage expansion in the South from World War II through the Johnson administration. Steven Lawson focuses on the "Second Reconstruction"—the struggle of blacks to gain political power in the South through the ballot—which both whites and black perceived to be a key element in the civil rights process. Examining the struggle of civil rights groups to enfranchise Negroes, Lawson also analyzes the responses of federal and local officials to those efforts. He describes the various techniques—from the white primary, the poll tax, literacy tests, and restrictive registration procedures through sheer intimidation—that were developed by white southerners to perpetuate disfranchisement and the sundry methods used by blacks and their white allies to challenge them.

Liptak, Adam. "Justices Reject 2 Gerrymandered North Carolina Districts, Citing Racial Bias." *The New York Times*. May 22, 2017.

<https://www.nytimes.com/2017/05/22/us/politics/supreme-court-north-carolina-congressional-dis>

[tricts.html](#).

This article discusses the racially discriminatory voting legislation that North Carolina is attempting to pass. The legislation, so far, has been struck down by the Supreme Court as unconstitutional.

Ogden, Frederic D. *The Poll Tax in the South*. University of Alabama Press, 1958.

During the 1940's when repeal of the poll tax as a suffrage prerequisite was a live issue before Congress, many sweeping statements were made about the tax. Opponents of the tax blamed it for preventing millions of citizens from voting in the southern states. They charged that it was adopted to disfranchise Negroes, and that it was administered more to their disadvantage than to the disadvantage of the whites. They held it responsible for an excessive amount of political corruption and implied frequently that it was responsible for most of the ills of the South. Supporters argued that the tax requirement prevented ignorant, corrupt, and disinterested citizens from voting but did not stop any citizen who really wanted to vote. They contended that the tax helped to preserve the purity of the ballot box, instead of causing political corruption. Little proof was given for such statements. This study was undertaken to find out what the poll tax is and how it operates, and to present an objective, factual analysis of the tax as a voting prerequisite. The purpose was to give a complete picture of the tax in the eleven former Confederate States, the states where poll tax payment has been a voting requirement in this century. To this end, the origins of the tax, its form, the way in which it is administered, the relation between the tax and corrupt election practices, its effects upon voting participation, and the movements to repeal it by state and national action were examined. The study was originally submitted as a doctoral dissertation at The Johns Hopkins University.

Paulson, Daryll. "Florida's History of Suppressing Black Votes." Tampa Bay Times. October 10, 2013,

<http://www.tampabay.com/news/perspective/floridas-history-of-suppressing-blacks-votes/2146546>.

Blacks composed almost half of Florida's population at the end of the Civil War. Like in other Southern states, most blacks in Florida were slaves and none had the right to vote. As a condition for rejoining the Union, Florida and the rest of the Confederate states had to draft new constitutions protecting the political rights of the newly freed slaves. And the federal Constitution's 13th, 14th and 15th amendments ended slavery, protected against state discrimination and guaranteed that blacks could not be denied the right to vote because of their race.

Remini, Robert. *The Life of Andrew Jackson*. New York: Harper and Row, 1988.

The classic one-volume biography of Andrew Jackson, Robert V. Remini's prizewinning, three-volume biography, *The Life of Andrew Jackson*, won the National Book Award upon its completion in 1984. Now, Remini captures the essence of the life and career of the seventh president of the United States in the meticulously crafted single-volume abridgement. The critically acclaimed and most concise biography of Andrew Jackson that takes a comprehensive look at the political, personal, and military life of the seventh president of the United States.

Stoney, George C. "Suffrage in the South – Part I: The Poll Tax," Survey Graphic, January 1, 1940, <https://socialwelfare.library.vcu.edu/issues/suffrage-south-poll-tax/>.

George C. Stoney, a dean of American documentary film and a leader of the citizens movement that gave every American the right to a public-access television show of his or her own, died on July 12, 2012 at his home in Manhattan. He was 96. As a young man in 1938, he worked at Henry Street Settlement House, on the Lower East Side of NYC and then served as a research assistant to Gunnar Myrdal and Ralph Bunche's project on Suffrage in the South in 1940.

Tokaji, Daniel P. "The Help America Vote Act: An Overview." *The E-Book on Election Law: An Online Reference Guide*. Moritz College of Law, 85-93.

HAVA delegates several significant implementation responsibilities to the newly-created Election Assistance Commission. The EAC consists of four members appointed by the President, and can only act with the approval of three of those members. Among the EAC's duties are: to develop and adopt voluntary guidelines on provisional voting, statewide voter registration databases, and mail-in registration, to adopt voluntary guidelines on voting equipment, to conduct studies on election administration, to research methods to improve access for voters with disabilities and those who are not proficient in English, Each state is required to develop a plan explaining how it will comply with the requirements of HAVA.

Trickey, Eric. "Where Did the Term "Gerrymander" Come From?" *Smithsonian.com*. July 20, 2017.

<https://www.smithsonianmag.com/history/where-did-term-gerrymander-come-180964118/>.

This article explains the historical background of the term "gerrymandering."

Uggen, Christopher, Ryan Larson, and Sarah Shannon. "6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement." *The Sentencing Project*: October 06, 2016.

<http://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony->

[disenfranchisement-2016/](#).

In this article Christopher Uggen, Ryan Larson, and Sarah Shannon compiled a record 6.1 million Americans are forbidden to vote because of felony disenfranchisement, or laws restricting voting rights for those convicted of felony-level crimes. The number of disenfranchised individuals has increased dramatically along with the rise in criminal justice populations in recent decades, rising from an estimated 1.17 million in 1976 to 6.1 million today.

Williams, Robert F. (Robert Franklin). *1925-1996. Negroes With Guns*. New York :Marzani & Munsell, 1962.

First published in 1962, *Negroes with Guns* is the story of a southern black community's struggle to arm itself in self-defense against the Ku Klux Klan and other racist groups. Frustrated and angered by violence condoned or abetted by the local authorities against blacks, the small community of Monroe, North Carolina, brought the issue of armed self-defense to the forefront of the civil rights movement. Under the leadership of Robert F. Williams (1925-1996), Monroe became the test case of the right of blacks to armed self-defense when law and order broke down. In 1961 Williams was framed for kidnapping and had to flee the country with his family. From exile in Cuba, Williams told his story of the Monroe case to Marc Schleifer in a three-hour interview, beginning with his return to his home town of Monroe in 1955 as a veteran of the U.S. Marine Corps, when he joined the local chapter of the NAACP. Williams described his involvement, supplemented by material from Williams' articles and editorials featured in the newsletter, *The Crusader* -- which Williams and his wife Mabel continued to publish in Cuba for a circulation of thousands -- and an interview with John Schultz first published in *Studies on the Left*. These materials became *Negroes with Guns*. The single most important intellectual influence on Huey P. Newton, the founder of the Black Panther Party, *Negroes with Guns* is a classic story of a man who risked his life for democracy and freedom.