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How Suffrage Politics Made—and Makes—America

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Abstract and Keywords

Most Americans believe that the franchise has steadily and gradually expanded since the Founding. In fact “suffrage politics” has been far more complex and disjointed. This contribution develops a party-centered approach that identifies several types of enfranchisement and disenfranchisement, as well as suffrage regimes—that is, bundles of institutions and election law that are meant to buttress allocations of voting rights. This party-centered approach allows one to grasp that America’s struggles over the right to vote are, in cross-national perspective, not just unusual but highly unusual, and have been a central force in American political development.

Keywords: voting rights, suffrage, political parties, public policy, collective action, representation, election law, American exceptionalism, race, gender

SUFFRAGE politics emerged very early in American political development.¹ In the late eighteenth and early nineteenth centuries, constitutional conventions and state legislatures debated the right to vote—and such assemblies expanded the suffrage for white adult men. Another leap in suffrage expansion came after the Civil War when black adult males joined the electorate and the Fifteenth Amendment became part of the Constitution. The march of democratization seemed unstoppable.

But this second great extension abruptly faced fierce white supremacist resistance as the Ku Klux Klan spread across the South. Congress enacted several federal elections statutes to enforce the Fifteenth Amendment. Though this is little known, the federal government did shut the Klan down—and acted vigorously in other ways to protect black voting rights. But such rights remained uncertain. For decades the major political parties and third parties in Southern states battled over “a free ballot and a fair count.”

In the end democracy took a wrong turn. The division over black voting rights ended in effective nullification of the Fifteenth Amendment by about 1900. Southern Democrats pushed black voters and politicians out of competitive politics in the South.

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Yet even as democracy contracted along the color line, women won the Nineteenth Amendment to the Constitution, a measure that nationalized female suffrage. As women voted and ran for office the major parties changed how they organized themselves. Women's advocacy groups also became part of national policymaking.

Black voting rights struggles meanwhile gradually emerged once again in the ex-Confederacy. By the 1960s they commanded national attention. The 1965 Voting Rights Act accelerated the redemocratization of American politics. Through its implementation and enforcement the Act became a key foundation of an increasingly biracial public sphere. As Congress renewed the Act in 1970, 1975, 1982, and 2006 it added protections for Asian American, Latino, and Native American voters.

(p. 446) Nonetheless, minority voting rights can still be found high on the national agenda. In June 2013 the Supreme Court sharply scaled back the 1965 Voting Rights Act with its 5–4 decision in *Shelby v. Holder*. The decision stopped direct administrative supervision from Washington, DC, of changes in election law in those states and counties that the Act once “covered.” As Erwin Chemerinsky, dean of the law school at University of California at Irvine, wrote about *Shelby v. Holder*, “This is the first time since the 19th century that a federal civil rights law has been declared unconstitutional” (Chemerinsky 2015).

Another kind of voting rights struggle has also erupted—and now differentiates the parties—because voter eligibility has become hotly contested. Such divergence is due to the diffusion of “voter ID” laws, propelled by state Republican parties. Republican-controlled state governments have sought to require proof of eligibility to vote as a way to prevent voter fraud. Republicans firmly believe that such fraud is real and that it benefits Democrats. But Democrats cry foul; they see “vote suppression.”

The nation that pioneered mass suffrage remains remarkably entangled in contestation over the right to vote. That fact might put a dent in national pride, but it is a gift to historical social science. The persistence and continuity of suffrage politics over the entire course of American political development provides major analytic opportunities for political scientists.

We can identify and analyze a wide range of concomitants: policy effects; patterns of collective action; legal mobilization and change; shifts in who holds public office; and effects on federalism. We also can fashion a theory of American suffrage politics. This chapter does both: it first sketches the major byproducts of suffrage politics and then proposes an approach centered on the role of political parties.

My “party-centered” approach identifies (1) several types of enfranchisement and disenfranchisement; (2) the construction of suffrage regimes, that is, bundles of institutions and election law that are meant to buttress allocations of voting rights; and (3) the backlash (or “reactive sequences”) associated with particularly divisive forms of suffrage politics. A party-centered approach also underscores that America's struggles over the right to vote are, in cross-national perspective, not just unusual but highly unusual.

Policy Effects

Suffrage politics has continuously mixed and remixed the *national* and *state-level* issue agendas, either when new voters came in or when existing voters were pushed out. A key mechanism behind agenda change was the altered perception of party politicians of what issues mattered—due, in turn, to their attentiveness to public opinion and exposure to new constituents, activists, and public commentary. This section sketches the national policy thrusts that resulted, but with some attention to state-level policies. By “policy” I also include internal conquest of indigenous peoples and foreign policy (p. 447) towards black nations, and I refer, too, to access to both prestigious government jobs and the non-menial ranks of the military, including the officer corps (Kousser 1982).

Consider the antebellum white man’s republic in which all adult white male voters could vote. We may admire its civic, mobilizing qualities (Burnham 2010, 15–51). But one of its dark sides was the racialized expansion and acquisition of new territory. Policy responded to the “white median” at the expense of Native Americans (Frymer 2014; for state-level effects see Bateman 2014a).

Black adult male suffrage after the Civil War also had remarkable policy effects. One was military recruitment policy, a critical marker of honored civic status (Karlan 2003). The Buffalo Soldiers who fought Native Americans in the West and policed the Mexican border served their country during and after the First Reconstruction (1867 to c. 1900) (Leckie and Leckie 2003). This was America’s first era of mass black adult male voting. With blacks in the electorate, black combat service seemed to be institutionalized.

Black adult male suffrage influenced foreign policy too. The United States established diplomatic relations with Haiti during the Civil War and built on that recognition during the First Reconstruction. The United States appointed prominent African Americans to diplomatically represent the United States. The symbolism was very great; Haiti is the only nation in world history to emerge from a successful black slave revolt against a white European power (Teal 2008; Clavin 2010).²

Civil War pensions during the Reconstruction and post-Reconstruction decades protected large numbers of black adult males and their widows in their old age. Yes, local discretion in the program’s administration meant unfair administration in the 1880s. But even then there was extensive coverage (Wilson 2010).³

Fast forward to the presidency of Woodrow Wilson. Wilson’s presidency marked the first instance of unified Democratic control of national government after black disenfranchisement became fully entrenched. Black disenfranchisement in the ex-Confederate South (and beyond, including Delaware and Oklahoma) was a process that played out for over two decades, 1889–1910. In 1915 the Wilson administration abruptly replaced the African American diplomat in Haiti with an inexperienced white Missouri Congressman. Wilson then sent in an expeditionary force from the all-white Marine Corps. The US occupation lasted until 1935 (Plummer 1982; Schmidt 1971).

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The cycle of black suffrage politics also altered civil service policy. Wilson systematically relegated black civil servants to second- and third-class status. The Navy Department actually required its black civil servants to work behind screens, out of view (King 2007; Patler 2004; Weiss 1969). Also, black combat service vanished. On the eve of World War II, thirty years after the full institution of black Southerners' disenfranchisement, the United States had a functionally all-white military (Reddick 1949, 18–19; Leckie 1967; Mershon and Schlossman 1998, ch. 1).

Even as the Democratic party's commitment to black disenfranchisement recast policy, governance, and the central state, the constitutional nationalization of women suffrage in 1920 induced politicians to enact a federal program, the Sheppard-Towner Maternity and Infancy Act of 1921. Women's suffrage thus lowered rates of infant mortality in the 1920s⁴ (Miller 2008; Moehling and Thomasson 2012). To the extent (p. 448) that decades of strategic coalition between suffragists and temperance activists and prohibitionists helped to set the stage for Prohibition then to that extent the long struggle for women suffrage reduced alcohol abuse (Blocker 2006; Paulson 1973).

Meanwhile, black disenfranchisement shaped Congress in ways that would soon affect the New Deal and its policies. As the South's one-party regimes became institutionalized, they sent national politicians to Washington who worked assiduously to insulate the South from national democratic norms (Gibson 2012a, b). Long careers in Congress meant that highly skillful politicians became masters of its norms and procedures. They became supporters of such norms as seniority, which gave them access to valuable committee leadership positions.

These congressional changes had policy consequences through much of the twentieth century, during and after the New Deal. Black disenfranchisement and the one-party South regulated the emergence of American social democracy. Southern Democrats' privileged position in Congress gave them veto power over federal policy. Their structural advantage in shaping legislation and administration meant that New Deal and Fair Deal social policies helped whites first and blacks second (Katznelson 2005).

Suffrage politics also affects state and local government. Black suffrage politics has several times recast Southern education finance, teacher–student ratios, and other determinants of whether schools can do their jobs well. The First Reconstruction brought public education to the South. Then black disenfranchisement c. 1900 sharply slowed the rate of progress in educational attainment that the First Reconstruction had kick-started for black Southerners. Later the confluence of educational desegregation and the Voting Rights Act of 1965 similarly improved Southern educational outcomes and processes (Wright 2013).

Collective Action and Political Violence

Collective action and suffrage politics have also been tightly meshed. The quests for black voting rights and women suffrage both created compelling examples of popular courage and insistence that the American regime live up to its democratic principles. For instance, toward the end of the long quest for women's suffrage Alice Paul invented powerful symbols of female resolve. Taking advantage of the rise of mass circulation newspapers and photography, Paul invented a protest tactic that is now common, namely picketing in front of the White House. She also fused the hunger strike and jail-in for the first time in the American context (Adams and Keene 2008).

Similarly, black voting rights struggle in the twentieth century featured an Arendtian display of political courage on behalf of the American regime's deepest principles. Freedom Summer 1964 is still etched in national consciousness.⁵ The civil rights movement strategy of arousing public concern outside the South peaked with the events of (p. 449) the Selma-to-Montgomery March, pressuring the administration of Lyndon Baines Johnson to work with Congress in drafting and enacting the 1965 Voting Rights Act (Garrow 1978; May 2013). The trail of the Selma to Montgomery march of March, 1965 is today the site of a national park.⁶

But there has been more—namely, violent reactions from those who resisted demands for voting rights. The line between collective action and sheer violence was sometimes very thin. White-on-black election riots broke out in Deep South states from 1874–1876. Arkansas and Louisiana experienced low-level civil war in these years. In 1920, white supremacist groups in Florida attacked black voters all around the state as they sought to make the most of the Nineteenth Amendment. Florida burned just as Mississippi later burned in 1964 (Ortiz 2005). Pushing for voting rights led to underground conspiracies against and the assassinations of such black civil rights leaders as Harry T. Moore in 1951 (Florida) and Medgar Evers in 1963 (Mississippi) (Green 1999). A full analysis of election-related intimidation connected to black voter struggle but also to Latino and Native American voting rights struggle would show that intimidation and violent outbursts have constantly marked voting rights struggle.

Law and Judicial Politics

All the while there has been a legal dimension to suffrage politics. Formal legal statements produced by state legislatures and Congress have ranked among the fundamental prizes of suffrage politics. Forty-nine of fifty state constitutions now explicitly grant the right to vote. The Article V amendment process inscribed six voting rights amendments on the federal Constitution of 1787: the Fourteenth and Fifteenth Amendments that protect black voting rights, the Nineteenth Amendment that enfranchised women, the Twenty-third Amendment that brought the District of Columbia into the Electoral College, the Twenty-fourth Amendment that invalidated the poll tax in federal elections (another protection for black voters), and the Twenty-sixth Amendment that lowered the voting age to

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18. The law of suffrage either positively defined voter qualifications, as in the states, or it barred invidious discrimination in the electoral process on the basis of race, gender, and age, as in the national constitutional amendments.

Law, and by implication state and federal judiciaries, have been basic cornerstones of America's suffrage politics. Hence there has been constant litigation to implement or alter voting rights law. For instance, the legal attacks on, and the defense of, the First Reconstruction moved into the federal courts immediately. There, federal judges forged an entire new body of jurisprudential thought (Brandwein 2011). Congress established the Department of Justice in 1870 in part to deploy government lawyers who would protect black voting rights.

Consider, too, the NAACP Legal Defense and Education Fund and its struggle to have the Supreme Court invalidate the Southern Democratic white primary on the basis of the Fourteenth Amendment. In 1944 that resulted in *Smith v. Allwright* (p. 450) invalidating the white primary. The NAACP then sought to implement the ruling, growing rapidly in the South as a result (Johnson 2010; Zelden 2004). The rise and defense of the Second Reconstruction (from the 1940s into the present) continued to empower activist attorneys in and out of the federal government (Landsberg 2007; McDonald 2003; Parker 1990). Voting rights lawyers are today key players in suffrage politics.

Although making, interpreting, and mobilizing law have all been central elements of suffrage politics there is another equally important side: ignoring and evading constitutional law. Black disenfranchisement transformed the Fifteenth Amendment into a dead letter. As disenfranchisement took hold the two parties also ignored the Fourteenth Amendment's constitutionally prescribed cost for disenfranchisement, which is reduction in House representation. By failing to implement Section 2 of the Fourteenth Amendment, the Republicans and Democrats jointly amended the Constitution de facto.

Descriptive Representation

Suffrage politics has also recast "descriptive" representation, that is, the extent to which elected office holders and political parties mirrored the political incorporation of previously excluded Americans. The changes occurred in statewide offices, such as governorships, in county commissions and city councils, in state legislatures, in Congress, and even the presidency, as the election of Barack Obama shows. No Voting Rights Act of 1965, very likely no African American president. Such changes in who holds office meant, too, that public officials worked harder for the interests of the previously dispossessed (Haynie 2001).

But rates of change in office holding were quicker or slower depending on the extent to which the "supply" of offices were structurally open to newcomers. During the First Reconstruction African Americans rapidly attained congressional office because the process of Southern party building added a whole new pool of career ladders and offices to the Republican party's existing stock of career tracks (Dray 2008). During the Second Recon-

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struction the increase in black office holding in the South sharply differed, since all offices were held by white Democrats. Black office holding since 1965 has required continuous judicial and congressional intervention and regulation.

The office-holding impact of women suffrage also took longer than the case of the First Reconstruction in part because the expansion of the Union, and of the party system, roughly reached its territorial limit and final organizational form just as women gained the suffrage. New career tracks were not there for the many thousands of women suffrage activists. Women candidates have been fighting their way into the two major parties ever since. Only now, nearly a century after the Nineteenth Amendment, is a female presidency clearly in the historical cards.

(p. 451) **Federalism**

Finally, voting rights politics has always interacted with federalism. Under the Constitution, Article 1, Section 4, the states establish voter eligibility. States moved roughly in step when they expanded white adult male suffrage, but later their suffrage policies diverged, as the struggles for black and women's suffrage show. Suffrage politics also created national standards, including constitutional amendments, that constrain the states. All of these national standards have expanded voter eligibility and widened the boundaries of the electorate. When states were forced to respond to them then "territorial democratization" occurred. By the same token, when and as states have evaded these national standards, particularly black suffrage, subnational restriction of democracy's boundaries occurred (Gibson 2012a,b).

Who Governs Suffrage Politics?

My overview of suffrage politics, tracing its robust connections to policy effects, collective action, law, representation, and federalism, of course raises a central issue: who or what decisively influences suffrage politics? Have all the various principals in suffrage politics been equally influential? Or have some actors and institutions been especially consequential, for example, the Supreme Court (if one adopts a state-centered approach) or social movements (if one takes a society-centered view)? Alternatively, has the entire cast of characters instead responded to broad pressures that were unrelated to suffrage politics, such as war-time periods that dramatized the gaps between suffrage rights and military conscription and obligation (Karlan 2003; Klinkner and Smith 1999)?

To be clear, the answer should illuminate three basic shifts. Sometimes suffrage politics hinged on the *extension* of voting rights to include new categories of citizens or immigrants. Other times suffrage politics *restricted* the electorate in a large number of states and locales, either blocking voters from coming in or pushing them out. Yet other times suffrage politics has featured *inaction* or "political drift" despite increases in the number of citizens who could be enfranchised.

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“Political drift” refers to changes in the effects of one kind of policy, such as the disenfranchisement of ex-felons, from a major policy change elsewhere in the policy landscape, such as sharp increase in rates of incarceration. One can see such “political drift” today in the United States as the felony disenfranchisement provisions of states interact with the rise of the “carceral state.”⁷ Millions of ex-felons are disenfranchised and could be brought into the electorate. Instead they gather as a reserve army of potential voters, the size of the army varying by state. State-level politicians are generally loath to bring them into voting (Katzenstein et al. 2010).

(p. 452) Restating the question: who or what has been particularly and regularly instrumental in “extending,” “restricting,” or “doing little” about voting rights?

In thinking about this I have turned to E. E. Schattschneider. He pictured party politicians as the rulers of voting rights. He pointed us away from such actors as presidents or social movements, for he believed that “Americans ... have a hopelessly romantic view of the history of democracy ...” (Schattschneider 1960, 100-101).

Economic historians and comparativists would be struck by how Schattschneider also bracketed social forces. Schattschneider baldly asserted that “[s]omewhere along the line the antidemocratic forces simply abandoned the field.” Adam Przeworski, in a test of several economic historical models highlighting conflict between elites and masses, has proposed in stark contrast that resistance to suffrage extension by Western economic and political elites was a major force in regulating suffrage. Insurrectionary threat and mass collective action usually moved those at the top to extend suffrage rights. Party politics, he found, was a major factor only in the second great wave of suffrage extensions, the extension of female suffrage. As he succinctly puts it, the working classes conquered the suffrage while women were granted the suffrage by vote-seeking parties (Przeworski 2009).

Yet the lack of regime-threatening working-class insurrections in American political development recommends that we break from what Przeworski and most comparativists emphasize. A basic developmental fact about the United States is the very early emergence of mass competitive party politics. Because mass political parties emerged alongside mass voting rights a large class of professional politicians became early stakeholders in how the process subsequently evolved.

By building on Schattschneider’s explicit emphasis on party politicians I outline a party-centered understanding of American suffrage politics (see also McConaughy 2013; Valelly 2004, 1996, 1993). By “party-centered” I do not mean an instrumentalist view of politicians’ motivations, as if their engagement with suffrage politics was coolly rational or often insincere. For one thing politicians interacted with social forces, exposing them to passionately held beliefs and claims. Schattschneider was proudly reductionist, claiming that “[t]he newly enfranchised had about as much to do with the extension of the suffrage as the consuming public has had to do with the expanding market for toothpaste” (Schattschneider 1960, 101). This ruled out proper appreciation of the interactions between parties and movements. Social forces and social movements mattered greatly. They set party agendas through protest, lobbied elected officials, and served as

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allies in mobilizing voters, or, often enough, drove the voters of another party away from the polls.

Party politicians also innovatively forged or freely borrowed ideas about what the right to vote means and who should properly have it. One tradition of thought treated the right to vote as a natural right. But a rival tradition instead regarded it as a policy matter, properly connected to a sense of prudence about who should have the right. Voter eligibility was a policy decision meant to reinforce the integrity of the regime (Keyssar 2009). Rogers Smith has demonstrated, as well, that invidious civic ideals repeatedly influenced suffrage rights, as politicians drew color, gender, religious, and ethnic lines (p. 453) for allocating the right to vote (Smith 1997). On the other hand, a third and contrasting ideational element came from the impact of war. Wars promoted new (albeit gendered) ideas about rights because they opened up military service for marginalized or disenfranchised African, Asian, Hispanic, and Native American men. Their warrior citizenship in turn earned them social respect and led to calls for enfranchisement (Karlan 2003; Mayhew 2008, ch. 12). Politicians operated, in short, with complex civic ideals.

Finally, party politicians wrote new constitutional and election law. They also changed the structure of the federal and state court systems and they had judicial recruitment strategies for entrenching their legal innovations. But such actions of course simultaneously opened parties up to being constrained by the subsequent decisions of judges and the strategies of election lawyers. The relative autonomy of law meant that parties were not guaranteed any particular jurisprudence or statutory construction, only broad outlines for voting rights. To put the point differently, a party-centered view is not a “party-dominant” view.

Competitive Enfranchisement

Nonetheless, party politicians have *governed* party politics, and the best way to see that is to trace key logics of enfranchisement in American political development. The first of these is *competitive enfranchisement*. In *The Semisovereign People* Schattschneider proposed that:

[t]he struggle for the ballot was a by-product of the system of party conflict. The rise of the party system led to a competitive expansion of the market for politics ... The parties ... were the entrepreneurs, took the initiative, and got the law of the franchise liberalized ... one of the best ways to win a fight is to widen the scope of the conflict, and the effort to widen the involvement of the more or less innocent bystanders produced universal suffrage

(Schattschneider 1960, 100–101).

The idea here was that political parties primed the pump of their rivalries by regularly enlarging and mutually dividing the electorate.

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Are there historical eras that fit Schattschneider's thesis of competitive enfranchisement? The strongest matches are the suffrage extensions between the Founding and the Civil War.⁸ But the precise sequence very much differs from Schattschneider's account. The parties did not single-handedly generate mass suffrage rights. Instead the process was much more interactive. Mass voting preceded, and also stimulated, the formation of stable, internally disciplined party organizations during and after the rise of Jacksonian party politics.

A new dataset built by Philip Lampi of the American Antiquarian Society from the Founding to 1824 shows that the franchise was far more generous in the early republic than is commonly known. Women had the vote in several states, and so did African (p. 454) Americans, who voted for the Federalists. Turnout could reach 70 percent in some states, for instance Massachusetts, North Carolina, and New Hampshire. Voting was continuous and constant since there was no regular election day or calendar, only a succession of elections. Walter Dean Burnham has characterized the findings produced by Lampi's dataset, *A New Nation Votes*, as akin to encountering a "lost Atlantis."⁹

The subsequent creation of a stable competitive party system built on the early partisan differentiation of national politics in Congress and the states. It also built on, and it re-ordered, this great democratic legacy from the early republic (Ratcliffe 2013). Parties forged a national electoral calendar and effectively founded the Electoral College. Parties *also* continued to liberalize voter qualifications, to use Schattschneider's language. Eligible voter turnout climbed to even higher levels across all states, far higher than today's turnout levels for voter eligibles.

The Calculus of Suffrage Politics

The antebellum process of competitive enfranchisement underscores that party politicians quickly learned how to expand the electorate. But competitive enfranchisement has hardly been the only way in which party politicians have governed American suffrage politics. There have been other forms of party intervention into suffrage politics. Those forms are related to the calculus of suffrage politics, for suffrage extension can have *costs* as well as benefits for political parties (McConaughy 2013, 19–48). Significant suffrage expansions can create new policy tasks for parties that they did not previously have. Any really large number of *additional* voters can render existing policy outputs and existing political careers less certain. Suffrage politics can therefore split parties between those who are inspired by it (or who see how it can help a party) and those who are less certain or disinclined to disturb existing institutions.

Imagine what immediately enfranchising all the undocumented immigrants in the United States might do. Established issues and interests which once did not face competition for scarce legislative time and as foci of public debate now would face such competition (Tienda 2002). Similarly, rapid and thorough reform of ex-felon disenfranchisement would recast contemporary political representation. If ex-felons came into the electorate en masse there would be a political potential for a very different approach to punishment

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and incarceration than what we currently have in the United States. Prison-to-work policies might become an issue. Party politicians would be cross-pressured by constituencies with an interest in the status quo, such as corporations that provide correctional services and their employees and service providers, and a quest to dismantle the “carceral state.”

The developmental implication of such counterfactual observations is this: *after* the first great waves of competitive suffrage expansion, from the Founding to the Civil War, any subsequent extensions would likely be slower and possibly quite difficult. The historical record bears this out. Later suffrage extensions required either one party or both parties, or dominant factions in the major parties allying with (or even forming) (p. 455) third parties,¹⁰ to address new issues, adopt new and very controversial civic ideals, and represent new interests. As the advent of black suffrage showed, the differences between the existing electorate’s preferences and the enlarged electorate’s preferences could be varied and stark. Politicians also needed to make room for office-seeking newcomers who were not white men.

Party politicians therefore had to *want* more suffrage, and also to resolve any factional disagreements among themselves about what suffrage extension would do to their parties. The mix of costs and benefits required intrapartisan assessment, often in a series of discussions across time. Much of that sort of assessment can be recovered from legislative or congressional debates and roll calls, from newspaper debates, and from correspondence in archives. When discussions are recoverable they feature a mix of forecasts, deep uncertainty, and sincere views about political rights.

Strategic and Programmatic Enfranchisement

With these considerations in mind we can turn to two other dynamics: *strategic* and *programmatic* enfranchisement. In addition to co-production of jointly shared electoral markets, political parties have chosen other courses of action. One has been strategic enfranchisement, that is, building and adding a new electorate entirely for one party and not the other.

Strategic enfranchisement on a truly grand scale occurred just once in American political development. But it resembled an electoral supernova. In December 1866, the national percentage of black adult males eligible to vote in the United States was a tiny 0.5 percent. Only twelve months later, after Congress enacted the Reconstruction Acts, the percentage was 80 points higher, at 80.5 percent.

The congressional Republican Party acted forcefully because it was in mortal danger. Black enfranchisement was in no sense a joint, cross-party venture. Republicans needed to rescue their political future from President Andrew Johnson’s remarkably bold strategy to permanently marginalize Republicans.

Johnson’s plan for bringing Southern states back into the Union amounted to *preemptively* blocking any black enfranchisement in the ex-Confederate states. It would guarantee a

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resurrection of the Democratic party as a potent cross-sectional party dedicated to white supremacy. Republicans, who had just fought a civil war for a new birth of freedom, would be cordoned off in the North, consigned to merely regional strength. This existential threat led Republicans to launch direct military registration of black adult male voters in the ex-Confederacy.

Mass collective action in the South cemented the revolution of 1867 as black Southerners made Republican suffrage extension work on the ground. Enfranchised black voters steadfastly ignored local white hostility, travelling in groups to register and vote, sometimes armed. Black Southerners believed in their shared fate as a new (p. 456) electorate. Republicans and African Americans' networks of political clubs, reinforced by community and familial pressures to vote, sustained that belief (Valelly 2004, ch. 2; Hahn 2004, ch. 4).

Strategic enfranchisement was fundamentally a vote-getting project by one party, undertaken by its politicians as they evaluated the alternative of standing still. The costs of inaction were enormous; the gains, while initially uncertain, were a reprieve from the plain threat of being put out of business. In other words, black suffrage politics in this case had a sharp, clear calculus of costs and benefits, and the calculus pointed toward unprecedented activism and a burst of policymaking.

Women suffrage also had a calculus, but its pace differed and saw more uncertainty and factionalism. The process was accordingly extended and incremental. Corrine McConnaughy dubs it programmatic enfranchisement, underscoring how suffrage joined the existing policy portfolios (or programs) of established partisan actors. Politicians in state legislatures and women suffrage activists, recognized that women suffrage would not award a large new voter bloc to one party at the expense of the other. They indeed assumed that women would split their votes. But they also understood that women had specific policy demands, such as temperance reform. Temperance reform in particular complicated the management of existing coalitions (Andersen 2013). Suffrage expansion therefore became a divisive demand in state after state. It acquired a different logic than either competitive or strategic enfranchisement.

Factions of established party politicians who were indifferent or hostile to women suffrage resisted, but eventually they accommodated, other politicians who were not indifferent. Those proponents of women suffrage were either third-party state legislators or major party legislators affiliated with groups that endorsed suffrage on its merits, such as the Grange. Majorities for suffrage emerged in state legislatures when the resisters concluded that there were no losses from suffrage expansion for the larger party coalitions and their ties to brewers, distillers, distributors, tavern owners,—i.e., the entire liquor industrial complex. That took time: suffrage expansion required repeated interactions across several electoral cycles to clarify the costs and benefits to the parties. Women suffrage activists were certainly necessary to the process as persistent agenda-setters. But they could not, on their own, induce the competitive enfranchisement that had earlier driven white adult male suffrage.

Suffrage Regimes and Reactive Sequences

Suffrage politics clearly interacts with social divisions: class, race, and gender (and ethnicity, as we see later.) In doing so can suffrage politics *deepen* social conflict? Yes: when political parties have undertaken *strategic* enfranchisement or disenfranchisement they have deeply entrenched axes of social conflict. One party wins as it either (p. 457) gains the loyalty of a social group or pushes out a group to entrench itself; another party either loses or openly concedes that group's votes.

Sharp interparty conflict erupts if the losing party promotes backlash or even electoral violence as Southern Democrats did during the First Reconstruction. But to the enfranchisers the polarization is worth it. They not only gain more voters but they also acquire additional cohorts of legislators whose right to office is underwritten by a new voter bloc. Moreover if strategic enfranchisers can gain continuous unified control of the national government they can achieve *other* policy goals.

Enfranchisers accordingly *protect* the enfranchisement process, legislatively and in the courts. Strategic enfranchisement has a second stage—the subsequent creation of new institutions, election laws, and jurisprudence. Strategic enfranchisement thus acquires resilience and durability even as it institutionalizes conflict. The ongoing collective action among the enfranchised (as they make enfranchisement work on the ground and defend it through high rates of voting) also strongly reinforces these properties of the suffrage regime.

What do the losers do? They batter the walls of a regime, over and over, or seek to circumvent its boundaries. Strategic (dis)enfranchisement engenders a “reactive sequence.” James Mahoney aptly defines it as a kind of path dependent politics:

Whereas self-reinforcing sequences are characterized by processes of reproduction that reinforce early events, reactive sequences are marked by backlash processes that transform and perhaps reverse early events. In a reactive sequence, early events trigger subsequent development not by reproducing a given pattern, but by setting in motion a chain of tightly linked reactions and counterreactions.

(Mahoney 2000, 526–527)

In this vein, let us look again at the struggle for women suffrage. In 1866 and 1867 black and white female suffrage activists worked feverishly to promote their joint causes and prod Republicans to embrace them both. But the Republican party's move to establish black adult male, but *not* female, suffrage split the coalition (Dudden 2011). A policy window that had briefly opened then abruptly closed. Women suffrage leaders now squarely confronted the many and deep connections between patriarchy and party politics that dated to the early republic. The response from women suffragists? Hard work over many decades. It took two forms: movement building and a two-pronged strategy of seeking

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both state-level suffrage extensions and an amendment to the Constitution (Kyvig 1996, 27–239; McCammon 2001).

The great suffrage leader Carrie Chapman Catt and her colleague Nettie Rogers Shuler, a staff officer of the National American Women Suffrage Association (NAWSA), summarized the results in 1923:¹¹

To get the word male in effect out of the Constitution cost the women of this country fifty-two years of pauseless campaign ... they were forced to conduct fifty-six state referenda campaigns to male voters; 480 campaigns to get Legislatures to submit suffrage amendments to voters; 47 campaigns to get State constitutional conventions to (p. 458) write woman suffrage into State constitutions; 277 campaigns to get State party conventions to include woman suffrage planks; 30 campaigns to get presidential party conventions to adopt woman suffrage planks in party platforms; and 19 campaigns with 19 successive Congresses ... It was a continuous and seemingly endless chain of activity

(Catt and Shuler 1923, 106–107).

Yet as late as 1904 there was little to show for the “pauseless campaign.” In the words of one unfriendly commentator:

Of the forty-five states in the Union, twenty do not give women any form of ballot; twenty give them the lightly-regarded school ballot or the still less important and infrequently exercised ... ballot ... on questions submitted to taxpayers; one admits them to municipal suffrage, but refuses them anything more; and four give them the full ballot

(Paulson 1973, 141).

World War I suddenly opened another policy window. Alice Paul, the great militant suffragist, coordinated a series of daring protests in Washington, DC, that prodded President Woodrow Wilson and Congress into action on behalf of the Nineteenth Amendment despite internal party resistance from Southern Democrats (Lunardini and Knock 1980; Zahniser and Fry 2014). The result roughly doubled the size of the national electorate (Corder and Wolbrecht 2006). The “endless chain of activity” finally paid off. But the struggle, over the entire course of the “reactive sequence,” took a very long time and for a time it even appeared futile.

Consider another such sequence: black suffrage restriction after the First Reconstruction. That was not easy either. The Southern Democratic movement to strategically disenfranchise black adult male Southerners was arduous and drawn-out, its own kind of “pauseless campaign.” Those who wished to scale back or reverse the strategic enfranchisement by Republicans were forced to fight for decades.

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Contrary to conventional wisdom there was no massive and sudden switch in black Southerners' civic status coinciding with the Compromise of 1877. Most believe that a backlash in Northern and Southern white opinion sapped Republican commitment to the First Reconstruction. Hence the dramatic interparty agreement in early 1877 to suspend what Democrats and a faction of Republicans detested, i.e. federal military supervision of elections and the armed protection of beleaguered Republican governors and legislatures. Southern Democrats piously but falsely promised to honor black voting rights. In return, the story goes, Rutherford B. Hayes took the presidency. Rapid democratic collapse in the South and a massive shift toward one-party rule happened next (McConnell 1994).

In reality the contraction of black voting and office holding resembled a war of attrition, not a war of maneuver. Like all such wars its outcome was hardly a foregone conclusion. The suffrage regime of the First Reconstruction was after all a political order, not the empty exercise in futility that countless commentators have alleged it to be. And African American voters and activists hardly considered it a lost cause.

(p. 459) White and black Republicans built an integrated ensemble of parties-in-the-electorate, parties-in-government, and parties-as-organizations. Pulling that off was supremely difficult. Nonetheless the effort succeeded more than is commonly recognized (Valelly 2004, chs. 2-5; Powell 2006).

Besides such party-building, jurisprudence-building also laid the foundations of the First Reconstruction. Jurisprudence-building refers to continuously favorable constitutional and statutory construction of new suffrage law. Its elements were recruitment to the Supreme Court, judicial vision, and craftsmanship both at the levels of the Court and the federal judiciary, and the relative strength (numerically and in terms of talent) of an advocacy coalition of government and private voting rights lawyers. The resilience of a suffrage regime thus also rested on jurisprudence-building. Indeed the longer the judicial reinforcement then the sturdier a suffrage regime, and the more likely that its opponents would either accept the regime or despair of dismantling it.

During the First Reconstruction party-building and jurisprudence-building were stronger processes than is generally known. Moreover, as Democrats chipped away at the suffrage regime through violence and fraud, Northern Republicans found a reason to actually *re-build* the suffrage regime. Republicans worried that if they did not restore eroding black voting rights then Southern Democrats would keep grabbing more seats in the House than they deserved. The Republicans response was a little-known but daring policy proposal, the Federal Elections Bill of 1890. The Federal Elections Bill targeted the South and placed House elections under federal judicial supervision (Valelly 2009). It meant to reconstruct the Reconstruction.

When Northern Republicans finally acquiesced to black Southerners' disenfranchisement, after the failure of the Federal Elections Bill, they did so in part because their party's strength surged in the North and, critically, in Western states that had recently joined the Union. Republicans added not just voters to their ranks but they also added office holders. These changes *compensated* for Southern losses in House seats (Valelly 2004, ch. 6).

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Besides, revisiting the Federal Elections Bill hardly made sense. In 1893 and 1894, Democrats repealed most of the statutes that enabled the First Reconstruction. The political costs of any new Republican statutory intervention were far higher as a result. The calculus of black suffrage politics was now fundamentally different for Republicans. The result was Republican inaction, and on the ground black Southerners paid a terrible cost (Valely 1995).

As Southern Democrats grasped that there would be no new intrusion into the region they moved away from episodic violence and fraud toward *institutionalization* of their victory. The Australian ballot punished illiteracy both among whites and blacks. The poll tax, literacy tests, good understanding tests, criminal disenfranchisement, and grandfather clauses also whitened the Southern electorate. The Democratic white primary emerged as the de facto general election. Its diffusion and elaboration completed the segregation of African Americans from electoral politics. On top of these measures were such structural changes as at-large elections and the conversion of elected offices to appointment.

(p. 460) Black disenfranchisement now rested on a powerfully interlocking system. It reduced black voting and black elected office-holding in the ex-Confederacy to approximately zero. A small number of black United States postmasters and collectors of internal revenue retained their positions (though one postmaster was lynched in South Carolina). Some black voters remained on the registration rolls, and tokenistic voting by a handful of community leaders was permitted in many places. Otherwise there was no black presence in public and official life in the ex-Confederacy.

The lesson here is that it takes a long time to kill off a voting rights order. Biracial democracy immediately faced sharp challenges, yes. But the white supremacist campaign to kill it succeeded only when multiple and reinforcing institutional changes were invented, consciously connected to each other, and in the end left unchallenged by the Republican party.

This brings us to yet another extraordinary case of a deeply resilient voting rights order. As Southern Democrats obliterated the First Reconstruction's suffrage regime they built an equally (indeed more) robust substitute for it. The substance of the Jim Crow voting rights order differed. The First Reconstruction was democratic and inclusive; its successor was anti-democratic and exclusionary. The South featured one-party autocracies that resemble other one-party autocracies outside the United States (Gibson 2012a, b; Mickey 2015; for a partial dissent from this perspective see Caughey 2012).

How could democracy be restored? The new order's combination of authoritarianism and ingenious institutional design created very deep political dilemmas for those who opposed it (Carle 2013; Norrell 2009). Their responses—*their* reactive sequence—played out over many decades (Jenkins, Weaver, and Peck 2010). They included the Great Migrations from the South and the Garveyism that spread rapidly in the South just after disenfranchisement reached its completion around 1907 (Rolinson 2007; Tolnay 2003). And they also featured not just “exit” and internal exile but also “voice,” through the formation of the NAACP, the several civil rights movements of the late 1940s, the 1950s, and 1960s, the

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Voter Education Project that implemented the 1965 Voting Rights Act, and, not least, the countless local, inch-by-inch struggles in Deep South states (Dittmer 1995; Hirschman 1970; McAdam 1982; Thornton 2002).

By the mid-1960s, the Jim Crow order faced truly massive challenge. Official and extra-legal violence erupted; it was targeted against black and white activists who confronted this order. Think here of Birmingham, 1963, Mississippi, 1964, and Selma, 1965. Recent treatments of the civil rights movements have correctly uncovered a secret history of pre-cautionary armed self-defense (Cobb 2014).¹²

The dominant legacy of the voting rights struggle was political courage. Freedom Summer, 1964 was one of the greatest freedom struggles in American history. The drama of the Selma-to-Montgomery March in March, 1965 was so gripping that it decisively pressured the president and Congress to move quickly and to draft a comprehensive voting rights statute, the 1965 Voting Rights Act.

African American voter registration then rose as voting rights organizations implemented the Voting Rights Act on the ground and movement lawyers pressed the Supreme Court to back the Act. Within three decades of this surge, i.e., during the (p. 461) 1990s, African American office holding in the South in state legislatures and US House delegations finally reached a fairly normal footing (Bullock and Gaddie 2009). In the twenty-first-century South black and white voter turnout levels began to converge.

Notice the critical datum here: *it took literally a century to undo the Jim Crow order*. Like the other suffrage regimes that I have described the Jim Crow suffrage regime was resilient because of its interlocking institutions. In all three cases, in fact, i.e. the biracial order of the First Reconstruction, the gendered party politics that was sharply and unexpectedly reinforced by the Republican party's decision after the Civil War to block woman suffrage, and the Jim Crow suffrage regime, a "pauseless campaign" was necessary to alter or dismantle the voting rights order and install a new one.

To sum up, suffrage regimes will create backlash, a reactive sequence, to the extent that they allocate clear partisan and social gains and losses. This is particularly likely for strategic enfranchisement and strategic disenfranchisement. Anticipating or responding to such backlash, those who build them will seek to institutionalize and entrench the regimes. Thus the politics of substituting a new order with different purposes can extend for a very long period of time. Suffrage politics, if it is zero-sum for the major parties, or for very large groups, or for both, can introduce deep and persistent axes of conflict beyond those that already exist in American politics. Sometimes the conflict can be connected to expanding the boundaries of democracy; other times, as with the campaign against black voting rights, those who launch and sustain the reactive sequence aim to sharply limit democracy.

The Exceptionalism of American Suffrage Politics

By now the reader might suspect that America's suffrage politics has made America very *unusual*, different from other Western democracies and their suffrage experiences. The reader would be right.

That American suffrage politics was *sui generis* seemed obvious to international observers from the start. The first major suffrage extension, the rise of mass voting just after the Founding, struck Alexis de Tocqueville as extraordinary, a new kind of politics that held an important key to human history. It amazed him that propertied elites quickly moved to share political power with the propertyless. He attributed this shift to the transformative power of democratic ideas (Tocqueville 2000, 54–55). Economic inequality did not block or subvert political equality.

Was Tocqueville right? The analytic issues here become tricky and complex. By 1900 adult male turnout dropped sharply. The barons and bosses of the Gilded Age became deeply afraid of the lower orders and there is lots of evidence in the form of speeches, letters, and political essays that reveal their fear of universal suffrage.

If Gilded Age elites killed popular participation then much of American suffrage politics fundamentally resembles its counterparts in the Western and Latin American (p. 462) democracies. The late nineteenth-century *outcome* in the United States differs, constriction not expansion. But the players are the same, if in a different configuration: the rich, in city mansions and rural bastions, joined hands with a reformist middle class, streaming out from colleges and universities, all alarmed by electoral "corruption" and strong political parties. Together they tamed both a restive working class, much of it populated by immigrants, and insurgent farmers angry about how finance squeezed them. Even as suffrage rights expanded elsewhere in the Western world, in response to the rise of labor parties, electoral participation dropped on this side of the Atlantic and the Equator.

The reform project here was both institutional and indirect. It focused on depriving parties of candidate recruitment (through the direct primary), on whether parties had an advantage in legislative agenda setting (via the referendum), personal registration on work days in the name of fighting (non-existent) "fraud," the secret ballot (rewarding literacy and knowledge of English), the establishment of non-partisan voting for many municipal positions and some state legislatures, and the abolition of the fusion ballots that helped candidates from agrarian and labor third parties. Alien declarant suffrage, which facilitated the participation of working-class immigrants, also shut down in state after state. The establishment of a one-party monopoly in the South made the region hostile to any independent organizations (such as tenant and labor unions) that spoke for poor whites and that might unite blacks and whites on class lines.

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New electoral institutions, the intentional disorganization of the parties, and organized shifts in party system structure all weakened lower-class electoral influence. Such indirect but nonetheless strategic disenfranchisement made political democracy safer for the middle class and for wealth inequality (Ahmed 2013; Beckert 2003; Cunningham 1991; Keyssar 2009, ch. 5; Richardson 2006; Testi 1998).

Yet an alternative line of scholarship argues that political parties, not frightened elites, actually mediated these rules changes of the late nineteenth and early twentieth centuries. Legislatures, county governments, and city councils processed the great burst of electoral reforms that occurred. Party politicians controlled these institutions. They carefully adapted new rules for *partisan* ends, seeing opportunities to modernize their organizations, to regularize candidate recruitment, to disadvantage their opponents if possible, and to find roughly fair solutions to joint organizational needs. Responding to and solving elite and middle-class fears about the masses were distinctly secondary (Argersinger 1989, 1992; Reynolds 1993; Ware 2002).

There are other problems with the indirect subversion of democracy story. If elites were weakening democracy then why did woman suffrage succeed? In 1920 the Nineteenth Amendment roughly *doubled* the eligible electorate—and helped to expand the size of government (Lott and Kenny 1999). Why could the Socialist Party emerge and grow in strength during the late nineteenth and early twentieth centuries if the rules were rigged against the influence of radical workers and farmers? Why did Southern Democrats adopt broad regulatory and progressive reforms at the national level (Sanders 1999)?

Class tensions were very real. The scholarship that emphasizes fear of farmers and workers among the rich (and public intellectuals) certainly unearths candid discussions (p. 463) about how best to regulate the suffrage. Nonetheless, Tocqueville's basic insight, i.e., that links between economic and political status operate differently in the United States, is borne out by a balanced assessment of the Gilded Age.

What about racial, gender, and ethnic divisions? Are they also implicated in the exceptionalism of American suffrage politics and if so how? Here, too, the case for uniqueness is robust, in fact, stronger.

The key to grasping American distinctiveness on the race and gender dimensions is fully appreciating the unprecedented marriage of slavery and political democracy. This is the *only* such conjuncture in Western history. Suffrage expansion from the Founding to the Civil War brought in the lower orders on a mass scale. But it did *not* bring in the most subaltern population in the United States: enslaved African Americans. The United States created mass suffrage amidst mass enslavement.

Yet free African American agitation for black suffrage, both for its own sake and to subvert slavery, prefigured a far different democracy. Such campaigning in the free states and in the territories was constant and pervasive in antebellum American politics (Bateman 2014b; Budros 2013; Walton et al. 2012). There is no counterpart to this record of collective action in any of the other slave societies of the New World precisely because all

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of the others lacked competitive democratic party politics and freedom of association for free people of color (but see Horton 1999).

The full potential of these little-known struggles emerged after the Civil War. Mass black suffrage after the Civil War, led by the Republican party and black suffrage activists, realized the reconstructive possibilities of political democracy far more than most Americans appreciate. This expansion of democracy assured the emancipation of a vast, enslaved working class. It is the *only* case of black emancipation and abolition in world history that featured immediate black adult male enfranchisement and mobilization into competitive party politics (Kolchin 2012). There is no equivalent in any other post-emancipation society, not Brazil, Cuba, Jamaica, Russia, or others. Black civil rights, suffrage, and competitive mass party politics rapidly spread in the region that had hosted slavery. Edward Gibson writes that “the United States experienced ... the most extensive case of territorial democratization in history” (Gibson 2012a, b, 35).

Armed with political and civil rights and represented at all levels by the Republican party, black Southerners blocked labor peonage (Saville 1994; Schweninger 1990; but see also Blackmon 2008 and Cohen 1991). Their new civic status sealed the massive reallocation of wealth that emancipation and the Thirteenth Amendment inaugurated. Again we see exceptionalism. There is no other case of suffrage extension being so sharply and immediately *redistributive* in a major Western economy. On the eve of the Civil War the property value of enslaved African Americans was about \$10 trillion (Levine 2013). Reconstruction guaranteed that nothing like the entire value would ever be recovered.¹³

But there is yet more singularity to recognize. Republicans thwarted the full implications of the antebellum black/female coalition by smothering female suffrage. The cost to democracy’s future was considerable. Black suffrage without female suffrage split the vision and eloquence of such key figures as Elizabeth Cady Stanton from the cause (p. 464) of African American civil and political rights. Frederick Douglass drifted away from the women suffrage cause. Women activists now had to figure out how to set the party system agenda. Some Republicans, such as George Frisbie Hoar (R-MA) and Thomas Brackett Reed (R-ME), supported them. But most did not.

No other women’s suffrage movement in Western history, none at all, has therefore been waged as a clear counterpoint to the politics of black voting and civil rights (Dudden 2011). The quest for women’s inclusion acquired a uniquely tragic dimension when it became partly associated with black disenfranchisement. Those who opposed the First Reconstruction, i.e., women suffragists and white supremacist Democrats, made more common cause than is generally known (Spruill 1995).

Black disenfranchisement *c.* 1900 was exceptional too. It has no analogue in world history in terms of its scope and impact. No other political democracy has brought so many people in for such a long period of time and across such a wide swath of jurisdictions, and then, in effect, later tolerated their complete extrusion from their once central place in the world’s first biracial republic (Valelly 2004).

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A complete tally of disenfranchisements in democracies or partial democracies is not available, to be sure. Scholars are only now investigating such disenfranchisements (Barolini 2000, 206–220; Muhlberger 1999). Black disenfranchisement *c.* 1900 nonetheless stands out. Recall, after all, that disenfranchisement pushed once high rates of black office-holding and voting in the ex-Confederacy to about zero.

Nor can one find any other longstanding democracy that experienced such a clear *repeat* of an earlier epoch-making suffrage expansion, *i.e.*, the Second Reconstruction. Armed with the 1965 Voting Rights Act the federal government directly registered black Southerners in the Deep South in 1965 and 1966. The last time it did this was in 1867. The entrenchment of the Second Reconstruction since the heady 1960s restores the First Reconstruction's biracialism and, as in the First Reconstruction, it makes biracialism a central dynamic of national politics (Tesler and Sears 2010; Goldman and Mutz 2014).

Surveying the development of voting rights politics from the early nineteenth century into the present one sees not just the marvel that Schattschneider identified (and that Tocqueville crossed the Atlantic to study), namely the precocious creation of a mass electorate and competitive party politics despite great inequalities of wealth. That achievement was more distinctive than they recognized. It married the world's most expansive political democracy *and* the world's largest system of black slavery. That tension-filled marriage set in motion several unique patterns of suffrage politics that have no exact parallels anywhere else.

Suffrage Politics Today

Well into the third century of the Constitution of 1787 the right to vote divides parties and polarizes Americans. To be sure, most Americans hardly vote in a mood of high rights consciousness. Our models of voting typically frame the act as an individual calculus of costs, incentives, and benefits, weighted by a sense of duty or obligation to co-workers, friends, and neighbors, and other social networks (Riker and Ordeshook 1968; Rosenstone and Hansen 2002). (p. 465)

Nonetheless citizen awareness of the current crisis of the Voting Rights Act, and of election controversies more generally, is fairly high. In 2009, a Pew Research Center survey said that about 57 percent of the public thought that Supreme Court consideration of "election and voting rules" was personally "very important."¹⁴ In early June, 2013, the week before the Court issued the holding in *Shelby v. Holder*, the *New York Times* found that about 75 percent of African Americans consider the Voting Rights Act a necessity. These levels of awareness may persist today.¹⁵

Many expert observers also question the merits of voter ID legislation. They regard it as a policy in search of a non-existent problem, for in-person voter impersonation is extremely rare. Voter ID places the burden of acquiring documentary proof of voter eligibility on in-

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dividuals. Some people, students, the elderly, and minorities who do not own cars, bear the burden more heavily (Hasen 2012; Minnite 2010; Wang 2012).

The jury is still out on the size of voter ID's real effects at the margin. They have been slight so far. But *friction* between the Second Reconstruction and the politics of voter ID is not only a new feature of American politics but also maps onto partisan and racial division. Most voter ID legislation does not overtly target by race (Hasen 2014). Yet all of it does that *de facto* (Bentele and O'Brien 2013).

Beyond these dynamics lies a clearly anti-democratic phenomenon: felony disenfranchisement. It shrinks the size of the eligible electorate by nearly 6 million potential voters and disproportionately affects African Americans, who make up about 37 percent of the population of disenfranchised ex-felons (Manza and Uggen 2004). Among the democracies *only* the United States disenfranchises ex-felons so thoroughly. This, too, shows how unusual American suffrage politics is.

Native American voting rights are also contested. In the Mountain West Native Americans have encountered open white hostility in recent years as they have sought to participate in non-tribal local, state, and federal elections. Many whites have regarded that entry into non-tribal politics as illegitimate. The Native American right to vote is far from fully realized (Karlan 2011; McDonald 2010).

Since its enactment the Voting Rights Act has authorized the Department of Justice to deploy thousands of federal elections observers.¹⁶ In part this has been done to protect voting rights for Latinos, Puerto Ricans, Native Americans, and Asian Americans. Demography, prejudice, and party politics figured in their suffrage histories. The high concentrations of Chinese immigrants in Pacific Coast states, of Native Americans in the Mountain West, of Mexican Americans in southwestern states, and of Puerto Rican immigrants in New York and western Massachusetts, created the possibility that Anglo majorities in those states would politically marginalize these minorities. They did just that. The 1965 Voting Rights Act, as amended over time, thus proscribes discriminatory treatment of these populations (Bridges 1997; Tucker 2009).¹⁷ Their voting rights are monitored by such advocacy groups as the ACLU Voting Rights Project, (p. 466) the Asian-American Legal Defense and Education Fund (AALDEF), the Latino Justice Puerto Rican Legal Defense and Education Fund, and the Mexican-American Legal Defense and Education Fund (MALDEF).

Taking the long view one can see, in Carrie Chapman Catt's pithy phrase, an "endless chain of activity." Since the Founding suffrage politics has *continuously* affected the civic status of social groups, interparty competition, public policy, patterns of collective action, constitutional law, judicial politics, legal mobilization, representation, and federalism. Today suffrage politics does the same; tomorrow it will do so as well.

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(2.) See also <http://explorepahistory.com/hmarker.php?markerId=1-A-3C1> and <https://history.state.gov/departmenthistory/people/langston-john-merc>.

(3.) See also <http://www.unf.edu/floridahistoryonline/CIR/intro.htm> and <http://www.archives.com/experts/hait-michael/researching-african-american-soldiers-of-the-civil-war.html>.

(4.) For a capsule description see <http://history.house.gov/HistoricalHighlight/Detail/36084?ret=True>.

(5.) For more see <http://freedom50.org/>.

(6.) See also <http://www.nps.gov/semo/index.htm>.

(7.) On policy drift see Mettler 2014, 14, 67.

(8.) But restrictions also occurred in the antebellum struggles over black suffrage, which have recently and rightly attracted fresh scholarship. See Bateman 2014b and Budros 2013.

(9.) A profile of Lampi and his work are at <http://www.neh.gov/humanities/2008/januaryfebruary/feature/the-orphan-scholar>.

(10.) An important and little-known case is the Virginia Readjuster party of the 1880s. See http://encyclopediavirginia.org/Readjuster_Party_The#start_entry. Also Hahn 2003, ch. 8.

(11.) Later editions have slightly different wording of this oft-quoted passage.

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(12.) For more see <http://prospect.org/article/armed-resistance-civil-rights-movement-charles-e-cobb-and-danielle-l-mcguire-forgotten>.

(13.) The US case has yet to be properly assimilated into the vibrant discussion in comparative political economy on the connections among franchise extensions, inequality, and redistribution. For a succinct summary of that literature see Slater et al. 2014, 353–357.

(14.) See <http://www.people-press.org/2009/06/18/obamas-ratings-remain-high-despite-some-policy-concerns/5/>.

(15.) Navigate to http://www.nytimes.com/interactive/2013/06/06/us/new-york-times-cbs-news-poll-june-2013.html?_r=1&.

(16.) For more see http://www.justice.gov/crt/about/vot/examine/activ_exam.php.

(17.) See also Louis De Sipio, “Demanding Equal Political Voice ... And Accepting Nothing Less: The Quest for Latino Political Inclusion,” American Latino Theme Study, The Making of America, The National Park Service, online at <http://www.nps.gov/latino/latinothemes-tudy/inclusion.htm>.

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