



# Federal Bar Association

The premier bar association serving the federal practitioner and the federal judiciary.



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## The 19th Amendment turns 100: Why is the right to vote still important? \_\_\_\_\_

### 2020 Civics Essay Contest Sponsored by Federal Bar Association

This year, the Federal Bar Association marks the passage of the 19th Amendment to the U.S. Constitution which was ratified on Aug. 18, 1920. In 1869, Susan B. Anthony and Elizabeth Cady Stanton created the National Woman Suffrage Association, whose members included Sojourner Truth and many others. These suffragettes sought to change the status quo and fight for women's right to vote. U.S. statutory and case law reflects the evolution of voting rights.

*United States v. Anthony*, 24 F.Cas. 829 (C.C.D.N.Y. 1873): In 1872, Susan B. Anthony and 14 other women cast their vote in the November presidential election in Rochester, N.Y. Anthony was indicted under the act of Congress of May 31, 1870, which made it an offense for a person to knowingly vote without having a lawful right to vote. Anthony was tried and convicted for her actions.

*Minor v. Happersett*, 88 U.S. 162 (1875): The issue before the U.S. Supreme Court was whether the 14th Amendment granted the right of suffrage upon women despite the provision of the Constitution and laws of the state which granted the right of suffrage solely to men. The Court held "that the Constitution ... does not confer the right of suffrage (right to vote) upon anyone, and that the constitutions and laws of the several States which commit that important trust to men alone are not necessarily void."

*Fairchild v. Hughes*, 258 U.S. 126 (1922): A private citizen of New York challenged the constitutionality of the 19th Amendment claiming that it would increase the costs of elections and "prevent ascertainment of the wishes" of the lawfully entitled male voters. The United States Supreme Court held that the citizen did not have standing to challenge the Amendment where he was not an elected official and the State of New York ratified the Amendment.

*Leser v. Garrett*, 258 U.S. 130 (1922): The State of Maryland refused to ratify the 19th Amendment and sought to invalidate its authority over citizens in its state. The U.S. Supreme Court refused this proposition for reasons including that the 19th Amendment was similar to the 15th Amendment that had been "recognized and acted on for half a century."

*Oregon v. Mitchell*, 400 U.S. 112 (1970): For almost a century after the ratification of the 15th Amendment, discriminatory practices intended to discourage African Americans from voting were widespread throughout the United States. The Voting Rights Act of 1965 was challenged in the United States Supreme Court when four States brought action challenging its constitutionality claiming Congress was usurping voting decisions reserved to the States.

### VOTING RIGHTS TIMELINE

- 1776:** Only land-owning men could vote.
- 1848:** Abolitionists and pro-women's suffrage groups first meet and organize in Seneca Falls.
- 1856:** Vote granted to all white men by federal law though certain states made exceptions based on religion.
- 1868:** 14th Amendment grants African-Americans citizenship, but not the right to vote.
- 1870:** 15th Amendment prevents federal or state governments from denying the right to vote to citizens based on race.
- 1872:** Activist Susan B. Anthony was arrested for trying to vote and activist Sojourner Truth was turned away at the polling place for trying to vote.
- 1890:** Wyoming becomes the first US state to grant women the right to vote (having allowed women to vote when Wyoming was a territory).
- 1920:** 19th Amendment grants suffrage to women, but not all Native American and Asian women have citizenship.
- 1924:** Indian Citizenship Act (Snyder Act) is passed, giving Native Americans full citizenship, but many states still disenfranchise them at the polls.
- 1952:** McCarran-Walter Act grants all Asian-Americans the right to become citizen and to vote.
- 1961:** 23rd Amendment gives District of Columbia residents the right to vote for presidents, but not Congressional representation.
- 1965:** Congress passes the Voting Rights Act, removing discriminatory barriers that kept many people of color from voting.
- 1971:** 26th Amendment passed in light of Vietnam War to address those who were "old enough to fight, [were] old enough to vote."
- 1993:** National Voter Registration Act is passed, making it easier to register at DMVs and public assistance centers.
- 2000:** A federal court held that the U.S. Constitution does not confer upon U.S. citizens residing in Puerto Rico a right to participate in the national election for President and Vice-President.



Theodore Roosevelt addresses suffrage delegates at his home in Oyster Bay, N.Y., on Sept. 8, 1917.  
Photo credit: ©American Press Assoc.

**In honor of the 100th anniversary of the ratification of the 19th Amendment, the Federal Bar Association invites middle and high school students to consider why the right to vote is still important. Students should discuss the relevant cases, amendments, and statutes cited above and address the historical challenges that certain groups have faced in asserting their voting rights.**

# 2020 FBA Civics Essay Contest Rules

## Who May Enter

The contest is open to middle and high school students enrolled in public, private, parochial and charter schools and home-schooled students of equivalent grade status in the United States and its Territories. Middle school students are defined as those in grades 6-8. High school students are those in grades 9-12.

## Essay Length and Format

The maximum essay length in the Middle School Division is 500 words, and the maximum length is 1,000 words for high school entries. While not required, proper use of endnote citations and bibliographies will be credited during judging but are not included in the word count. Essays must be submitted as a Microsoft Word or PDF file and follow these formatting guidelines:

- Use 12 pt. Cambria or Times New Roman font, double-spaced text, with one-inch margins
- DO NOT include a title page, page headers or footers, or page numbers
- Include your name on the first page only
- Place all in-text, numbered citations at the end of your essay as endnotes, followed by a bibliography (if included)

## Entry Submission and Deadline

Essays must be submitted with a completed entry form, available at [www.surveymonkey.com/r/VWGRLYP](http://www.surveymonkey.com/r/VWGRLYP). The online entry form provides instructions for uploading documents. Entries accepted from January 31, 2020, through 11:59 p.m. Pacific Time on May 4, 2020. Winners will be notified no later than June 1, 2020.

## Judging

Essays will be evaluated based on the following criteria:

- Understanding of constitutional principles – 40 points
- Clarity and effectiveness in expressing the theme – 30 points
- Grammar, spelling and composition – 25 points
- Use of footnotes, bibliographies – 5 points

## Prizes

*Middle School Division:* First place, \$750; Second place, \$500; Third place, \$250  
*High School Division:* First place: \$1,500; Second place: \$1,000; Third place, \$500

## Release Forms

Should you become a finalist in the contest, you will be required to submit a release form allowing the Federal Bar Association, at its option, to publish your essay on its website and in print publications. In addition, contest winners will be required to provide and authorize use of photographs of themselves in contest-related promotional materials.

## Copyright

Adherence to all copyright laws and fair use practices is required. Visit [www.fedbar.org/about\\_us/outreach/civics\\_essay\\_contest](http://www.fedbar.org/about_us/outreach/civics_essay_contest) for more information and resources.

## Disqualification

Reasons for disqualification include: incomplete or improperly formatted entries, off-topic essays, providing false information, committing plagiarism, not meeting the submission deadline, and not providing a release form if requested.

**For updated information and resources, visit [www.fedbar.org/about\\_us/outreach/civics\\_essay\\_contest](http://www.fedbar.org/about_us/outreach/civics_essay_contest)**