The Right to Vote

What opportunities does the right to vote provide?

Up until the Civil War, in most places, the right to vote in the United States was restricted to white males 21 years and older. Each state, not the federal government, established its own voter qualifications, but by far, adult white males accounted for almost all of the ballots cast. In the Dred Scott decision in 1857, the U.S. Supreme Court ruled that slaves were property of their owners, were not citizens and had no legal rights at all. A decade later, African Americans were not only free, but they were free citizens, and in Iowa, the path had been set to grant them the right to vote.

American-Indian Suffrage

American Indians had a long and complex legal status within the United States. The tribes were considered sovereign nations and the federal government signed treaties with them just as if they were foreign powers. In most cases, American Indians could not vote unless they left their tribes and lived in white communities. During World War I, many American Indians served with distinction in the armed forces. In recognition of their service, the U.S. Congress passed the Snyder Act, which granted full citizenship to American Indians whether they remained on tribal lands or moved into mainstream society.

The 26th Amendment to the U.S. Constitution was ratified in 1971. It expanded the right to vote in federal elections to citizens 18 years and older, lowering the legal voting age from 21. Each state had to approve it for state and local elections.

The number of legal voters has expanded widely since the U.S. Constitution was adopted. Voting is the most basic right of each citizen, and who gets the right to cast a ballot for elected leaders has been a contentious issue. Today, there is a debate over whether those who have committed a felony should have the vote, even after they have served their time. Other issues may still surface.

Supporting Question

How did American Indians obtain the right to vote?

- Sac and Fox Treaty, 1842 (Document)
- Iowa Law to “Allow Meskwaki to Purchase Land and Live in Tama, Iowa,” July 15, 1856 (Document)
- Meskwaki Proclamation Day Brochure: “Old Indian Town,” July 13, 1857 (Document)
- Sac and Fox Treaty, 1867 (Document)
- Motion Presented by Iowa Senator J.B. Grinnell, February 5, 1867 (Document)
- ”Move On!” Political Cartoon, April 22, 1871 (Political Cartoon)
- Citizenship Act, June 2, 1924 (Document)
- Toledo Indian Industrial School, ca. 1910 (Image)
- Staff and Students at the Toledo Indian Industrial School, ca. 1910 (Image)
- President Calvin Coolidge Posing with Native Americans at White House, February 18, 1925 (Image)
- “Political Rights from Citizenship” in The Problem of Indian Administration, February 21, 1928 (Document)
- Constitution and Bylaws of the Sac and Fox Tribes in Iowa, December 29, 1937 (Document)
- Oral History Interview with Henry Mitchell, an American Indian Canoe Maker, 1938 (Document)
- Civil Rights Act of 1957, September 9, 1957 (Document)
- Voting Rights Act, 1965 (Document)
- Meskwaki Land Purchases, 2004 (Map)
Additional Resources

**American-Indian Suffrage:**

*Congress Granted Citizenship to All American Indians*: This website includes a three-part timeline on legislation to grant citizenship to American Indians born in the United States.

*Indian Citizenship Act*: This day in history feature from the Library of Congress summarizes the passage of the Indian Citizenship Act on June 2, 1924.

*Civil Rights Act of 1957*: This webpage from govtrack.us contains infographics and summaries of the record of the U.S. Senate's vote on the Civil Rights Act of 1957.

*Voting Rights for American Indians*: This Library of Congress webpage contains an article and photos that summarizes the struggle American Indians faced in the process of being granted voting rights in America.
Description

The introduction reads, “articles of a treaty made and concluded at the agency of the Sac and Fox Indians in the Territory of Iowa, between the United States of America, by John Chambers their commissioner thereto specially authorized by the President, and the confederated tribe of Sac and Fox Indians represented by their chiefs, headmen and braves.” In this treaty, Chief Poweshiek signed over rights to Sac and Fox land in Iowa, and nearly all American Indians relocated to Kansas. A small remnant remained in Tama County, Iowa. The move to Kansas proved to be painful and violent for the Meskwaki people. Old tribal rivalries arose and poverty set in. Some risked arrest to return to their relatives still living in Iowa. That remnant group has now become the Meskwaki Tribe that we know today.

Full Transcript of 1842 Sac and Fox Treaty

Transcribed Excerpts from 1842 Sac and Fox Treaty

Text-Dependent Questions

- How many years after the signing of this treaty are the Sac and Fox tribes required to relocate?
- At the end of the treaty, it is signed by 44 members of the Sac and Fox tribes. All of them signed with “a mark” (“To the Indian names are subjoined marks”). What does it mean that the tribal members signed with a mark instead of signing their name? What does it mean that the tribal members names were spelled phonetically?
Iowa Law to “Allow Meskwaki to Purchase Land and Live in Tama, Iowa,” July 15, 1856

Description
This is an excerpt of the journal from the 5th General Assembly of Iowa in 1856. The journal page shows the law that was enacted so the Meskwaki could purchase land and live in Tama, Iowa.

Full Transcript of Iowa Law to “Allow Meskwaki to Purchase Land and Live in Tama, Iowa”

Transcribed Excerpt from Iowa Law to “Allow Meskwaki to Purchase Land and Live in Tama, Iowa”

Text-Dependent Questions
• Where did the Sac and Fox tribes want to remain living? Infer as to why they might have wanted to remain there.
• Refer to Sac and Fox Treaty of 1842. Why did they have to ask permission to continue living where they were already living?
Meskwaki Proclamation Day Brochure: “Old Indian Town,” July 13, 1857

Description
As printed in “Proclamation Day Brochure,” a publication of the Meskwaki tribe to commemorate those who defied orders to relocate to “Indian Territory” and remained in Iowa, the brochure tells the laws, treaties, resolutions and official statements on the relocation - or non-relocation of some members - of the Sac and Fox tribes in Iowa. In this way, the brochure chronicles legal injunctions placed upon the Meskwaki people. This particular story was a recollection by David Butler as to the land bargaining process.

Transcribed Excerpt from Meskwaki Proclamation Day Brochure: “Old Indian Town”

Text-Dependent Questions
• What took place on July 13, 1857?
• Why would this purchase make a difference for the Meskwaki tribe?
Sac and Fox Treaty, 1867

Description
In this 1867 treaty, the Sac and Fox tribes agreed to purchase 750,000 square miles of land in portions of what is now Payne, Lincoln and Pottawatomie counties. The introduction states: “Articles of agreement made and concluded this eighteenth day of February, one thousand eight hundred and sixty-seven, between the United States, represented by [various officials], duly authorized, and the tribes of Sacs and Foxes of the Mississippi, represented by Keokuk, Chekusuk, Uequawhoko, Mututtah, and Manahtowah, chiefs of said tribes.”

Full Transcript of 1867 Sac and Fox Treaty

Transcribed Excerpts from 1867 Sac and Fox Treaty

Text-Dependent Questions
- In the 1842 treaty, the Sac and Fox gave up land west of the Mississippi River. According to this treaty, how much of their land was signed over to the American government?
- This treaty was signed 10 years after the Meskwaki started purchasing land in Tama County, Iowa. What difference did that make for the Meskwaki? Use evidence from the source to explain why.
- An annuity is a fixed sum of money to be paid to a person every year for the rest of their life. According to this treaty, “no part of the funds arising from or due from the nation under this or previous treaty stipulations shall be paid to any bands or parts of bands who do not permanently reside on the reservation set apart to them by the Government in the Indian Territory ...” What does that mean for for the Meskwaki who lived on land that they owned, rather than living on a government appointed reservation? Do you think the trade off would be worth it?
Motion Presented by Iowa Senator J.B. Grinnell, February 5, 1867

Transcribed Excerpt of Motion Presented by Iowa Senator J.B. Grinnell

Text-Dependent Questions

- What is Senator J.B. Grinnell asking the United States Senate to do? Why is he asking this? Provide evidence from the source supporting your answer.
- Refer to the Sac and Fox Treaty of 1867. What reasons does J. B. Grinnell give for this change? Are these changes justified? Why or why not?
“Move On!” Political Cartoon, April 22, 1871

Description
In this political cartoon appearing in *Harper's Weekly* on April 22, 1871, a policeman is seen ordering an American Indian man to “move on” away from a voting poll where other stereotyped “naturalized” Americans are clustered.

Text-Dependent Questions
- What ethnicities are represented in this political cartoon?
- Infer a possible location for this scene based on the background landscape and tell why.
- Conclude what “message” is being delivered in this political cartoon.

Citation Information
Nast, Thomas, “'Move on!' Has the Native American no rights that the naturalized American is bound to respect?” 22 April 1871. Courtesy of Library of Congress
Citizenship Act, June 2, 1924

Description
This 1924 act by Congress granted citizenship to all American Indians born in the United States. However, the right to vote was governed by state law. Until 1957, some states barred American Indians from voting.

Transcript of the Citizenship Act of 1924

Text-Dependent Questions
• Why would it be important for American Indians to be recognized as citizens of the United States?
• If American Indians were not considered citizens, discuss reasons why Iowa allowed the Meskwaki to purchase land in 1856.

Citation Information
“Chap. 233 - An Act To authorize the Secretary of the Interior to issue certificates of citizenship to Indians,” 2 June 1924. Courtesy of U.S. Congress
President Calvin Coolidge Posing with Native Americans at White House, February 18, 1925

Description
President Calvin Coolidge posed with American Indians, possibly from the plateau area in the northwestern United States, near the south lawn of the White House on February 18, 1925. In June of 1924, Congress passed The Citizenship Act of 1924, granting citizenship to all American Indians born in the United States. However, this did not guarantee all American Indians the right to vote, because voting was governed by state law at that time. Many American Indians did not get the right to vote until the Civil Rights Act of 1957 and the Voting Rights Act of 1965.

Text-Dependent Questions
• The Citizenship Act of 1924 granted citizenship to all American Indians born in the United States. How does the Citizenship Act of 1924 support or differ from the 15th Amendment passed in 1870? As a reminder, the 15th Amendment states that “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”
• Using clues from the clothing of the men in the photograph, what are possible inferences about the varied values of American Indians?

Citation Information
“[President Calvin Coolidge posed with Natives, possibly from the Plateau area in the Northwestern United States, near the south lawn of the White House],” February 18, 1925. Courtesy of Library of Congress
“Political Rights from Citizenship” in The Problem of Indian Administration, February 21, 1928

The Problem of Indian Administration report was created by a group of 10 staff members who spent seven months gathering information about the social and economic status of American Indians throughout the country. This 872-page report, also known as the Meriam Report, revealed how government policy oppressed American Indians. Its publication spurred Congress to create the Indian Reorganization Act of 1934. This particular excerpt from the report focuses on whether or not American Indians who are citizens actually have the ability to vote in the United States.

Transcript of pp. 756 in The Problem of Indian Administration

Text-Dependent Questions

- According to this report, what is the connection to citizenship and the right to vote? The report compared the plight of the American Indian’s being unable to vote to women before the passage the 19th Amendment. What was similar between the two groups of people? What was different?
- In the states where American Indians were voting at the time of this report, what impact did their vote have?
- What is one way that American Indians were prevented from voting?

Citation Information

Constitution and Bylaws of the Sac and Fox Tribes in Iowa, December 29, 1937

Description
After the U.S. Congress created the Indian Reorganization Act of 1934, the Meskwaki established their own constitution. This document is the constitution and its by-laws as it was created in 1937. The preamble states, “We, the Mesquakie Indians, enrolled members of the Sac and Fox Tribe of the Mississippi in Iowa, hereinafter referred to as the Sac and Fox Tribe in Iowa, now living on the Sac and Fox Settlement located near Tama, Tama County, Iowa in order that we may perpetuate our ancient tribal affairs, transact tribal business, and promote our own and our posterity’s social, economic, educational, and general welfare, with the guidance of Providence, do hereby organize ourselves into one body and adopt this Constitution as the basis of our community self-government.”

Full Transcript of the Sac and Fox Tribes Constitution

Transcribed Excerpts from the Sac and Fox Tribes Constitution

Text-Dependent Questions
- According to the constitution of the Meskwaki tribe, the Tribal Council would determine important matters for the tribe. What are the rules of forming a Tribal Council?
- According to this constitution, who is eligible to vote in tribal elections? What factors might have influenced these criteria?
Oral History Interview with Henry Mitchell, an American Indian Canoe Maker, 1938

Description
This oral interview of Henry Mitchell and his wife, American Indians in Maine, was completed by Robert Grady with the Federal Writers’ Project in 1938. Henry Mitchell was a professional canoe maker and talks about the beliefs and customs he grew up with along with moments of great adversity he and other American Indians faced in Maine.

Full Transcript of Henry Mitchell’s Interview

Transcribed Excerpt from Henry Mitchell’s Interview

Text-Dependent Questions
- What role did American Indians have in the state legislature of Maine in 1938?
- American Indians in Maine could not vote in state elections but could in tribal elections, like explained in the Constitution and Bylaws of the Sac and Fox Tribes in Iowa. According to the Mitchells, what was unfair about these roles and salaries in Maine?
- Write a conclusion about how much value the input from American Indians had to the legislators in Maine at that time.

Citation Information
Civil Rights Act of 1957, September 9, 1957

Description
This legislation established a Commission on Civil Rights to investigate civil rights violations and also established a Civil Rights Division within the Department of Justice. The Civil Rights Act of 1957 authorized the prosecution for those who violated the right to vote for United States citizens. The Voting Rights Act of 1965 took the issue one step further and authorized federal law enforcement to make sure that citizens of all people groups, in all states, were allowed to vote.

Full Transcript of the Civil Rights Act of 1957

Transcribed Excerpts from the Civil Rights Act of 1957

Text-Dependent Questions
- Which groups of people did the Civil Rights Act of 1957 seek to help?
- What was the problem the Civil Rights Act of 1957 worked to solve?
- How will the United States government go about solving that problem?

Citation Information
“An Act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States,” 9 September 1957. Courtesy of University of Maryland Law Library
Voting Rights Act, 1965

Description
This act was signed into law on August 6, 1965, by President Lyndon B. Johnson. It outlawed the discriminatory voting practices adopted in many southern states after the Civil War, including literacy tests as a prerequisite to voting. This was a landmark piece of federal legislation in America that prohibited racial discrimination in voting.

Full Transcript of the Voting Rights Act of 1965

Transcribed Excerpt from the Voting Rights Act of 1965

Text-Dependent Questions
- After reading this act, analyze the excerpt of Political Rights from Citizenship. How did the Voting Rights act of 1965 impact all American Indians?
- Speculate as to why it took so long for American Indians to receive the right to vote in all states, especially after the Civil Rights Act was passed in 1957?

Citation Information
Meskwaki Land Purchases, 2004

Description
This map and accompanying text show the history of land purchases made by the Meskwaki tribe. This particular political map shows the dates of multiple land purchases around Highway 30 and the Iowa River by the Meskwaki tribe from 1857 to recent years.

Transcript about Meskwaki Land Purchases

Text-Dependent Questions
• How has the land that the Meskwaki owned changed over time? Cite evidence from the source to support your answer.
• Make a timeline showing the years the parcels of land were purchased.