

Topic: The Voters

What the Students Do: Explore and discuss several documents to learn about the passage of the 26th Amendment.

California History-Social Science Standards: 8.3, 11.10, 12.2.4, 12.3

CMS Promising Approaches: 1, 2,

Thanks to: [University of Virginia Center for Politics: Youth Leadership](#)

Fight for Your Right: A History of the Twenty-Sixth Amendment

Purpose

The least likely group of voters is people age 18-20. This lesson seeks to change that by demonstrating to students both the power and importance of the right to vote through the history of the 26th Amendment. It will also examine the ability of interest groups to make meaningful change in the American system of government.

Objectives

1. The students will understand the different constitutional amendment procedures
2. The students will identify how the 26th amendment was the final step in the historic extension of suffrage in the United States
3. The students will describe how interest groups can influence public policy and the ability of youth to institute change
4. The students will determine why voting is an important part of effective participation in civic life

Key Words

antithesis

deseccration

dogmas

franchise

in loco parentis

invidious

pillage

rhetoric

suffrage

Materials Included

1. Copy of *An Address by Governor Blair* for each student
2. Copy of *Let My People Vote* printed out on an overhead
3. Copies of the following resources for each student: *Youth: Can LUV Conquer All?*; *The Vote: Youth Movement*; *Lowering the Voting Age to 18*
4. Copy of *Anatomy of the Movement* for each student
5. Copy of blank *The Amendment Process* flow chart for each student
6. Printout of *The Amendments* on overhead
7. Printout of *Fact Sheet: The 26th Amendment* on an overhead
8. Copy of *Frequently Asked Questions* for teacher

Procedures

1. **Warm up:** Put the following facts on the board or an overhead:
 - The average soldier fighting in the Civil War was under age 21

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- The right to vote was not granted nationwide to 18-20 years olds until the passage of the 26th Amendment to the Constitution in 1970.

Distribute a copy of *An Address by Governor Blair* to each student and ask them to read it and then answer the following questions:

- What reasons does Governor Blair give in support of allowing soldiers to vote?
- Is it fair to ask people to fight in support of a country but not allow them to vote in elections?

2. Place the *Let My People Vote* sheet on the overhead projector and explain that each of the dates on the sheet represents a time when there was a movement to lower the voting age to 18. Ask the students to tell you what important events happened during or just prior to those dates. The answers you are looking for are:

1865 – Civil War

1942 – WWII

1954 – Korean War

1968 – Vietnam War - Tet Offensive

1971 – Ratification of the 26th Amendment

Ask the students why they think there is a connection between wartime and the demand to lower the voting age.

3. Distribute copies of the resources *Youth: Can LUV Conquer All?; The Vote: Youth Movement;* and *Lowering the Voting Age to 18* and ask students to read the articles. Then have them fill out the *Anatomy of a Movement* sheet individually or in small groups.
4. Give each student a copy of *The Amendment Process* handout and walk them through the possible steps using the overhead *The Amendments* or by having the students look up the information on their own.
5. Place *Fact Sheet: The 26th Amendment* on the overhead but cover up all but the first section titled *On the Positive Side*. After reviewing the information reveal the second section *On the Negative Side*. Finally reveal the voter rates chart at the bottom of the page.
6. The *Frequently Asked Questions* sheet can be used to answer questions that students might raise or can be passed out as addition information.
7. Ask the students to respond to the following questions in their notebooks or journals:
 - Respond to the statement: “If you don’t vote, you can’t complain.” Do you agree or disagree? Why?
 - Should the government be allowed to tax people who work but are too young to vote?
 - Is it fair that people can vote at age 18 but can’t purchase or consume alcohol until age 21?

An Address from Governor Blair of Michigan

January 19, 1864

...The volunteer army of the United States is composed of the people of the United States. They have left their various occupations in civil life and taken up arms at the call of their country, not to become professional soldiers, but to defend their country and government from destruction, and their homes and property from desecration and pillage. Not to renounce civil life and the pursuits of peace, but to establish, upon an enduring basis, the right to both, for themselves and their posterity. With a patriotism and courage of everlasting remembrance they have periled everything that their country and its free institutions may continue to exist. They are absent from the polls of the elections in their several towns and wards, beating back the power of a causeless and cruel rebellion in order that those very elections may be held in peace, and that the right to hold them and to have their results respected and obeyed shall continue forever. If these volunteer citizen soldiers should not have a voice in the civil administration of the government for which they fight, then it would be well to inquire who is worthy of it. Though soldiers, they have not ceased to be citizens and residents, nor is their stake less in the country than that of those who remain in peace at home. Surely, he who stands faithfully by his country in the shock of battle may be safely trusted at the ballot box...

Excerpt taken from: Josiah Henry Benton, *Voting in the Field: A Forgotten Chapter of the Civil War* (Boston: Privately Printed, 1915), 96.

Let My People Vote

The following dates represent times when there was a movement in the United States to extend suffrage to 18-20 year olds. What major events took place during or just prior to each of these dates?

1865

1942

1954

1968

1971

YOUTH

Can LUV Conquer All?

American youth stormed on the national political scene in 1968 with galvanic gusto. Yet for all their efforts, both creative and disruptive, the young dissidents remained on the outside looking in on the American political process. For the most part, they were not old enough to back up their beliefs with ballots. Now, displaying the same kinetic enthusiasm that the kids did during the campaign, a youthful movement called LUV ("Let Us Vote") is spear heading a drive to amend the Constitution to enfranchise 18-year-olds.

A National Coalition. Next week, forming a coalition aimed at attaining those goals, LUV plans to join with the National Education Association, the A.F.L.-C.I.O., the National Student Association, the national Young Republican and Young Democratic clubs, the National Association for the Advancement of Colored People and the U.S. Youth Council. Though other groups have tried in the past to lower the voting age in individual states, the coalition will mark the first time that students will have merged with other interest groups to achieve the goal on a national basis.

LUV's founder and moving spirit is Dennis Warren, 21, a prelaw student at the University of the Pacific in Stockton, Calif. The very antithesis of the stereotype student radical, Warren wears his hair closely cropped, dresses in conservative pinstripe suits and black shoes. As a sophomore, he won two gold medals at the Pi Kappa Delta national debating tournament.

Warren uses all of his forensic skills as he goes about advocating the lowered voting age. Only four states now allow voting before age 21: Georgia and Kentucky at 18, Alaska at 19 and Hawaii at 20. Yet, contends Warren, "the average age of those who fight and die in war is under 21. These men and women rightfully deserve a voice in selecting the government that determines whether there should be a war."

In the six weeks since he organized LUV, Warren has seen it expand from a campus-wide drive at his own college into a nationwide movement that now has 327 college chapters and 3,000 high school divisions. More than 20,000 letters inquiring about LUV have flooded into Warren's busy headquarters on the Stockton campus. Only three of these have been critical-and only one contained a contribution, for \$1.23.

Reforms Proposed. LUV's labors are coming at a time when support is gathering for broad-based reform of the nation's electoral process, including lowering the voting age and abolishing the Electoral College. Richard Nixon repeatedly advocated lowering the voting age requirement during the campaign, and both Senate Majority Leader Mike Mansfield and Senate Minority Leader Everett McKinley Dirksen are on record as supporting the move. Recently, Mansfield and Vermont's Senator George D. Aiken co-sponsored a resolution to lower the voting age to 18 and introduce a system of direct election that would put the President in office for a six-year term. Last week the Senate Judiciary Subcommittee on Constitutional Amendments began to review proposed alternatives to the Electoral College formula.

Nonetheless, the advocates of reform still must overcome Capitol Hill's longstanding reluctance to change the electoral process. A total of 153 congressional resolutions (including the Mansfield-Aiken proposal) to amend the Constitution to allow 18-year-olds to vote have been introduced in Congress since 1943. All have failed. Today, moreover, many middle-class voters are disillusioned with the militant youths who fought the police in Chicago during the Democratic Convention and turned college campuses into battlegrounds. LUV Leader Warren is not concerned, however. He is confident that LUV will conquer all.

**Time Magazine*, Vol. 93, No. 5 (January 31, 1969): 20.
Youth Leadership Initiative

THE VOTE

Youth Movement

For a nation that has historically concerned itself with enlarging the electorate, the U.S. has always treated one large group of citizens with curious neglect. Over the years, five major groups have been added to the voting ranks: the landless (under the Constitution), Negroes- (1870), women (1920), Washingtonians (1961) and refugees from the poll tax (1964). Yet America, a nation obsessed with youth, with nearly half its population under 25, does not let a citizen vote until he is 21.* An 18- year-old can be drafted, and he can be held fully responsible before the law, can even be given the death penalty in some states, but he cannot cast a ballot except in Kentucky and Georgia. An Alaskan can vote at 19, a Hawaiian at 20. Last week Lyndon Johnson moved to enfranchise all the 10 million Americans between 18 and 21.

The President's proposed 26th constitutional amendment is not a new notion. The idea first reached Capitol Hill in 1942, and Eisenhower lost a 1954 bid to lower the nation's voting age by a mere five votes. But the idea seems to be gaining favor. In recent years, polls have found that the majority of the population favors giving 18-year- olds the vote, and L.B.J.'s proposal joins more than 50 similar submissions that have been made to the 90th Congress. The opposition is typified by such stands as that of the New York Daily News, which facetiously urged that the voting age be raised to 30, or lowered to two. Johnson sees today's 18-year-olds "prepared by education, experience and exposure to public affairs. "Letting them vote would be a signal that they are trusted." This trust will have to permeate Congress and the legislatures of 38 states before the electorate gets its infusion of youth.

- By common law, 21 is the voting age in most of the English-speaking world; France also makes it 21, Japan and Germany 20, Russia and some Latin American nations 18, Norway and Sweden 23, and Denmark 25.

**Time Magazine*, Vol. 92, No. 1 (July 5, 1968): 20.

LOWERING THE VOTING AGE TO 18

Mr. MOSS. Mr. President, I strongly favor lowering the voting age to 18. I will support either a constitutional amendment or an amendment to the Voting Rights Act to accomplish this objective.

Congress, if it wishes, has the power to set the voting age at 18 by statute. Under the 14th amendment, Congress has the power to find that a distinction between those who are 18 to 21 and those who are over 21 is an invidious classification and, therefore, a denial of equal protection under the law.

I believe that this discrimination against 18- to 21-year-olds is invidious and that Congress should so find.

The reasons why the minimum voting age should be lowered to 18 are familiar to us all. Young people today are better educated, more mature, and more sophisticated than ever before. At 18 they can be drafted to fight for their country, marry, make a contract, and are legally responsible for their actions-both criminal and civil. But because of tradition going back to 21-year-old maturity of feudal times, they cannot vote.

Giving 18-year-olds the vote will not close the generation gap, but it can help. Young people will have more reason to concern themselves with the issues that plague their parents.

Moreover, setting the voting age requirement at 18 will make our electorate more truly representative of our society.

Unjustified discrimination in determining who may participate in political affairs or in the selection of public officials undermines the legitimacy of representative government.

As I said, these are familiar arguments which need no elaboration. Their logic is irrefutable. But why then, has nothing been done? Why are millions of qualified voters still without the franchise?

Partly because things move slowly around here. But the main reason why the voting age has not been lowered, in my opinion, is fear. Too many entrenched establishment oldsters fear change, any change. Perhaps they fear that the slogans and rhetoric of the past will not carry the day with a new group of voters. Perhaps they fear an electorate that questions old dogmas.

Perhaps there are other reasons of self-interest for opposing the 18-year-old vote. But I suspect opposition is based on emotion-a gut fear.

These fears should be discussed, but they should also be exposed. Exposed so that young people may know who and what is blocking change.

As with the question of in loco parentis and student participation in the university decision making process, it comes down to a matter of trust. These young people do not want to take over the country, they simply want to be adult citizens rather than dependent children. Either we trust young people and give them responsibilities commensurate with their maturity or we continue to treat them like children-although many of them already have children of their own. To treat our 18-, 19-, and 20-year-olds like children, not to trust them-can only deepen their alienation and drive the generations further apart.

***These remarks by U.S. Senator Moss were reprinted in *The Congressional Record*, March 5, 1970, pg. 6142.**

The Amendment Process

There are two steps for getting an amendment to the Constitution passed. First it must be officially proposed by one of two methods and then it must be ratified again by one of two methods. Using your textbook, fill in the following chart of the amendment process.

Methods of Proposal	Methods of Ratification
Or	Or

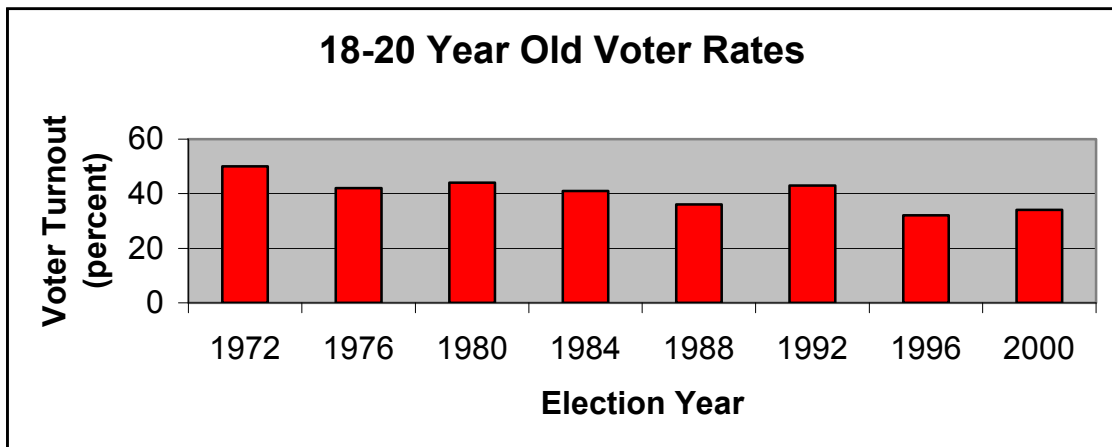
Fact Sheet: The 26th Amendment

On the positive side:

- **Ratification of the 26th Amendment only took 99 days (from March 1971 to June 1971).**
- **It took 11 months to ratify the 15th Amendment, 15 months to ratify the 19th Amendment, and 200+ years to ratify the 27th Amendment.**

On the negative side:

- **In 1972 – 50% of people ages 18-24 voted
In 2000 – 35% of people ages 18-24 voted**
- **There are eight states that never ratified the 26th Amendment: Florida, Kentucky, Mississippi, Nevada, New Mexico, North Dakota, South Dakota, Utah**



Frequently Asked Questions

1. Why did governments use age 21 as the cut-off for voting rights?
 - In the Middle Ages it was assumed that soldiers had to be at least 21 to fight in a war. Men younger than that were often not strong enough to wear the heavy armor used at that time. Thus you were considered an adult when you were old enough to fight.
2. Which state was the first to ratify the 26th Amendment?
 - Minnesota completed ratification of the amendment at 3:14 PM on March 23, 1970. However, the amendment was not *officially* proposed by Congress until 3:40 PM that day so Delaware is considered the first state to have ratified the amendment correctly.
3. How many states had to ratify the amendment for it to become a part of the Constitution?
 - 38 states
4. Which state was the 38th? Did states continue to ratify the amendment after it was officially adopted?
 - Ohio was the 38th state. Oklahoma, Virginia, Wyoming, and Georgia all ratified the amendment after final adoption had already taken place.
5. What rights do citizens have when they reach age 18 today?
 - They have the right to vote, enter into marriage (sometimes earlier if permitted by state law), buy property, and enter into a contract. They can also be tried for federal criminal acts as an adult.
6. Why didn't Congress just pass a law to reduce the voting age? Was an amendment to the Constitution really necessary?
 - Many people in Congress argued that a law would be sufficient and one was passed in 1970 but the Supreme Court ruled that the law only applied to federal elections not state elections. In order to extend suffrage to 18-20 year olds in **all** elections, the Constitution had to be changed.

Anatomy of the Movement

After reading the primary and secondary sources listed on the *Youth Movement* handouts, fill in the following chart by answering the questions about the movement to grant suffrage to 18-20 year olds.

Who?	What individuals were instrumental? What groups and organizations supported it?	
What?	What did they hope to accomplish?	
Where?	Where did the movement start? Where did it spread?	
When?	When did the movement start? How long did it take?	
Why?	Why did people think that 18-20 year olds needed the right to vote? Why did they deserve the right to vote?	
How?	What methods did individuals and groups use to convince people to support their movement?	

The Amendments

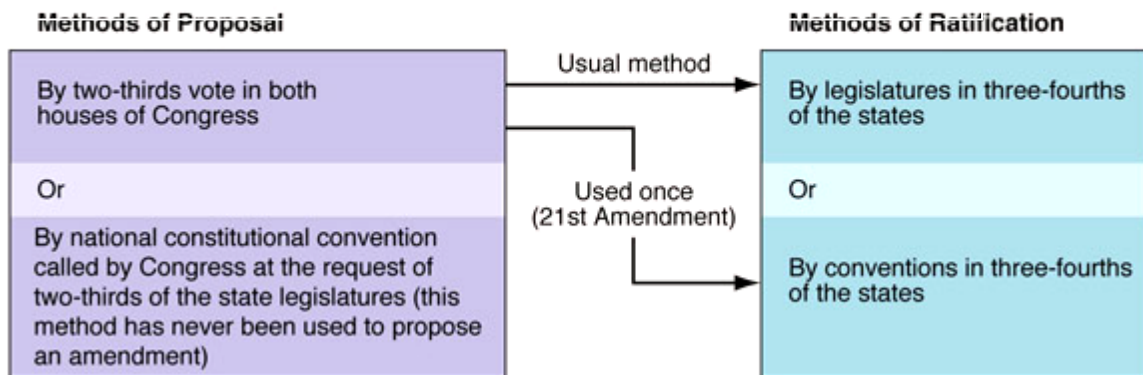
What are they?

An amendment is the process of formally altering or adding to a document or record. **Article V** of the United States Constitution specifies how amendments can be added to the Constitution.

How do they become law?

Figure 2.3 Methods of Amending the Constitution

THE TWO METHODS FOR PROPOSAL AND RATIFICATION OF AMENDMENTS



*Note that the second method has never been used for a proposed amendment

Why did the founding fathers create them?

The framers of the constitution understood that society would alter and therefore they wanted to create an avenue providing for change.

James Madison wrote in Federalist #43 concerning the amendments,

“That useful alterations will be suggested by experience, could not but be foreseen. It was requisite, therefore, that a mode for introducing them should be provided. The mode preferred by the convention seems to be stamped with every mark of propriety. It guards equally against that extreme facility, which would render the Constitution too mutable; and that extreme difficulty, which might perpetuate its discovered faults. It, moreover, equally enables the general and the State governments to originate the amendment of errors, as they may be pointed out by the experience on one side, or on the other.”

(The Federalist was a series of essays supporting adoption of the United States Constitution)

Questions to consider:

Why was it important that the founding fathers account for change?

Madison believes that the amendments guard against the Constitution being changed too often and not modified when necessary. Do you believe this is true? Why or why not?

How does the amendment process protect the rights of the people?