All Men Are Created Equal

What a wonderful and noble thought. Thomas Jefferson is revered as the most brilliant of the founders of our nation. And no statement is more linked to his literary pragmatic genius than the second sentence of the Declaration of Independence, perhaps the best known words ever written by an American: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of happiness." I repeat what a wonderful and noble thought. Too bad that it is probably the biggest untruth ever written and then perpetrated on the American people throughout the entire history of our nation – right up to the present day. What a sham and what a shame for it has promulgated false hope and baseless dreams for millions of Americans.

So why Jefferson would make a statement that is clearly not the least bit provable. Are men created equal? Certainly not by any normal measure such as size, shape, color, strength, intelligence, creativity and one could go on and on. Physically, mentally and morally men are not created equal. If everyone was created equal then there would be no reason for any competition because every race would always end in a dead heat, games would be played for a tie score, wars would be waged to achieve a stalemate not a victory. So if Jefferson's declaration of equality as a "self-evident truth" is baseless then what could he possibly have been thinking by stating unequivocally that all men are created equal since nobody alive at the time could possibly agree that it made any sense given the inequality that existed everywhere one looked.

The purpose of this paper is not to try and delve into the mind of Jefferson but instead to trace the history of but one of the most shameful consequences of Jefferson's hoax of equality – the denial of the inalienable right to vote commonly referred to as suffrage. The word suffrage is indeed a curious term as the lack of its universal application has caused perhaps more suffering in this country than any other cause in our history. Universal suffrage did not become a reality in the United States for almost 200 years. Until the passage of the Voting Rights Act in 1965,

most African Americans in the South could not vote. Women were barred in most jurisdictions from voting for their representatives and President until 1920. Asian immigrants were denied citizenship and Native Americans and paupers were not allowed to vote well into the 20th century. How did this happen in light of the premise that all men are created equal?

To come to the defense of Jefferson, it should be pointed out that he would never have supported the notion that being created equal translated into everyone having the right to vote. At the time of the birth of our country it would have been nearly impossible to find anyone who would have agreed with universal suffrage either on a theoretical or practical basis – even for white males. Remarkably, Constitution of the United States which the brilliant English statesman William Gladstone described as "the most powerful work ever struck of by the brain of man", did not grant anyone the right to vote. In fact it was not until the passage of the 14th amendment, some 80 years later, did the phrase "right to vote" appear in the Federal constitution at all. For more than a decade before the founding of the Republic individual colonies had been writing their own suffrage laws. The lynchpin of both colonial and English suffrage regulations was the restriction of voting to adult men who owned property. This was justified on two grounds. The first was that men who possessed property, especially real property such as land or buildings, had a unique stake in society and the welfare of the community and therefore had a personal interest in the policies of the state, especially taxation. The second reason was that property owners alone possessed sufficient independence to warrant their having a voice in government as expressed through their vote. In other words they took voting seriously as the consequences of actions of their elected representative would directly impact them versus those who did not own property. Conversely the ballot could not be entrusted to those who were not economically dependent because they could be too easily controlled and manipulated by others. It raised the specter of a demagogue coming to power through the manipulation of dependent men and women. This was an argument that would permeate the anti-voting rights dialogue for another 150 years.

In addition to property ownership, pre-revolutionary voting laws also evidenced restrictions that would last in one form or another for a long time after the country was founded. These included residency requirements which excluded those not familiar with the local customs of the colony as well as the exclusion of poor males. Women were prohibited from voting because they were thought to be dependent on adult men, and their delicacy rendered them unfit for the worldly experience necessary for engagement in politics. We will revisit this theme later.

Perhaps the most fundamental issue at the heart of the history of suffrage was this question: is voting a right or a privilege? Until this was resolved, there was no chance of getting people to come to agreement. The prevailing sentiment at the time of the framing of the constitution was that voting was clearly a privilege to be granted by each state to those who had the vested interest and independence to exercise it wisely. Even Jefferson accepted that men needed to own property in order to have the independence to vote in a responsible way, but he solved his moral dilemma by advocating distribution of free land to the property-less. There was however a small but strident number of people who did advocate that voting was a right. This was embraced by small farmers, artisans, and shop owners as well as most radical leaders of the Revolution such as Franklin, Thomas Young and Ethan Allen. It was even advanced by a local community, Spencer Massachusetts, in support of granting the right to vote to free African Americans by stating that depriving them of their rights "for the sole cause of color was an infringement upon the rights of mankind."

However, even for the most liberal supporters, there was a problem with the argument that voting was a natural right because it presumed there would be no limitations whatsoever on voting which opened a proverbial Pandora's Box. Did that mean that not only every man (including the poor and uneducated), but also women, African Americans, children, criminals. etc.? If it is truly a natural right, how could anyone be denied?

At the time of the adoption of the Constitution, the only voting requirement mandated by the Federal government on individual states was that whoever has the right to vote for the most numerous branch of the state legislature has the right to vote for members of the U.S. House of Representatives. Everything else regarding voting rules was left to each state to determine themselves. This was to become the default in every effort, including several Supreme Court decisions over the next 150 years, to try and get the Federal government to mandate voting rights. State's rights to establish and administer their own voting laws always prevailed in order to maintain the unity of the country.

With the advent of the 19th century came a slow but steady process of breaking down the barriers to voting based on property ownership and even the barrier that a man had to be a taxpayer to vote. Indeed, Jefferson's "self-evident truth that all men are created equal" was never taken more literally than in the period 1820-1850. Most of this loosening of restrictions was driven by the large influx of immigrants joining in the emerging industrial economy springing up in major urban centers. It was feared If only the landed gentry were permitted to vote, denying the vote to these new immigrants would eventually cause class upheaval as erupted in the 1840's in Europe. In addition, asking people to serve in the military without giving them the right to vote was seen as an impediment to recruit and motivate soldiers. By 1855, just three states still had property ownership requirements and only eight states limited voting to taxpayers. Therefore by the middle of the 19th century great progress had been made toward universal suffrage for white men in the United States.

But what about the two largest groups who, for much of the history of the nation, were completely disenfranchised? It may surprise some that the New Jersey constitution adopted in 1776, and through a subsequent election law passed in 1790, granted the right to vote to "all inhabitants". In reality however, this meant that the right to vote was extended to property owning women which was based on the logic that if they owned property (primarily as a consequence of being a widow) they had a stake in society. In 1807 this right was reversed after a corrupt election to select a new site for a courthouse in Essex County and women voters

were blamed for the crooked election. The legislature then passed a law stating "no person shall vote in any state or county election for officers in the government of the United States unless such people be a free, white male citizen." After this law was adopted, women everywhere in the nation were effectively barred from voting until the late 1800's when a few of the new western states started allowing women to vote for locally elected officials.

African Americans, including "Freed Men", were specifically targeted to be excluded from voting prior to the Civil War. In 1790 only 3 of the original 13 states had race based exclusions on voting. By 1855, 26 of the 31 states had formal race exclusions prohibiting Free Black Americans from casting a ballot. In 1857 the Supreme Court ruled that blacks, whether free or slave, could not be a citizen of the United States. Moreover the Federal government prohibited free blacks from voting in the territories controlled by the government. Every state that entered the Union after 1819 prohibited blacks from voting. Only Massachusetts, Vermont, New Hampshire, Maine and Rhode Island did not discriminate against free African Americans to have the right to vote. Unfortunately, these states only contained 4% of the free African Americans then living in the country.

There were many northern white delegates to state constitutional conventions throughout the years leading to the Civil War who ardently supported the right for free African Americans to vote. Moral arguments abounded based on the common human rights of any man, regardless of the color of his skin to exercise his rights as a citizen. Moreover, there were many who contended that giving black men the vote would elevate them in society while denying them enfranchisement would attach a stigma and throw an obstacle in the way of their social improvement. Others played the military card insisting that those who fought for their country alongside white men should have the same equal right to vote as to die in battle. These arguments, compelling as they may sound to us today, carried little weight in constitutional conventions or among the population at large. With the exception of Rhode Island, all of the popular referenda held on this issue resulted in overwhelming mandates for exclusively white suffrage. The delegates to these state conventions reaffirmed that "suffrage was not a natural

right but a franchise bestowed or withheld as the Public Good demands". A delegate to a convention in Indiana in 1851 said "blacks could not be elevated enough to ever make them the equal of whites and any policy that promoted amalgamation of the races would lead to the degradation of the white man". Another fear was that permitting blacks to vote would likely open the doors to mass migration of runaway slaves and Freedmen to any state that would permit them to vote and that fear trumped any moral persuasion to permit them to vote.

At the outset of the Civil War, only five states permitted blacks to vote on the same basis as whites and in case you are wondering, Ohio was not one of them. A sixth state, New York allowed African Americans to vote, but enforced strict property ownership requirements as a prerequisite. With the end of the Civil War and abolition of slavery, 4 million men and women effectively were turned into free citizens with supposedly the same political rights as their white counterparts. Further, 180 thousand black men had served in the Union Army and as General William Tecumseh Sherman said "when the fight is over, the hand that drops the musket cannot be denied the ballot". Almost immediately after the war ended, northern whites mounted vocal efforts in favor of universal suffrage. In direct rebuttal of the pre-war refrain, the prominent New York minister Henry Ward Beecher proclaimed "The democratic doctrine of the natural rights of men shall be applied to all men without regard to race, or color or condition. Suffrage is not a privilege or a prerogative, but an inherent right and not one conferred by the public on a whim." He went on to emphatically state "to have an ignorant class voting is dangerous, whether white or black; but to have an ignorant class and not have them voting is a great deal more dangerous. The remedy for the unquestionable dangers of having ignorant voters lies in educating them by all the means in our power, and not in excluding them from their rights. Nothing so much prepares men for intelligent suffrage as the exercise of the right of suffrage." As eloquent as these words were, they were not shared by most white Americans either in the South or North. Most surprising was the ongoing hostility to African American suffrage in the North after the war. Proposals to enfranchise blacks were defeated in more than fifteen northern states and territories between 1863 and 1870. Only Iowa passed true impartial suffrage.

Despite the breath of opposition at the state level, the Federal government took path breaking steps to override state control of the voting franchise and thereby grant full political rights to African American men. The first major step was the passage of the 14th amendment in June 1866. While viewed by many Republicans in Congress as tepid, it did provide for the first time in the nation's history a national definition of citizenship by declaring that "all persons born or naturalized in the United States were citizens of the United States and the State wherein they reside." It also prohibited states from passing laws that would "abridge the privileges or immunities of citizens or deny them the equal protection of the laws." The amendment however did not explicitly guarantee the right to vote to the black population, but instead instituted punishment to any state that denied the right to vote by reducing the number of electoral votes by the percentage of the class of people in that state who were barred from voting. The Reconstruction Act of 1867 put more teeth into the push for guaranteeing the right to vote in the Southern states. It basically denied recognition and readmission to the Union to all these states and authorized continuing military occupation. In order to be readmitted to the Union, each southern state was required to ratify the Fourteenth amendment and to approve a state constitution that permitted blacks to vote on the same terms as whites. While vetoed by President Andrew Johnson, it was quickly overridden by Congress effectively compelling the former Confederacy to permit blacks to vote. Ironically and hypocritically, Congress did not apply these same rules to the Northern states who by in large continued to exclude blacks from voting.

To counter this inconsistency and institute true uniformity in applying voting rules to both the Northern and Southern states, Congress took up debate over what was to become the 15th amendment. This marked the first time since the original constitutional convention in Philadelphia that the issue of voting rights was dealt with directly by the legislative bodies of the United States. After much contentious debate and widely different versions in the House and Senate, a conference committee hammered out a compromise that stated simply "The right of citizens of the United States to vote shall not be denied or abridged by the Unites States

or any state on account of race, color or previous condition of servitude." While ratification was a difficult challenge in almost all the states outside of the South where it was mandated, it finally became part of the Constitution in February 1870. The 15th Amendment in fact is more remarkable for what it does not contain than what it does contain. By keeping silent on so many potential barriers to voting requirement tests such as property ownership, education, literacy, residency, creed and even gender, the amendment opened the door for state legislatures to enact arbitrary limitations on the right to vote. As a result, the void presented by the 15th amendment became the basis, for almost 100 more years, to effectively deny the vote to most African Americans in the South through the entrenchment of what are commonly referred to as Jim Crow laws and at the same time permitted restrictive voting rules in the North and new Western states.

Without enforcement and through fraud and violent coercion, the 15th amendment was of little value in advancing voting rights. A feeble attempt at a strong enforcement law was defeated by Congress in 1890. With that defeat, systemic effort was promulgated by most all of the Southern states to legally disenfranchise black voters. Between 1890 and 1905, the Democratic Party in the South solidified their political stranglehold by modifying voting laws in ways that would exclude Black voters without violating the 15th amendment. These included one-time and cumulative poll taxes, literacy tests arbitrarily applied to requiring the ability to read and interpret the US and State constitution, length of residency requirements, multiple ballot boxes that were often not counted, and Democratic primaries that were restricted to white voters only. Literacy tests were especially effective since 50% of all Black men and 15% of white men were illiterate in 1900. These laws worked as evidenced by the following facts: In Mississippi in 1896 only 9,000 out of 147,000 Black men were registered to vote, in Louisiana only 1,342 were registered in 1904, in Georgia only 4% of Black men were registered in 1910. For the South as a whole, voter turnout by the early 1900's fell to single digits for Black voters. Sadly it remained in those low percentages for many decades to come.

All of this took place without great protest in the North. What is even more disturbing than the enactment of all the laws passed to inhibit voting and legally disenfranchise Black voters in the South was the fact that they were almost universally upheld by the United States Supreme Court when tested. For example in 1898 the Supreme Court ruled that Mississippi's literacy test did not violate the 15th Amendment because the law creating the test was not on its face designed to discriminate against blacks alone. By 1910, just as had been predicted by those who had wanted much broader language in the 15th Amendment, the South had successfully charted its own course when it came to granting Black men the "privilege" rather than the "right" to vote. As a result, the African American population of the South remained largely disenfranchised until the 1960's, and one party rule by the conservative Democrats became the norm. Throughout this extended time period, the North and the rest of the country remained disinterested and stayed out of the business of the Southern states rather than even mildly interfere in their restrictive voting operations.

Are ALL Women Created Equal?

Now let us turn our attention to the fairer sex and how they fared (no pun intended) in gaining the inalienable "right" to pursue life, liberty and happiness that Thomas Jefferson had promised all citizens of the United States. I would suggest that the underlying fear that most permeated the 75 years of heated debate over women's suffrage was the fear that female participation in electoral politics would undermine family life and tarnish women in general. Whether this was driven out of gender conceit and elitism or outright sexist beliefs formed out of thousands of years of biblical tradition is hard to gauge. But what is clear is that it was certainly the rare exception rather than the rule to find men who would agree that women were their equals in society.

The movement to enfranchise women had its formal organized beginnings at a convention held at Seneca Falls, New York in July 1848. It was the brainchild of Elizabeth Cady Stanton and Lucretia Mott. Not surprisingly they adopted a "Declaration of Sentiments" declaring that all

men *and WOMEN* are created equal. They vehemently protested the denial to women that "this first right of citizenship, the elective franchise, leaves her without representation in the halls of legislation and oppressed on all sides. Furthermore, laws made exclusively by men relegated women to an inferior place in the social, civil and economic order of society."

In 1848 women lacked the right to vote everywhere. Although by and large regarded as intelligent adults, they were viewed as having capacities different from those of men. Women were generally viewed as better suited to private life and the affairs of the home than the public world of politics. But even more telling was that women were excluded from voting for the same reasons that the poor and property-less were denied the right. It was deemed they lacked the "independence of mind" necessary to participate as voters in their own right without being swayed by others who had real skin in the game. The perception was they were controlled by men economically and legally and therefore could not be responsible political actors. Further, it would be duplicitous for them to vote because their interests were well represented by their husbands, fathers, sons or brothers. With this thinking embedded in the general culture of men and most women, during the first half of the 19th century there was little organized effort to promote their inclusion in the electorate. Few saw any reason to disagree with John Adams' well known comment on this principle in 1798 when he said if voting was a "right rather than a privilege then logically even women and children would have to be granted the right to vote." What a preposterous idea indeed.

Even though there were several women's conventions held in the years leading up to the Civil War, there was no real traction among abolitionists to join in the movement on the side of women obtaining the vote. But following the war, the leaders of the women's movement were optimistic that the rising tide of civil and political rights for black freedmen would extend to women. Furthermore, suffragettes felt their claim to vote would be enhanced by women's participation in the war effort. This would help counter the argument that women should not be allowed to vote because they did not bear arms. Their hopes were quickly dashed during the debate on the 14th amendment. Republican leaders made it abundantly clear that the

"moment belonged to the Negro and not women". They argued that coupling universal suffrage in the amendment, especially for women, would jeopardize the goal of achieving voting rights for African Americans. With the passage of the 15th amendment in 1870, the causes of black male suffrage and women's suffrage were severed in a decisive manner. The political energy was driven by a desire to give all men of good standing the right to vote. There was little to be gained by Republican leaders (and even less so for Democrats) coming out for women having an equal right to vote.

Once women were turned aside by politicians, the effort turned to legal challenges to confront the exclusion of women. The basis for the legal thrust was the 14th amendment which declared that "all persons born or naturalized in the United States were unquestionably citizens of the nation and the state in which they resided." The reasoning therefore was that if women were "persons" then it is logical that they be considered citizens with the full rights granted under the constitution. The first test was a legal action brought by Virginia Minor who attempted to cast a ballot in St. Louis in 1872 but of course was turned away. Her husband Francis was an accomplished lawyer and brought suit against the St. Louis registrar that ended up going to the U.S. Supreme Court. The suit maintained that Missouri's constitution and voter registration regulations restricting the ballot to men violated her constitutional right in two ways. First her free speech was guaranteed by the First Amendment. Second, it violated the Fourteenth amendment which said States could not abridge the "privileges of citizens of the United States" and voting was certainly one such privilege. However the Supreme Court ruled against the Minors in 1875 ruling that suffrage was not akin to citizenship and states had the right to determine which citizens could and could not vote. In truth this was a reaffirmation of what the founding fathers had woven into the framing of the constitution in order to solve their own dilemma over slavery by giving individual states the right to set their own rules. With this ruling, the Court effectively bolted the legal door on women's suffrage by holding that suffrage was a State rather than a Federal matter. Fast forward 140 years later when in 2015 the Supreme Court ruled in favor of same sex marriage as a U.S. Constitutional right and that states did not have the right to establish their own laws prohibiting it. A remarkable contrast indeed.

Another tactic that proved fruitless was when women property owners tried to withhold paying their property taxes by invoking the battle cry of no taxation without representation. However, wherever it was tried, women just ended up going to jail and their effort went nowhere.

So this movement, which on its face seemed so compelling, was blocked at every angle. The simple egalitarian argument that women were capable adult citizens and as such should be able to choose the lawmakers and laws that govern them was rejected summarily. Moreover this rejection was an even bitterer pill coming on the heels of an era that saw not only the end of slavery but the enfranchisement of all black men with the right to vote – both of which were unheard of just 15 years before the Supreme Court's landmark ruling against women. It stood to reason within the Women suffrage movement that given this climate, woman should have been included in this revival of reason. But it was not meant to be for another 50 years.

The earliest effort for a constitutional amendment giving women the national right to vote was introduced by Senator Aaron Sargent of California in 1878. It simply stated "The right of citizens of the United States to vote shall not be denied by either the United States government or any state on account of gender." In 1882 both houses appointed members to a special committee to study the options for women suffrage and recommended passage of just such an amendment. The amendment recommended by the committee finally came to a vote in the Senate in January 1887 where it was defeated by a 2-1 vote. Since a 2/3 majority would have been required in order to move the amendment forward to a vote by the States, it was made clear that this tack would go nowhere.

By the late 1880's, several western states began granting women the right to vote for some local referendums and school board elections. This was justified by state legislatures as domains that women knew something about as opposed to political issues affecting property or affairs of state which, of course, women were not equipped to act upon in a responsible or informed manner. In the latter years of the 19th century, opponents of expanding the vote to

women rarely argued that women lacked the intelligence to participate in politics or that it would damage the political order. Instead, they argued that women would be degraded by participating in the rough and tumble world of politics.

Other reasons for denying the vote were based on the rationale that only those who had the opportunity to take up arms should be granted the right to vote for anyone who would decide whether they should have to die for their country. A further rationale was that women's rights were already protected by the vote of their husband, father, son or brother. But the most fundamental opposition was a deeply held emotional sense that enfranchising women would change forever the natural gender roles and destroy the basic framework of the family. It was even advanced by one of our own Literary Club members, Stanley Bowdle at the Ohio state constitutional convention in 1912, who stated that permitting women the right to vote "would lead to infidelity, promote promiscuity, undermine the parity of women and expose them to the irresistible predations of men." He went on to say that "the sexual claims and seductiveness of women would distort the ways in which men voted. Moreover, it would destroy family life by dividing husband and wife for no good reason and fracture the family in front of their children." We will hear more from Mr. Bowdle later.

As curious as it may seem to us today, one of the biggest impediments to any meaningful momentum behind the women's suffrage movement was because of women themselves. They were either openly opposed to it or relatively indifferent to their own enfranchisement. Those women who felt strongly committed to the cause were primarily from the middle class who were engaged in the professions, trade or commerce and were well educated and living in the larger cities or emerging towns. Such women were far from the majority in the late part of the 19th and early 20th century. Farm and rural women were the bedrock of females at that time, and they were not anxious to rock the boat and upset family life on this issue. Also, urban women, especially the new immigrants, were not interested in a movement that did not primarily address their economic woes. Perhaps of greatest curiosity were upper class women who formally organized anti-suffrage campaigns and even founded a national organization to

oppose suffrage. These women already had ample influence through their wealth and social status and had little to gain and possibly a great deal to lose by extending the vote to all women. Underscoring this was the fact that most Women's Clubs throughout the country declined to endorse the suffrage movement well into the 20th century. Especially disdainful and condescending were economically elite males who feared granting women the right to vote would lead to dilution of the power of men to control their own destiny. The bigger issue for this group was expanding the voter roll at all; to women, immigrants, etc. because of a fear of losing power once the electorate became broader and more dispersed. Finally it should be pointed out that there was widespread opposition in the South to women voting. First the primarily rural nature of the region did not lead to organizing and, second there was a real fear that if Black women were added to the voter roll, it would portend a much greater threat than was caused by the 15th amendment granting black men the right to vote. The simple reason was the expectation that black women would be much more likely to actually vote than black men.

To get a visceral flavor of the attitude toward women permitting the right to participate in public life, it is my pleasure to introduce you to Assemblyman Shea of Essex New York. In a 1910 speech to the New York state assembly he made the following remarks:

> "I provide a home for my wife and I expect her to do her share in maintaining it. If we give women the vote, our wives will soon be absorbed in caucuses instead of housekeeping. When I come home at night, I do expect my wife to be there, and not in a political meeting or locked up somewhere in a jury with eight or ten men."

Perhaps the most fascinating example of the extreme views against women having the vote was debated in our own state during the Ohio constitutional convention in March 1912. At issue was whether to permit a referendum on the subject of women being given the right to vote. If passed by the all male constitutional convention, only men in Ohio would be allowed to vote on such a referendum. The debate went on for almost two days. At the outset the primary argument from those opposed to the referendum was based on the consensus that women by and large had no interest in voting. Therefore it would be a waste of time and

money to conduct a referendum on something that the very people who would benefit from it had no intention of ever utilizing. So confident of their position, there was even an amendment put forward that would have made the referendum only to be voted on by women under the assumption that a majority of them would not vote in favor. Only if it could be verified that women really wanted this new burden would this faction agree to consider putting it out as a referendum for men to approve. This line of reasoning was rebutted by several who argued that if even one woman wanted to have the right to vote, it was her right as a citizen to do so. But as the speeches got more heated, the real underlying reasons for why so many men felt as strongly as they did against women's enfranchisement started to emerge. Some of the brightest minds in the state were delegates and paramount among those who weighed in on this issue were two of our own Cincinnati Literarians – Stanley Bowdle a prominent attorney and future congressman representing Cincinnati and Judge Hiram Peck, father of the future Judge John W. Peck. First I would like you to listen in on an exchange between Mr. Bowdle and Mr. Read of Summit County.

Mr. Bowdle:

"Do you believe it is a natural right for a woman to be President of the United States or Chief Justice of the Supreme Court of Ohio?"

Mr. Reade:

"A natural right?"

Mr. Bowdle:

"Yes"

Reade:

"Is it a natural right for a man? If it is a natural right for a man then it is a natural right for a woman."

Bowdle:

"Would you consent to try a case before a jury or a judge who was ruled by intuition?"

Reade:

I think I would. Intuition is sometimes a good deal better than the reasoning of most men."

At this juncture Judge Peck rose to inject his voice into the proceedings. He cited the fact that up until recently most people including himself viewed women's suffrage as a joke; but that day has passed. He said "This is a burning question, a live question, and we men delegated by the state of Ohio must consider it seriously and pass upon it in a sober way. The women of Ohio ought to have the right of suffrage in my judgment. Before I get to the merits of the question I want to call attention to the form in which it comes before you. It comes on a proposition to submit it to a vote of the people. Could anything be fairer? Can anybody object to that? I put it to my friend from Cincinnati, Mr. Bowdle, can he object to it being put to the people? I have never heard anything like an argument against permitting a vote by the people."

Judge Peck then elucidated on his personal views regarding women having the right to vote. "I think that American political life has long suffered for the want of many things women would bring to it. We need the quickness of perception and the moral force of women in the political life of this country. Gentlemen if you want clean streets in your cities, let the women vote. If you want your highways kept in repair and your cities kept sanitary, let the women vote. If you want your schools run right and your school teachers kept up to the mark, let the women vote. If you want playgrounds for your children, let the women look after it by their votes." He went to enumerate other things that women would improve in civic life if given the vote and then concluded with this rather remarkable declaration for that time or our time "Men need the women in politics just as much as women need to vote. We want them. We need their assistance. I know that women have suffered a good deal of wrong for the want of voting power. I have seen year after year in Hamilton county women teachers doing the same work that men do for exactly half of the compensation. Do you think that would have stood long if the women had the right to vote?"

But as eloquent a defender of women's equality as Judge Peck, even he was forced to admit that he too had deep misgivings regarding the capacity of women to be the equal of men in all regards as evidenced by this exchange with his fellow Literarian Mr. Bowdle.

Mr. Bowdle:

“Do you think women in the contractual sense are more careful and precise about keeping their pecuniary obligations than men?”

Judge Peck:

“Now you put your finger on the very exception that I was thinking about. I don’t think women keep their promises as well as men. That is the only respect in which women are inferior to men, and it has grown out of the fact that men have been doing the business of the world and the women have had nothing to do with it. In every other respect, the woman is morally man’s superior, and we want the moral force of women in Ohio and especially in the politics of Ohio.”

In response to this noble argument advanced by the Judge, another delegate, Mr. Knight resisted vociferously any correlation between citizenship and the notion that the right to vote is an inherent natural right. He reiterated the most fundamental of all the arguments against women voting and that is that “there is absolutely no connection between citizenship and voting and this has been upheld by the highest courts of the land”.

To the credit of the constitutional convention at the end of two days of bickering, there were 76 yeas and 34 nays thereby allowing Ohio men to vote on the referendum. As predicted, it was subsequently twice turned down by the Ohio male electorate in 1912 and 1914. Most attributed the defeat to lack of support from organized labor who deemed they had nothing to gain from women having the right to vote.

Our esteemed club member Mr. Bowdle, ten days after his personal defeat trying to stop the referendum from being put to a vote, delivered a paper to the Literary Club entitled “What the Matter is with the Suffragette”. He repeated many of the same arguments he had presented to no avail at the convention and then injected this observation to our membership “America today is suffering from an advanced stage of mollycoddleism. What the end is to be I know not. The symptom is not reassuring. The age demands masculine men and feminine women. Will it get them? I doubt it. Can the manhood of our generation be restored?” Alas, much to Mr.

Bowdle's chagrin, the Ohio legislature adopted the provision allowing women the right to vote in Presidential elections in 1917.

The 19th Amendment passed the House of Representatives in January 1918, the day after President Wilson announced his support for Federal suffrage as a war measure to keep up morale after the country had entered the Great World War. The Senate however took another year and a half to pass the amendment in the summer of 1919. It took one more year for Tennessee to become the 36th state to approve the amendment and within a week it was the law of the land in August 1920.

The irony of history is that it often plays out in strange ways. It was certainly true of Women's Suffrage. Not much changed in the voting patterns for the next several federal and presidential elections after the passage of the 19th Amendment. Women voted proportionally in fewer numbers than men and tended to vote the same as their husbands, fathers and brothers. Rarely did women cancel out the vote of the men in their lives.

So in hindsight we must ask the question: why all the rancor and stubbornness in waiting over 70 years from Seneca Falls to 1920? If nothing really changed, why did it take so long? According to the eminent historian Alexander Keyssar there are three main reasons. First, was the fear of the unknown especially with regard to the fear of what it would do to the infrastructure of families, civic life and indeed the cultural life of the nation. Second, there was a deeply ingrained sense that the advent of women voting would be a "pernicious heresy, a violation of divine law and a source of promiscuity and debasement." Third, was due to bad historical timing. In the decades after the Civil War and the passage of the 14th and 15th amendments, there was a desire by the vast majority of the states to constrict the voting numbers rather than expand them. This was a time of massive influx of immigrant blue collar workers coupled with the enfranchisement of hundreds of thousands of former male slaves. There was a real fear among the middle and upper class citizenry that expanding the vote would erode their power and well-being.

So we can sum up this question of why so many people for so long were denied the vote in this country once we grasp that the overwhelming sentiment was that voting was a privilege and not a right. And only those who were deemed privileged should have the privilege of voting. Unfortunately Mr. Jefferson's words from the Declaration were either completely forgotten or at best ignored by those in power. All men (much less women) were certainly not created equal according to this thinking. Voting was not a self-evident truth much less a "right". It was, and perhaps still is, a privilege. Sadly, for much of our nation's history, without the opportunity to cast a vote for those that made their laws, millions of disenfranchised American citizens, knew no such thing as unalienable rights that would include Life, Liberty and the Pursuit of Happiness.

So, I ask you, now that it is almost 100 years since the last legal barriers to universal suffrage were eliminated, are we ready to proclaim that Thomas Jefferson's lofty ideals are fully embedded in the daily lives of all who call themselves citizens of our great nation? I welcome your verdict – Are All Men *truly* Created Equal?