

The Nineteenth Amendment and Women's Suffrage Part 1: Introduction

January 13, 2023

This Legal Sidebar is the first in a six-part series that discusses the Nineteenth Amendment to the Constitution, which recognized women's voting rights. Shortly before Election Day 2022, a group of people [gathered in Rochester, NY](#), to honor the late social reformer and women's rights activist, Susan B. Anthony. About 150 years earlier, Anthony [cast a ballot](#) in the 1872 presidential election. She was arrested and charged with illegally voting as a woman in violation of federal law. She unsuccessfully claimed that the [Fourteenth Amendment](#) gave her the right to vote as a privilege of citizenship. A federal district court [imposed a fine](#) of \$100 on Anthony, but she never paid it. As the nation marks the 150th anniversary of Anthony's vote—and the 2020 centennial of the Nineteenth Amendment's ratification—Congress may be interested in the history and impact of the women's suffrage movement and the Nineteenth Amendment. Additional information on this topic will be published in the [Constitution Annotated: Analysis and Interpretation of the U.S. Constitution](#).

The [Nineteenth Amendment](#) prohibits the federal and state governments from denying or abridging a U.S. citizen's right to vote on the basis of sex, thereby recognizing women's suffrage. Section 2 of the Amendment grants Congress the power to enforce the prohibitions in Section 1 by enacting "appropriate legislation." The Supreme Court has not decided many cases interpreting the Nineteenth Amendment. Nonetheless, the Amendment has had a significant impact throughout society by helping to increase women's participation in politics and other domains of public life.

As proposed and ratified by men in the late 1780s, the Constitution did not prohibit the states from establishing gender-based restrictions on voting. From the Founding of the United States in 1776 to the end of the Civil War in 1865, none of the states consistently recognized a woman's right to vote in federal or state elections. Nonetheless, in the decades prior to the Civil War, women gained significant experience in organizing and leading political reform movements, including women's suffrage campaigns.

After the Civil War, the states' ratification of the Reconstruction Amendments to the Constitution, which aimed to protect African Americans' civil rights, brought new attention to issues of women's rights and suffrage. During the Reconstruction Era, the women's suffrage movement unsuccessfully sought federal recognition of women's voting rights by petitioning Congress and pursuing litigation in federal court. Despite slow progress at the federal level in the late nineteenth century, by 1916, state-level campaigns

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LSB10896

succeeded in obtaining full women's voting rights in eleven western states and partial voting rights in many others.

By the late 1910s, as a result of women's suffrage campaigns and shifting views of traditional gender roles during World War I, the political environment became more favorable for the enactment of a women's suffrage amendment. Congress proposed the Nineteenth Amendment in June 1919, and the states ratified it in August 1920.

[Click here to continue to Part 2 of this Legal Sidebar six-part series.](#)

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