

GREAT DEBATES IN AMERICAN HISTORY**Unit 3: Who Should Be Allowed To Vote?****The Issue**

The Framers of the United States Constitution, with one or two exceptions, believed that only white males who owned property should have the right to vote. They thought that voting rights should be limited to those citizens who had a stake in good government. In the early nineteenth century, however, as the number of American citizens without property grew, more and more people began to call for an end to property requirements and a widening of the suffrage (the right to vote).

Background

In colonial America voting rights were limited by race, gender, religion, and wealth. Representative democracy was considered a privilege of the few, rather than a right of the many. But the American Revolution upset the existing social order and fostered a popular movement for democratic reforms best symbolized by the slogan "No taxation without representation." Because the Constitution did not include specific voting requirements, the issue of who would be allowed to vote was debated within each individual state.

Between 1816 and 1821 five new states west of the Appalachian Mountains entered the union with no property qualification for voters. In the East a growing number of propertyless urban workers demanded the right of suffrage. The debate over property qualifications grew particularly intense in New York, where only about 10 percent of the state's citizens were eligible to vote. When the state held a convention to revise its constitution in 1821, some of the delegates offered a proposal to eliminate property ownership as a qualification for voting.

The Readings

In September 1821 the New York State Constitutional Convention created a suffrage committee to study the state's property requirements for voting. The following debate involves two of the men who served on that committee.

A well-known Federalist, James Kent was also a Columbia College law professor and Chief Justice of the New York State Supreme Court. Kent's position was supported by a number of fellow committee members.

Kent and Van Buren faced strong opposition in committee debate from a public official named David J. Buel. Buel and his supporters were relatively unknown, but the convention endorsed their proposal for electoral reform over the objections of Kent and other committee members. New York State eventually approved the elimination of the property requirement and extended the vote to all white male taxpayers.

Update

Since the early nineteenth century, the suffrage has been widened even further. Although the Fifteenth Amendment first gave black men the right to vote in 1870, discriminatory state laws prevented many blacks from voting until the passage of the Voting Rights Act in 1965. The Nineteenth Amendment gave women the right to vote in 1920, and in 1971 the Twenty-Sixth Amendment extended the suffrage to all citizens who are 18 years of age or older. Because of low voter turnout, however, the outcome of most elections is still in the hands of "the few." Since only half of all eligible voters usually participate, the candidates who win elections often receive only a fraction of the possible vote.

Who Should Be Allowed to Vote?

James Kent, *Chief Justice of the New York State Supreme Court*, delivered this speech at the New York Constitutional Convention in 1821.

I have reflected upon the report of the select committee with attention and with anxiety. We appear to be disregarding the principles of the constitution, under which we have so long and so happily lived, and to be changing some of its essential institutions. . . .

The tendency of universal suffrage is to jeopardize the rights of property and the principles of liberty. There is a constant tendency in human society, and the history of every age proves it; there is a tendency in the poor to covet and to share the plunder of the rich; in the debtor, to relax or avoid the obligation of contracts; in the majority, to tyrannize over the minority and trample down their rights; in the indolent and the profligate, to cast the whole burdens of society upon the industrious and the virtuous; and *there is a tendency in ambitious and wicked men to inflame these combustible materials*. . . .

We are no longer to remain plain and simple republics of farmers like the New England colonists or the Dutch settlements on the Hudson. We are fast becoming a great nation, with great commerce, manufactures, population, wealth, luxuries, and with the vices and miseries that they engender. One-seventh of the population of the city of Paris at this day subsists on charity, and one-third of the inhabitants of that city die in the hospitals; what would become of such a city with universal suffrage? France has upward of 4 million, and England upward of 5 million of manufacturing and commercial laborers without property. Could these kingdoms sustain the weight of universal suffrage? The radicals in England, with the force of that mighty engine, would at once sweep away the property, the laws, and the liberties of that island like a deluge.

The growth of the city of New York is enough to startle and awaken those who are pursuing the *ignis fatuus* [will o' the wisp] of universal suffrage. In 1773 it had 21,000 souls; in 1801 it had 60,000; in 1806 it had 76,000; in 1820 it had 123,000. It is rapidly swelling into the unwieldy population, and with the burdensome pauperism, of a European metropolis. New York is destined to become the future London of America; and in less than a century that city, with the operation of universal suffrage and under skillful direction, will govern this state.

The notion that every man that works a day on the road, or serves an idle hour in the militia, is entitled as of right to an equal participation in the whole power of the government is most unreasonable and has no foundation in justice. We

had better at once discard from the report such a nominal test of merit. If such persons have a equal share in one branch of the legislature, it is surely as much as they can in justice or policy demand. Society is an association for the protection of property as well as of life, and the individual who contributes only one cent to the common stock

ought not to have the same power and influence in directing the property concerns of the partnership as he who contributes his thousands. . . .

Universal suffrage, once granted, is granted forever and never can be recalled. There is no retrograde step in the rear of democracy. However mischievous the precedent may be in its consequences, or however fatal in its effects, universal suffrage never can be recalled or checked but by the strength of the bayonet. We stand, therefore, this moment, on the brink of fate, on the very edge of the precipice. If we let go our present hold on the Senate, we commit our proudest hopes and our most precious interests to the waves.

"The tendency of universal suffrage is to jeopardize the rights of property and the principles of liberty."

James Kent

Source: *The Annals of America*, Volume 4 (Chicago: Encyclopedia Britannica Inc., 1968).

Who Should Be Allowed To Vote?

David Buel, a public official, delivered this speech at the New York Constitutional Convention in 1821.

When our constitution was framed, the domain of the state was in the hands of a few. The proprietors of the great manors were almost the only men of great influence; and the landed property was deemed worthy of almost exclusive consideration. Before the Revolution, freeholders only were allowed to exercise the right of suffrage. . . . The tendency of this system, it is well understood, was to keep the lands of the state in few hands. But since that period, by the operation of wiser laws, and by the prevalence of juster principles, an entire revolution has taken place in regard to real property. Our laws . . . have gradually increased the number of landholders. Our territory has been rapidly divided and subdivided. And although the landed interest is no longer controlled by the influence of a few great proprietors, its aggregate importance is vastly increased, and almost the whole community have become interested in its protection. In New England, the inhabitants, from the earliest period, have enjoyed the system which we are progressively attaining to. There, the property of the soil has always been in the hands of the many. The great bulk of the population are farmers and freeholders, yet no provision is incorporated in their constitutions excluding those who are not freeholders from a full participation in the right of suffrage. . . .

It is supposed, however, by the honorable member before me (Chancellor Kent) that landed property will become insecure under the proposed extension of the right of suffrage, by the influx of a more dangerous population. That gentleman has drawn a picture from the existing state of society in European kingdoms, which would be indeed appalling if we could suppose such a state of society could exist here. But are arguments drawn from the state of society in Europe applicable to our situation? . . . It is con-

ceded by my honorable friend that the great landed estates must be cut up by the operation of our laws of descent; that we have already seen those laws effect a great change; and that it is the inevitable tendency of our rules of descent to divide up our territory into farms of moderate size. The real property, therefore, will be in the hands of the many. But in England, and other European kingdoms, it is the policy of the aristocracy to keep the lands in few hands. . . .

The farmers in this country will always outnumber all other portions of our population. Admitting that the increase of our cities, and especially of our commercial metropolis, will be as great as it has been hitherto, it is not to be doubted that the agricultural population will increase in the same proportion. The city population will never be able to depress that of the country. New York has always contained about a tenth part of the population of the state, and will probably always bear a similar proportion. Can she, with such a population, under any circumstances, render the property of the vast population of the country insecure? It may be that mobs will occa-

sionally be collected, and commit depredations in a great city; but, can the mobs traverse our immense territory, and invade the farms, and despoil the property of the landholders? And if such a state of things were possible, would a senate, elected by freeholders, afford any security? It is the regular administration of the laws by an independent judiciary that renders property secure against private acts of violence. And there will always be a vast majority of our citizens interested in preventing legislative injustice. . . .

Property is one of the incidental rights of the person who possesses it; and, as such, it must be made secure; but it does not follow that it must therefore be represented specifically in any branch of the government.

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David Buel

GREAT DEBATES WORKSHEET 3

Directions: Use the information in the Unit 3 debate to answer the following questions. If necessary, use an additional sheet of paper.

A. Comprehension

1. List James Kent's objections to universal suffrage.

2. What does Kent predict about the future of New York City?

3. According to David Buel, to what extent can European society be compared to American society?

4. How does Buel use the constitutions of New England states to support his position?

B. Critical Thinking

1. **Distinguishing False From Accurate Images:** To what extent is Kent's description of the masses accurate?

2. **Drawing Conclusions:** Identify the groups that were not included in the New York State electoral reforms. What does the exclusion of these groups show about American society in the early nineteenth century?

3. **Predicting Consequences:** How do you think Kent and Buel would evaluate the voting qualifications of today?

4. **Testing Conclusions:** Evaluate the arguments on both sides of the debate. Which side's arguments are most effective and convincing? Use specific reasons and examples to support your position.
