**We the people.** The first three words of the Preamble of the Constitution of the United States of America. These words make it clear to all readers that in the United States the people are the foundation and driving force of the government. But which people? Further along, the Preamble defines them as those who “do ordain and establish this Constitution,” meaning those who voted to ratify it. For the purposes of ratifying the Constitution in 1787, “people” was defined as free, white men, meaning no women or people of color were given a voice in forming the new government. But the Constitution is a living document, constantly amended and reconsidered as the people and government of the U.S. face challenges the Founding Fathers could never have imagined. Over the last two centuries, the political definition of people has changed to reflect the evolving values of the country.

After the Constitution was ratified in 1788, individual States were responsible for determining who had the right to vote. Based on the belief that only property owners would have a vested interest in the country and take the responsibility seriously, most states granted voting rights to free white male property owners over the age of 21.¹ The property requirement was the first aspect of voting restrictions to be amended. Between 1800-1860 most states eliminated it as a prerequisite, so all white men could vote regardless of their economic standing.

The first change in the definition of the “people” powering the U.S. government came in 1870 in the form of the 15th Amendment, which stated 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,” guaranteeing African American men the right to vote and participate in the perpetuation and amendment of the Constitution. Fifty years later the 19th Amendment made it illegal to deny the right to vote based on sex, allowing women to join the ranks of the “people.” Native Americans were granted voting rights in 1924 with the passage of the Indian Citizenship Act, and the 26th Amendment, passed in 1971, lowered the legal voting age from 21 to 18, adding more young voters to the “people.”

Of course, being granted the right to vote and actually being able to exercise that right are two very different things, and a long history of disenfranchisement has muddied the question of who in the U.S. has a voice in government. Everything from literacy tests² to poll taxes³ were used by states to make it next to impossible for African Americans, Native Americans, and other people of color to vote, and when those measures failed, communities would resort to violence.

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¹ Not all property owners were wealthy. Moreover, in the early years New Jersey permitted women to vote, and in some states free blacks could vote. But these exceptions were eliminated with legislation within a few decades.
² A literacy test was an exam administered by a state to people seeking to register to vote, ostensibly to determine whether a voter was able to read and write or whether the person could understand the U.S. Constitution. These tests were often stacked against the taker and were overwhelmingly used to disenfranchise black voters in the early 20th century.
³ A tax every citizen had to pay in order to be able to vote. Poll taxes were used to disenfranchise poor people and particularly poor people of color.
to suppress minority voters. It took decades for women across the country to find their voice in American politics in the face of a barrage of criticism from those who refused to accept that women should participate in the traditionally male world of politics. But the elimination of the poll tax by the ratification of the 24th Amendment in 1964, coupled with the passage of the Voting Rights Act in 1965, were an effective one-two punch against systematic voter suppression, and “we the people” became the most inclusive it had been since 1789.

The debate over how to define “we the people” is ongoing. Some states are questioning the disenfranchisement of convicted felons. Other states are grappling with the question of whether tax-paying immigrants should be allowed to vote in local elections whether or not they are naturalized citizens. And not every development is towards inclusion. In 2013 the U.S. Supreme Court struck down the provision of the 1965 Voting Rights Act that prevented states from passing laws that could lead to voter suppression of minority groups, opening the door for states to begin anew the practice of systematically disenfranchising portions of their population. The question of who should constitute “we the people,” who should have a voice in the future of our nation, is as important today as it was 230 years ago. It is “we the people” who get to decide.

Questions for Discussion:

1. Who do you think *We the People* represents in the United States of America today?
2. Which people in the United States have the right to vote today?
3. What are some of the debates about voting rights facing our nation?
4. Why does having the right to vote matter?
5. Are there any groups currently not allowed to vote who you think should have the right to vote?