

The Protest Legacy of the 19th Amendment

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Mothers of the Movement

Top to bottom:

Inez Milholland leading the Woman Suffrage Procession on horseback, 1913.

Susan B. Anthony, c1855.

Ida B. Wells, c1893.

Lucy Burns, 1913.

Alice Paul, c1915.

PROTESTS! PROTESTS! PROTESTS! For many months people all over the world have been protesting. Recently, the country paid tribute to Congressman John R. Lewis, a civil rights icon whose protests in the 1960s embraced civil disobedience in the manner of Martin Luther King, Jr. and Mohandas Gandhi, while fighting to create a more perfect union.

For baby boomers, their protests against the Vietnam War are the additional cornerstones of any protest history, regardless of the violence that often occurred. All of these protests are the grandparents of the current

protests: whether Black Lives Matter, calls for increasing gun registration regulations or demanding solutions for climate problems.

However, during the last years of the fight when women demanded the right to vote, one contingent began to use civil disobedience in their protests, went to jail for those decisions and their treatment during and after their arrests galvanized the public's opinion and support for the suffrage 19th Amendment.

In the beginning, Suffragists partnered with and began with the abolitionist movement over slavery. The abolitionist movement had been going on for many years when the women at Seneca Falls, NY, in 1848, declared their sentiments for equal rights under the Constitution. Up and until approximately 1900, various suffrage organizations and groups fought in all the states and territories for women to have the right to vote. Their disappointment was strong after the 15th Amendment gave only Black men the right to vote. Due to prevailing racial issues and racism, some Suffragists did not support the 15th Amendment.

After Reconstruction and the South's instigation of Jim Crow laws, Black men were not voting and the suffrage movement itself suffered from divisions that were regional and racist. Attempts to compromise with state-by-state legislation supported the argument that allowing the larger number of white women to vote would outweigh any voting by Black women.

The state versus national amendment process was further exacerbated by the push of young Suffragists, such as Alice Paul and Lucy Burns, to confront the national government, as well as the states, using more forceful methods—real protests of pickets and civil disobedience. Paul and Burns had been in England and had participated in the protests there and been jailed. When they returned to the United States they were convinced that conversation alone was not going to achieve the goal of women's suffrage.

The suffrage parade in Washington, D.C. in early 1913 warned the nation and its leaders that women were not going to give up, even if they had been fighting for over 60 years. On March 3, 1913, the day before President-elect Woodrow Wilson's inauguration, a parade organized by Paul and her followers began at the Capitol and marched down Pennsylvania Avenue. It included over 5,000 people from every state and women who could vote from other countries. Led by Inez Milholland, the famous "beauty" on the white horse, this parade presaged that Suffragists were willing to go to a different level to fight for the right to vote.

Wilson's arrival in Washington for the inauguration was upstaged and he easily became the symbol of the

powers that were thwarting the Suffragists' efforts, despite his rhetoric which focused on the rights of people in a democracy. Even the internal issues of the movement over Black women being banned from marching or marching in the back of the parade did not wreck efforts to garner support for a suffrage amendment. And Ida B. Wells, the prominent Black writer and Suffragist joined her Illinois sisters regardless of efforts to discourage her and others from participating.

Overall, the parade was an organizing success, garnered national and international attention, but did not end peaceably. The DC police failed to protect the marchers and men and boys of all ages attacked the marchers and many participants and people in the crowd were injured. Women were spit on, slapped, tripped and hit with cigar stubs.

While the tactics of Alice Paul and the more activist Suffragists were not popular with some of the older powers of the movement, peaceful protests in the movement were not new. Susan B. Anthony, one of the "mothers" of the movement, along with 15 other women in New York, voted in the 1872 presidential election. They were arrested for this "illegal" act, a crime. Anthony was not allowed to defend herself and the judge told the jury to find her guilty and allowed no polling of the jury. Over objections, the judge dismissed the jury. Given the chance to speak before her sentencing, Anthony forcibly stated:

"...for your ordered verdict of guilty, you have trampled underfoot every vital principle of our government. My natural rights, my civil rights, my political rights, my judicial rights, are all alike ignored. Robbed of the fundamental privilege of citizenship, I am degraded from the status of a citizen to that of a subject; and not only myself individually, but all of my sex, are, by your honor's verdict, doomed to political subjection under this so-called republican form of government."

This statement is a forerunner of the Suffragists going forward. Paul and Burns' civil disobedience-led plans are recognizable as a clarion call for those of the civil rights efforts post World War II and culminating in the 1960s with the Voting Rights Act.

Frustrated by the lack of progress from Wilson, his administration, and Congress, and even though intimidated by the prospect of America's entering World War I (April, 1917) in early 1917, Paul and Burns had begun placing "Sentinels" at the White House as pickets, and using Wilson's words to flaunt his hypocrisy in support of freedom for all abroad but not the women at home.

These Sentinels were regularly arrested beginning in June and charged with obstructing the sidewalk or traffic. The sentences were light at first but grew to be 60 days. After their arrests they were put in the Occoquan Workhouse in Virginia, a notorious jail which had been previously closed as being inhabitable. The women were not treated as political prisoners which they claimed they were and even for short stays often became sick from the sewage and food conditions, even when not in their hunger strikes they refused the worm-infested food.

Eventually, in October, Paul was arrested and spent almost seven months imprisoned, held in solitary confinement and force-fed when she went on a hunger strike, which caused her health problems for the rest of her life. The authorities also attempted to have her committed as insane, but without success.

However, November 14, 1917, the "Night of Terror" as it came to be known, exposed the extreme efforts the Wilson government/local authorities would go to thwart the Sentinels and the Suffragists who continued to demand a constitutional amendment.

Thirty-three Suffragist picketers had been arrested on November 10 and then were taken to Occoquan where those in charge said they needed to be taught a lesson and unleashed the guards to beat the women, deny them medical attention after manhandling and causing severe injuries, and shackled them by their hands above their heads and forced to stand all night. The authorities called in the Marines to guard the Workhouse. The women were eventually released in late November and the DC Court of Appeals held that the arrests were unconstitutional.

These arrests and the treatment began to galvanize the public in support of an amendment but the Suffragists kept up the pressure and in early 1919, after the end of the War in late 1918, Paul, Burns, and Sue White, a suffrage colleague, instituted "watchfires of freedom" in Lafayette Park

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across from the White House. These fires were held in urns and the Suffragists burned copies of words of President Wilson, words he had been sending back from Paris where he was negotiating a peace treaty for the end of World War I. Congress was due to vote on the Suffrage amendment soon and the plan was to keep up the protests. These Suffrage women were regularly attacked and then arrested on silly charges. When they refused to pay a fine they went to jail and launched hunger strikes.

The President and Congress appeared to be stalling about bringing the amendment for a vote. In late February, Sue White and 75 Suffragist cohorts, working the “watchfires” protest line burned Wilson in effigy in front of 2000 spectators and 100 police officers. Chaos erupted and the police used fire extinguishers against the women. They were arrested and spent five days in Occoquan where they went on a hunger strike. Congress ultimately voted on the 19th Amendment, known as the Susan B. Anthony Amendment, when the House voted yes on May 21, 1919 (vote was 304 to 89) and it passed the Senate on June 4, 1919 (vote was 56 to 25).

The fight was not over as the states had to ratify the amendment and that is another story for another day.

Would the amendment have been passed but for the tactics of Alice Paul, Lucy Burns and others? If you look at the lessons of history, unfortunately equality and freedom have often had to take more than just conversation, whether it was the colonists protesting against the British taxes, or the abolitionists working to end slavery which took a civil war to end it. Progress in the United States has not always occurred peacefully. And if the focus is on “voting rights” the beatings of peaceful protesters has a history that is highlighted by the Suffragists in both the U.S. and Britain with a direct line to the civil rights movement and the protests of today.

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For more details about the Suffrage protests, read Elaine Weiss' The Woman's Hour: The Great Fight to Win the Vote and Tina Cassidy's Mr. President, How Long Must We Wait? Alice Paul, Woodrow Wilson, and the Fight for the Right to Vote.

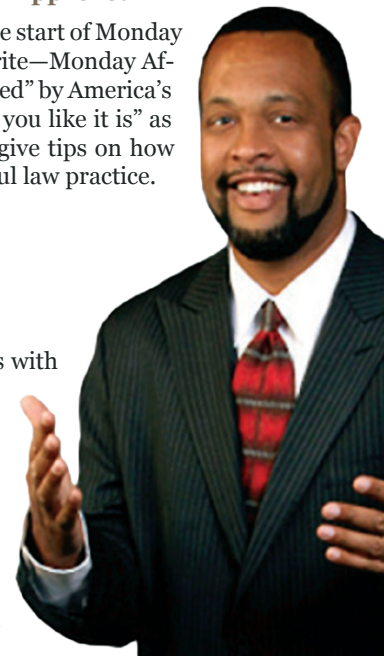
Sean Carter Live Webinars

**Staying Within the Lines:
Avoiding Ethical Penalties & Infractions**
9-16-2020 | 1:00 pm | 1.0 CLE Ethics Hour — Approved

Are you ready for some ethics? To commemorate the start of Monday Night Football, Mesa CLE will bring you a fall favorite—Monday Afternoon Ethics. This unique webinar will be “officiated” by America’s Funniest Lawyer, Sean Carter, who will be “telling you like it is” as he demonstrates common ethical infractions and give tips on how to avoid being penalized in your drive to a successful law practice.

**Enough is Enough:
Avoiding Vexatious Lawyering**
9-23-2020 | 1:00 pm
1.0 CLE Ethics Hour — Approved

While lawyers are expected to provide their clients with zealous representation, we are not allowed to become outright zealots in pursuit of our client’s objectives. Yet, time and again, this is precisely what happens as lawyers become fixated on winning at all costs. And as a result, they end up paying the ultimate price—the loss of their license to practice law. In this sobering but surprisingly funny presentation, Sean Carter will distinguish permissible zealous legal practices from unethical legal zealotry.



LBA Member	\$55.00	LBA Paralegal Member	\$25.00
LBA Sustaining Member	\$50.00	Non-member	\$125.00

Due to the partnership with Mesa CLE, the LBA will NOT be accepting registrations for these webinars. Please visit the LBA website’s CLE calendar, www.loubar.org, for the link to register and the cancellation policy.

CONTINUING LEGAL EDUCATION

LBA LABOR & EMPLOYMENT, HEALTH LAW, AND IN-HOUSE COUNSEL SECTIONS ONE-HOUR

Marijuana Legalization: Considerations for Employers & Healthcare Providers

Thursday, September 17

Marijuana has now been legalized and or decriminalized in more than 40 states. Even in states where marijuana remains completely illegal, shifting cultural and societal views on marijuana use have caused local governments and the private sector to evaluate their treatment of marijuana use in their communities and workplaces. Healthcare providers and employers across the country are now faced with a variety of legal questions relating to marijuana use by their employees, providers and patients. Please join us for this webinar where we will have a panel discussion consisting of both in-house and private practice attorneys that deal with these issues in their respective practices.

There will be a brief presentation from **LaToya Whitlock** to discuss an opportunity to become involved with the Decode Project.

Speakers include: **Tom Birchfield**, Fisher Phillips; **Ashlee M. Gray**, Ensign Services, Inc.; **Aleah Schutze**, Steptoe & Johnson; and **Samantha Steelman**, Reminger Co.

Time: Noon – 1 p.m. — Program
Place: Online — a link will be sent prior to the seminar program
Price: \$40 LBA Members | \$36 Sustaining Members | \$15 Paralegal Members
\$15 for qualifying YLS Members | \$25 Solo/Small Practice Section Members
\$25 Government or Non-Profit Members | \$180 Non-member
Credits: 1.0 CLE Hour — Pending with KBA and Indiana

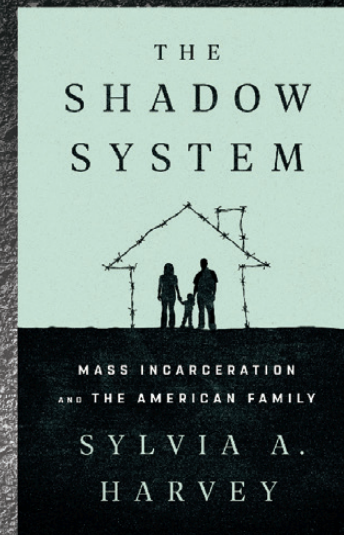
This is a LIVE program and any post-event recordings will be subject to the On-Demand fee(s).

A reservation is required in advance of the program. Registrants will receive a confirmation e-mail the day before the event which will contain a link to join the meeting via Ring Central and attachments of the handout material and CLE activity code and instruction on how to file with the Kentucky Bar Association (PDF files).



The Louisville Bar Association Presents

THE SHADOW SYSTEM MASS INCARCERATION AND THE AMERICAN FAMILY



Join us for this timely program featuring Sylvia A. Harvey, an award-winning journalist who reports at the intersection of race, class, policy and incarceration. Her new book, *The Shadow System*, examines the disproportionate imprisonment of people of color and its devastating effects on families.

She will discuss how the national consciousness is shifting in light of the continued demonstrations and demands for justice following the police killings of Breonna Taylor, George Floyd, Jacob Blake and others. She will also explain how some of our most important social institutions—the criminal justice system, the child welfare system and the education system—exacerbate the collateral effects of mass incarceration on families and communities.



Wednesday, September 23 · 3pm – 4pm · Online

Free LBA Members · \$50 Non LBA Members

Register: www.loubar.org or 502.583.5314