

Politics of Trump's Pardon of Susan B. Anthony in the Wake of 19th Amendment Centennial: Struggle for Women's Suffrage Far from Over

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Abstract: On Aug. 18, 2020, President Trump issued a posthumous pardon to Susan B. Anthony, the women's suffrage movement's key activist, at the White House ceremony commemorating the centennial of the ratification of the 19th Amendment. In Trump's words, "She [Anthony] was never pardoned. She got a bargain for a lot of other women, and she didn't put her name on the list. So, she was never pardoned for voting." So, why now, after she has been dead for 114 years? What is in it for Trump? These questions lingered in the minds of many people among both republican and democratic parties. Critics questioned why did Trump, who speaks out daily against election fraud, pardon Anthony, convicted of casting an illegal vote in 1873? Could it be a re-election stunt? This paper aims to look into the politics of contemporary social order before Trump's re-election in November 2020 in an attempt to assess the continuing challenges of women's suffrage.

Keywords: 19th amendment, Women activists, Voting rights, Elected officials, Susan Anthony, Donald Trump, Disenfranchised, Centennial, Voter suppression, Presidential election

1. Introduction

"There never will be complete equality until women themselves help to make laws and elect lawmakers." — Susan B. Anthony

Although the women's suffrage movement began in the mid-19th century, it halted during the Civil War. The 15th Amendment provided for all citizens the right to vote regardless of race; however, its interpretation excluded women (Gertner and Heriot, n.d.), which prompted suffrage leaders and women's rights activists like Susan B. Anthony to intensify their efforts and increase pressure on Congress. Susan Anthony and others (e.g., Elizabeth Cady Stanton and Lucretia Mott) maintained that the 14th amendment immunities clause stipulated that no citizen should be denied the privileges and immunities of citizenship, and as such the women, who had always been citizens, had the right to vote. To her dismay, in *Minor v. Happersett*, the Supreme Court held that citizenship alone did not confer the right to vote, thereby women, though citizens could not vote. The Court concluded thus:

Being unanimous of the opinion that the Constitution of the United States does not confer the right of suffrage upon anyone, and that the constitutions and laws of several States which commit that important trust to men alone are not necessarily void, we
AFFIRM THE JUDGMENT.

As a result, the women's suffrage movement called for the constitutional amendment and continued its fight until the 19th Amendment was passed in 1919, granting a franchise to women, and its hard-fought ratification was completed in 1920. The ratification process required the approval of three-fourths of the states, and Tennessee was the last (36th state) to ratify the amendment "by one [decisive] vote" from a 24-year old Harry T. Burn. Burn, a state representative from McMinn County, had initially intended to vote against the amendment but later complied with his widowed mother's advice to

“be a good boy,” and voted for ratification on August 18, 1920 (Renki 2020).

2. Susan B. Anthony's Contributions and Controversies

Susan Brownell Anthony was born on February 15, 1820, to a cotton mill owner, Daniel Anthony, and his wife, Lucy Read Anthony in Adams, Massachusetts and grew up in a politically active environment during the Abolitionist Movement. After moving to Rochester, New York in 1845, the 25-year old Susan Anthony came in contact with Fredrick Douglass, who was an anti-slavery activist and escaped slave, along with William Lloyd Garrison, an American journalistic crusader who helped the successful abolitionist campaign against slavery. Although the Anthonys were part of the Temperance Movement—a movement seeking restrictions on the consumption of alcohol that started with Dr. Benjamin Rush's 1784 inquiry into the Effects of Ardent Spirits Upon the Human Body and Mind and lasted until the repeal of the National Prohibition in 1933—Susan Anthony was denied to speak at a temperance convention because of her gender. Such denial inspired her to shift focus to the fight for women's rights, thinking that “there never will be complete equality until women themselves help to make laws and elect lawmakers.”

Subsequently, she founded the National Woman Suffrage Association (NWSA) in 1869 with the support of Elizabeth Cady Stanton, an abolitionist, and human rights activist, who came from a privileged and affluent background. Together, they published a weekly newspaper called *The Revolution* that focused primarily on women's rights, prohibiting discrimination against women voting, women's suffrage; and, edited three volumes of *History of Woman Suffrage* along with Matilda Joslyn Gage, who is known for Matilda Effect—a bias against acknowledging women's scientific achievements and attributing the credit to their male colleagues.

Parallel to the NWSA, the American Woman Suffrage Association (AWSA) was formed in Boston by Lucy Stone, Henry Blackwell, and Julia Ward Howe in the same year of 1869, for lobbying state governments to enact laws granting or expanding women's right to vote. NWSA and AWSA operated independently, but with some antagonism because the leaders of these two organizations differed in their ideas and approaches to achieve their common goal. However, both groups finally reconciled and combined in 1890 into one organization, called the National American Woman Suffrage Association (NAWSA), which grew even more aggressive in its tactics and demands than the prior organizations. Even so, the NAWSA downplayed its support from blacks and did not publicize its black female membership, a move which was vital to garner the support of Southern states in working toward an Amendment, yet leaving the black female vote unaddressed until the next century. Still, Susan Anthony was lionized as a grandmotherly figure of the movement and most of her earlier controversies were forgotten. When Susan Anthony voted in the 1872 presidential election illegally, she was arrested, tried, found guilty by an all-male jury, and a judge fined her \$100, which she refused to pay. She argued at her trial that women are taxed without representation, governed without their consent, tried, convicted, and punished without a jury of their peers (Simon 2020). Susan Anthony never married and devoted her life to the cause of women's equality. She died at the age of 86 years on March 13, 1906, from heart failure and pneumonia, 14 years before the 19th Amendment was passed. In the end, she controlled the grand narrative of the 19th century woman's movement and overshadowed the contributions of Lucy Stone, who wrote that the 19th Amendment to the Constitution became known as the Susan B. Anthony Amendment (Farrell 2006).

3. The 19th Amendment and Black Women Suffrage

The 19th Amendment continued to bar Black women (and frequently Black men) from the polls through intimidation tactics, violence, and Jim Crow laws for more than the next four decades; i.e., until the passage of the 1965 Voting Rights Act (Jones 2020). Part of the problem started way before the

passage of the 19th Amendment. As early as 1867, a rift between the activists for women's rights and Black suffragists had emerged. The white women suffragist leaders like Anthony and Stanton had fiercely argued for the White women's vote before allowing the Black men or women to vote. Sojourner Truth, for example, noted in her speech to the American Equal Rights Association in May 1867 that, "There is a great stir about colored men getting their rights, but not a word about the colored women" (Garland 2005, 61). Moreover, the ratification of the 15th Amendment to the U.S. Constitution in 1870 granted Black men the right to vote everywhere in the nation; and, soon the Jim Crow laws deprived them of voting, despite the Amendment. Nevertheless, what about Black women? These circumstances and feelings of betrayal necessitated prominent Black women activists like Sojourner Truth and Frances E. W. Harper to fight alongside them for their right to vote. In the process, Black women leaders experienced discrimination from White suffragists who wanted to keep their fight for voting rights separate from the issue of race and racism. Black suffragists had to establish their groups. Therefore, a group of Black women including Francis Harper, Mary Church Terrell, and Ida B. Wells-Barnett founded the National Association of Colored Women Clubs (NACWC) as early as 1896, carrying on a hard fight alongside the White suffragists toward the passage of the 19th Amendment.

Yet, even after its passage, the 19th Amendment did not prohibit States from continuing to exercise their power of imposing poll taxes, literacy tests for understanding clauses, and other intimidating tactics including violence for suppressing Black women's votes. Black suffragists had to organize citizenship workshops and suffrage schools at various community locations like schools, churches, and YWCA to increase Black female voter registration and participation. Though some success of these efforts was recorded, Southern states did their part to block much of it. The struggle continued until the 1944 ruling in *Smith v. Allright* that overturned a Texas law that excluded Black voters from primaries; the passage of the 24th Amendment in 1964 that outlawed poll taxes; and, the passage of the 1965 Voting Rights Act that ended disenfranchisement.

4. Politics Surrounding Trump's Pardon of Susan B. Anthony

President Trump's posthumous pardon of the famed suffragist Susan Anthony on August 18, 2020, to mark the 100th anniversary of the passage of the 19th Amendment, in midst of an election year and Trump's attacks on mail-in voting, as well as his supporters' outcry to repeal the Amendment spurred controversy. For some, it appeared to be "an effort to distract from the Democratic National Convention and narrow the historically large gender gap that has him trailing Joseph R. Biden Jr. [his democratic opponent] in the White House race" (Haberman and Rogers 2020). Kathy Hochul, the lieutenant governor of New York tweeted, "As highest ranking woman elected official in New York and on behalf of Susan B. Anthony's legacy we demand Trump rescind his pardon. She was proud of her arrest to draw attention to the cause for women's rights, and never paid her fine. Let her Rest in Peace" (Haberman and Rogers 2020).

Some questioned Trump's ingenuity of pardoning Anthony, given his long record of allegations of sexual harassment, his degrading comments about women before, during, and after his 2016 presidential election—whether they are female contestants, senators, speakers, female moderators of presidential debates, female crew members of *The Apprentice* or, for that matter, simply women workers in general (see for example, Filipovic 2020; Mazziotta 2016; Nelson 2016; Walsh 2018). He did not leave even the 83-year-old justice Ginsburg alone when he tweeted "Justice Ginsburg of the U.S. Supreme Court has embarrassed all by making very dumb political statements about me. Her mind is shot – resign" (Blake 2016). He appointed fewer women to his cabinet than any president taking office this century (Filipovic 2020). Therefore, they thought that Trump was an "opportunist" and "hypocrite" who was "gunning for women's vote" in a "Trumpish" way by pardoning a very prominent woman, but only as "lip service" to a fighter for women's suffrage (Filipovic 2020).

Some of the controversies also centered on Susan Anthony's stance on anti-abortion and her efforts to sideline Black suffragists. A non-profit organization called Susan B. Anthony List boasts its mission on the website (sba-list.org) as to end "abortion by electing national leaders and advocating for laws that save lives, with a special calling to promote pro-life women leaders." Marjorie Dannenfelser, president of the SBA List, tweeted that "Anthony who fought for the rights of all including the unborn has been pardoned for voting illegally" (Dannenfelser 2020). Earlier, she also said, "Going into 2020, abortion extremists are giving us an unlikely gift. They know the Roe regime is rapidly unwinding and coming to an end" (Dannenfelser 2019). However, critics view that this organization "hijacked Anthony's name and fame to promote their cause" (Schmidt 2020). In other words, the "anti-abortion forces incorrectly see Anthony as one of their own and claim her despite a lack of evidence she cared much about the issue at all" (Richardson 2020; Ward 2018). The evidence shows that she was a radically progressive woman of her time and fiercely advocated for women's freedoms (Filipovic 2020).

White suffragists' view (including Anthony and Stanton) of the voting right as a matter of women's equality with men differed from that of their Black counterparts, to whom the ballot was a means of empowering Black communities besieged by the reign of racial terror that erupted after Emancipation (Staples 2018). Stanton felt that White women would be degraded if Negro men preceded them in the franchise. However, Fredrick Douglass addressed it in his 1869 New York speech:

"I must say that I do not see how anyone can pretend that there is the same urgency in giving the ballot to women as to the negro. With us, the matter is a question of life and death. It is a matter of existence, at least in fifteen states of the Union. When women, because they are women, are hunted down through the cities of New York and New Orleans; when they are dragged from their houses and hung upon lamp-posts; when their children are torn from their arms, and their brains dashed out upon the pavement; when they are objects of insult and outrage at every turn; when they are in danger of having their homes burnt down over their heads; when their children are not allowed to enter schools; then they will have an urgency to obtain the ballot equal to our own."

In the end, the 15th Amendment was ratified, but women had to wait another 50 years for the 19th. And, the success of 15th was short lived. Black men had been disenfranchised within 20 years after the ratification by enacting Jim Crow laws and imposing poll taxes, literacy tests, and grandfather clauses as well as lynching. Likewise, Black women had lost the vote in less than a decade after the 19th Amendment. Officials in Southern states applied discriminatory laws and practices to prevent Black women from voting that included hostility, downright refusal to register, and grandfather clauses that ensured the ineligibility of the descendants of disenfranchised slaves to vote. The literacy tests were applied, varied between White and Black voters (Jones 2020). It took another half-century and a new suffrage campaign with Black women in a lead role with the strongest vindication like "Homespun Heroines" (Hallie Quin Brown, 1926) to have the 1965 Voting Rights Act passed and gain full enfranchisement for the Black community (Staples 2018).

5. Discussion

Much has been accomplished over the last century. Table 1 below shows the increasing levels of women elected officials in U.S. congress, statewide elective offices, and state legislatures. Susan B. Anthony once said that *there never will be complete equality until women themselves help to make laws and elect lawmakers, and she would have been more pleased to see that women themselves are law makers today. But they are still vulnerable to name calling like "radical liberals"* (Jackson 2020),

threats, and kidnapping plots in extreme cases like that of Michigan governor Gretchen Whitmer (Winsor 2020).

Table 1: Percentages of Women in Elective Office

Year	U.S. Congress	Statewide Elective	State Legislatures	Year	U.S. Congress	Statewide Elective	State Legislatures
1971	3%	7%	N/A	1999	12.1%	27.6%	22.4%
1973	3%	8%	N/A	2001	13.6%	27.6%	22.4%
1975	4%	10%	8%	2003	13.6%	26.0%	22.4%
1977	4%	10%	9%	2005	15.0%	25.7%	22.4%
1979	3%	11%	10%	2007	16.1%	24.1%	23.5%
1981	4%	11%	12%	2009	16.8%	22.6%	24.3%
1983	4%	11%	13%	2011	16.8%	22.1%	23.7%
1985	5%	14%	15%	2012	16.8%	23.4%	23.7%
1987	5%	14%	16%	2013	18.5%	23.0%	24.2%
1989	5%	14%	16%	2014	18.7%	23.0%	24.3%
1991	6%	18%	18%	2015	19.4%	24.8%	24.6%
1993	10.1%	22.2%	20.5%	2016	19.6%	24.1%	24.5%
1995	10.3%	25.9%	20.6%	2017	19.6%	22.8%	25.1%
1997	11.0%	25.4%	21.6%	2018	20.6%	23.8%	25.4%
				2019	23.7%	29.3%	28.9%

Source: Center for American Women and Politics (CAWP), *Women in Elective Office 2019* <https://cawp.rutgers.edu/women-elective-office-2019>]

Also, women of all races and ethnicities have had higher voting turnout rates in every U.S. presidential election since 1984, compared to those of their male counterparts (Igielnik 2020). However, women's struggle for suffrage is far from over. The 2013 ruling in *Shelby County v. Holder* held that section 4(b) of the Voting Rights Act of 1965 (that covers the formula to determine which jurisdictions are subjected to preclearance based on histories of discrimination in voting) is unconstitutional because the formula is based on the data over 40 years old, hence the clause is obsolete and no longer responsive to current needs. Ever since, state officials began making it harder for ethnic minorities to vote via enacting voter ID requirements, purging voter rolls, and/or closing polling places (Broughton and Murty 2015; Murty and McCamey 2014a, 2014b; Murty and Holyfield-Moss 2017; Parker et al., 2018). Within five years after the ruling, about 1,000 polling places were closed in the nation and many of them were in

counties with predominantly African American and Hispanic residents (Vasilogambros 2018). Also, early voting periods were reduced (Ang 2019; U.S. Commission on Civil Rights, 2018). A 2020 study found that jurisdictions that had been covered by preclearance before the Shelby decision engaged in a massive increase of voter registration purges in post-Shelby years—most of the increase came immediately in 2014 and significantly higher than that in 2016 (Feder and Miller 2020). And, Republicans were responsible for almost all of these restrictions (Hakim and Wines 2018).

Going forward, Covid-19 poses an additional burden of outside risk on these voters. Coincidentally, on October 2, 2020, Trump tweeted that he and the first lady tested positive for Covid-19 (Walker 2020), and the next day he was taken to Walter Reed hospital for treatment. One can only imagine the heightened risk of those living in poor and minority neighborhoods without having all the privileges that he has as a wealthy businessman and president of the United States. Ironically, Trump reverted to his past behavior as soon as he returned home from Walter Reed hospital, after his 3-day treatment, on October 5, 2020; he further tweeted that people should not let the COVID dominate their lives.

President Trump, Atty. Gen. William Barr, and Republican Senators continue staging efforts to dissuade voters from mailing ballots, early voting, or absentee ballots despite the widespread risk of Covid-19. Trump falsely claimed that absentee ballots were “dumped in a river” in the key battleground state of Wisconsin (Haslett 2020). He also said the U.S. presidential election should be delayed (Kashinsky 2020) and allegedly asked for the mail to be delayed (Freedman 2020). A federal court judge in New York, Victor Marrero ordered Trump’s appointed Postmaster General Louis DeJoy’s to reverse all his major operational changes for incapacitating the postal services and treat all election mail as Priority and First-Class mail starting September 25, 2020 (Conley 2020) to ensure timely delivery of mail-in ballots.

On September 29, 2020, Trump also renewed a baseless claim during his first presidential debate with Joe Biden that poll watchers had been blocked from observing the first day of in-person early voting because “Bad things happen in Philadelphia, bad things,” although he had no poll watchers approved to work in Philadelphia at the time (Rushing, Brennan, and Lai 2020).

Back on September 17, 2020, the Pennsylvania Supreme Court ruled that mail-in ballots sent without being enclosed in the security envelop—known as naked ballots—can not be counted by poll workers, which the Trump’s campaign and state Republicans viewed in their favor. Pennsylvania election officials, on the other hand, fear that over 100,000 votes could be tossed out in November in this state by treating naked ballots of 2020 as equivalent to hanging chads from 2000 in Florida—the potential disenfranchising of votes based on a technicality (Otterbein 2020).

In the meantime, republicans like Texas governor Greg Abbott (Jones and Brewster 2020) and the secretary of state Frank LaRose in Ohio (Tobias 2020) are doing everything they can to limit the number of mail-in ballot drop-off boxes in the states to one per county. Michigan attorney general, Dana Nessel, filed four felony charges against two notorious conservative activists—Jacob Wohl (22 years) and Jack Burkman (54 years) on October 1, 2020, for making an estimated number of 85,000 voter suppression robocalls nationally that aimed to intimidate or intentionally mislead minority voters to dissuade them from voting in the November election (Jarvi 2020).

Social media is also believed to be facilitating the spread of politically-motivated disinformation (fake news, misleading memes, and conspiracy theories) aimed at swaying potential voters and influencing election outcomes. For example, Avaaz, a U.S.-based nonprofit organization, found that in 2019 alone, the politically relevant disinformation “reached over 158 million estimated views, enough to reach every reported registered voter in the U.S. at least once,” of which 62% were against Democrats/Liberals and 29% against Republicans/Conservatives. Facebook was one of the main platforms for such disinformation (Avaaz 2019). Nonetheless, other studies found that despite the common inclination of the public to blame social media for the spread of disinformation, it did not spread as fast until it showed up on Fox News (mainstream media), thus indicating that disinformation is an

“elite-driven” mass-media led process, and social media is only in a secondary and supportive role (Masnick 2020; Benkler et al., 2020).

6. Conclusion

In summary, 100 years passed after the passage of the 19th Amendment that granted women their right to vote; yet the women continue to be underrepresented in politics, their rights are being debated, and they continue to face attacks and/or misogynist slurs when they run for office. For example, as late as October 8, 2020, the day after the VP debate, Trump used terms against Kamala Harris like “monster,” “terrible,” “totally unlikable,” “madwoman,” and “communist” in a “rage-filled Fox Interview” (Adams 2020). The PEW survey found that nearly one-half of U.S. adults feel that women’s suffrage is the most important milestone in advancing the position of women, but the country has not gone far enough in giving women equal rights with men; and yet, that three-in-ten men say that women’s gains have come at the expense of men (Horowitz and Igielnik 2020). Moreover, Trump-base supporters launched the “repeal the 19th” twitter movement in 2016, when two polls from FiveThirtyEight showed that the majority of women were likely voters for Hillary Clinton and Trump would win if only men vote. An anonymous post on the website <https://repeal.io/> is still actively running even today and it reads:

We have to repeal the 19th Amendment to save our nation, our families, and our futures. It was one of the most catastrophically damaging pieces of legislation ever enacted to our lawbook. There are several objective reasons why the 19th Amendment was so harmful. ...

I ask you as a citizen of the United States, to support the repeal of the 19th Amendment.

Thank you for taking the time to read.

Sincerely,

A concerned citizen

As Kim Churches (2020) said, “After 100 years, the same issues that women were grappling with back then—voting rights, inequality, racism and sexism—are very much behind social upheaval we’re seeing now.” The struggle is far from over before women attain “complete equality” that Susan B. Anthony fought for her whole life.

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