“Men, Their Rights and Nothing More; 
Women, Their Rights and Nothing Less” 
The 15th Amendment at 150 and the 19th Amendment at 100 

Paul K. Stafford

Annually, our nation commemorates Black history in February and women’s history in March; however, in 2020 we are commemorating the anniversaries of two seminal movements culminating in the ratification of two constitutional amendments—the 150th anniversary of the 15th and the 100th anniversary of the 19th. It is no more possible to understand the significance of Black history or women’s history within the confines of a designated month than it is possible to understand the significance of these two amendments without first understanding the history of those Americans these amendments are intended to protect.

Whose America?

When explorer Christopher Columbus “discovered” the “Mundus Novus” in 1492, it had already been “discovered” by other explorers and was already inhabited by non-European men and women for centuries; however, soon after its “discovery,” America experienced a continuous influx of European colonists and African slaves upon its shores—and a continuous subjugation of non-Europeans within its land. These men, women, non-Europeans, Europeans, and slaves comprise the fabric of America’s history.

Through the Declaration of Independence, the 13 colonies formed a republic and declared the rights of its men (not its women) and the independence of its colonists (not its slaves), stating: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness.”

The Articles of Confederation were drafted, favoring governance through state sovereignty over central authority. States were charged with the responsibility to safeguard the independence of its colonists (but not its slaves), the rights of its men (but not its women) and the rights of Black Americans—evidenced by abolitionists Lucretia Mott and Elizabeth Cady Stanton being barred from attending the 1840 World Anti-Slavery Convention in London, which prompted the Women’s Rights Convention in Seneca Falls, New York, in 1848 that resulted in the creation of the “Declaration of Sentiments,” which demanded equality with men before the law.

In 1866, the American Equal Rights Association—dedicated to suffrage for all regardless of race or gender—was formed. After the passage of the 14th Amendment and with conflict over whether to support the 15th Amendment, the National Woman Suffrage Association, or NWSA, focused on amendment of the Constitution, and the American Woman Suffrage Association, or AWSA, focused on amendment of state constitutions. Following the Supreme Court’s 1873 ruling in Minor v. Happersett, which prohibited the suffrage of non-white persons, the National Association of Colored Women was formed with the goal of achieving equal voting rights for African-American women.

Anti-Discrimination Rule Proposed

In February, the Louisville Bar Association and its Gender Equity Committee submitted a proposed amendment to the Kentucky Rules of Professional Conduct to address discrimination in the legal profession. Kentucky is in a minority of states that does not directly address discrimination in its professional conduct rules. The KBA Rules Committee will be considering the LBAs proposed rule amendment and potentially voting on it at its next meeting in September. If you would like more information about the proposed rule amendment and how you can lend your support to this important initiative, please contact Lisa Anspach at lanspach@loubar.org.

Minor v. Happersett,

Ruling that any remedy of woman’s suffrage should be sought at the state constitutional level, suffrage efforts continued.

In 1890, the NWSA and AWSA merged to form the National American Woman Suffrage Association with Stanton as its first president. In 1896, the same year as the Plessy v. Ferguson decision codifying “separate but equal,” the National Association of Colored Women was formed with the goal of achieving equal voting rights for African-American women. Due to the increasing political support for women’s suffrage, and due in part to the efforts of the National Woman’s Party and the 1916 election of Jeannette Rankin, of Montana, as the first woman elected to the U.S. House of Representatives, debate began on a suffrage amendment in 1918 in the U.S. House, and the amendment passed.

Finally, in commemorating the ratifications of the 15th and the 19th Amendments, we must acknowledge both the historical struggle to give true meaning to its creed—being an indivisible nation, embracing and upholding the inclusive concepts of liberty and justice for all—to men of all races and color through the passage of the “Reconstruction Amendments” and to women through the “Suffrage Amendment.” Americans (and American history) must recognize and respect the societal and governmental evolution each amendment represents.

What do the Ratification Anniversaries of the 15th and the 19th Amendments Mean Today?

In this election year, the meanings ascribed to these anniversaries are varied. One meaning is undoubtedly that—although the field of candidates in a particular political contest often may not be diverse or representative of the electorate—men of color, former slaves and women must remain diligent as an informed electorate in the exercise of their enfranchisement.

For example, with numerous female candidates, two African-American candidates, an Asian-American candidate, and the first openly gay presidential candidate, the 2020 Democratic presidential primary was the most diverse field of presidential candidates in this country’s history; however, the majority of these diverse candidates did not survive long enough to see Super Tuesday. It is also worth noting that, even following the presidency of a Black American, the leading Democratic presidential candidate is a 77-year-old white male, preparing to face a 73-year-old white male in the November 2020 general election. Nonetheless—although voting rates vary among various demographics according to the type of election—a vote is a voice, and every vote matters in maintaining this republic.

A larger meaning is that the nation should respect, commemorate and be forever mindful of the historical struggle to give true meaning to its creed—being an indivisible nation, embracing and upholding the inclusive concepts of liberty and justice for all—to men of all races and color through the passage of the “Reconstruction Amendments” and to women through the “Suffrage Amendment.” Americans (and American history) must recognize and respect the societal and governmental evolution each amendment represents.

Finally, in commemorating the ratifications of the 15th and 19th Amendments, we must acknowledge both the higher calling and aspirational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a rational principles of our grand experiment in this pluralistic republic as well as reaffirm that all Americans are essential toward forming a