

*To the Massachusetts Senate and House of Representatives in General Court assembled:*

# MASSACHUSETTS VOTES!

## The Surprising History of Elections in the Bay State

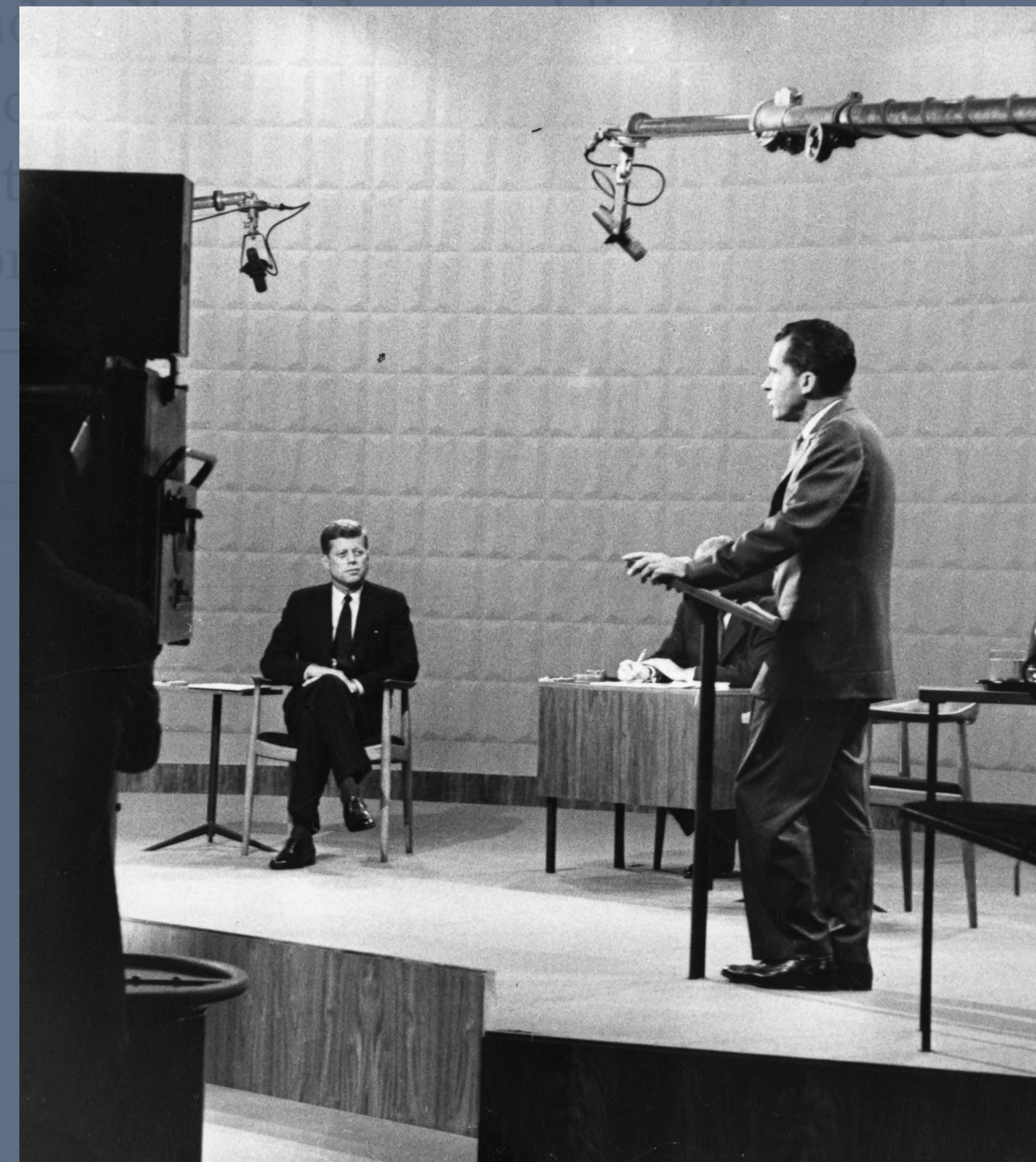
In the history of voting procedures, Massachusetts has often been an innovator.

In the 1600s, Puritans moved beyond dropping beans and corn kernels in a basket on Election Day to submitting votes for governor and other colony-wide offices in writing. After independence, Massachusetts ratified a constitution that – pointedly – did not exclude Black or Native American voters (although limiting the vote to men of property).

The process of “gerrymandering” also started in Massachusetts – creating legislative districts shaped to favor one party. It remains a controversial practice today.

Surprisingly, voting choices were made openly in America, through most of the nineteenth century. A secret ballot was seen as cowardly and an invitation to fraud. That ended in 1888 when Massachusetts adopted the “Australian Ballot,” with private voting booths and ballots printed by the state. Some states called it the “Massachusetts Ballot” when following suit.

In the twenty-first century Massachusetts remains an innovator in the conduct of elections.





# MASSACHUSETTS ELECTIONS, CIRCA 1647

Although the celebration of Christmas was banned in the Massachusetts Bay Colony, Election Day was a holiday.

### Not for Everyone

Some English Puritans, seeking religious freedom for themselves, fled to Massachusetts and insisted on regular elections to choose their own leaders. Adult male church members could vote

without property qualifications. While Africans, women, Quakers, Baptists, Jews, and Catholics were left out (along with most Native people), the custom of regular elections took root in Massachusetts.

### How They Voted

Voice voting was common (“yea or nay”). In some elections kernels of corn or beans were dropped in a basket to signify the voter’s choice. A real innovation came in 1634, when voters

were allowed to write a candidate’s name for governor on a piece of paper. (This was possible because early Massachusetts had a higher literacy rate than other English colonies.) In 1647, a written vote for some offices was codified into law.

“By wrighting the names of the person Elected, in paper open, or folded, not twisted or rowled up.”

Instructions for election of officers, including Governor, 1647

WHAT’S IN A WORD: BALLOT  
Ballot is derived from the Italian word “ballotta” meaning a small ball. In some Italian elections, balls of different colors were dropped in receptacles to signify choice of candidates.



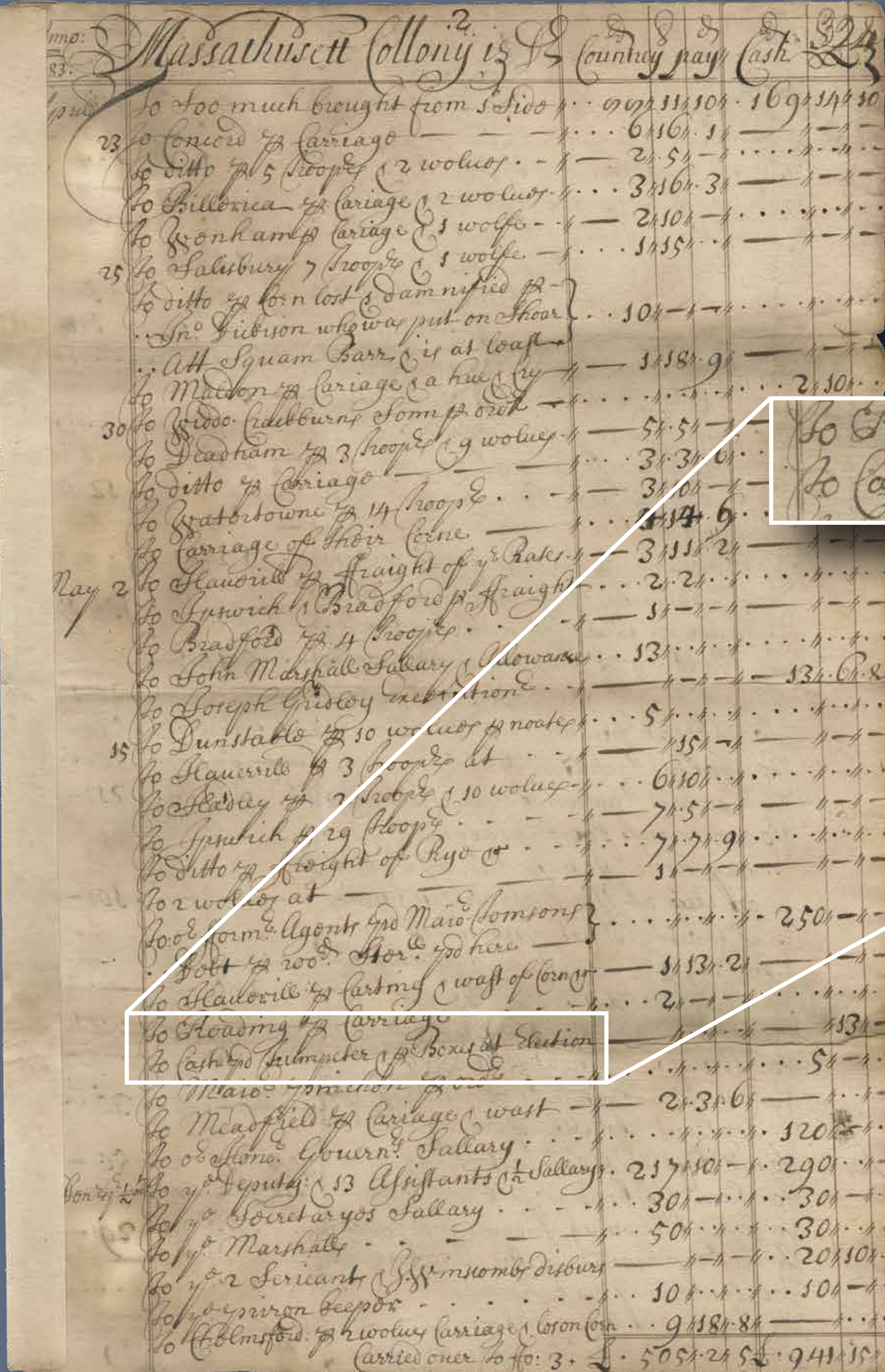
CREDIT: BALLOTA. NATIONAL MUSEUM OF AMERICAN HISTORY



Elected twelve times, John Winthrop was the longest serving Governor of the Massachusetts Bay Colony. AMERICAN ANTIQUARIAN SOCIETY



Hingham’s Old Ship Church is the oldest remaining Puritan meeting house. The building was used for Sunday services and town meetings at other times. The institution of Town Meeting – with direct participatory democracy for decision making – did not exist throughout the colonies. WIKIPEDIA COMMONS



Election Day. This 1684 “Massachusetts Colony” expense listing includes “Cash for Trumpeter and 2 Boxes at Election.” MASSACHUSETTS ARCHIVES

Election Fraud, circa 1693. Colonists may report someone voting without proper qualifications. The offender will pay “a fine of five pounds...one half toward the support of Government and the other half to the Informer.” MASSACHUSETTS ARCHIVES

To vote in the choyce of any  
he shall pay a fine of five pounds one halfe  
to their Maj<sup>ties</sup> towards the support of Govern<sup>ment</sup>  
and the other halfe to the Informer who shall

Do it enacted By the  
that for the future Every Towne within this Province  
under forty families being their Maj<sup>ties</sup> Liege  
Subjects Qualified by Charter to Elect in the  
great & Generall Court, hath Liberty to choyse one  
person to Represent them: but upon neglect of so  
choyng; the sd. Towne shall paye with what  
Towne in the choyce of their Representatives shall  
paye a proportionable part of the charge thereof:  
or shall paye five pounds for such neglect  
which Representative shall be a freeholder and  
Resident in sd. said Towne – or Towne that  
Elect them  
which sd. fine of five pounds shall be to wards the  
support of their Maj<sup>ties</sup> Govern<sup>ment</sup> in sd. Province  
and to be disbanded by warrant from the Secretary  
for the time being from any of the sd. Towne  
of such Towne who shall have been by Law  
to levie so much as disbanded upon the Inhabitants  
of sd. Towne  
And if any person not Qualified as aforesaid  
by sd. Charter is admitted according to the Judgm<sup>ent</sup>  
of the sd. Towne of each Towne shall paye  
to vote in the choyce of any  
he shall paye a fine of five pounds one halfe  
to their Maj<sup>ties</sup> towards the support of Govern<sup>ment</sup>  
and the other halfe to the Informer who shall  
fine and prosecute for the same in any Court  
their Maj<sup>ties</sup> Court of Sessions, or Court of Common Pleas  
But and if any difference arise  
between the sd. Towne and any Inhabitant in  
any Town offering to vote in choyce



# VOTING RIGHTS (AND WRONGS) AFTER THE AMERICAN REVOLUTION

In drafting a constitution for newly independent Massachusetts, the issue of voting rights for Native and Black people was debated.

## The Failed Constitution of 1778

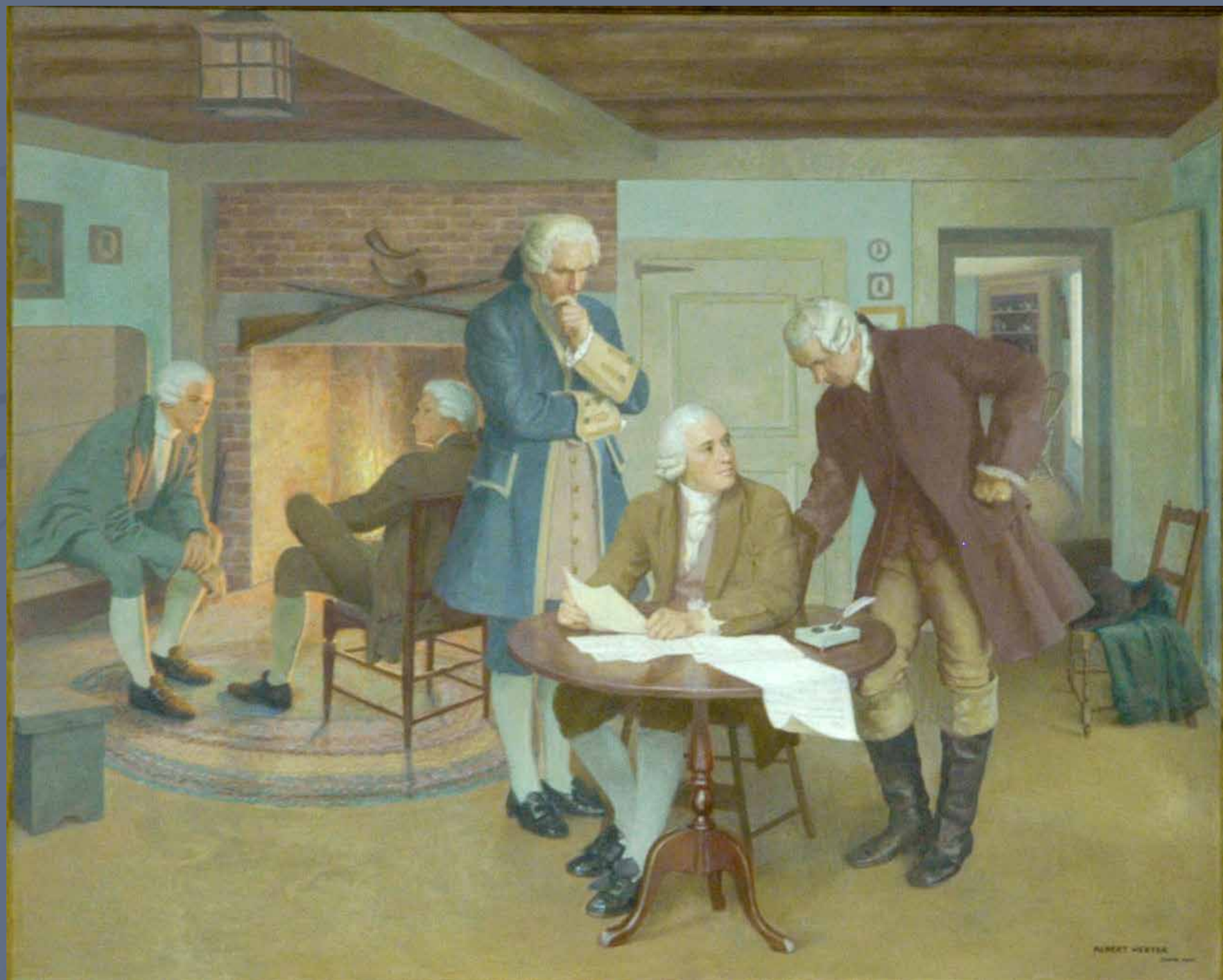
In 1778, Massachusetts towns rejected a draft constitution for the “State of Massachusetts.” Voting rights would have been limited to white males. Recalling the slave trade, when Africans were “assaulted inhumanely Murdered many of them; to make way for stealing others,” the town of Sutton protested that “Negroes etc. are excluded even tho they are free and men of property.” Similarly it was “cruel to deprive the original Natives of the Land the Privileges of Men.”

## A Constitution for the “Commonwealth of Massachusetts” - 1780

In 1780, a new constitution for the “Commonwealth of Massachusetts” was approved. Drafted mainly by John Adams, it had no voting restrictions based upon race. Although progressive for the time, it limited voting rights to male property owners. The property qualification was later dropped although women continued to be excluded. The Massachusetts Constitution became an important model for the later Federal Constitution. The original 1780 constitution is on display in the Commonwealth Museum’s Treasures Gallery.

*“We apprehend ourselves to be aggrieved... having no vote or influence in the election of those that tax us.”*

*“Petition of several poor Negroes and mulattoes, who are inhabitants of the town of Dartmouth,” 1780*



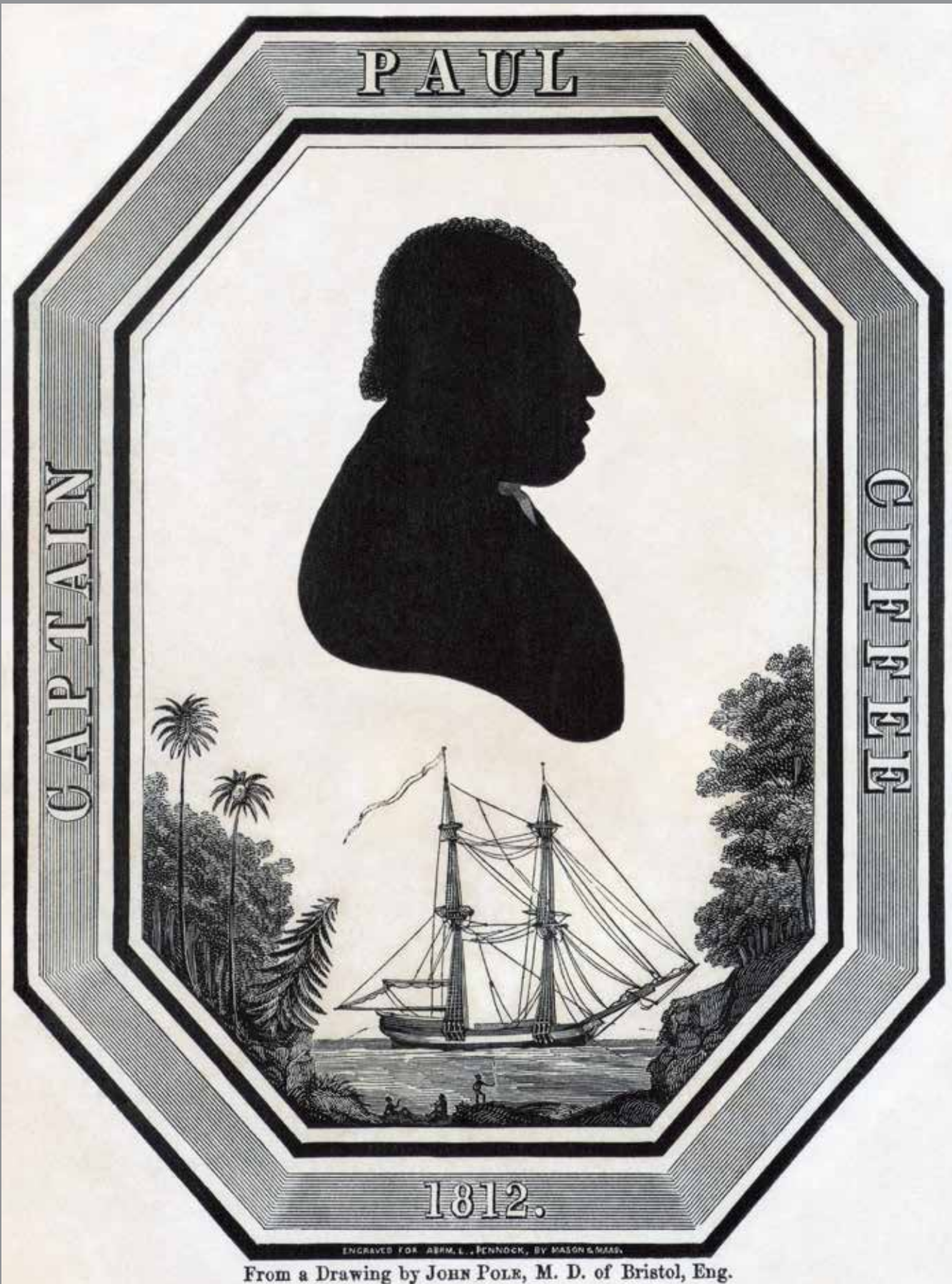
John Adams, Samuel Adams and James Bowdoin drafting the Massachusetts Constitution. NATIONAL PARK SERVICE



The original draft of the Massachusetts constitution was made in the Braintree birthplace of John Adams (on the left). The Adams homes are located in present day Quincy. NATIONAL PARK SERVICE

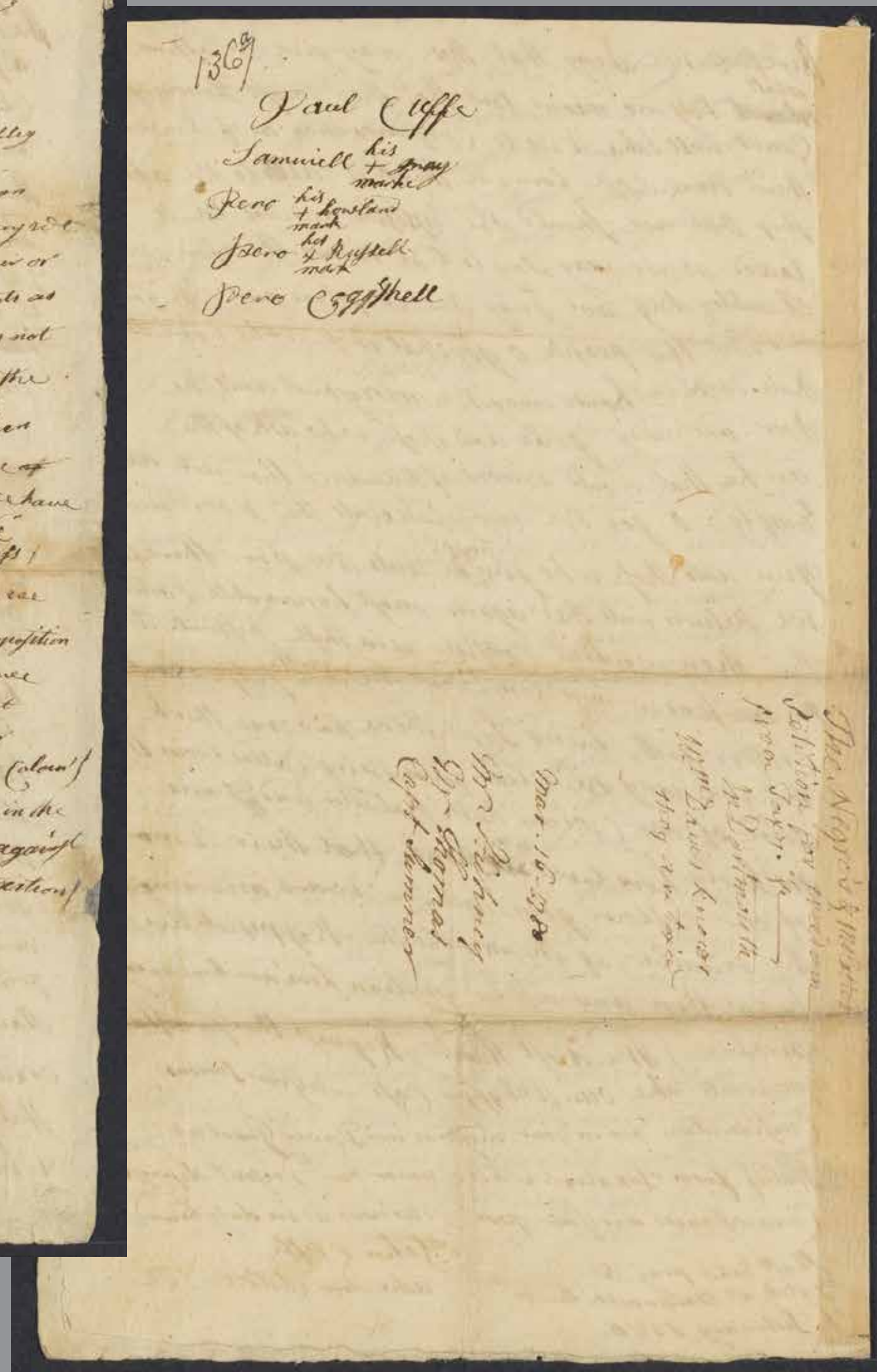
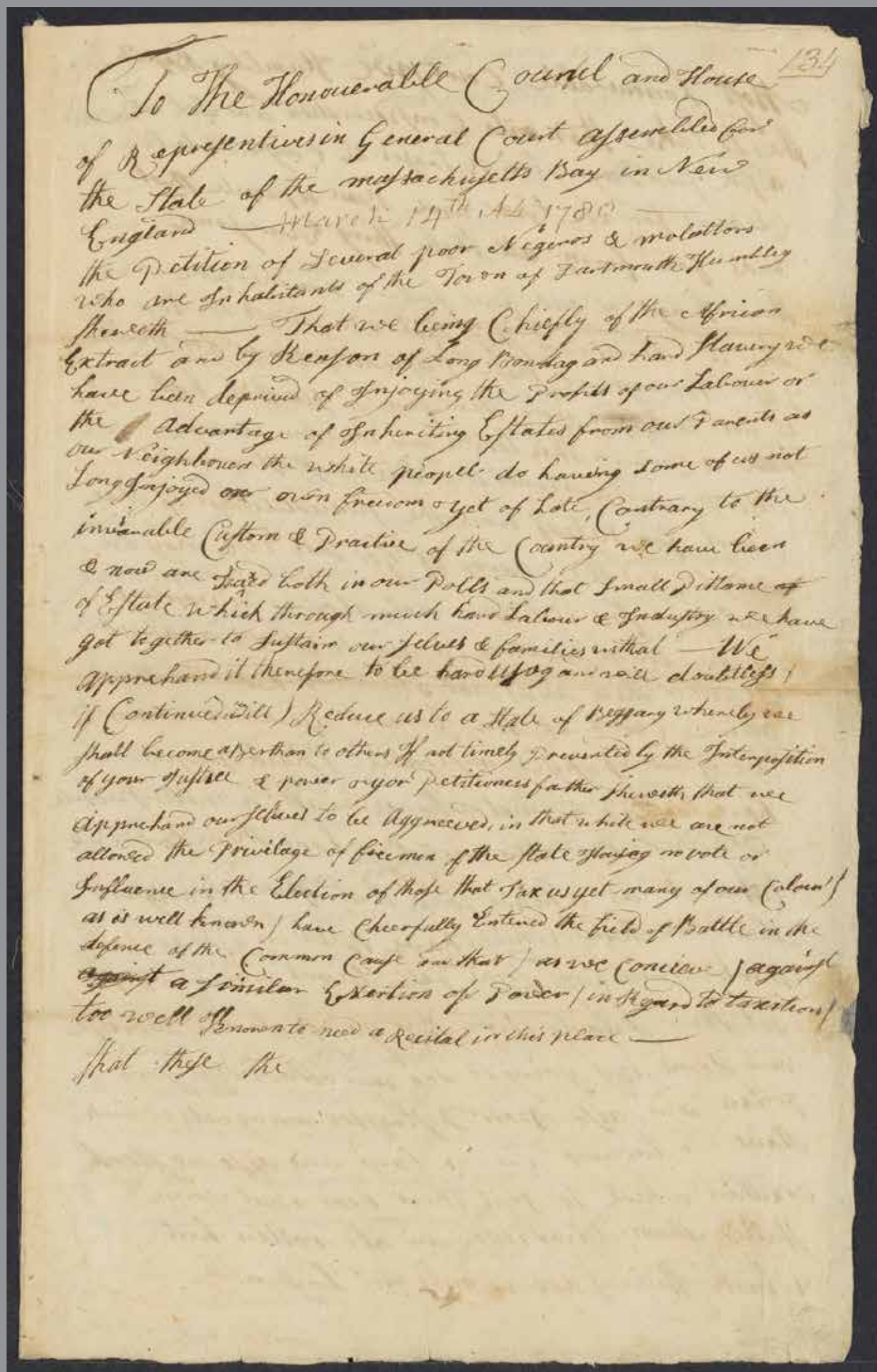
## TAXATION WITHOUT REPRESENTATION AGAIN?

Paul Cuffe was a sea captain and owner of six ships in Westport, MA. Of African and Native American ancestry, he and several other free men of color petitioned the Massachusetts government in 1780 to protest taxes without voting rights. The new constitution did enfranchise Black voters, although equality did not follow.



Paul Cuffe LIBRARY OF CONGRESS

Paul Cuffe’s Petition:  
“Many of our color...have cheerfully entered the field of battle ...against a similar exertion of power (in regard to taxation) too well known to need a recital in this place.”  
MASSACHUSETTS ARCHIVES





# TWO STEPS FORWARD, ONE STEP BACK

*“Again, Behold and Shudder at the exhibition of the terrible Dragon. Brought forth to swallow and devour Your Liberties and equal Rights.”*

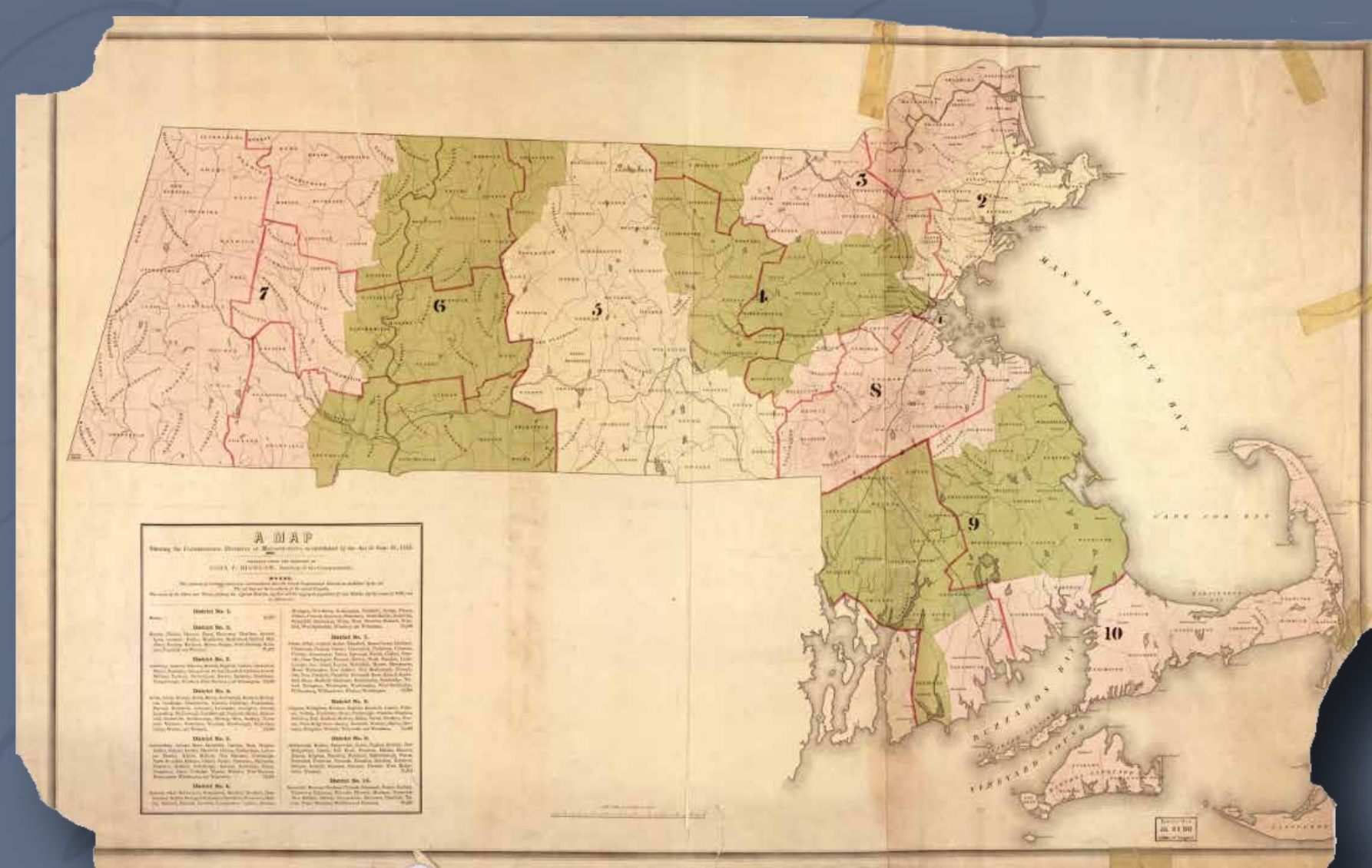
*Salem Gazette on “Gerrymandering,” 1813.*

## Gerrymandering

In 1812, Governor Elbridge Gerry approved a map of state senate districts designed to benefit his “Democratic-Republican” party. This resulted in an oddly shaped district that separated nearby towns. A cartoonist parodied the district in the form of a salamander. Elbridge Gerry was a signer of the Declaration of Independence, Governor of Massachusetts, and Vice President of the United States. Today he is best known, if at all, for the “Gerrymander.”



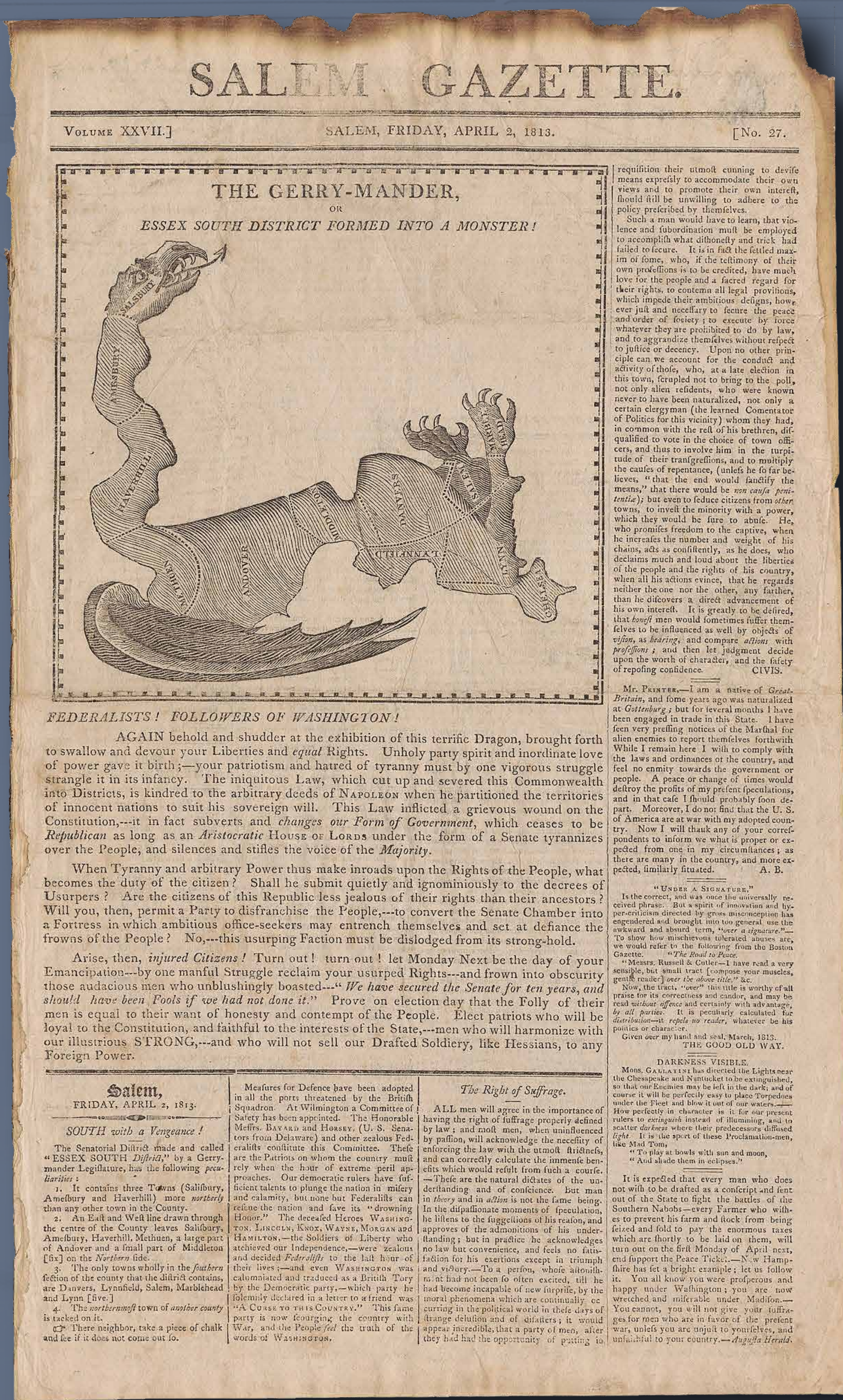
Elbridge Gerry.  
HARVARD ART MUSEUMS



## All the Way to the Supreme Court

In 2019, the U.S. Supreme Court ruled that the issue of gerrymandering is a “political question” to be decided by elected officials, not federal courts (*Rucho v. Common Cause*). Gerrymandering on the basis of race remains illegal under the Voting Rights Act, though states have a duty to draw districts in a way that allows concentrated and politically cohesive minority groups the opportunity to elect a candidate of their choice.

After the American Revolution Massachusetts had adopted a progressive constitution but also invented the gerrymander – still controversial today.



Salem Gazette April 2, 1813. SMITHSONIAN INSTITUTION

Massachusetts congressional districts after the federal Apportionment Act of 1842. The act mandated single member congressional districts nationwide. (This had already been the practice in Massachusetts). Some states had been electing members of congress at-large. LIBRARY OF CONGRESS

## THEN AND NOW

*Gerrymandering has become a national issue for advocates of electoral reform. Legislative districts are redrawn after the federal census, every ten years. In many states, the majority party in the legislature controls the process. Nationally, both parties have drawn lines favorable to their candidates. Many argue that the lack of competitive districts contributes to political polarization.*



A protest against gerrymandering before the Supreme Court building. WIKIMEDIA COMMONS



# NOTHING TO HIDE: VOTING AS A PUBLIC ACT

Through most of the nineteenth century, voting choices were stated publicly by voice (in many states) or by submitting names openly to election officials (common in Massachusetts). States did not print ballots for Election Day.

## That’s the Ticket

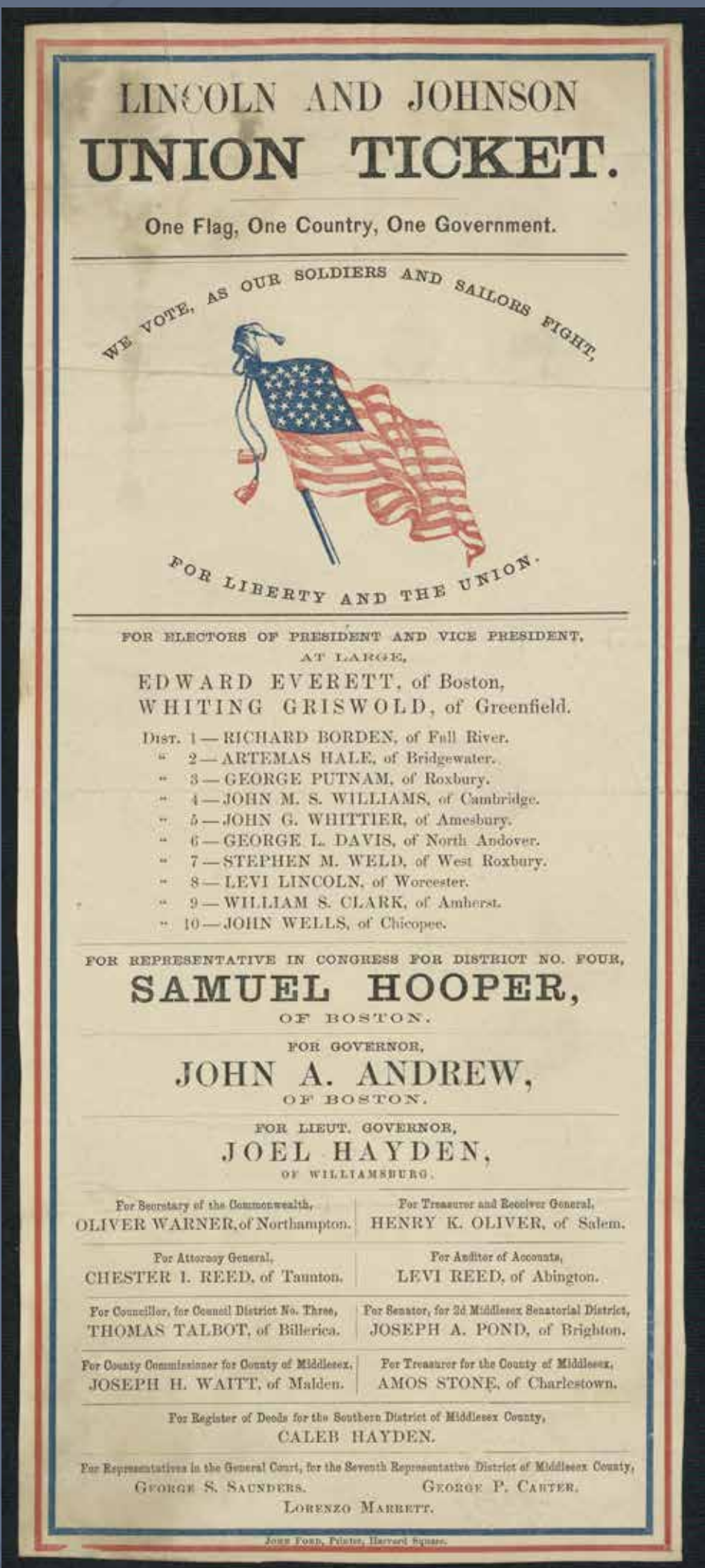
Newly formed political parties printed lists with the names of their candidates for various offices. Voters carried them to the polls and used them as a reference when voting. Because printed lists of party candidates resembled the lists of station stops for trains, the lists of favored candidates were called “tickets.”

### VIVA VOCE

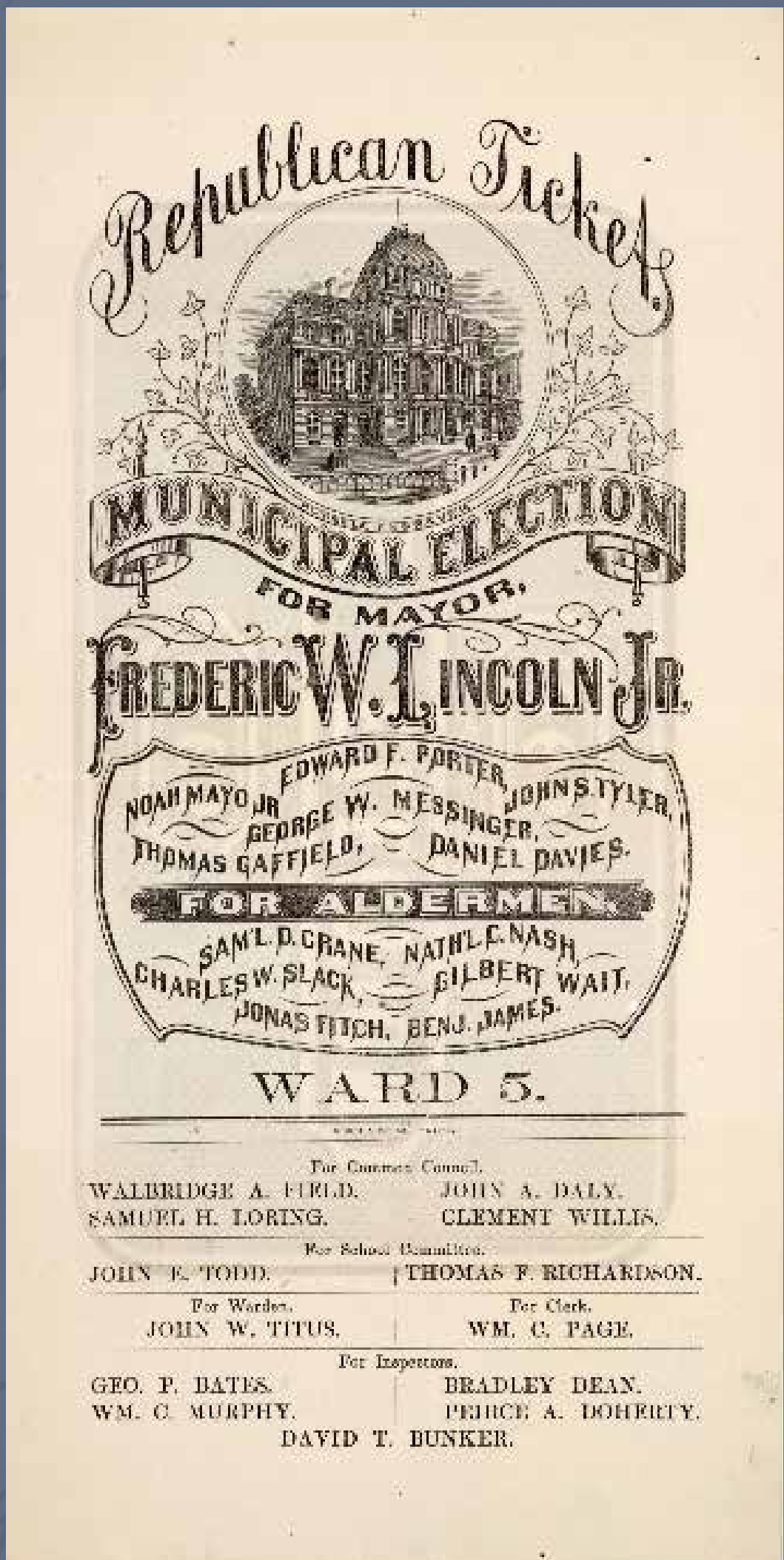
The term means voting by voice. The laws of many states specified “viva voce” voting during this period.



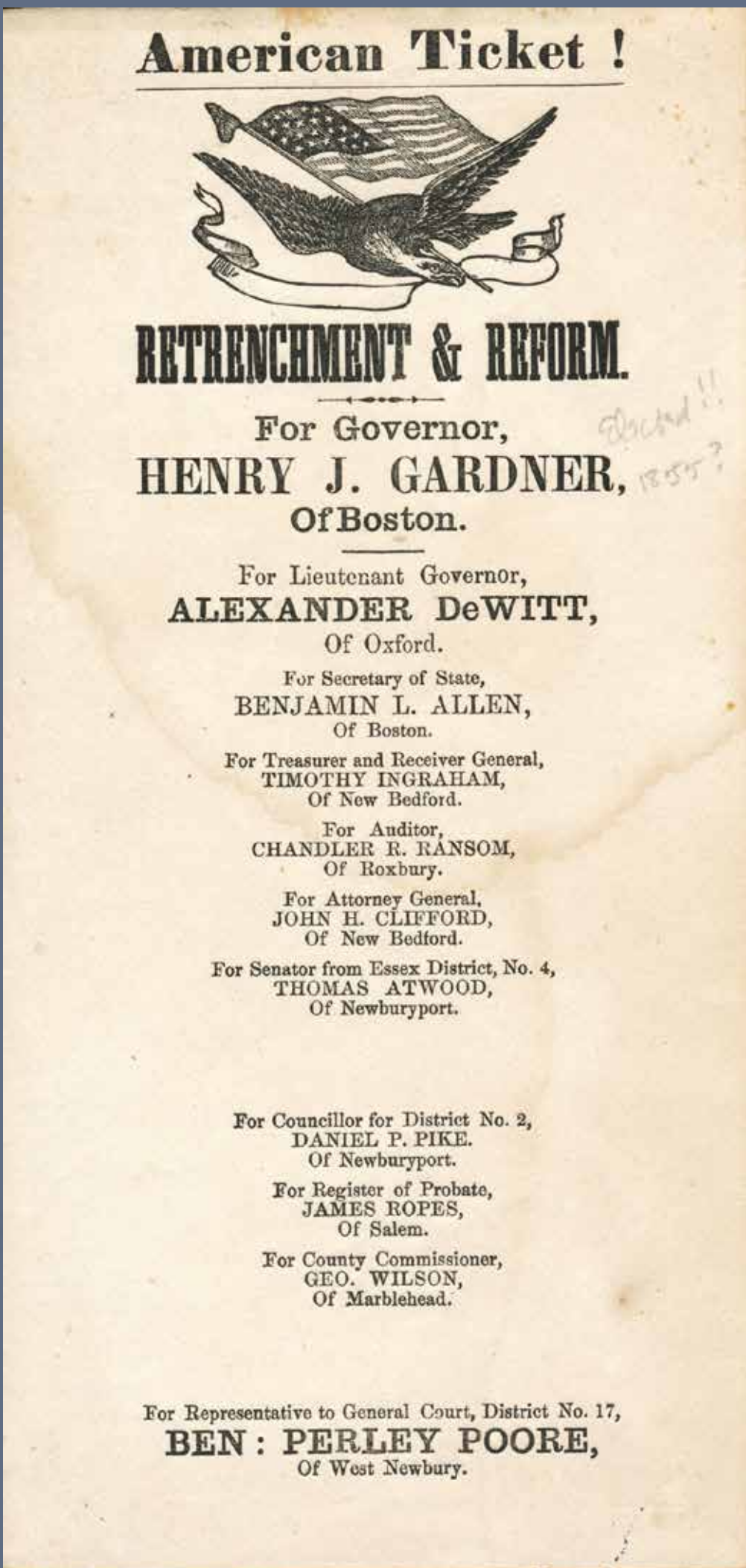
A voter takes an oath before stating his election choices publicly by voice. GEORGE CALEB BINGHAM, THE COUNTY ELECTION, 1852. ST. LOUIS MUSEUM OF ART



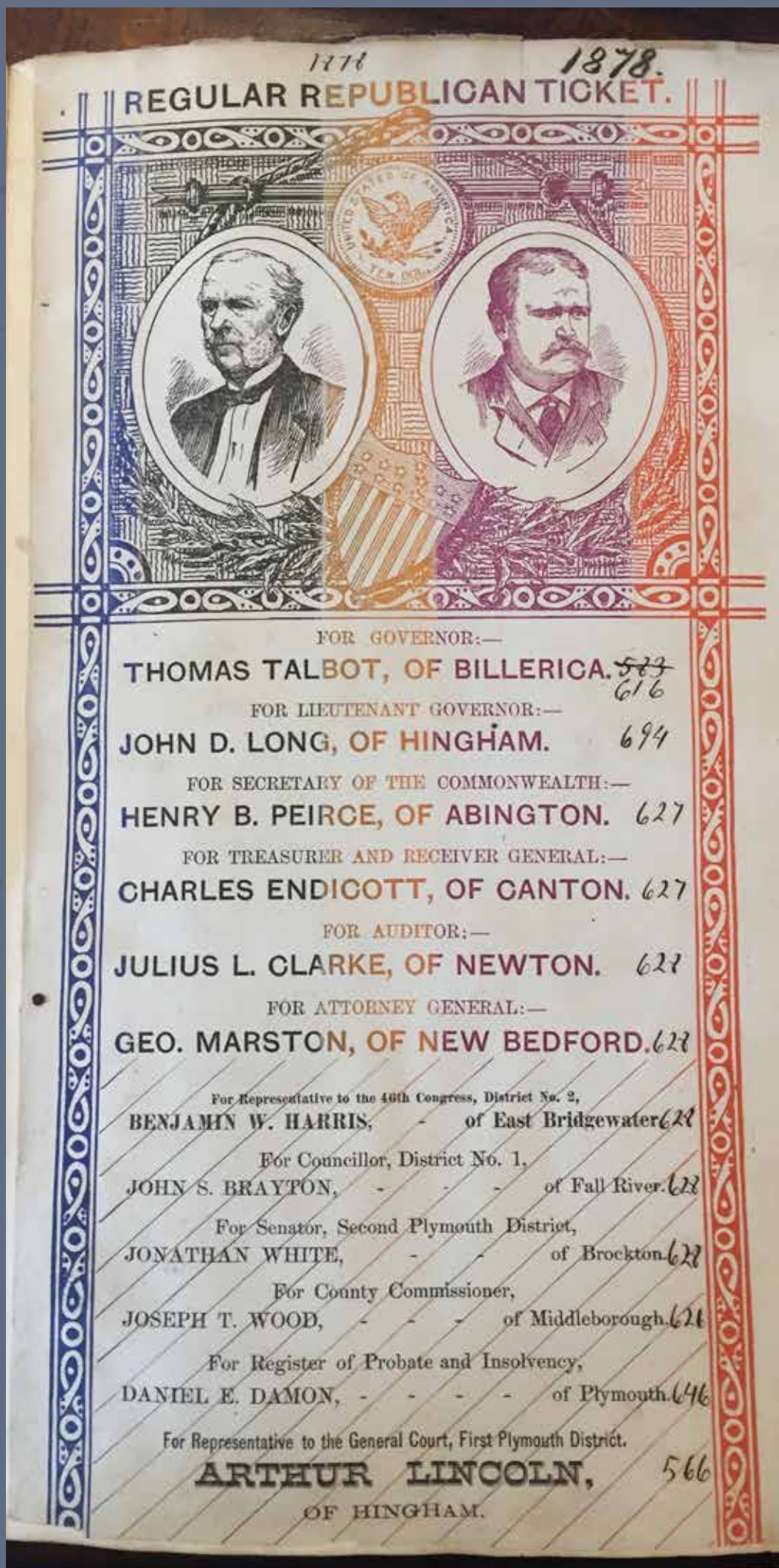
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PUBLIC DOMAIN



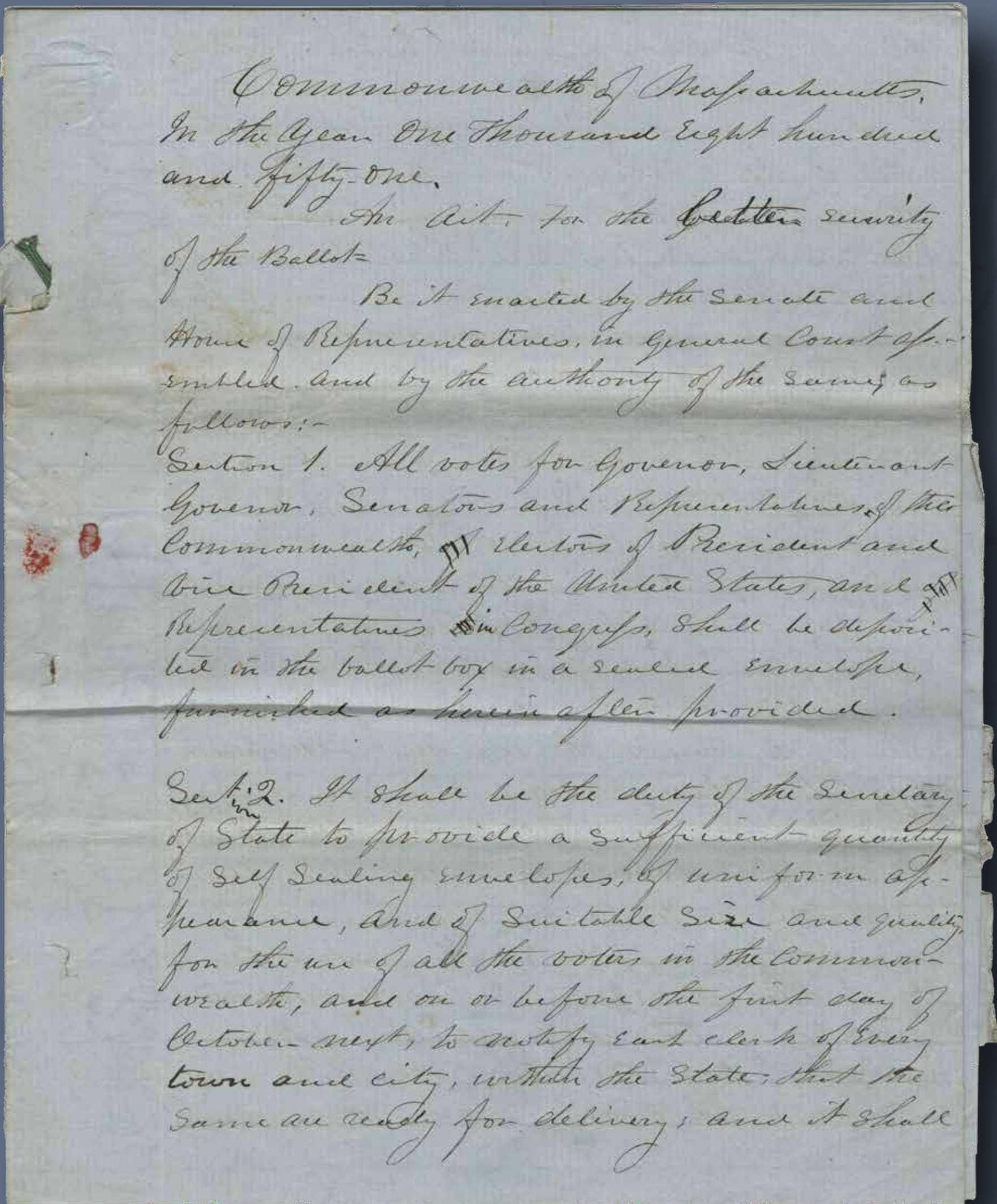
HINGHAM HISTORICAL SOCIETY

### HENSHAW V. FOSTER

In 1829 David Henshaw voted by submitting a printed party ticket with the names of 55 candidates. The Massachusetts Supreme Judicial Court ruled that it should be accepted.

## Secret Ballot Controversy

The Whig Party – supported by many factory owners – favored public voting, openly declaring a choice. Reformers argued that a secret ballot would prevent intimidation of voters by employers. In 1851 the Massachusetts legislature mandated that the Secretary of State provide envelopes for voters to keep their choice confidential – a practice that was met with suspicion. “To say that the citizen should vote with a sealed bag...is an act of despotism,” wrote one critic. The requirement was later repealed.



Zachary Taylor and Millard Fillmore, Whig candidates for President and Vice President in 1850. In Massachusetts many conservative factory owners favored the Whig party and opposed the secret ballot. LIBRARY OF CONGRESS

An Act for the better Security of the Ballot, 1851. “All votes for Governor, Lieutenant Governor, Senators and Representatives...electors of President and Vice-President of the United States, and Representatives in Congress... shall be deposited in the ballot- box in a sealed envelope...It shall be the duty of the Secretary of State to provide a sufficient quantity of such envelopes.” MASSACHUSETTS ARCHIVES



To the Massachusetts Senate and House of Representatives in General Court assembled:

# THE COUNTY ELECTION

We, the undersigned, respectfully represent that the present system of voting in this State, requiring as it does the printing of enormous numbers of ballots by the different parties and the employment of men to distribute them at the polls, is the cause of much expense and gives rise to much corruption; while, by impairing or destroying secrecy, it affords great opportunity for bribery and intimidation. We therefore earnestly petition for the adoption by law of the secret ballot. The image includes drunken voters, top-hatted merchants, and uneducated workers.



George Caleb Bingham, The County Election, 1852. St. Louis MUSEUM OF ART





# VOTER SUPPRESSION

To the Massachusetts Senate and House of Representatives: A Joint Committee assembled:

We, the undersigned, respectfully represent that the present system of voting in this State, requiring as it does the printing of enormous numbers of ballots by the different parties and the employment of men to distribute them, is a system of bribery and corruption, and is a system of voting known to the world as the Massachusetts system.

Between 1846 and 1854, over 50,000 Irish Immigrants arrived in Boston, fleeing the disastrous potato famine and setting off the first large anti-immigrant movement, including attempts to restrict voting.

*“To Americanize America.”  
“Know Nothing” Governor Henry J. Gardner presenting his goals to the Massachusetts legislature, 1855.*

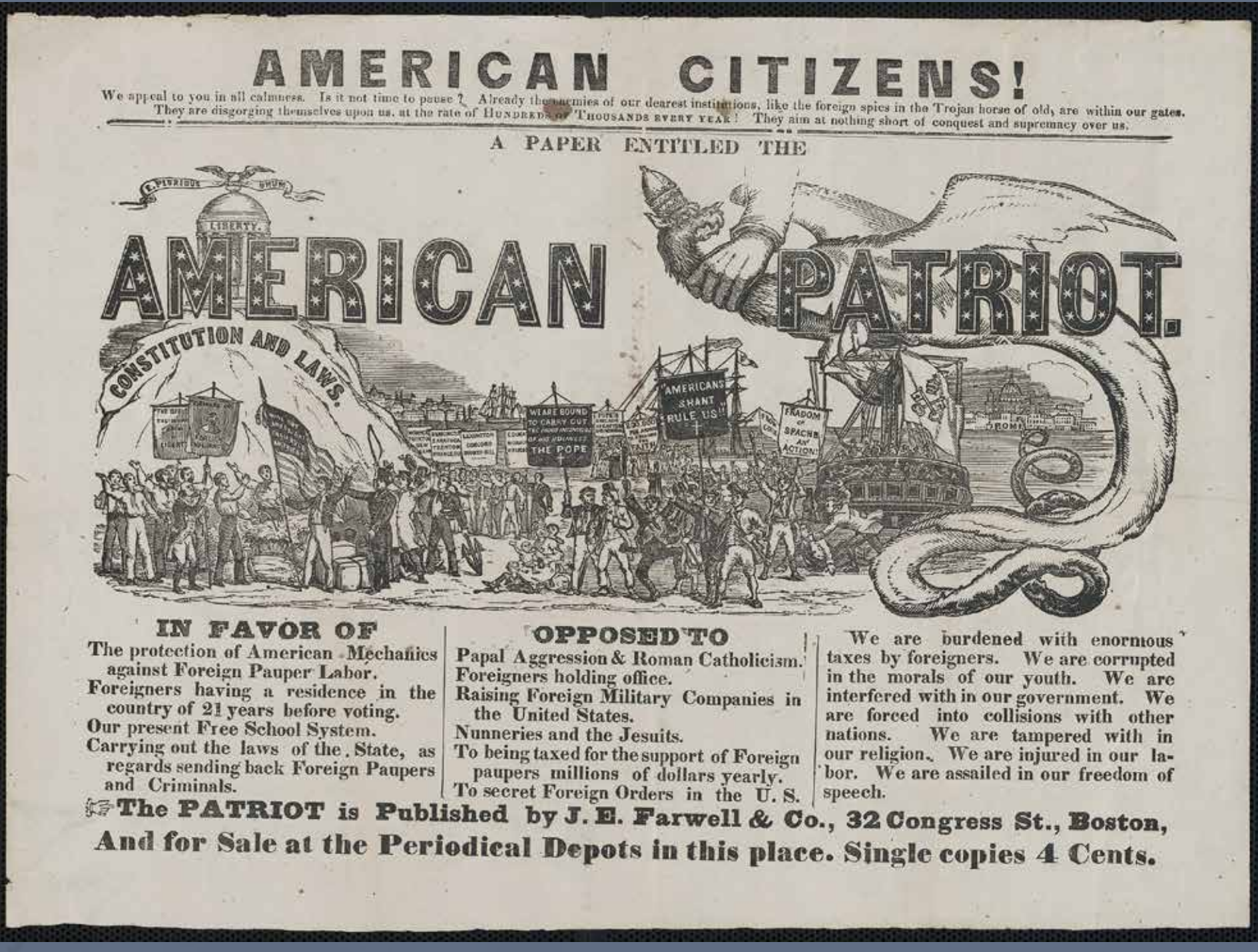


One of several versions of the Know Nothing flag. WIKIMEDIA COMMONS

## The Know Nothings

An anti-immigrant party (called the Know Nothings because they claimed to know nothing about their secret activities) swept the 1854 state elections. Among other things, they proposed making immigrants wait 21 years before voting, since native born voters had to wait until the age of 21. An attempted constitutional amendment to that effect failed. The party faded when issues leading to the Civil War took center stage.

KNOW SOMETHING ABOUT THE KNOW NOTHINGS  
*In 1854, the Know Nothings (officially the American Party), captured the office of Governor, all other state-wide offices, all state senate seats, and all but three seats in the House of Representatives. They took down Latin inscriptions at the State House (in part because they associated them with the Roman Catholic Church) and deported some Irish immigrants. Stereotyping immigrants, they proposed restrictions on the sale of alcohol (while some legislators submitted expense accounts for alcohol on fact finding junkets).*




This 1852 ad for “The American Patriot,” a Boston based newspaper, summarizes the Know Nothing program, including restrictions on voting. LIBRARY OF CONGRESS



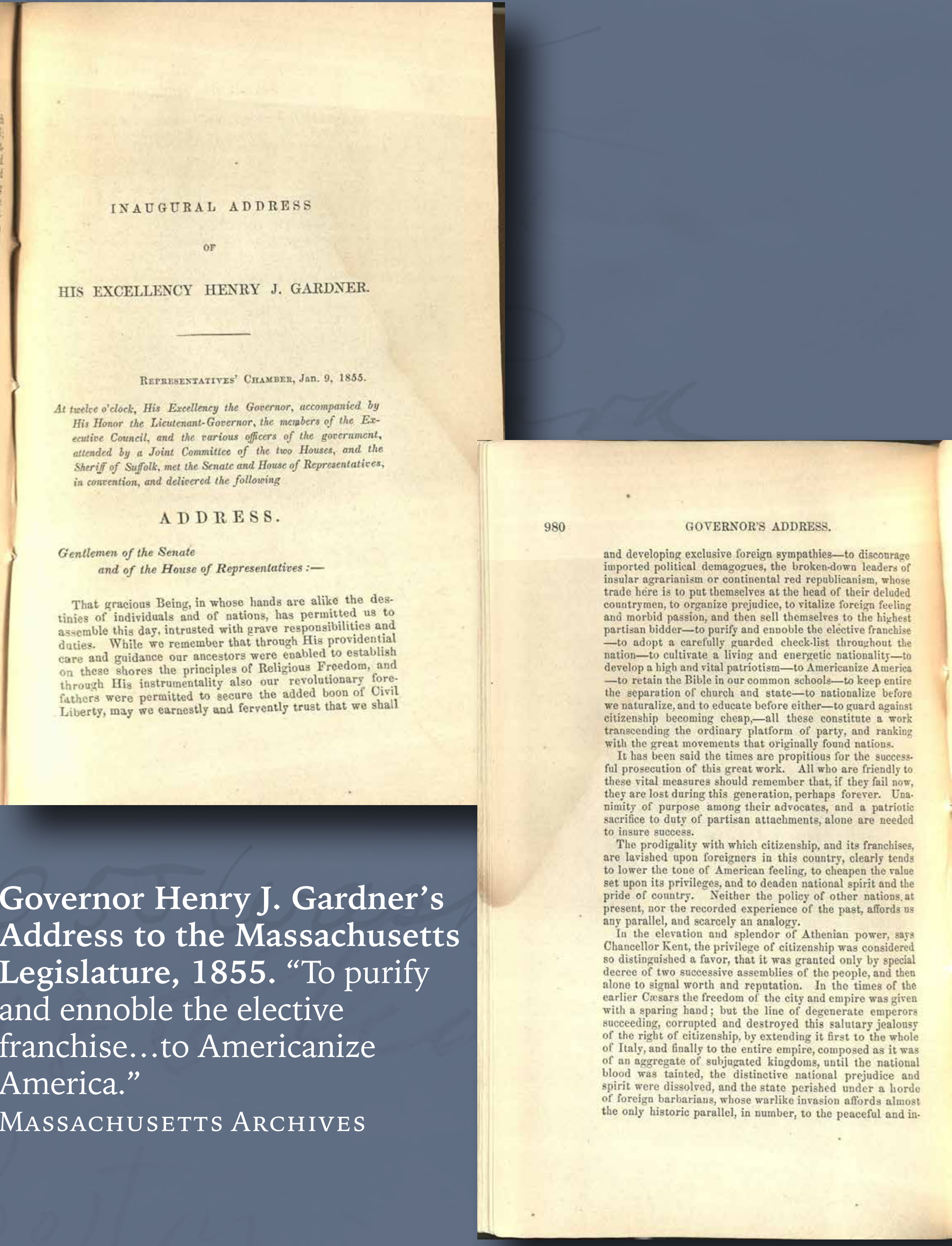
This 1882 Puck cartoon, years after the height of the Know Nothing movement, reflects continuing concern about immigration. All are poor while the Irish immigrant is most disruptive. LIBRARY OF CONGRESS

### POLL TAX

Many associate the poll tax with efforts to suppress the African-American vote in the South. The poll tax existed in Massachusetts as a funding source into the 1960s. Henry David Thoreau spent one night in jail for refusing to pay the tax in protest against slavery and the Mexican War. Poll taxers were abolished by the 24th Amendment to the U.S. Constitution



Henry David Thoreau  
NATIONAL PORTRAIT GALLERY

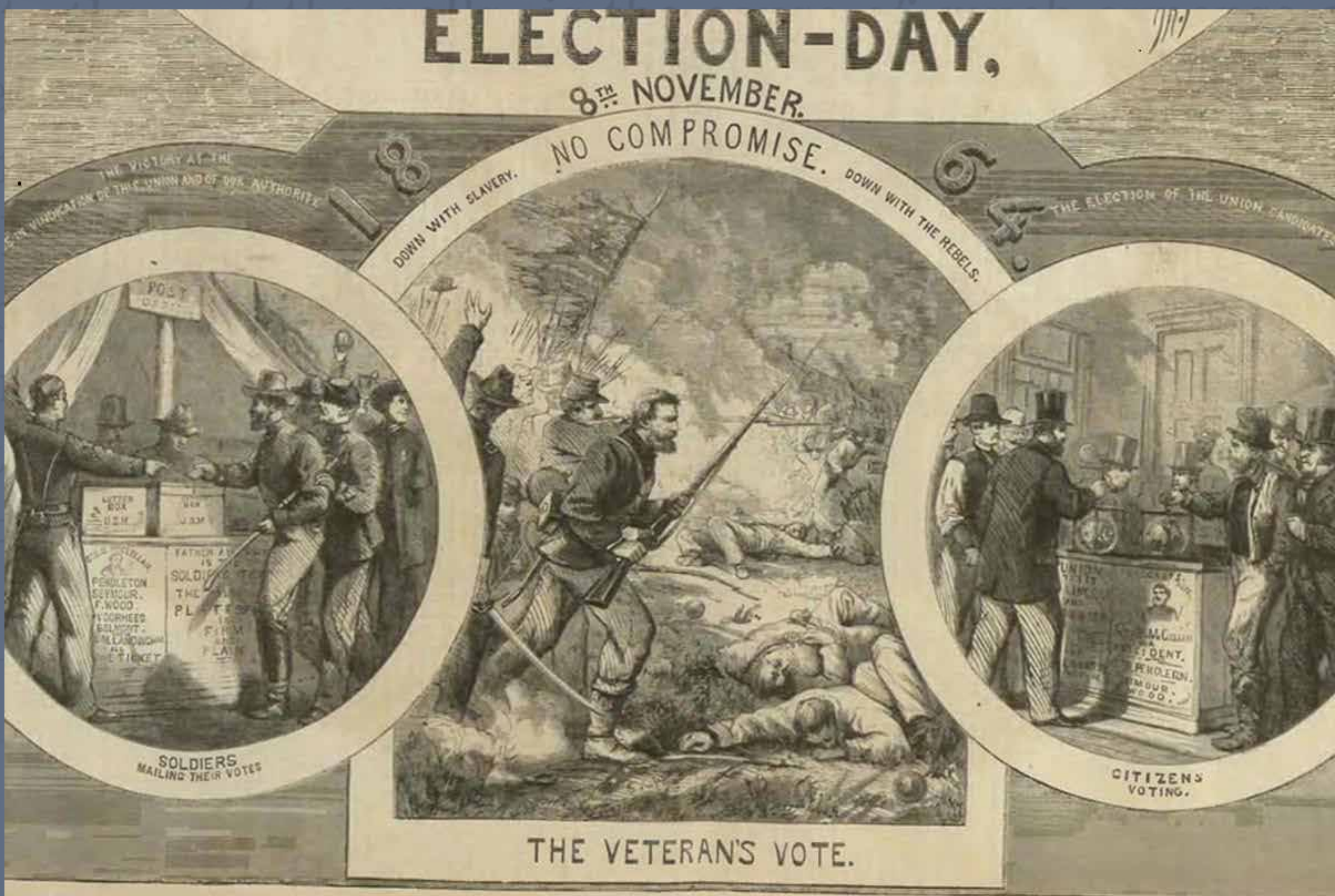


Governor Henry J. Gardner’s Address to the Massachusetts Legislature, 1855. “To purify and ennoble the elective franchise...to Americanize America.” MASSACHUSETTS ARCHIVES



# MAIL-IN VOTING, 1864

We, the undersigned, respectfully represent that the present system of voting in this State, requiring as it does the printing of enormous numbers of ballots by the different parties and the employment of men to distribute them, is not only a great waste of money, but is also a great source of corruption, by impairing the purity of the ballot, and by giving rise to the most serious abuses. We earnestly petition the Legislature to amend the constitution so as to give the essential features of the ballot to the elector, and to require that the elector shall only when he is at the polls, or solicited by any person, to deposit his ballot, and that such abuses of bribery unprofitable and intimidation impossible.



Political cartoonist Thomas Nast celebrated the 1864 re-election of Abraham Lincoln with this image that highlights voting by soldiers and veterans. LIBRARY OF CONGRESS

*“If the rebellion could force us to forgo, or postpone a national election, it might fairly claim to have already conquered and ruined us.”*  
Abraham Lincoln, 1864

## Dropping the Ball

Massachusetts Governor Andrew proposed amending the state constitution to allow soldiers to vote from the field. After passage in both houses of the legislature, there was a requirement that the amendment be published (often done in a newspaper). The Secretary of State and Clerk of the House blamed each other for failing to post the amendment. Because the process had to be started again (and amendments required approval in two successive legislative sessions), the amendment never passed.

Mail-in voting is nothing new. During the Civil War, nineteen states made provisions to allow soldiers to vote from the field.

## Soldiers Vote

Absentee voting for soldiers became an issue during the Civil War. “They have as much right to [vote] as those citizens who remained at home [and], Nay, more, for they have sacrificed more for their country,” wrote General Ulysses S. Grant. Opponents of Abraham Lincoln alleged fraud. There were some abuses, although the remote election was fair by the standards of the time.

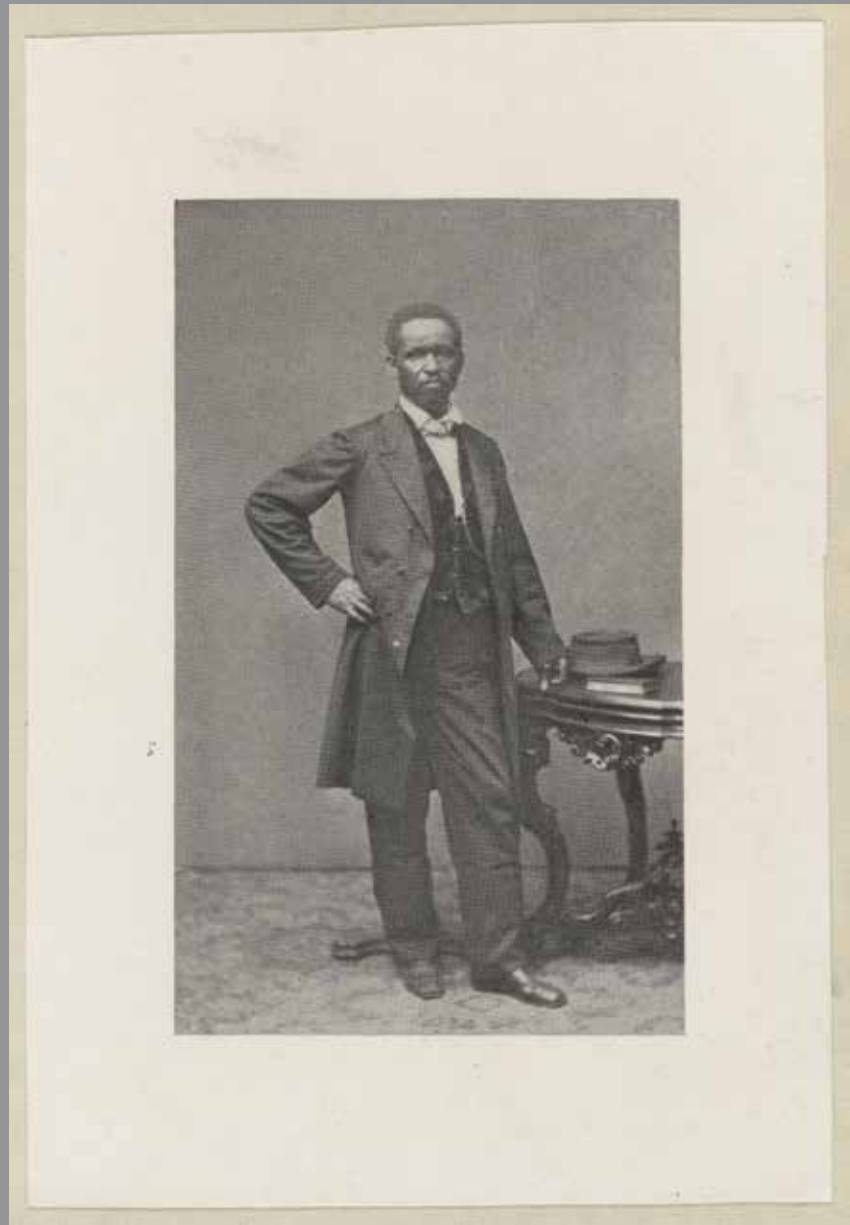


Pennsylvania soldiers voting from the field. LIBRARY OF CONGRESS



Massachusetts native Nathaniel Currier, of Currier and Ives, self-described “Publishers of Cheap and Popular Pictures,” sold posters for both Presidential tickets in 1864. Women colored them by hand in an assembly line process, one color per person. LIBRARY OF CONGRESS

## LEWIS HAYDEN AND AFRICAN-AMERICAN PARTICIPATION

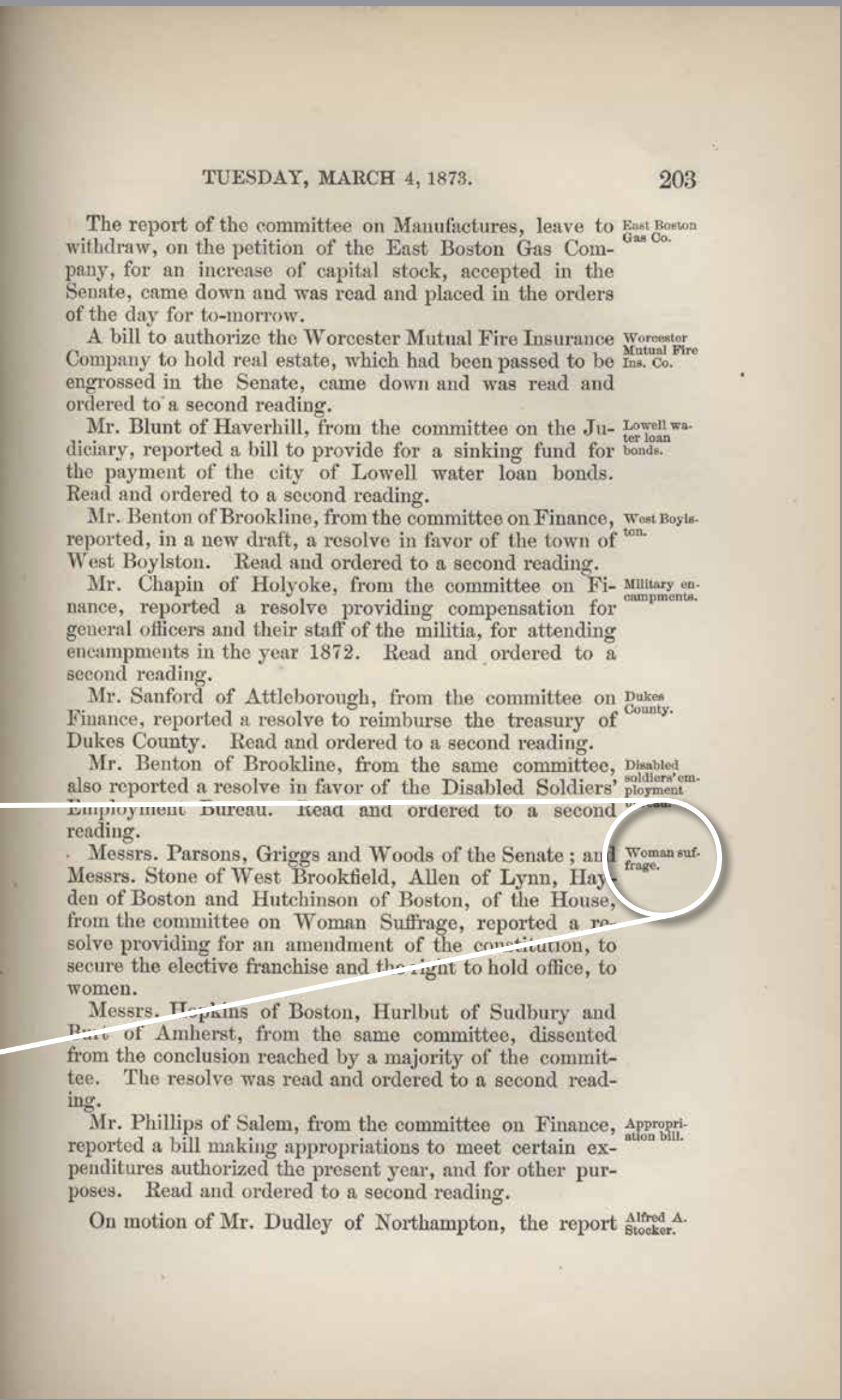


Lewis Hayden. COURTESY OF HOUGHTON LIBRARY, HARVARD UNIVERSITY

After he escaped slavery in Kentucky, Lewis Hayden’s Boston home became an important stop on the Underground Railroad. Hayden was an influential advisor to Civil War Governor John Albion Andrew and was later elected to the Massachusetts legislature. After the war, as the issue of African-American rights faded for party bosses, he was not re-nominated for a second term. Hayden and wife Harriet also favored women’s suffrage.

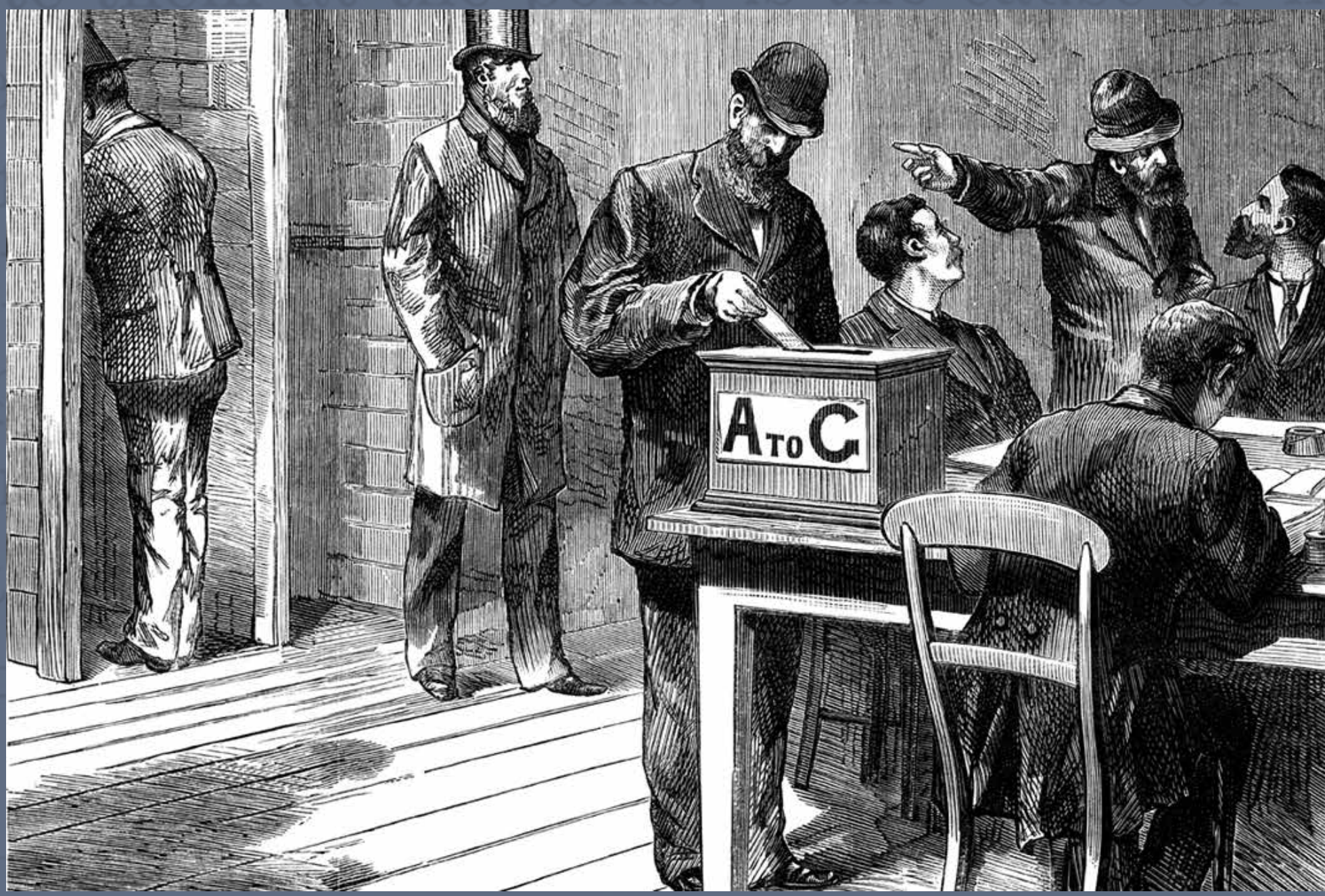
Woman suffrage.

Votes for Women. After the Civil War, several State Representatives, including Lewis Hayden, proposed that voting rights be extended to women. The effort failed. MASSACHUSETTS ARCHIVES





# AUSTRALIAN RULES – THE SECRET BALLOT

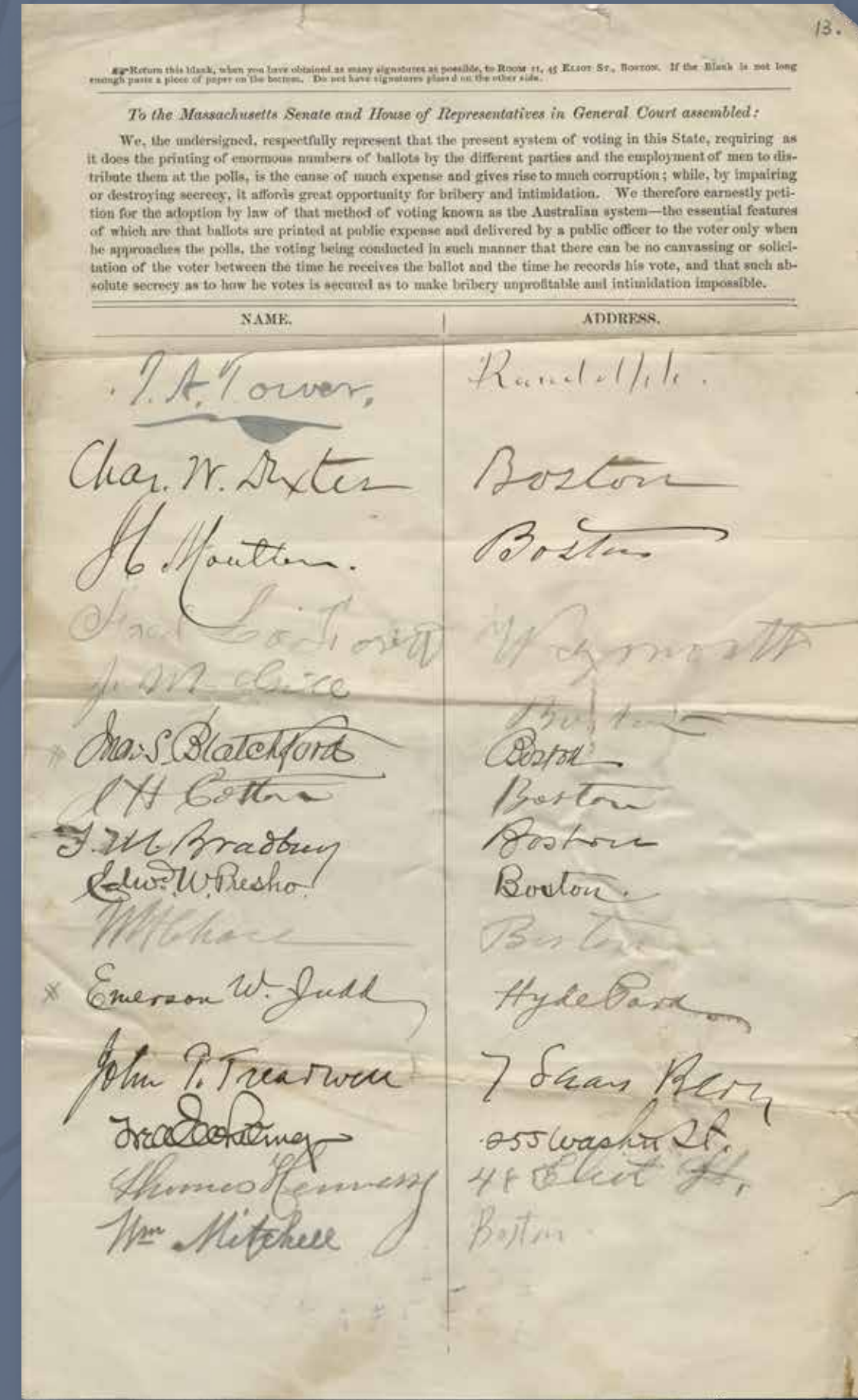


In 1856, Australia introduced innovative election laws to ensure privacy in voting. Later in the century, machines would help tabulate the vote.

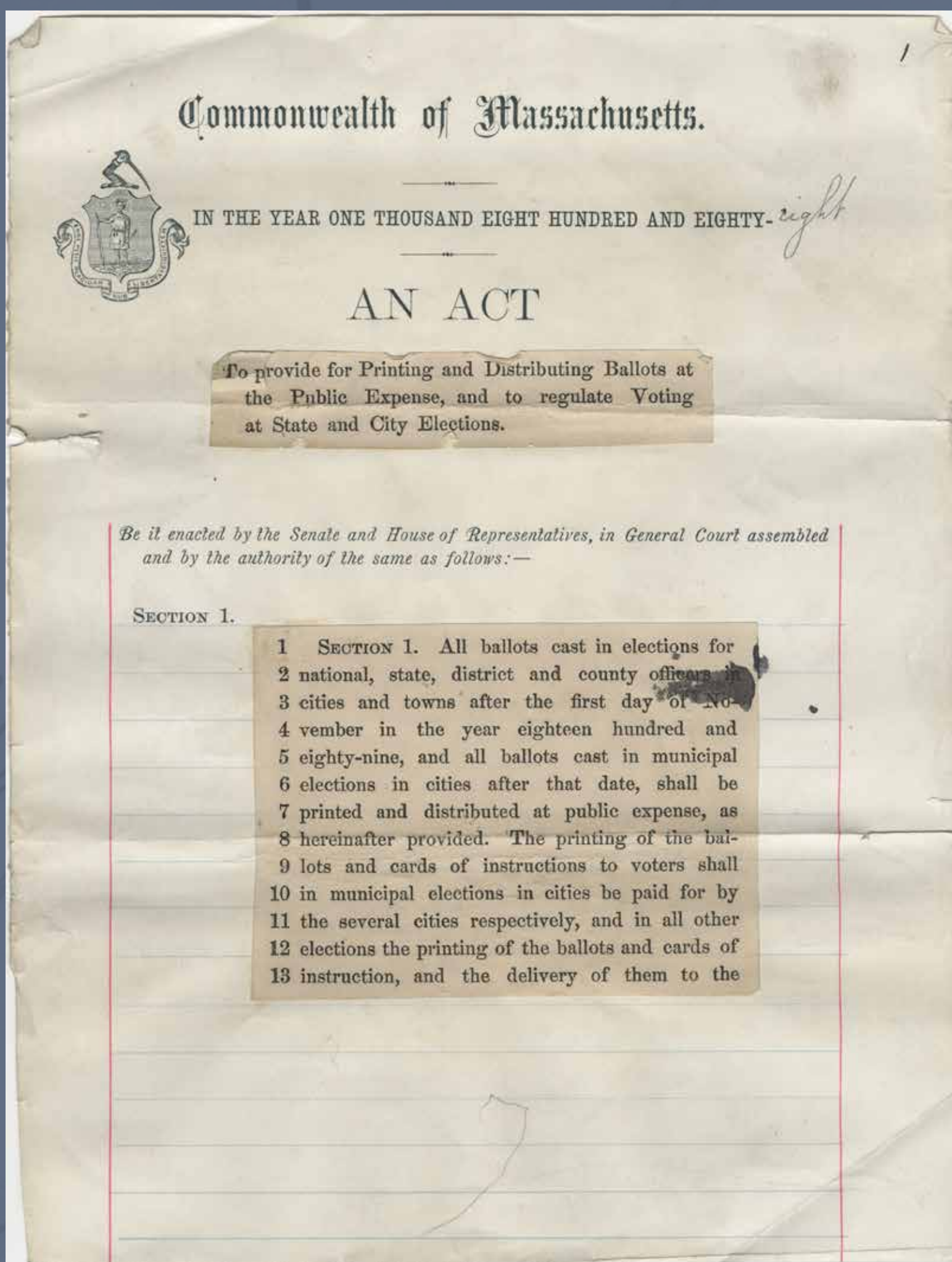
Australia pioneered the use of polling booths and the secret ballot. This image depicts an election day in Melbourne with one disgruntled voter.  
DAVID SYME AND CO. 1880.

## A First for Massachusetts

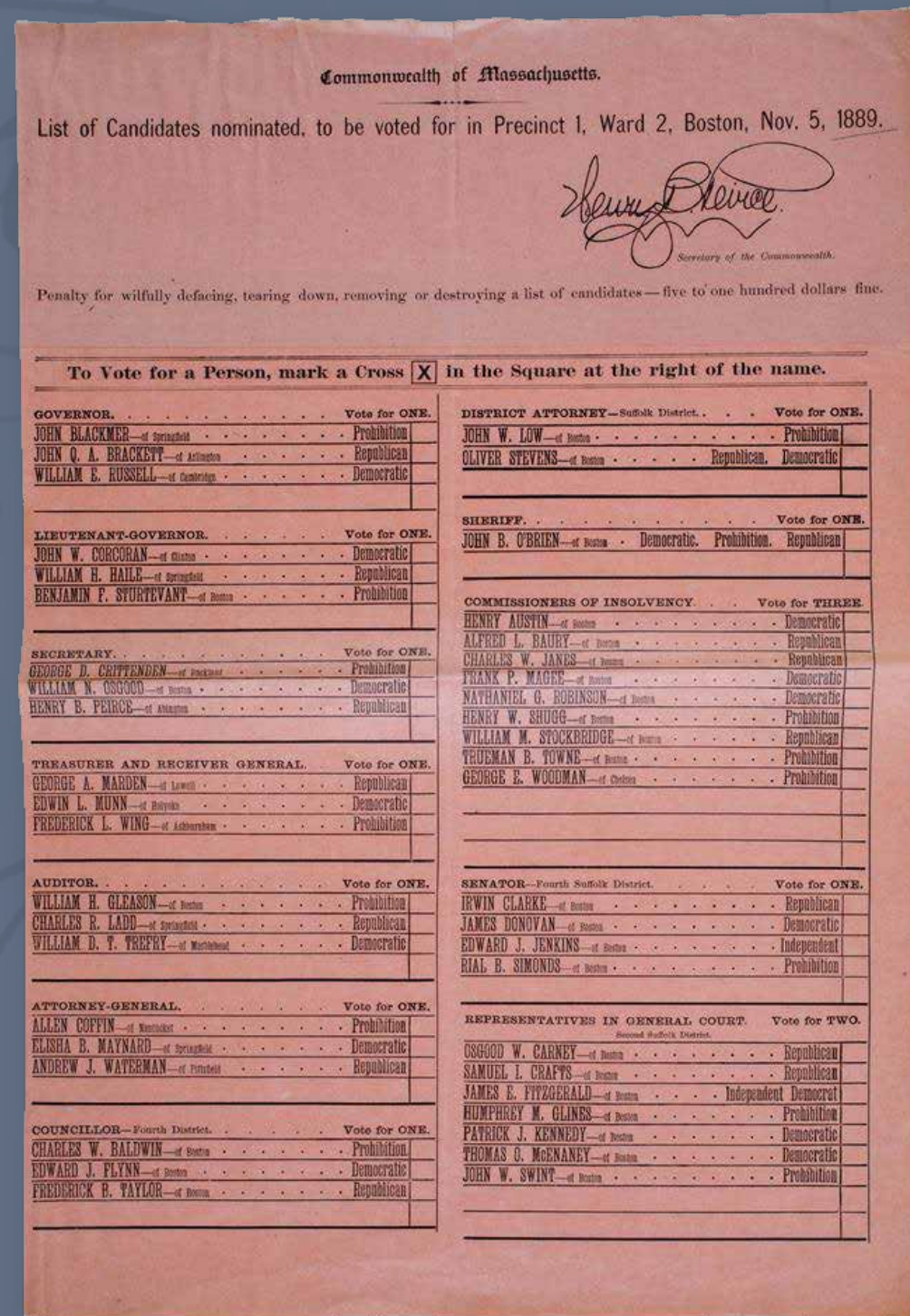
In 1888, Massachusetts passed “An Act to Provide for Printing and Distributing Ballots,” an Australian type election law that became a model for other states. (Some called it the “Massachusetts Ballot.”) The state would now print ballots, provide booths to protect the privacy of voters, and bar politicking within the polling place.



Pre-printed petitions for the Australian ballot were circulated in Massachusetts.  
MASSACHUSETTS ARCHIVES



An Act to Provide for Printing and Distributing Ballots is presented to the legislature. (First page is reproduced.) This act established the Australian ballot.  
MASSACHUSETTS ARCHIVES



## A VIEW FROM THE TOP

Former Massachusetts Governor Oliver Ames favored the printed secret ballot to discourage illiterate voters. It would bring “good manners” to the voting place and provide “the best test of the reading and writing qualification...that has ever been had.”

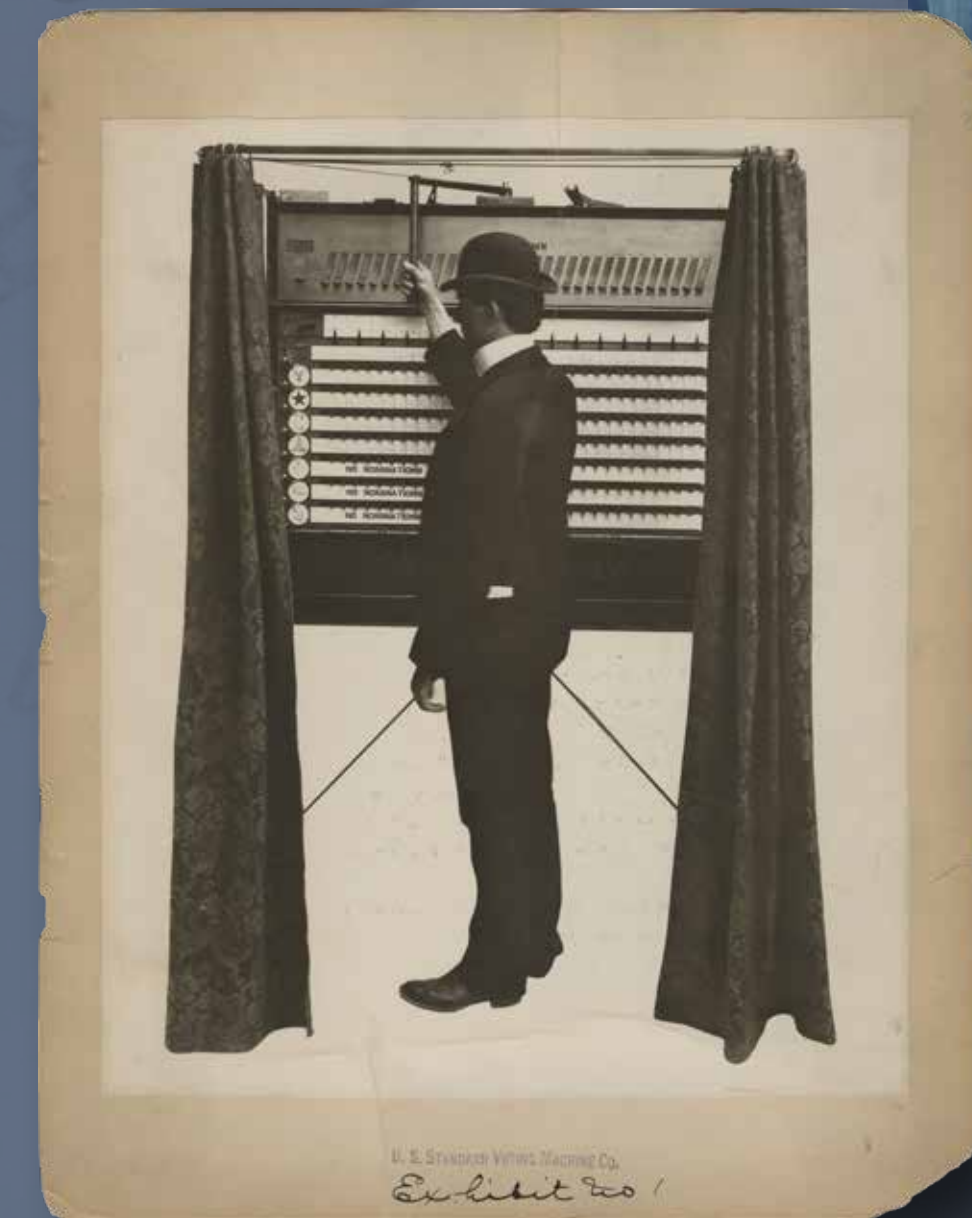
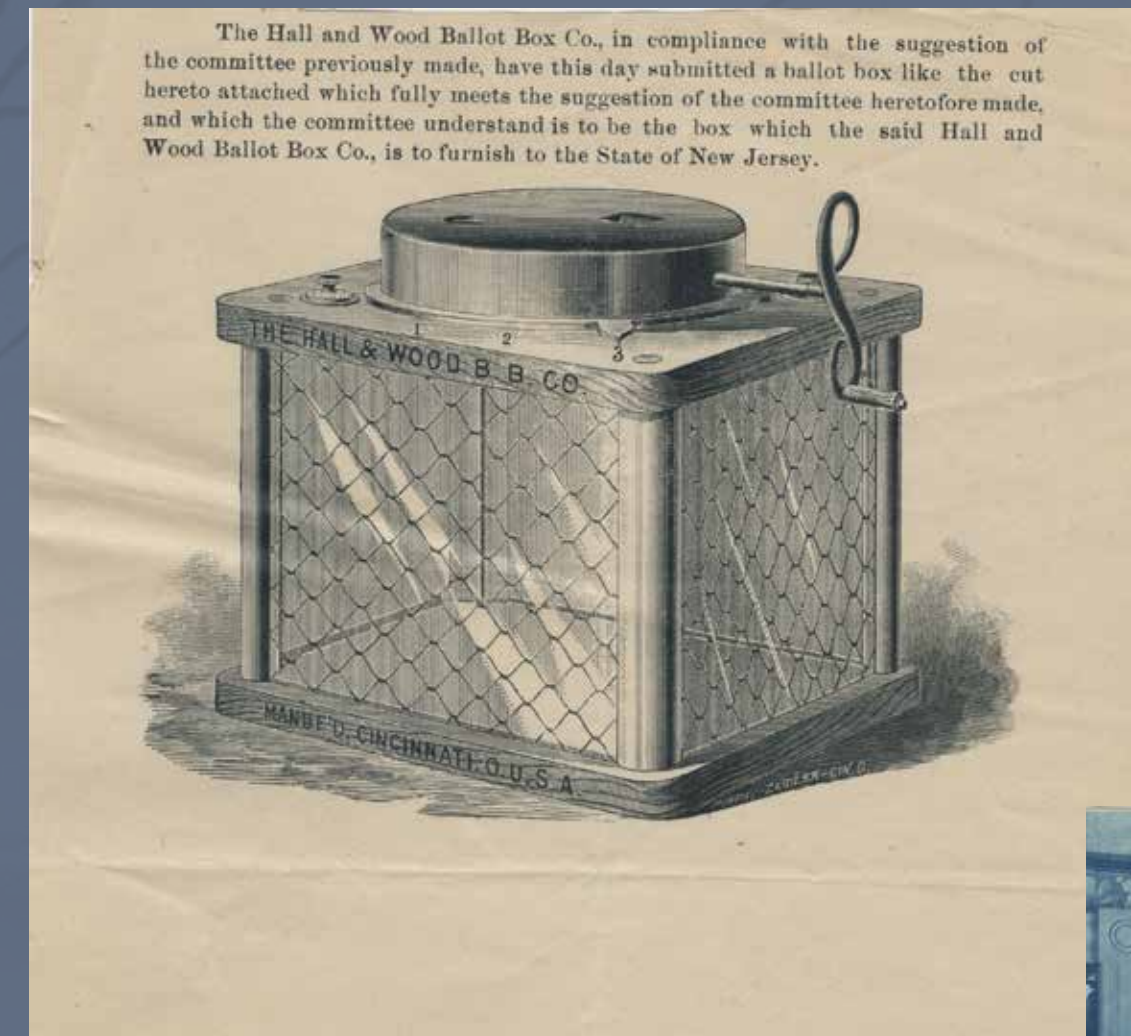
This ballot, dated November 5, 1889, was the first printed ballot in a Massachusetts gubernatorial election after adoption of the Australian ballot. COURTESY OF AMERICAN ANTIQUARIAN SOCIETY.

## VOTING BY MACHINE

An early version of punch card machines was introduced in 1889. The first mechanical lever voting machine appeared a few months later. Massachusetts discontinued the use of punch card machines in 1997, three years before the issue of “hanging chads” clouded results in Florida’s 2000 Presidential election. Concerns about possible hacking – including interference by foreign governments have dampened enthusiasm for potential online voting. A paper ballot, which can be scanned by machine and recounted by hand if necessary, is more secure.



The voting machine used by Eleanor Roosevelt was mechanical, not electric. While there was no controversy, a broken “tooth” on a gear inside the machine could produce an inaccurate count.  
FDR LIBRARY PHOTO, NATIONAL PARK SERVICE



Files in the Massachusetts Archives include many ads for voting machines and equipment. The “Bardwell Votometer” and the “U. S. Standard Voting Machine” were among those approved by a special commission after the Australian ballot was adopted. MASSACHUSETTS ARCHIVES





#### Votes for Women

A massive and theatrical Women's Suffrage procession was held in Washington, D.C. on March 3, 1913. It signaled a more active and urgent campaign for suffrage at the time of Woodrow Wilson's first inauguration. Seven more years passed before ratification of the Nineteenth Amendment.

LIBRARY OF CONGRESS





# VOTES FOR WOMEN

Massachusetts played an important role in the movement for women's suffrage.

*"You may hiss as much as you please, but women will get their rights anyway."*  
Sojourner Truth to hecklers.

## The First "National" Women's Rights Convention - Worcester, Massachusetts

The first women's suffrage convention occurred in Seneca Falls, New York in 1848. An 1850 convention in Worcester is considered the first "national" convention with representatives from many states. Among the speakers were Susan B. Anthony, Lucretia Mott, Worcester's Abby Kelly Foster, and Sojourner Truth. A young Lucy Stone was a leading organizer.

### SUFFRAGETTE OR SUFFRAGIST?

*In Britain, advocates of voting rights for women were derided as "suffragettes." Activists adopted the label as a badge of honor. In the United States the term "suffragist" was preferred.*



Lucy Stone.  
LIBRARY OF CONGRESS

### MARIA LOUISE BALDWIN

*Maria Louise Baldwin was the first Black woman in New England to become a school principal. At the Agassiz School in Cambridge, she introduced the position of school nurse and the practice of parent-teacher conferences. Baldwin argued that women should vote in school committee elections as a step toward equal suffrage.*



Maria Louise Baldwin. In 2002 the former Agassiz School in Cambridge was re-named in her honor. LIBRARY OF CONGRESS



Sojourner Truth. MASS MOMENTS

### SOJOURNER TRUTH TAKES THE STAGE

*A celebrated reformer, famous for advocating African-American rights, Sojourner Truth's first known public appearance was at the 1850 Women's Rights Convention in Worcester. For a time, she lived in the Florence section of Northampton, where this statue was dedicated to her memory in 2002.*

### Lucy Stone

Like many suffragists, Lucy Stone was involved in the abolitionist movement before the Civil War. Based in Boston, her organization published the nationally influential *Woman's Journal*. She was the first Massachusetts women to earn a college

degree and kept her name after marriage. Women who followed that practice were called "Lucy Stoners."



In a partial victory, Massachusetts women were allowed to vote in school committee elections in 1879. LIBRARY OF CONGRESS



The official text of the Nineteenth Amendment, allowing women's suffrage, was transmitted to Massachusetts for ratification using this cover. MASSACHUSETTS ARCHIVES



# URBAN VOTING – EARLY TWENTIETH CENTURY

James Michael Curley said that the St. Patrick’s Day parade in South Boston was not the kind of event that “carried refinement to excess.” The same could be said for urban voting in early twentieth century Massachusetts.

*“He did it for a friend.”*  
*Rallying cry to explain*  
*James Michael Curley’s stint*  
*in the Charles Street Jail*



James Michael Curley, fashionable in a raccoon coat.  
MASS MOMENTS

## *The Rascal King*

James Michael Curley has been called the “Rascal King.” He served two terms in Congress, four terms as Mayor of Boston, and two as Governor, as well as terms in prison for mail fraud and the county jail for impersonating a constituent on a Civil Service exam. A colorful campaigner, his rallies could include appearances from former heavy weight boxing champion John L. Sullivan, as well as novelties like piano smashing contests.



The house with the Shamrock Shutters. Questions were raised about the financing of Curley’s Jamaica Plain home. He said that it was important to demonstrate what was possible in order to inspire his poor, largely Irish constituency. COURTESY OF JAMAICA PLAIN HISTORICAL SOCIETY

## VOTER FRAUD

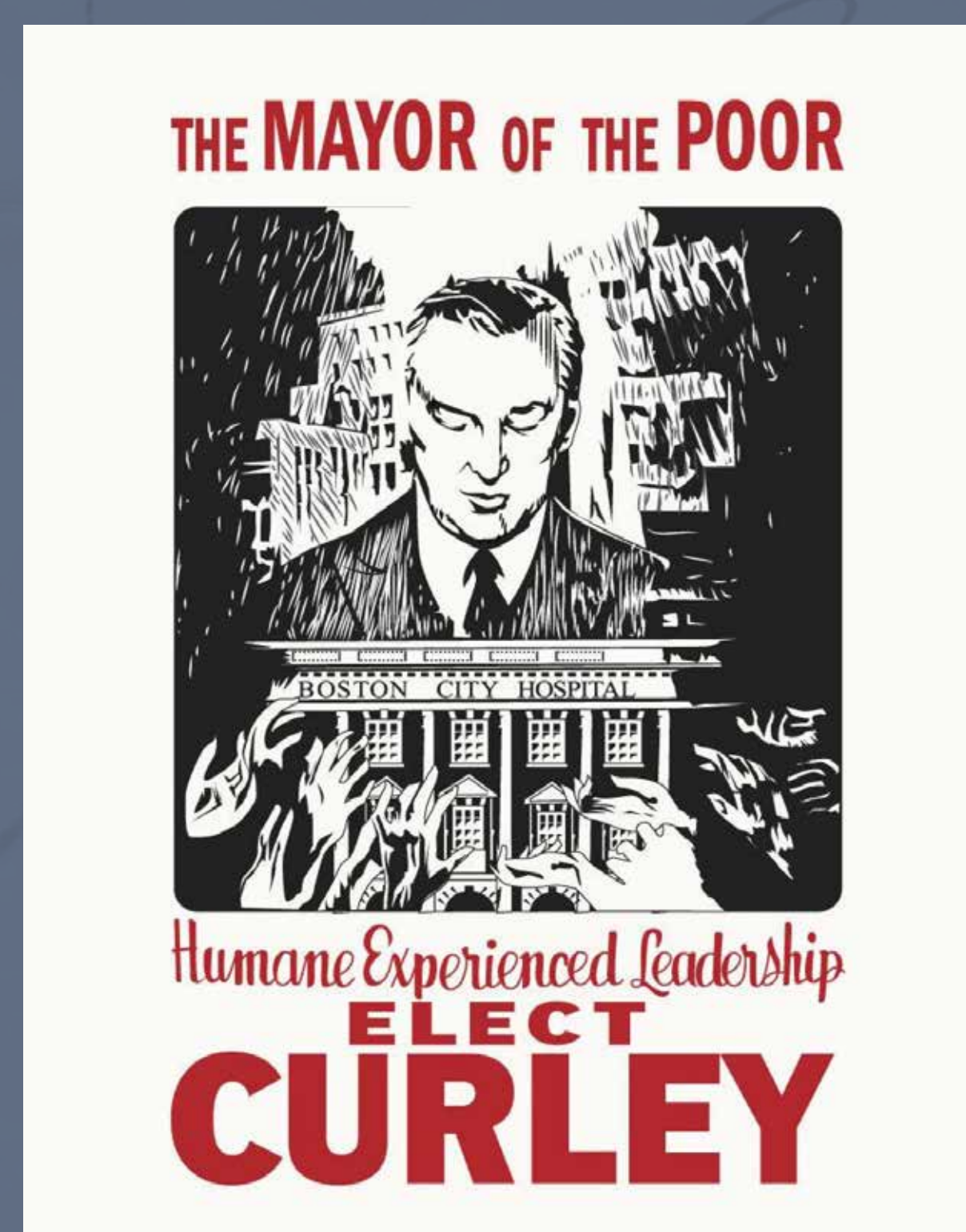
*Curley founded the Tammany Club in apparent admiration of New York’s corrupt Tammany Hall machine. It was alledged that Tammany Hall stuffed ballot boxes by using repeat voters.*



Looking the part – James Michael Curley at home. COURTESY OF JAMAICA PLAIN HISTORICAL SOCIETY

## *Out of Style*

James Michael Curley dominated Boston politics for forty years, but his “florid style and flamboyant delivery were... better suited to outdoor speeches,” wrote historian Thomas H. O’Connor. The advent of radio and especially television required a less stilted delivery and shorter time on the platform. In later years, Curley was imprisoned for mail fraud. As a young congressman, John F. Kennedy did not sign a petition for his release – seeking to change the image of Boston Irish politicians.



Governor Curley at the Bunker Hill Day parade in Charlestown, 1936. His term has been described as “ludicrous part of the time, shocking most of the time, and tawdry all of the time.” DIGITAL COMMONWEALTH





# THE TELEVISION AGE

*“TV has altered drastically the nature of our political campaigns, conventions, constituents, candidates, and costs.” Senator John F. Kennedy, 1959*

The advent of television after World War II forever changed campaigns and public policy.

## “I LIKE IKE” - THE FIRST TELEVISION ADS IN PRESIDENTIAL POLITICS

*In 1952, Dwight Eisenhower accepted advice from television advertising pioneer Rosser Reeves to produce 30 second television ads. Democrat Adlai Stevenson disdained the superficiality of 30 second spots and bought 30 minute blocs late in the evening (when rates were cheaper and fewer people watched). Eisenhower won.*



Rosser Reeves created the first television ads in a Presidential campaign. In an ad for M&M’s he also coined the phrase, “Melts in your mouth, not in your hands.” MATVY

## The Election of 1960

The election of John F. Kennedy was a milestone for Massachusetts and the nation. The first Catholic elected to the Presidency, his election pointed toward a future where religious affiliations, ethnicity, and race were not automatic disqualifiers. He was also the first president to fully master the new medium of television.



RICHARD NIXON PRESIDENTIAL LIBRARY AND MUSEUM

## Witnessing Events from the Living Room

Television illuminated some dark corners of American life. Reporting from Vietnam, America’s first “living room war,” eroded support for continued fighting. Television news segments showing the beating of peaceful marchers in Selma, Alabama increased support for Civil Rights legislation, including the Voting Rights Act of 1965.



Campaigning for voting rights. LIBRARY OF CONGRESS



Vietnam War, Operation Hue City, 1967. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

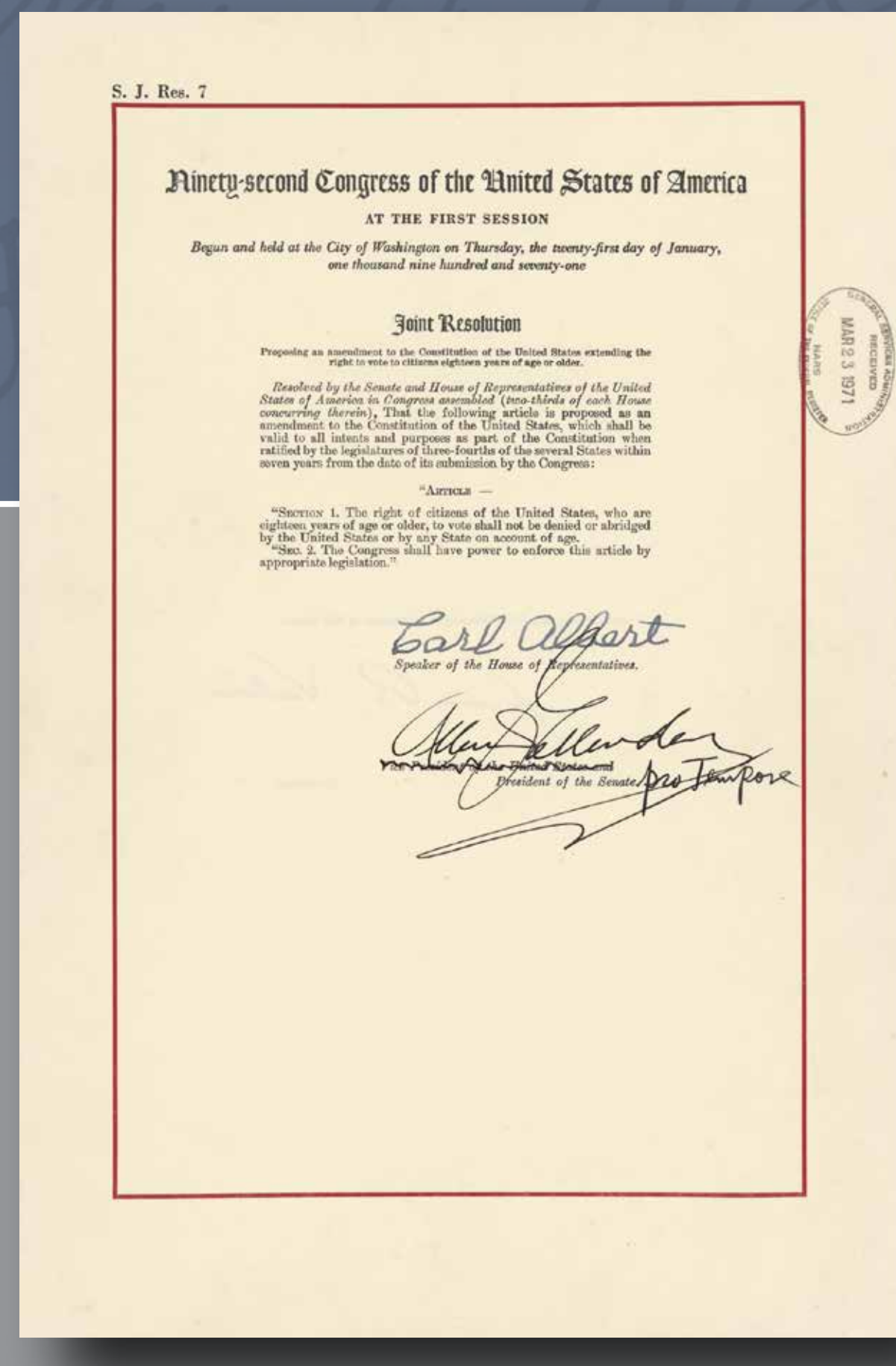
## That’s Debatable

Kennedy and Nixon had four televised debates. The first made the deepest impression. John Kennedy dressed in a dark suit and appeared relaxed and confident. Nixon’s grey suit blended into the background on black and white television. Exhausted from campaigning, he appeared haggard. Apparently glancing at a wall clock from time to time, Nixon’s eyes seemed “shifty” to some. Before each debate Kennedy arrived early to check on lighting and studio temperature. While not a single factor explanation, Kennedy’s debate performance was critical.

## TWENTY-SIXTH AMENDMENT

*In 1971, the Twenty-Sixth Amendment lowered the voting age to 18 in response to the Vietnam Era draft. It was argued that those who were old enough to fight were old enough to vote.*

Congressional Joint Resolution for consideration of the Twenty-Sixth Amendment. LIBRARY OF CONGRESS





# CHALLENGING TIMES

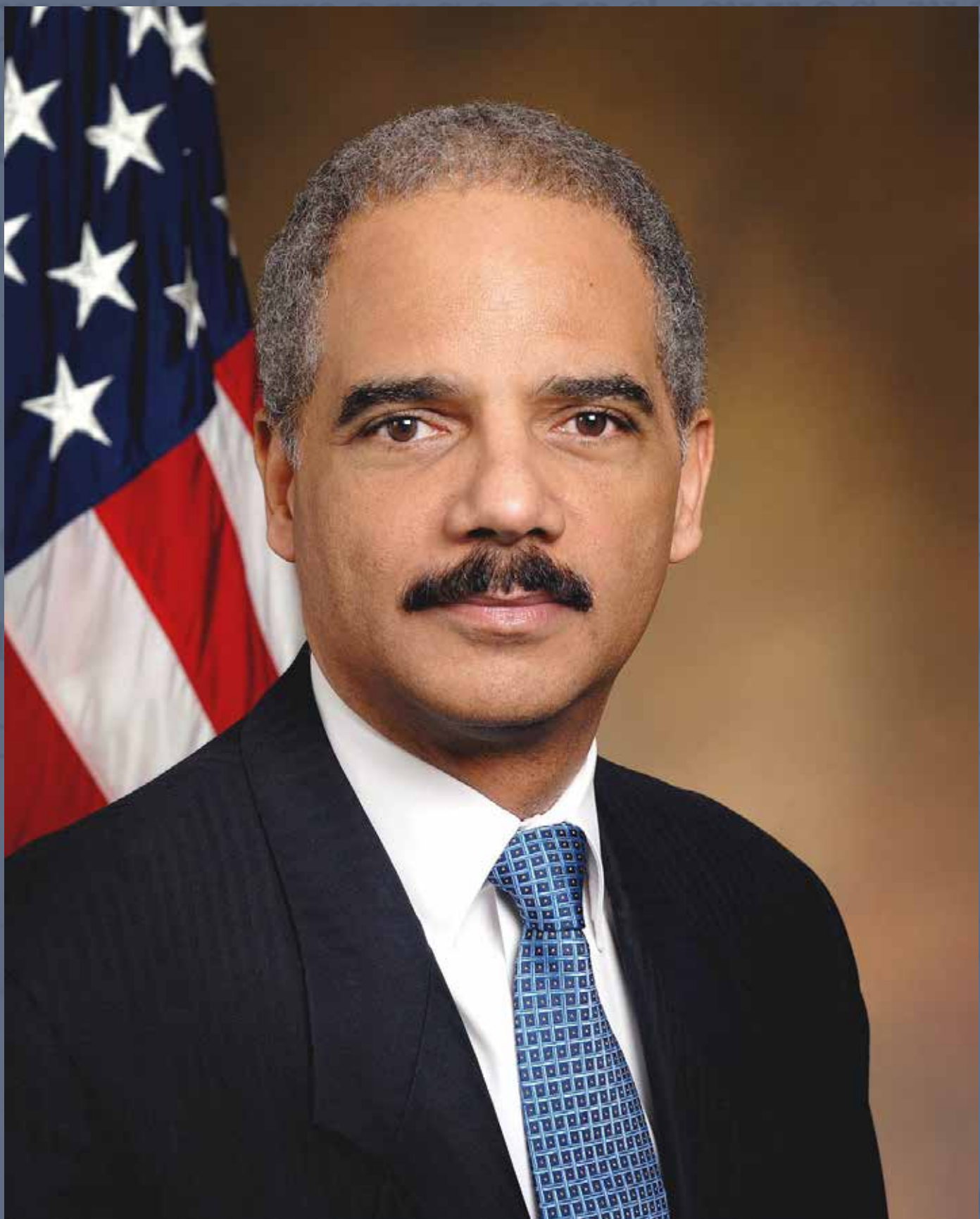
To the Massachusetts Senate and House of Representatives in Senate Court assembled:

We, the undersigned, respectfully represent that the present system of voting in this State, requiring as it does the printing of enormous numbers of ballots by the different parties and the employment of men to distribute them, is a great oppression to the poor and ignorant, and that the adoption of that method of which the ballots are printed at the polls, and the employment of men to distribute them, is a great oppression to the poor and ignorant, and that the adoption of that method of which the ballots are printed at the polls, and the employment of men to distribute them, is a great oppression to the poor and ignorant.

By the 21<sup>st</sup> century, most legal restrictions on voting had disappeared, but surprising challenges developed.

## Shelby County v. Holder and Voter Suppression

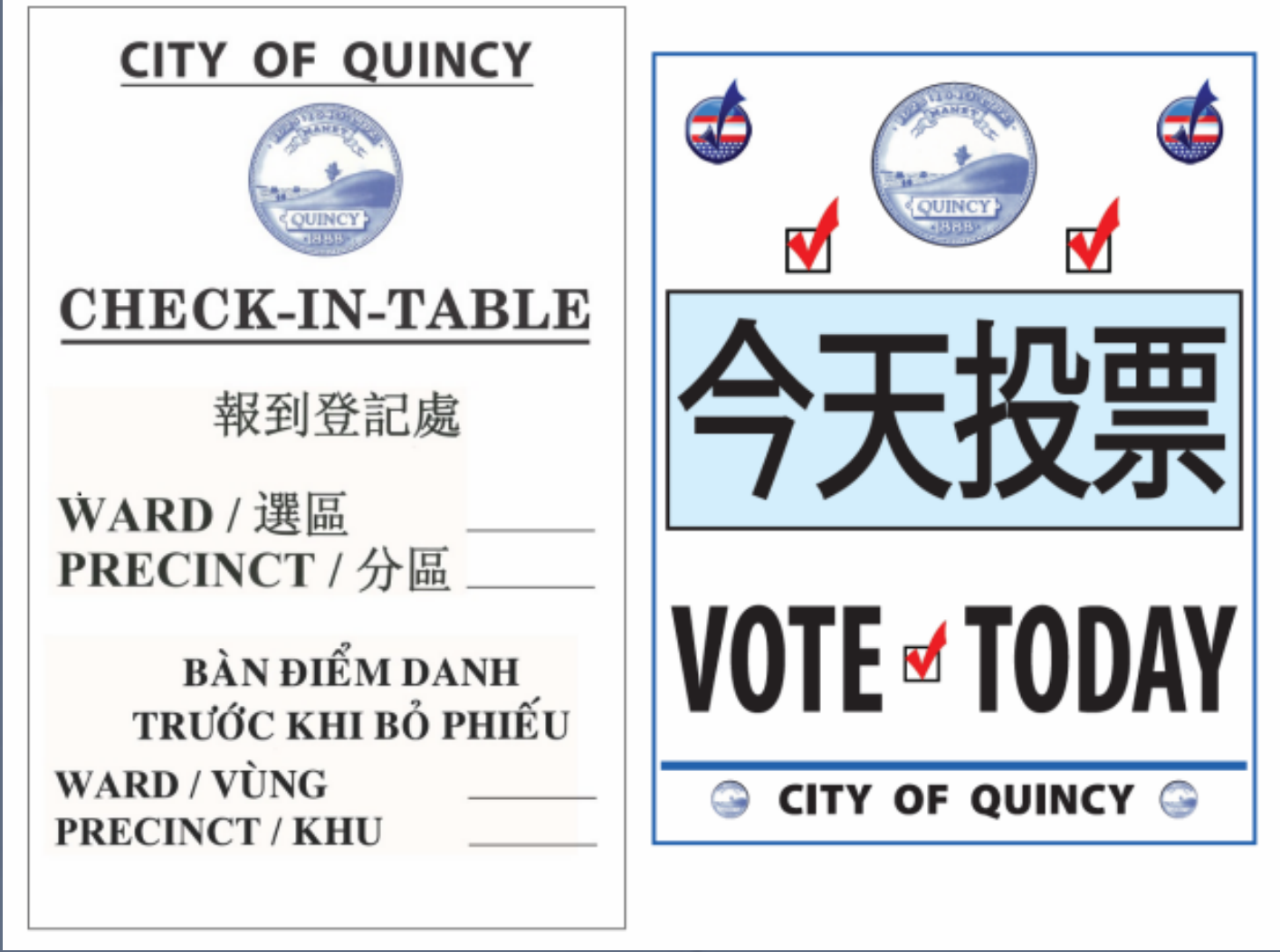
In 2013, the Supreme Court ruled in *Shelby County v. Holder* that the formula used in the Voting Rights Act of 1965 to determine which states and jurisdictions needed to pre-clear changes to voting procedures with the federal government was no longer valid. As a result, states and jurisdictions that previously needed to get approval from the Department of Justice to make changes to election laws and procedures were no longer required to do so. Critics feared that the decision would clear the way for voter suppression efforts in many states.



Eric Holder, former Attorney General during the Obama administration.  
UNITED STATES DEPARTMENT OF JUSTICE

*“And if you have an umbrella over your head in a thunderstorm and you’re not getting wet, it doesn’t mean that you remove the umbrella and still that you won’t get wet.”*

*Former Attorney General Eric Holder on the Shelby County decision*



Under the Voting Rights Act, ballots and other voting materials are required to be offered in multiple languages where there is a substantial population of residents who are not proficient in English and speak certain minority languages. Nineteen cities and towns in Massachusetts, including Quincy, currently meet the threshold for multilingual ballots.

## Expanded Voting Options - The Election of 2020

Because of the COVID pandemic, voting options were expanded to allow safe and convenient registration, early and mail-in voting, drop boxes for ballots, and drive-in voting in some states. Defeated former President Donald Trump alleged fraud. In the most careful election review in American history, courts found no significant evidence of fraud.



Voting despite the pandemic, 2020. PHIL ROEDER



January 6, 2021. WIKIPEDIA COMMONS

## INSURRECTION

*The violent attack on the U.S. Capitol on January 6, 2021 was an attempt to prevent certification of a presidential election. Many Americans became concerned about the future of democracy. In 2022, legislation was approved by the Massachusetts General Court to preserve increased early and mail-in voting options. In some other states, a determined effort began to reduce voting options.*



# “FAITH IN THE EVENTUAL SUPREMACY OF REASON,” HOPE EXPRESSED BY JUDGE LEARNED HAND

## Then and Now

In 1952, at the height of the Cold War, Judge Learned Hand warned against political polarization in a New York University speech:

*I believe that the community is already in process of dissolution where each man begins to eye his neighbor as a possible enemy, where non-conformity with the accepted creed, political as well as religious, is a mark of disaffection; where denunciation, without specification or backing takes the place of evidence, where orthodoxy chokes freedom of dissent, where faith in the eventual supremacy of reason has become so timid that we dare not enter our convictions in the open lists, to win or lose.*



Judge Learned Hand. Although never nominated to the Supreme Court, U. S. Appeals Court Judge Learned Hand’s opinions are often cited.

