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**Our Democracy and the Ballot**

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At the time of this essay millions of African-American citizens were being denied the right to vote and the privilege of qualifying themselves to vote. Blacks demanded only that they be given the right as Americans to vote under the same identical qualifications required of other citizens. African-Americans were denied access to the ballot no matter how literate whereas whites were included in the process no matter how illiterate. The argument used during Reconstruction was still being made that blacks were ignorant, illiterate, venal, inferior; therefore, to preserve the civilized South, they must be kept away from the ballot.

Ladies and Gentlemen:

For some time since I have had growing apprehensions about any subject -- especially the subject of a speech -- that contained the word "democracy." The word "democracy" carries so many awe-inspiring implications. As the key-word of the subject of an address it may be the presage of an out-pour of altitudinous and platitudinous expressions regarding "the most free and glorious government of the most free and glorious people that the world has ever seen." On the other hand, it may hold up its sleeve, if you will permit such a figure, a display of abstruse and recondite theorizations or hypotheses of democracy as a system of government. In choosing between either of these evils it is difficult to decide which is the lesser.

Indeed, the wording of my subject gave me somewhat more concern than the speech. I am not sure that it contains the slightest idea of what I shall attempt to say; but if the wording of my subject is loose it only places upon me greater reason for being more specific and definite in what I shall say. This I shall endeavor to do; at the same time, however, without being so confident or so cocksure as an old preacher I used to listen to on sundry Sundays when I taught school one summer down in the backwoods of Georgia, sometimes to my edification and often to my amazement.

On one particular Sunday, after taking a rather cryptic text, he took off his spectacles and laid them on the pulpit, closed the Bible with a bang, and said, "Brothers and sisters, this morning I intend to explain the inexplicable,—47—to find out the indefinable, to ponder over the imponderable, and to unscrew the inscrutable."

#### **Our Democracy and the Ballot**

It is one of the commonplaces of American thought that we have a democracy based upon the free will of the governed. The popular idea of the strength of this democracy is that it is founded upon the fact that every American citizen, through the ballot, is a ruler in his own right; that every citizen of age and outside of jail or the insane asylum has the undisputed right to determine through his vote by what laws he shall be governed and by whom these laws shall be enforced.

I could be cynical or flippant and illustrate in how many ways this popular idea is a fiction, but it is not my purpose to deal in *cleverisms*. I wish to bring to your attention seriously a situation, a condition, which not only runs counter to the popular conception of democracy in America but which runs counter to the fundamental law upon which that democracy rests and which, in addition, is a negation of our principles of government and a menace to our institutions.

Without any waste of words, I come directly to a condition which exists in that section of our country which we call "the South," where millions of American citizens are denied both the right to vote and the privilege of qualifying themselves to vote. I refer to the wholesale disfranchisement of Negro citizens. There is no need at this time of going minutely into the methods employed to bring about this

condition or into the reasons given as justification for those methods. Neither am I called upon to give proof of my general statement that millions of Negro citizens in the South are disfranchised. It is no secret. There are the published records of state constitutional conventions in which the whole subject is set forth with brutal frankness. The purpose of these state constitutional conventions is stated over and over again, that purpose being to exclude from the right of franchise the Negro, however literate, and to include the white man, however illiterate.

The press of the South, public men in public utterances, and representatives of those states in Congress, have not only admitted these facts but have boasted of them. And so we have it as an admitted and undisputed fact that there are upwards of four million Negroes in the South who are denied the right to vote but who in any of the great northern, mid-western or western states would be allowed to vote or would at least have the privilege of qualifying themselves to vote.

Now, nothing is further from me than the intention to discuss this question either from an anti-South point of view or from a pro-Negro point of view. It is my intention to put it before you purely as an American question, a question in which is involved the political life of the whole country.--48--

Let us first consider this situation as a violation, not merely a violation but a defiance, of the Constitution of the United States. The Fourteenth and Fifteenth Amendments to the Constitution taken together express so plainly that a grammar school boy can understand it that the Negro is created a citizen of the United States and that as such he is entitled to all the rights of every other citizen and that those rights, specifically among them the right to vote, shall not be denied or abridged by the United States or by any state. This is the expressed meaning of these amendments in spite of all the sophistry and fallacious pretense which have been invoked by the courts to overcome it.

There are some, perhaps even here, who feel that it is no more serious a matter to violate or defy one amendment to the constitution than another. Such persons will have in mind the Eighteenth Amendment. This is true in a strictly legal sense, but any sort of analysis will show that violation of the two Civil War Amendments strikes deeper. As important as the Eighteenth Amendment may be, it is not fundamental; it contains no grant of rights to the citizen nor any requirement of service from him. It is rather a sort of welfare regulation for his personal conduct and for his general moral uplift.

But the two Civil War Amendments are grants of citizenship rights and a guarantee of protection in those rights, and therefore their observation is fundamental and vital not only to the citizen but to the integrity of the government.

We may next consider it as a question of political franchise equality between the states. We need not here go into a list of figures. A few examples will strike the difference:

In the elections of 1920 it took 82,492 votes in Mississippi to elect two senators and eight representatives. In Kansas it took 570,220 votes to elect exactly the same representation. Another illustration from the statistics of the same election shows that one vote in Louisiana has fifteen times the political power of one vote in Kansas.

In the Congressional elections of 1918 the total vote for the ten representatives from the State of Alabama was 62,345, while the total vote for ten representatives in Congress from Minnesota was 299,127, and the total vote in Iowa, which has ten representatives, was 316,377.

In the Presidential election of 1916 the states of Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia cast a total vote for the Presidential candidates of 1,870,209. In Congress these states have a total of 104 representatives and 126 votes in the electoral college. The State of New York alone cast a total vote for Presidential candidates of 1,706,354, a vote within 170,000 of all the votes cast by the above states, and yet New York has only 43 representatives and 45 votes in the electoral college.

What becomes of our democracy when such conditions of inequality as these can be brought about through chicanery, the open violation of the law and defiance of the Constitution?--49--



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But the question naturally arises, What if there is violation of certain clauses of the Constitution; what if there is an inequality of political power among the states. All this may be justified by necessity?

In fact, the justification is constantly offered. The justification goes back and makes a long story. It is grounded in memories of the Reconstruction period. Although most of those who were actors during that period have long since died, and although there is a new South and a new Negro, the argument is still made that the Negro is ignorant, the Negro is illiterate, the Negro is venal, the Negro is inferior; and, therefore, for the preservation of civilized government in the South, he must be debarred from the polls. This argument does not take into account the fact that the restrictions are not against ignorance, illiteracy and venality, because by the very practices by which intelligent, decent Negroes are debarred, ignorant and illiterate white men are included.

Is this pronounced desire on the part of the South for an enlightened franchise sincere, and what has been the result of these practices during the past forty years? What has been the effect socially, intellectually and politically, on the South? In all three of these vital phases of life the South is, of all sections of the country, at the bottom. Socially, it is that section of the country where public opinion allows it to remain the only spot in the civilized world -- no, more than that, we may count in the blackest spots of Africa and the most unfrequented islands of the sea -- it is a section where public opinion allows it to remain the only spot on the earth where a human being may be publicly burned at the stake.

And what about its intellectual and political life? As to intellectual life I can do nothing better than quote from Mr. H. L. Mencken, himself a Southerner. In speaking of the intellectual life of the South, Mr. Mencken says:

It is, indeed, amazing to contemplate so vast a vacuity. One thinks of the interstellar spaces, of the colossal reaches of the now mythical ether. One could throw into the South France, Germany and Italy, and still have room for the British Isles. And yet, for all its size and all its wealth and all the "progress" it babbles of, it is almost as sterile, artistically, intellectually, culturally, as the Sahara Desert. . . . If the whole of the late Confederacy were to be engulfed by a tidal wave tomorrow, the effect on the civilized minority of men in the world would be but little greater than that of a flood on the Yangtse-kiang. It would be impossible in all history to match so complete a drying-up of a civilization. In all that section there is not a single poet, not a serious historian, not a creditable composer, not a critic good or bad, not a dramatist dead or alive.

In a word, it may be said that this whole section where, at the cost of the defiance of the Constitution, the perversion of law, the stultification of men's consciousness, injustice and violence upon a weaker group, the "purity"--50--of the ballot has been preserved and the right to vote restricted to only lineal survivors of Lothrop Stoddard's mystical Nordic supermen -- that intellectually it is dead and politically it is rotten.

If this experiment in super-democracy had resulted in one one-hundredth of what was promised, there might be justification for it, but the result has been to make the South a section not only in which Negroes are denied the right to vote, but one in which white men dare not express their honest political opinions. Talk about political corruption through the buying of votes, here is political corruption which makes a white man fear to express a divergent political opinion. The actual and total result of this practice has been not only the disfranchisement of the Negro but the disfranchisement of the white man. The figures which I quoted a few moments ago prove that not only Negroes are denied the right to vote but that white men fail to exercise it; and the latter condition is directly dependent upon the former.

The whole condition is intolerable and should be abolished. It has failed to justify itself even upon the grounds which it is claimed made it necessary. Its results and its tendencies make it more dangerous and more damaging than anything which might result from an ignorant and illiterate electorate. How this iniquity might be abolished is, however, another story.

I said that I did not intend to present this subject either as anti-South or pro-Negro, and I repeat that I have not wished to speak with anything that approached bitterness toward the South. Indeed, I consider the condition of the South unfortunate, more than unfortunate. The South is in a state of superstition which makes it see ghosts and bogymen, ghosts which are the creation of its own mental processes.

With a free vote in the South the specter of Negro domination would vanish into thin air. There would naturally follow a breaking up of the South into two parties. There would be political light, political discussion, the right to differences of opinion, and the Negro vote would naturally divide itself. No other procedure would be probable. The idea of a solid party, a minority party at that, is inconceivable.

But perhaps the South will not see the light. Then, I believe, in the interest of the whole country, steps should be taken to compel compliance with the Constitution, and that should be done through the enforcement of the Fourteenth Amendment, which calls for a reduction in representation in proportion to the number of citizens in any state denied the right to vote.

And now I cannot sit down after all without saying one word for the group of which I am a member.

The Negro in the matter of the ballot demands only that he should be given the right as an American citizen to vote under the identical qualifications required of other citizens. He cares not how high those qualifications are made -- whether they include the ability to read and write, or the possession of five hundred dollars, or a knowledge of the Einstein Theory ----51--just so long as these qualifications are impartially demanded of white men and black men.

In this controversy over which have been waged battles of words and battles of blood, where does the Negro himself stand?

The Negro in the matter of the ballot demands only that he be given his right as an American citizen. He is justified in making this demand because of his undoubted Americanism, an Americanism which began when he first set foot on the shores of this country more than three hundred years ago, antedating even the Pilgrim Fathers; an Americanism which has woven him into the woof and warp of the country and which has impelled him to play his part in every war in which the country has been engaged, from the Revolution down to the late World War.

Through his whole history in this country he has worked with patience, and in spite of discouragement he has never turned his back on the light. Whatever may be his shortcomings, however slow may have been his progress, however disappointing may have been his achievements, he has never consciously sought the backward path. He has always kept his face to the light and continued to struggle forward and upward in spite of obstacles, making his humble contributions to the common prosperity and glory of our land. And it is his land. With conscious pride the Negro can say: This land is ours by right of birth, This land is ours by right of toil; We helped to turn its virgin earth, Our sweat is in its fruitful soil. Where once the tangled forest stood, -- Where flourished once rank weed and thorn, -- Behold the path-traced, peaceful wood, The cotton white, the yellow corn. To gain these fruits that have been earned, To hold these fields that have been won, Our arms have strained, our backs have burned Bent bare beneath a ruthless sun. That banner which is now the type Of victory on field and flood - - Remember, its first crimson stripe Was dyed by Attucks' willing blood. And never yet has come the cry -- When that fair flag has been assailed -- For men to do, for men to die, That we have faltered or have failed.--52--

The Negro stands as the supreme test of the civilization, the Christianity and the common decency of the American people. It is upon the answer demanded of America today by the Negro that there depends the fulfillment or the failure of democracy in America. I believe that that answer will be the right and just answer. I believe that the spirit in which American democracy was founded, though often turned aside and often thwarted, can never be defeated or destroyed but that ultimately it will triumph.