
SYMPOSIUM

THE CENTENARY OF THE NINETEENTH AMENDMENT: NEW REFLECTIONS ON THE HISTORY AND FUTURE OF GENDER, REPRESENTATION, AND CITIZENSHIP RIGHTS

EDITORS' FOREWORD

On August 18, 1920, Tennessee provided the requisite thirty-sixth vote in favor of ratification, and the Nineteenth Amendment to the U.S. Constitution was ratified. The Amendment was the culmination of decades of efforts from activists who had advocated for gender parity in access to the vote, and it brought about radical change to women's place in democracy. Celebrating the centenary of the Nineteenth Amendment provides an important opportunity to reflect on the change brought about by women's access to the vote. This reflection also requires a critical lens be taken to the Nineteenth Amendment, including an investigation of its problematic history, an examination of its present failings, and a look to how we may reconceptualize women's place in politics in the future. Engaging in critical reflection is especially relevant in the current moment, given the divisive politicking, racial justice movements, global pandemic, and environmental crises that have come to define much of 2020.

As we brought the editorial cycle of this issue to a close, the country was struck with the news of Supreme Court Justice Ruth Bader Ginsburg's death. The timing of her death is particularly salient as we reflect on women's role in our democracy. We are reminded of a particular quote from Justice Ginsburg: "Fight for the things that you care about, but do it in a way that will lead others to join you." Before becoming a judge on the District of Columbia Circuit Court, Justice Ginsburg dedicated her legal career to fighting for a place in the legal industry and for gender equality, continuing the legacy of the woman suffragists who came before her. We owe to her many rights unimaginable to the likes of suffragists such as Sojourner Truth and Elizabeth Cady Stanton, including the rights to be free from workplace discrimination on the basis of gender or motherhood status. With her passing, we, as the next generation of lawyers, are inspired to honor her legacy and take up her fight.

To recognize the one hundredth anniversary of the Nineteenth Amendment's ratification, Boston University School of Law held a virtual Symposium on September 25, 2020. The Symposium featured dedicated woman scholars of law, history, and political science who traced the Nineteenth Amendment's origins, commented on its present-day implications, and proposed meaningful ways in which women can assume their rightful place at the head of the political table. The pieces in this Symposium Issue take an intersectional approach to the

questions they raise and offer significant and thoughtful reflections on these issues.

Professor Virginia Sapiro's "The Power and Fragility of Social Movement Coalitions: The Woman Suffrage Movement to 1870" uses social movement theory to color the history of the early years of the woman suffrage movement. Agreeing with the oft expressed claim that Susan B. Anthony and Elizabeth Cady Stanton were racist, Sapiro suggests that limiting the historical focus to these women and their racism erases the complexity and diversity of the woman suffrage movement. Instead, her invocation of social movement theory allows her to consider the diverse network of women who approached the common goal of woman suffrage in vastly different ways that were often in tension with each other. Although rooted in history, Sapiro's article remains an important reminder that progressive social movements are often—and arguably necessarily—filled with divergent politicking.

In "Life for Me Ain't Been No Crystal Stair": Black Women Candidates and the Democratic Party," Professor Nadia Brown and Danielle Lemi present empirical evidence that, although the Democratic Party depends on Black women for its continued vitality, Black women candidates are consistently underappreciated by the Party. Their interviews with several Black women candidates and politicians demonstrate a shared understanding that the Democratic Party places barriers to entry on Black women that do not exist for their (White) male counterparts. Brown and Lemi conclude that in order for the Nineteenth Amendment to live up to its promise of universal suffrage, we must do better and eliminate the systemic issues that bar full and equal participation.

Professor Lolita Buckner Inniss reframes Sojourner Truth as a protagonist—"a marginalized, long-suffering forerunner"—in the fight for woman suffrage. Her essay, "While the Water Is Stirring: Sojourner Truth as Proto-Agonist in the Fight for (Black) Women's Rights," shows that Truth was a leading figure in securing woman suffrage and that she did so by elevating the lived experiences of Black women in America. Bucker Inniss ends by arguing that Black women today should be considered as protagonists and co-agonists in contemporary work for women's rights.

Professor Kelly Dittmar's essay, "Advancing Women's Political Power in the Next Century," documents evidence that, despite our celebration of the Nineteenth Amendment's centenary, women—and especially women of color—lag far behind their male counterparts in political office holding. She aptly demonstrates that sexism is pervasive in American electoral politics; behavioral characteristics typically gendered as female are viewed as less desirable than those gendered as male. Rather than attempting to mirror these characteristics, however, Dittmar proposes that woman politicians should embrace these qualities and that the American political community should instead alter its strict adherence to stereotypically masculine norms. Doing so, she argues, will allow women to achieve the gender parity in electoral politics they were promised one hundred years ago.

In "More than the Vote: 16-Year-Old Voting and the Risks of Legal Adulthood," Professor Katharine Silbaugh uses the impact that woman suffrage had on women's legal status to suggest that the movement to allow sixteen-year-old children to vote risks subjecting children to risks that our current legal regime is carefully constructed to avoid. In doing so, she claims that lowering the voting age to sixteen will in time cause the legal age of majority to be lowered to sixteen, which will bring more harm to sixteen-year-olds than is worth the higher voter turnout its advocates tout.

Professor Paula Monopoli uses the one hundredth anniversary of the Nineteenth Amendment's ratification to query whether the Amendment was successful in achieving political gender parity. Monopoli concludes that we still have far to go, and she attributes much of the failure of the Nineteenth Amendment to the Founders' choice of a presidential, rather than a parliamentary, system. From the beginning, the Constitution implicitly gendered the President male, and this gendering has permeated throughout American politics such that voters consistently prefer agentic and aggressive men to women. To remedy this problem, Monopoli proposes that we retrofit the Nineteenth Amendment through a series of judicial, administrative, and regulatory reforms.

The *Boston University Law Review* is honored to publish a celebration of the hard-fought battle for revolutionizing the place of women in American politics. It features a group of preeminent woman scholars that recognizes the significance of the Nineteenth Amendment while also recognizing that the hard-fought battle is far from over. We would like to thank all the contributing scholars, including our own Boston University professors, who participated in the Symposium and wrote for this Issue. We also thank Dean Angela Onwuachi-Willig for her endless support of the *Law Review* and this Symposium. Finally, thank you to Professors Linda McClain and Virginia Sapiro for their hard work in organizing this Symposium and for their thoughtful contributions.

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