Jonathan Becker

2 Civic Actors and Student Voting

This chapter examines the role of key actors—students, faculty, and colleges and universities as institutions—in promoting student voting and defending student voting rights. Underlying the analysis is a belief in the inextricable link between education and democracy. The following questions are asked: What is the link between higher education, particularly liberal education, citizenship, and democracy? How do Historically Black Colleges and Universities (HBCUs) distinctly understand their civic role? What roles can key actors play in promoting voting and defending voting rights in colleges and universities, and what are the constraints on their actions?

The chapter begins with an exploration of the civic role of higher education and the relationship between higher education and democracy, and especially traditions of liberal education in the United States. In so doing, I focus on the transcendent role that civic engagement has played in HBCUs, which are the subject of three of the four case studies examined in this book. Next, key actors and the different roles they can play in the fight for student voting rights are examined, which we call 'student as citizen,' 'faculty as citizen,' and 'institution as citizen.' Finally, these actors are explored through the lens of engaged citizenship, ultimately adapting Joel Westheimer and Joseph Kahne's tripartite typology of citizenship—"personally responsible," "participatory," and "justice-oriented" —to develop an understanding of the actions of the different actors as they engage with student voting and student voting rights.

1 Higher Education and Democracy

Colleges and universities in the United States have long had a civic mission. As Yale University's former president Bart Giamatti said, "I believe that the formation of a basis for how we choose to believe and speak and treat others—how, in short, we choose a civic role for ourselves—is the basic purpose of an education in a democracy." The American tradition of liberal education aspires to be the embodiment of the link between higher education, democracy, and engaged citizenship. As pro-

¹ Joel Westheimer and Joseph Kahne, "What Kind of Citizen? The Politics of Educating for Democracy," *American Educational Research Journal* 41, no. 2 (2004): 237–269.

² A. Bartlett Giamatti, The University and the Public Interest (Atheneum Books, 1981), 7-8.

⁶ Open Access. © 2026 the author(s), published by De Gruyter. (C) BY-NC-ND This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License. https://doi.org/10.1515/9783111575490-006

fessor and philosopher Martha Nussbaum declared, liberal education is "higher education that cultivates the whole human being for the functions of citizenship and life in general."

This civic mission dates way back in American higher education. Even in 1749, before the founding of the Republic, Benjamin Franklin wrote a pamphlet entitled Proposals Relating to the Education of Youth in Pensilvania (sic.), in which he proposed the creation of a college (that first became the Academy of Philadelphia and then the University of Pennsylvania) that would cultivate in students an "Inclination join'd with an Ability to serve Mankind, one's Country, Friends and Family."4 That same civic impulse resonated in the founding documents of numerous private colleges formed after the revolution.⁵ At the turn of the 20th century, Charles Eliot, Harvard University's longest-serving president, echoed this view: "At bottom, most of the American institutions of higher education are filled with the democratic spirit. Teachers and students alike are profoundly moved by the desire to serve the democratic community."6 The horrors of the Second World War and the rise of fascism reinforced the perception of the importance of the civic role of higher education. The Truman Commission's 1947 report, Higher Education for American Democracy, stated succinctly, "The first and most essential charge upon higher education is that at all its levels and in all its fields of specialization, it shall be the carrier of democratic values, ideals, and process."⁷

The civic role of higher education gained new vigor after the fall of the Berlin Wall and the end of the Cold War, with the emergence of a number of initiatives and organizations devoted to the topic, such as Project Pericles and Campus Compact. On the one hand, it was a response to the fears of the growing corporatization of higher education and neoliberal approaches that placed too much of an

³ Martha Craven Nussbaum, "Cultivating Humanity and World Citizenship," Forum Futures 37 (2007): 37–40.

⁴ Benjamin Franklin, *Proposals Relating to the Education of Youth in Pensilvania* (1749), https://archives.upenn.edu/digitized-resources/docs-pubs/franklin-proposals/#:~:text=Note%20from% 20the%20University%20Archives,as%20the%20University%20of%20Pennsylvania. Cited by Matthew Hartley, "Reclaiming the Democratic Purposes of Higher Education," *Learning and Teaching* 2, no. 3 (Winter 2009), 12.

⁵ Hartley, "Reclaiming the Democratic Purposes," 12.

⁶ Charles W. Eliot, University Administration (Houghton Mifflin Company, 1908), 227–228.

⁷ The President's Commission on Higher Education, *Higher Education for American Democracy* (Harper & Brothers, 1947), 102, https://ia801506.us.archive.org/25/items/in.ernet.dli.2015.89917/2015. 89917.Higher-Education-For-American-Democracy-A-Report-Of-The-Presidents-Commission-On-Higher-Education-Vol-I---Vi_text.pdf.

emphasis on the careers of students and university education's economic impact.⁸ On the other hand, this push was inspired by the work and writings of Central European dissidents, who emphasized the critical role of civil society and autonomous institutions in promoting and shaping democracy. William Sullivan tied these threads together when he said that the university should serve "some larger public purpose as a citizen within civil society rather than simply a self-aggrandizing creature of the market." ¹⁰

This recent renewed emphasis of the link between education and democracy is more expansive than that discussed earlier in American history and puts more of an emphasis on the role of the institution. As John Saltmarsh, Matthew Hartley, and Patti Clayton's Democratic Engagement White Paper underlined, many of the leading thinkers on the democratic purpose of higher education emphasize that "higher education in America has a fundamental democratic purpose—both educating for democracy and creating educational institutions that foster the revitalization of democratic society." The latter, in particular, was realized through Ernest Boyer's "scholarship of engagement," which sought to connect "the rich resources of the university to our most pressing social, civic and ethical problems." ¹² It was manifested through institutional support for things like engaged research, community-based learning, access programs, legal and health clinics, and an array of student-led co-curricular activities, often done in cooperation with community-based organizations. Such efforts have been supported by organizations like the American Association of Colleges and Universities (AAC&U) and

⁸ Jonathan Becker, "The Global Liberal Arts Challenge," Ethics & International Affairs 36, no. 3 (Fall 2022), 283-301, https://www.ethicsandinternationalaffairs.org/journal/the-global-liberal-artschallenge.

⁹ Becker "Global Liberal Arts Challenge."

¹⁰ William M. Sullivan, "University as Citizen: Institutional Identity and Social Responsibility," Civic Arts Review 16, no. 1 (2003), 5, https://digitalcommons.unomaha.edu/cgi/viewcontent.cgi?arti cle=1040&context=slcehighered.

¹¹ John Saltmarsh, Matthew Hartley, and Patti Clayton, Democratic Engagement White Paper (New England Resource Center for Higher Education, 2009), https://scholarworks.umb.edu/ner che_pubs/45/. The movement also extended far beyond the United States: in 2005, 29 university presidents, rectors, and vice chancellors from 23 countries issued the Talloires Declaration that called for "strengthening the civic role and social responsibility of our institutions" and which committed the signatories to "expand civic engagement and social responsibility programs in an ethical manner, through teaching, research and public service"; Association of University Leaders for a Sustainable Future, "The Talloires Declaration," created October 1990, http://ulsf.org/tal loires-declaration/.

¹² Margaret Brabant and Donald Braid, "The Devil is in the Details: Defining Civic Engagement" Journal of Higher Education Outreach and Engagement 13, no. 2 (2010): 59-87, https://openjour nals.libs.uga.edu/jheoe/article/view/469.

the American Council of Education, which see the heart of their work as programming and advocacy that cultivate the link between liberal education, democracy, and citizenship.¹³

With polls showing growing distrust of institutions, and the increased doubts, particularly among youth, about the value of democracy itself,¹⁴ there is among many a greater sense of importance about the potential role of colleges and universities. These were well articulated in the book *What Universities Owe Democracy* by Johns Hopkins University president Ron Daniels, who put it succinctly:

I believe that universities should be recognized as standing firmly among the institutions critical to securing the full promise of liberal democracy and sharing in the responsibility to protect it when its legitimacy and its durability are at risk. In fact, I maintain that few other social institutions rival the university at its best, in the sheer breadth of its vaunted contributions to liberal democracy's twin promises of equality and liberty.¹⁵

The growing focus on the civic mission of the university has also been manifested in efforts to encourage the civic participation of students through the franchise. Efforts have been supported by groups like the ALL IN Campus Democracy Challenge, The Andrew Goodman Foundation, Campus Vote Project, Democracy Matters, and the Students Learn Students Vote Coalition which provide guidance and support to students and institutions about how to promote, and in some cases defend, student voting. The National Study of Learning, Voting and Engagement, based at the Tisch College of Tufts University, provides data on voter participation for more than 1,000 campuses on voting, registration, and yield rates, which help institutions to measure the impact of their efforts on student voting.

¹³ For example, AAC&U's work under the rubric of "Educating for Democracy," which includes advocacy, programming, and assessment, is framed by the claim that, "A liberal education provides the foundational knowledge and skills that empower students to advance the common good through responsible and engaged citizenship in local, national and global contexts." American Association of Colleges and Universities, "What is Liberal Education?", https://www.aacu.org/trending-topics/what-is-liberal-education.

¹⁴ Lea Wang, "Declining Youth Trust in American Institutions Shows No Signs of Stopping," *Harvard Political Review*, April 18, 2024, https://theharvardpoliticalreview.com/declining-youth-trust-in-american-institutions-shows-no-signs-of-stopping/#google_vignette.

¹⁵ Ronald J. Daniels, Grant Shreve, and Phillip Spector, What Universities Owe Democracy (Johns Hopkins University Press, 2021), 20.

1.1 The Case of HBCUs

The tradition of liberal education and the link between liberal education and democracy were not only celebrated by predominantly white institutions (PWIs). Willa Player, the president of Bennett College from 1955 to 1966, an allwomen's HBCU in Greensboro, North Carolina, who with her students played an underrecognized role in the civil rights movement, reflected on the meaning of liberal education as follows:

It was living up to your ideals, building a quality of life in the community that was acceptable to all. It was respect for human dignity and personality. And it was a recognition of values that applied to all persons as equals and all persons who deserved a chance in a democratic society to express their beliefs.16

At the same time, the position of HBCUs within American academia, and particularly the link between education at HBCUs and democracy, are a distinct product of the history of African Americans in the United States. There is often a misunderstanding of the roles of HBCUs, born out of an overly narrow interpretation of the education that takes place on campuses, which at times have had terms like "Agricultural and Technical" or "Agricultural and Mechanical" in their names. It is true that leaders like Booker T. Washington, the founder of Tuskegee, saw HBCUs as a pathway to economic advancement and a way to create circumstances in which Blacks could fulfill their basic needs, such as health care. But that was always a means to an end, because, in Washington's mind, with economic improvement in the Black community, "civil rights would follow." ¹⁷ Moreover, many HBCUs had diverse formal curriculums, including an emphasis on humanities and social sciences, that are more traditionally associated with a liberal education. For W.E.B. Du Bois, whose views are often juxtaposed with those of Washington, these institutions would prepare the "thinkers and leaders" who would create "an intellectual elite that could advance the civil rights of all black people." 18

More importantly, it should be underlined that HBCUs played a radically different and more central role in Black culture and the shaping of Black citizens than PWIs did for white citizens. Although this is often overlooked, it was precise-

¹⁶ Willa Player, "Oral History Interview with Willa Player by Eugene Pfaff," interviewed by Eugene Pfaff, Greensboro Public Library Oral History Program, Greensboro Public Library, December 3, 1979, transcript, 18, https://gateway.uncg.edu/islandora/object/gpl:7381.

¹⁷ Marybeth Gasman, Dorsey Spencer, and Cecelia Orphan, "'Building Bridges and Not Fences': A History of Civic Engagement at Private Black Colleges and Universities, 1944-1964," History of Education Quarterly 55, no. 3 (August 2015): 358.

¹⁸ Gasman, Spencer, and Orphan, "Building Bridges and Not Fences," 357.

ly the exclusion of African Americans from US democracy and democratic institutions, including from institutions of higher education, that made the civic role of HBCUs so important. Indeed, for many, particularly some of the leading Black educators, the purpose of HBCUs was "inextricably linked" with "rooting out white supremacy and other antidemocratic practices found deeply embedded within the soul of America," and which PWIs benefitted from and perpetuated. Indeed, Black leaders and generations of HBCU faculty and students no doubt looked on with some irony as the leaders of America's elite white institutions, including revered people like Eliot and Woodrow Wilson, who served as president of Princeton, celebrated the link between higher education and democracy while at the same time implementing policies that reinforced America's anti-democratic and violent racial hierarchy. A more genuine civic role was woven into HBCUs' very fabric, whether or not outsiders recognized this as being the case. As Gloria Dean Randall Scott put it:

The construct of civic development was the right auricle of the heart of HBCUs, joined by the left auricle of teaching and learning, and the left ventricle of creating new knowledge, all of which combined to make up the core of American higher education: teaching, research, and public service. Historically black institutions, however, always had, as the right ventricle, a fourth purpose—the pursuit of social justice, which is the core of civic engagement, and the strengthening of democracy.²¹

Jelani Favors (author of chapter 5) unpacks this in his magisterial book *Shelter in a Time of Storm*, in which he explores how HBCUs, even those that focused more on agricultural and technical subjects, had a "second curriculum," offering a "pedagogy of hope" that emphasized idealism, cultural nationalism, and race consciousness.²² This was not a 'hidden curriculum,' as others have argued, but an infusion of purposeful and inescapable race consciousness "into the curriculum and extracurricular activities of the day-to-day campus life."²³

¹⁹ Gasman, Spencer, and Orphan wrote, "While historically white institutions have experienced a fairly recent resurgence of interest in developing the civic learning outcomes of students and creating strong, mutually beneficial bonds with their communities, historically black colleges and universities (HBCUs) were founded with and, in many cases, have maintained these purposes throughout their histories." "Building Bridges and Not Fences," 348.

²⁰ Jelani M. Favors, "The Second Curriculum," *The Point* 25 (August 2021), https://thepointmag.com/politics/the-second-curriculum/.

²¹ Gasman, Spencer, and Orphan, "Building Bridges and Not Fences," 359.

²² Jelani M. Favors, Shelter in a Time of Storm: How Black Colleges Fostered Generations of Leadership and Activism (University of North Carolina Press, 2020), 5.

²³ Favors, Shelter in a Time of Storm, 7.

Favors deploys the term 'communitas' to describe "the vital space that Black colleges provided," offering both an open venue for engagement between and among students and faculty and "shelter from the worst elements of white supremacist society that sought to undermine, overlook and render impotent the intellectual capacity of Black youths." Within the "fortified interstitial space" of the HBCU what was important was not so much the bricks and mortar, but the relationships and the sense of purpose among numerous students and faculty who saw it as "their duty to inculcate the second curriculum in their peers, students, or colleagues who resided within the same space." It was in this second curriculum that the "hopes and dreams of the entire race" rested because it prepared graduates to "serve as social and political change agents in the communities they were destined to serve."

Despite the fact that they often operated in overwhelmingly constrained environments, the formal and second curriculums, and communitas, shaped a who's who of the leaders in the fight for civil rights in the United States, including such luminaries as Dubois (Fisk University), Ida B. Wells (Shaw University), James Weldon Johnson (Atlanta University), Martin Luther King Jr. (Morehouse College), Ella Baker (Shaw University), John Lewis (American Baptist College and Fisk University), and Thurgood Marshall (Lincoln University). And it was not only alumni; enrolled HBCU students played a central role in many of the key activities of the civil rights movement, whether it was the A&T (Greensboro) Four, who stood up to segregation at the Woolworth lunch counter, or the members of the Congress on Racial Equality and the Student Nonviolent Coordinating Committee, who played a central role in the battles that led to the Voting Rights Act of 1965.

With this understanding of the broad links between higher education and democracy, we can now turn to the civic actors who play an important role in the fight for student voting rights.

²⁴ Favors, Shelter in a Time of Storm, 5.

²⁵ Favors wrote, "Black students and faculty did not simply replicate the routine carried out at white institutions. The relationships that were built and the lessons learned through a second curriculum buoyed the hopes and dreams of the entire race. Much more would be expected of the products of this space." Favors, *Shelter in a Time of Storm*, 6.

²⁶ Favors, Shelter in a Time of Storm, 6.

²⁷ Favors, "The Second Curriculum."

2 Civic Actors

The role of colleges and universities in the fight for student voting rights has been, and remains, variegated. To understand better the role of different constituencies, this analysis is divided into three main types of agents: 'student as citizen,' 'faculty as citizen,' and 'institution as citizen.' The role of each in the fight to realize the 26th Amendment is complex and varies according to several factors. But exploring how a student, a professor, and an institution can all work to create the conditions in which voting rights are advanced can help us to understand how lofty ideals about the relationship between higher education and democracy espoused by Giamatti and others are realized, and whether institutions are living up to those ideals.

2.1 The Student as Citizen

When educators in the United States speak of the link between higher education and democracy, they often refer to what can be called the 'student as citizen' approach. This emphasizes the role of the educational process in cultivating democratic values and students' capacity to be active and informed citizens. Giamatti, for example, expresses the view that "Every classroom is an act of making citizens in the realm of that room, and every room is a figure for the larger community."²⁸ For Willa Player, who faced head-on the challenges of integration in Greensboro as the president of an HBCU, the link between education and active citizenship was closer to the surface. As Gasman puts it, "critical thinking was essential to learning and protest was, in many ways, a manifestation of thought."29

History shows that students have exercised their role as civic actors in the fight for student voting rights not simply after they have absorbed the lessons of the classroom and gone out into the world, but while they have still been enrolled in college. Students played a central role in the fight for Black voting rights, whether registering voters, protesting inequities, or advocating and lobbying for change. Some even lost their lives in these efforts, as the deaths of James Chaney, Andrew Goodman, and Michael Schwerner in Mississippi during Freedom Summer illustrate. During the Second Reconstruction, they took many of these lessons

²⁸ Giamatti, The University and the Public Interest, 137.

²⁹ Marybeth Gasman, "Perceptions of Black College Presidents: Sorting Through Stereotypes and Reality to Gain a Complex Picture," American Educational Research Journal 48, no. 4 (August 2011): 863.

and applied them to reduce the voting age. As Frost points out, in her excellent book Let Us Vote!, college students were central to oft-overlooked 'bottom-up' efforts to pass the 26th Amendment. They advocated, publicized, and protested on campus and through state-based and national organizations and coalitions that were devoted to promoting youth voting rights by changing state and federal laws, and ultimately the Constitution.³⁰

As our case studies show, students had, and continue to exercise, an important civic role in promoting youth franchise and in the fight for voting rights in the decades following the passage of the 26th Amendment in 1971. While popular writing often focuses on youth apathy and dis-engagement, a study of the history of the struggle for youth voting rights reveals something different: idealism, determination, and a fearlessness among young Americans, particularly students, that have challenged hostility, prejudice, and discriminatory practices. Students have agency and exercise it, and are very much involved in the day-to-day election process.

Much of the student engagement is non-partisan. Students, often demonstrating the idealism that advocates of the 26th Amendment lauded, work with their college/university or with non-profits to register students and others to vote. They also create and disseminate information about candidates and host candidate forums that sometimes focus on issues of particular interest to students and youth voters. They host get-out-the-vote events on campus. They disseminate information to their peers, who are often first-time voters, about regular and early voting hours, the locations of poll sites, locations where they can find transportation to the polls, and rules governing critical issues like necessary forms of identification. Many also participate in partisan activities, volunteering for candidates and political parties, canvassing, and door knocking.

As far as the primary interest of this book is concerned, which is promoting and defending students' right to vote, students' work can be divided into three primary and overlapping areas: publicizing, advocating, and litigating. They publicize voting impediments and the infringement of voting rights by producing posters and videos, and publishing articles in student newspapers and local and national media. They disseminate information through tabling on-campus and social media platforms, speaking out at on-campus and off-campus forums, holding press conferences, appearing before government bodies, and participating in marches and other forms of protest. They advocate for change by researching and disseminating information on pertinent issues, by pressing local and state officials to remove

³⁰ Jennifer Frost, "Let Us Vote!": Youth Voting Rights and the 26th Amendment (New York University Press, 2022), 186.

voting restrictions, and by developing practices that encourage youth voter participation. They also encourage and pressure institutional leaders to denounce violations of voting rights, provide support for efforts to redress infringements, and, more broadly, help facilitate the student voting process. Finally, they litigate, serving as plaintiffs and witnesses in cases that challenge discriminatory practices and procedures that limit student voting.

Students act through student organizations and student governments, but also partner with other student groups, be they at neighboring institutions or through national networks. They also work with NGOs and legal defense funds, such as Common Cause, the National Association for the Advancement of Colored People, and the League of Women Voters. Finally, they learn from, and partner with, faculty and administrators, as we will discuss in more detail below.

In spite of the important role they play, there are limits to the capacity of students to serve as effective civic actors in the fight for youth voting rights. Students are still students: they are learning and developing civic knowledge and their civic identities. They often are new to the communities in which they are situated and unfamiliar with complex local political structures where voting conflicts often take place. They tend not to have resources, certainly not of the magnitude that can support protracted legal battles or lengthier advocacy campaigns that require contributions from successive generations of students. Many have part-time jobs and most have full-time jobs as students, with regular reading and assignments and intense work periods during their finals. As they near graduation, they think of what is next and often attempt to position themselves for careers. Most importantly, their presence on campus is ephemeral. Students by definition cycle in and cycle out; they leave campus for holidays and study abroad, they drop out, transfer, and graduate. And yet our case studies vividly illustrate that such impediments have not imposed insuperable barriers to students mobilizing and fighting to protect their voting rights.

2.2 The Faculty as Citizen

The civic role of faculty, or 'faculty as citizen,' can be found in their teaching, research, and service. Faculty are educators who day in and day out, as the principles of liberal education suggest, not only transmit knowledge, but also develop in students critical thinking and analytic skills, ways of thinking and understanding, and means of communicating that fundamentally shape them as student-citizens.

Some faculty are more purposeful than others in connecting their teaching with citizenship, whether in the design of course subject matter or fostering community-based learning that puts special emphasis on civic engagement. This can

include voting: faculty members, regardless of their field, may choose to devote class time to announcing opportunities to register to vote, or inform students about where they can learn about absentee ballots and when and where early voting is available. Some walk with eligible students to the poll site. Sometimes entire courses are constructed around issues of voting, including community-based learning courses that encourage students to work with public officials, volunteer for campaigns, participate in registration efforts based at their colleges or nonprofits, and even volunteer to serve as poll workers. Some assign or employ students to conduct engaged research that can shape our collective understanding of important voting issues and even create opportunities for students to participate in problem-solving and in improving election administration locally and statewide. A good example of this is Gunther Peck from Duke University, who together with students from his class produced important research that highlighted the perils of provisional ballots in North Carolina.³¹

But faculty engagement with students does not end at the boundaries of the classroom as traditionally understood. Indeed, a core part of the 'second curriculum,' about which Favors wrote, is co-curricular and involves engagement outside of the classroom. Faculty advise students informally and formally. They are sources of information and strategy, sounding boards and bridges to advocacy organizations and legal defense funds that are well positioned to support student voting rights and with which the faculty are sometimes affiliated. Student leaders from Prairie View A&M University (PVAMU), North Carolina Agricultural and Technical State University (NC A&T), and Bard, three of our case studies, reported that they were guided and advised at critical points by faculty members who helped them navigate challenges they would otherwise be incapable of surmounting.

Faculty also play a civic role through their own engaged research that can explore the complex mosaic of laws and practices that govern voting in the U.S. Research can expose disparities in voter participation based on characteristics such as age, race, and gender, and analyze the sources of those disparities. It can reveal the impact of 'voter integrity' laws and laws designed to encourage the franchise. It can assess the compliance of boards of election with state and federal laws. It can explore the attitudes of student voters. This research can be disseminated through journals, opinion pieces, commentaries, and public talks.

³¹ Gunther Peck, Ameya Rao, Kathryn Thomas, Delaney Eisen, Miles King, Hannah McKnight, and Luhan Yao, "Provisional Rights and Provisional Ballots in a Swing State: Understanding How and Why North Carolina College Students Lose their Right to Vote, 2008-Present," Rutgers University Law Review 74, no. 5 (Summer 2022): 1799-1838, https://rutgerslawreview.com/wp-content/ uploads/2023/02/05_Peck_et-al..pdf.

Finally, faculty themselves can facilitate litigation, advising students, linking them with advocacy and legal defense organizations, or serving themselves as litigants, as did Charles Gomillion, a professor of sociology and head of the Division of Social Studies at Tuskegee Institute, who was the named litigant in Gomillion v. *Lightfoot*, that plays a central role in our first case study.³²

As for students, there are constraints to the activism of faculty members. Faculty members have tremendous burdens in teaching, research, and service, and may view themselves as unlikely to gain recognition for work that colleagues may perceive as being unrelated to their core activities. Worse, they may fear alienating fellow faculty colleagues and members of the administration who determine critical career issues like renewal of employment, promotions, and tenure, as well as access to internal grants. Finally, many faculty have tenuous relationships to their home institutions, serving as adjuncts and in visiting roles, which limit the duration of their presence on campus as well as their accumulated knowledge of relevant issues, and even exposes them to potential retaliation should their interventions with students be viewed as problematic.

2.3 The Institution as Citizen

Less often discussed in the literature is what can be called the 'institution as citizen,' which views universities as civic actors in their own right. As Erin Cannan and I argued in our article, "Institution as Citizen: Colleges and Universities as Actors in Defense of Student Voting Rights," this view emerged increasingly in the 1980s and 1990s, both from a fear of a neoliberal marketization of higher education and from a desire to ensure the legacy of the link between higher education

³² Ironically, the decision in Gomillion v. Lightfoot expressly rejected the applicability of a previous court decision, Colegrove v. Green, that was brought by Kenneth W. Colegrove, a professor of political science at Northwestern University, although the Colegrove case was not related to student voting rights. In a more recent case, Vassar College professor Rebecca Edwards spearheaded a 2022 effort to implement in a timely manner New York State law mandating polling places on college campuses with 300 or more registered voters, working with the League of Women Voters and mobilizing a student and fellow faculty member, Taneisha Means, as litigants. Their efforts led to a decision on election eve requiring the polling place and unifying the Vassar campus into one election district, instead of the three that had hitherto existed; League of Women Voters of the Mid-Hudson Valley v. Dutchess County Board of Elections, 2022-53491 (N.Y Sup. Ct. 2022), https://www.democracydocket.com/cases/new-york-vassar-college-polling-location-chal lenge/; Clara Alger, "Fighting for the Youth Vote in the Hudson Valley," The River, November 2, 2023, https://www.chronogram.com/river-newsroom/fighting-for-the-youth-vote-in-the-hudson-val lev-19347760.

and democracy discussed above.³³ In this context, an academic institution as a corporate entity commits itself to finding ways to use resources, be they organizational, human, financial, or reputational, to promote civic engagement and protect core democratic principles.³⁴ Benson, Harkavy, and Puckett summed it up well in their book Dewey's Dream, asserting: "To become part of the solution, higher education institutions must give full-hearted, full-minded devotion to the painfully difficult task of transforming themselves into socially responsible civic universities and colleges."35

Student radicals of the 1960s recognized the potential of a civic role for colleges and universities. The 1962 Port Huron Statement by the Students for a Democratic Society declared: "Social relevance, the accessibility to knowledge, and internal openness-these together make the university a potential base and agency in a movement of social change."³⁶ More recently, the 2011 report by The Civic Learning and Democratic Engagement National Task Force to the U.S. Department of Education, A Crucible Moment: College Learning and Democracy's Future, suggested that this civic role extends to economic development and a large range of social problems: "The more civic-oriented colleges and universities become, the greater their overall capacity to spur local and global economic vitality, social and political well-being, and collective action to address public problems."37 But the common thread running through the discourse on the civic mis-

³³ Jonathan Becker and Erin Cannan, "Institution as Citizen: Colleges and Universities as Actors in Defense of Student Voting Rights," Rutgers University Law Review 74, no. 4 (Summer 2022): 1877. 34 Ira Harkavy and Matthew Hartley, "Integrating a Commitment to the Public Good into the Institutional Fabric: Further Lessons from the Field," Journal of Higher Education Outreach and Engagement 16, no. 4 (2012): 17-36, https://openjournals.libs.uga.edu/jheoe/article/view/980/979.

³⁵ Lee Benson, Ira Harkavy, and John Puckett, Dewey's Dream: Universities and Democracies in an Age of Education Reform, Civil Society, Public Schools, and Democratic Citizenship (Temple University Press, 2007), 84.

³⁶ Tom Hayden, The Port Huron Statement (Students for a Democratic Society, 1962), 62, http:// www.progressivefox.com/misc_documents/PortHuronStatement.pdf; "We believe that the universities are an overlooked seat of influence. First, the university is located in a permanent position of social influence. Its educational function makes it indispensable and automatically makes it a crucial institution in the formation of social attitudes. Second, in an unbelievably complicated world, it is the central institution for organizing, evaluating, and transmitting knowledge" (Hayden, The Port Huron Statement, 61). It should be noted that there was also a clear wariness of the university administration, which was often viewed as a source of reaction (see Hayden, The Port Huron Statement, 62-63).

³⁷ The Civic Learning and Democratic Engagement National Task Force, submitted to U.S. Department of Education, A Crucible Moment: College Learning and Democracy's Future (October 2011), 6, https://www.ed.gov/sites/ed/files/rschstat/research/pubs/college-learning-democracys-fu ture/crucible-moment.pdf.

sion of universities is the connection between education and democracy. This is well exemplified in Campus Compact's 1999 "Declaration on the Civic Responsibility of Higher Education," which challenged higher education "to re-examine its public purposes and its commitments to the democratic ideal." The statement concluded succinctly: "We believe that now and through the next century, our institutions must be vital agents and architects of a flourishing democracy."38

Institutions and institutional leaders played little role in the passage of the 26th Amendment. For example, the dense Congressional Record of the Senate and House debates on the days before the amendment was passed contain references to only two college presidents, both of whom were cited in reference to violence on college campuses, not on the substance of the Amendment.³⁹ A survey of the most important books and journal articles on the 26th Amendment found almost no mention of institutional leaders, defined as presidents, provosts, vice presidents, and deans. 40 And yet they can be critical actors.

How does this notion of 'institution as citizen' translate into issues related to student voting? First and foremost, institutions can support many of the actions of students and faculty described above, providing resources for student activities and clubs, supporting engaged research and community-based learning, and protecting and defending students, administrators, and faculty who are criticized for their work, as Tuskegee did with Charles Gomillion, whose work with the Tuskegee Civic Association drew the ire of local and state politicians.⁴¹

As we move to the present, one of the important areas where institutions are engaged is in voter registration. Here, we note that since the 26th Amendment, the federal government has explicitly involved colleges in the electoral process. The

³⁸ Thomas Ehrlich and Elizabeth Hollander, "Presidents' Declaration on the Civic Responsibility of Higher Education," Campus Compact, drafted in 1999, https://compact.org/resources-for-presi dents/presidents-declaration-on-the-civic-responsibility-of-higher-education/.

³⁹ U.S. Congress, Congressional Record, 92nd Cong., 1st sess., 1971, vol. 117, pt. 5: 5707-6017, https:// www.congress.gov/bound-congressional-record/1971/03/10/; U.S. Congress, Congressional Record, 92nd Cong., 1st sess., 1971, vol. 117, pt. 6: 7338 - 7650, https://www.congress.gov/bound-congressionalrecord/1971/03/23/.

⁴⁰ Becker and Cannan, "Institution as Citizen," 1885, footnote 94. The same is true of Frost's recent book "Let Us Vote!", in which college and university leadership is mentioned in passing, and only in reference to campus protests.

⁴¹ Frederick D. Patterson, Martia Graham Goodson, and Harry V. Richardson, Chronicles of Faith: The Autobiography of Frederick Douglass Patterson (University of Alabama Press, 1991), 109-110. See also Gabriel Antoine Smith, "A Hollow Inheritance: The Legacies of the Tuskegee Civic Association and the Crusade for Civic Democracy in Alabama" (PhD diss., Auburn University, 2016), https://etd.auburn.edu/bitstream/handle/10415/5334/smith_gabriel_ma_thesis_auetd_resubmit_ 20160729.pdf?sequence=2&isAllowed=y.

1998 Reauthorization of the Higher Education Act of 1965 brought colleges into the voter registration process by including a mandate that requires higher education institutions to make a "good faith effort to distribute a mail voter registration form ... to each student enrolled in a degree or certificate program and physically in attendance at the institution, and to make such forms widely available to students at the institution" during years in which there are federal or gubernatorial elections. 42 This followed the National Voter Registration Act of 1993, which, in section 7, allowed states to designate state colleges, universities, and community colleges as voter registration agencies. 43 This begs an immediate question, why have states not availed themselves of this opportunity? Second, the question, for the purposes of this book is, what roles do the institutions of higher education choose for themselves?

Often the institutions take a tepid approach. It is easy to simply email a link to voter registration websites, and this is the path that many choose to follow, leaving more engaged efforts to student groups or third parties. For example, a 2022 open letter from a group called Ivy League Votes, published in Inside Higher Ed, stated:

Many of us have met with administrators only to be told that it is not their job to make voting easier and that, rather, the onus should be on students to make it to the ballot box. Indeed, administrators have told us it is actually beneficial for students to face barriers to voting while we are in college so that we get used to the barriers we will face after graduation. There seems to be an all-too-pervasive idea that voting should be mired in difficulty and inconvenience.44

For those institutions that choose to engage, there are many actions that they can undertake. In terms of registering students, they can make a comprehensive effort, developing complete action plans with groups like ALL IN Campus Democracy Challenge, designed to actively register students and prepare them to vote.

⁴² U.S. Congress, Higher Education Amendments of 1998, H.R. 6, 105th Cong., 2nd sess., 1998, https:// www.govinfo.gov/content/pkg/BILLS-105hr6enr/pdf/BILLS-105hr6enr.pdf; The Help America Vote Act, which was passed following the disastrous 2000 election, created a special program to encourage student participation as poll workers or assistants, to foster student interest in the election process, and to encourage state and local governments to use students as poll workers. See U.S. Election Assistance Commission, "Past HAVCP Programming," last updated November 15, 2023, https://www.eac.gov/payments_and_grants/help_america_vote_college_program.

⁴³ U.S. Congress, National Voter Registration Act of 1993, H.R. 2, 103rd Cong., 1993, https://www. congress.gov/bill/103rd-congress/house-bill/2.

⁴⁴ Members of Ivy League Votes, "Student Voting is Not Where it Should Be," Inside Higher Ed, January 2, 2022, https://www.insidehighered.com/views/2022/01/03/college-students-face-many-un necessary-obstacles-voting-opinion.

Rather than taking the path of least resistance to voter registration, they link opportunities to register to a range of mandatory activities like first-year orientation, class registration, and housing placements. They can empower offices, such as centers for civic engagement, to promote registration and voting, either on their own or through the supervision of students and student groups. They can respond to growing impediments to voting by providing resources that help students register and vote, be it by issuing student identity cards that comply with state regulations needed for first-time voters or voting in general, or providing notaries to help students fulfill absentee ballot requirements. 45 They can make their campuses open and available as poll sites and offer centrally located buildings with access to parking.46 When off-campus poll sites are not easily or readily accessible via public transport, they can offer institutional transportation to the polls. They can encourage people affiliated with the institution to serve as poll workers, especially at locations where students vote, to ensure that there are friendly faces that can help students navigate voting challenges. They can ensure that they have administrators who understand the challenges students face and are knowledgeable about the local political environment. These opportunities are described in more detail in chapter 8.

When students' voting rights are violated, as in our case studies, institutions can actively support them. They can make clear the institutional position through statements by the leadership and resolutions by boards of trustees. They can, where appropriate, support litigation by facilitating links with legal defense funds and financing litigation. They can even, as was the case with Bard College's long-serving president Leon Botstein, serve as plaintiffs in voting rights cases, standing side by side with students in court. Most of all, when they are engaged they can provide the continuity that students (and often faculty) cannot; voting rights battles, our cases have demonstrated, play out over decades, not years.

There are limits to what institutions can do, in part based on the enabling environment in which they are situated. Some leaders and institutions have incentives to take a passive approach. Leaders of public institutions are particularly vulnerable, even if they enter the political fray in a non-partisan way in defense of democracy. They may face threats over budget cuts from governors and legislatures, and their leaders may face threats of dismissal because they report to a

⁴⁵ See for example, Amaia Clayton, Olivia Schramkowski, and Gunther Peck, "Duke Must Do More to Protect Student Voting Rights," *The Chronicle*, September 5, 2024, https://www.dukechronicle.com/article/2024/09/090524-schramkowski-clayton-peck-duke-must-protect-voting-rights.

⁴⁶ Johanna Alonso, "A N.Y. Law Mandates Campus Polling Sites. Why Are There Still So Few?" *Inside Higher Ed*, March 4, 2024, https://www.insidehighered.com/news/students/free-speech/2024/03/04/ny-law-polling-sites-campuses-not-fully-implemented.

Board of Trustees situated within a state system and who are often appointed by elected officials. This is particularly the case for public HBCUs like PVAMU and NC A&T, which witnessed the dismissal of many leaders during the battle for civil rights. 47 However, even private institutions can face threats. Almost every institution is dependent to some extent on public funds and all institutions may be exposed to threats from local and municipal officials in terms of building permits, zoning, and access to public transportation. Leaders of private institutions may also fear losing the support of their board of trustees, particularly if their actions are viewed as partisan or too provocative. Indeed, a number of presidents of private Black colleges lost their positions because of the role they played in supporting the civil rights movement. 48 Recent calls for 'institutional neutrality' may well reinforce passive and laissez-faire attitudes, as leaders withdraw from democratic engagement in an unfortunate effort to remove themselves from the political fray and accusations of partisanship.49

Despite the risks that have accompanied their actions, many institutional leaders have found ways to use their authority and resources to support democracy. This was well illustrated during the civil rights movement, where the Second Reconstuction began. As Eddie Cole points out in his excellent book *The Campus* Color Line, some leaders of public and private colleges and universities, HBCUs, and PWIs showed uncommon courage and creativity as they mapped out responses to issues like desegregation during the civil rights era. 50 While the issue of student voting does not have the same resonance as the civil rights movement, key actors, including institutional actors, whether at public or private institutions, can choose to engage or remain on the sidelines.

2.4 Other Actors

It should also be noted that advocacy for student voting rights often occurs in coordination with external actors, including political actors, non-profits, voting advocacy groups like the League of Women Voters, Common Cause, and The Andrew Goodman Foundation, and legal defense funds affiliated with organizations like the NAACP and branches of the American Civil Liberties Union. Indeed, in

⁴⁷ Eddie Cole, The Campus Color Line: College Presidents and the Struggle for Black Freedom (Princeton University Press, 2020), 7.

⁴⁸ Cole, The Campus Color Line, 7.

⁴⁹ Jonathan Becker, "Deeds Not Words," Liberal Education, May 21, 2024, https://www.aacu.org/lib eraleducation/articles/deeds-not-words.

⁵⁰ Cole, The Campus Color Line.

many cases these groups have played a central role in shaping advocacy and strategy, inspiring students and faculty to take action and giving tools to administrators to address challenges. As our case studies will show, the purpose here is not to overlook these groups, but to discuss how they interact with the three actors which form the heart of colleges and universities.

3 Types of Citizenship and Voting Rights

As we examine the role of different actors, our conception of citizenship is shaped by Westheimer and Kahne, who, in their article "What Kind of Citizen?" focus on three types of citizenship: "personally responsible," "participatory", and "justiceoriented." The personally responsible citizen is characterized by duty, honesty, integrity, self-discipline, and hard work.⁵¹ Her focus is on the individual and on how a citizen may act responsibly in their community by working, paying taxes, and obeying laws.⁵² The participatory citizen "actively participates in civic affairs and the social life of the community at local, state and national levels."53 She is an engaged member of community organizations and develops strategies to work with partners in civil society and government to accomplish collective tasks. 54 She endeavors to develop relationships, common understandings, and trust that reinforce a collective commitment to solve social problems and improve society. 55 The justice-oriented citizen takes things a step further and critically assesses social, political, and economic structures, calling "explicit attention to matters of injustice and to the importance of pursuing social justice."56

In elucidating the differences among the three, Westheimer and Kahne speak of how each category of citizen might respond to the issue of hunger. A personally responsible citizen "contributes food to a food drive." A participatory citizen "helps to organize a food drive." Finally, a justice-oriented citizen "explores why people are hungry and acts to solve root causes."57

These are archetypes, and there is clearly overlap between the three. An individual might act differently at different times depending on their personal cir-

⁵¹ Joel Westheimer and Joseph Kahne, "What Kind of Citizen? The Politics of Educating for Democracy," American Educational Research Journal 41, no. 2 (2004): 242.

⁵² Westheimer and Kahne, "What Kind of Citizen?" 242.

⁵³ Westheimer and Kahne, "What Kind of Citizen?" 243.

⁵⁴ Westheimer and Kahne, "What Kind of Citizen?" 242.

⁵⁵ Westheimer and Kahne, "What Kind of Citizen?" 243.

⁵⁶ Westheimer and Kahne, "What Kind of Citizen?" 240.

⁵⁷ Westheimer and Kahne, "What Kind of Citizen?" 241.

cumstances and on external factors that might facilitate or discourage engagement. This is particularly the case for students. Someone might act as one type of citizen on a certain issue and another on a different issue. But if we superimpose this typology of each of the three key constituencies involved in student voting—what we call 'student as citizen,' 'faculty as citizen,' and 'institution as citizen'—we can help clarify different approaches and levels of engagement and inspire reflection about who we as individuals or institutional representatives engage with. Detailed descriptions of these three types of actors are given below:

Student:

- The personally responsible student attends class and registers to vote.
- The participatory student helps other students register to vote and participates in get-out-the-vote efforts, and/or volunteers for political campaigns. She works with on-campus and off-campus organizations that promote voting, and engages with administrators and other stakeholders on voting efforts. She signs petitions, participates in boycotts, and attends protests to fight voter suppression.
- The justice-oriented student organizes petitions, boycotts, and protests against discriminatory practices which disenfranchise students; supports and participates in lawsuits against public officials who deprive students of voting rights; and/or advocates for changes to state and federal laws that protect student voters and facilitate student voting, including poll sites on campus, by effecting longer-lasting institutional and legal reforms, often in partnership with advocacy organizations and legal defense funds.

Faculty:

- The personally responsible faculty member teaches students critical thinking skills and principles of government and democracy.
- The participatory faculty member advises students on strategies to address and overcome obstacles to voting and violations of students' rights; links students to advocacy organizations; offers community-based learning courses or tutorials that allow students to engage with voting issues; gives or arranges public talks on civics; helps register students to vote; and/or serves as a poll watcher or worker.
- The justice-oriented faculty member conducts research and/or teaches courses that expose the difficulties, inequities, and rights violations in the voting process; disseminates research outcomes publicly; advocates for changes to remedy the problems identified; works for advocacy and legal defense organizations; and/or supports litigation through their research or as plaintiffs in

an effort to effect systemic change to alleviate barriers to student voter participation.

Institution:

- The personally responsible institution fulfills the statutorily required 'goodfaith effort' to register students to vote by sending out an email with a link to a voter registration website and hosts a polling place on campus when state officials ask for one. It remains strictly neutral on issues of student voting rights, leaving such matters to students and third parties.
- The participatory institution creates and implements a comprehensive plan for voter registration, education, and getting out the vote; provides transportation to the polls where needed; and makes efforts to identify and advocate for suitable and central on-campus poll sites. It defends the right of student and faculty activists to pursue voting rights issues and may offer tacit support.
- The justice-oriented institution creates and implements a comprehensive student voting plan; publicly supports the right of students to vote and the importance of voting as a part of its educational mission; mobilizes institutional resources to help students overcome barriers to voting and to defend student voting rights; supports directly or indirectly voting rights litigation; and/or advocates for systemic changes to overcome barriers to student voting.

When John's Hopkins president Ron Daniels referred to the university as playing an essential role in "securing the full promise of liberal democracy," one hopes he had in mind a justice-oriented role: encouraging institutions, and their constituent parts, not simply to be personally responsible and participatory, but also to be justice-oriented, active, vocal, and committed in defending and promoting voting rights for members of the college community, and for broader change in our society.

With this in mind, we can now turn to our case studies.

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