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7 Lessons Learned: Summary of the Cases

The ratification of the 26th Amendment did not end the fight over youth voting rights in the country. While there was clear agreement that citizens aged 18 to 21 could vote free of age discrimination, there was no consensus on where they could vote, nor clarity on how rules governing the processes of registration and voting would translate for populations such as students, who by nature are more itinerant.¹ As foreshadowed in the congressional debate over the passage of the Amendment, this fight was particularly virulent on college campuses.

Nowhere was this more so than at Historically Black Colleges and Universities (HBCUs), which were attractive targets for voter suppression and disenfranchisement because they represent the intersection of potential Black and youth power and illuminate broader questions of what it means to live in a representational democracy, and what it means to teach and engage youth citizenry. In the framework offered by civil rights theorist Lani Guinier, racialized communities can serve as a “miner’s canary,” offering a “diagnostic, signaling need for more systemic critique” based on “early warning signs of poison in the social atmosphere.”² Like a miner’s canary, the poisonous impact of voter suppression at HBCUs offers a diagnosis to aid democratic renewal for the general population at large, and especially the class of youth voters. Since the passage of the 26th Amendment, youth voter suppression has not only impacted HBCUs, but also other higher educational institutions, public and private, including primarily white institutions. The case studies examined in this book illustrate that remarkably similar tactics were used to suppress the student vote across institutions, time, and geographies. It is also worth noting that youth voter suppression also exists in non-college settings, including at the high school level. All of this works against the spirit of the Amendment, which aspired to “encourage greater political participation on the part of the young,” not simply to remove barriers to access.³

This chapter will review the case studies featured in this book and attempt to identify some common themes that emerged. It will begin by exploring the mech-

1 For details of the legislative history of the Amendment and manifestations of its as-yet unfulfilled promise, see Yael Bromberg, “Youth Voting Rights and the Unfulfilled Promise of the Twenty-Sixth Amendment,” *University of Pennsylvania Journal of Constitutional Law* 21, no. 5 (2019): 1105–1166, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3442198.

2 Lani Guinier, *The Miner’s Canary* (Harvard University Press, 2003), 11–12.

3 Bromberg, “Youth Voting Rights,” 1133.

anisms of voter suppression, and particularly how local election officials used their positions of power to implement discriminatory practices that targeted students. It will then examine the motivations for such actions, including the intersection between youth, race, and political power. Finally, it will analyze how students, faculty, and administrators fought back to promote voting and defend student voting rights, incorporating the adaptation of Westheimer and Kahne's typology of citizenship discussed in chapter two.

1 Voter Disenfranchisement and the Student Vote

The four case studies demonstrate that there have been—and continue to be—many similarities in terms of methods deployed to restrict voting. While the Voting Rights Acts and a flurry of legal decisions have meant that some of the most notorious and egregious methods of voter suppression used in the Jim Crow era are no longer viable, one lesson of the case studies is that local and state officials in America's decentralized election system have tremendous latitude to shape the voting process.

The cases were selected so as to demonstrate the evolution of the right to vote, and how it has been restricted over time on college campuses as sites of voter suppression; accordingly, they tell the story of good, bad, and sometimes ambivalent government officials. On the front line are local election administrators, whether they are referred to as registrars, election commissioners, or, as in the case of Texas in the 1970s, tax accessor-collectors who served as ex-officio voter registrars. It also includes publicly elected local and state officials—mayors, town and county supervisors, and state and county legislators—responsible for oversight of local election administrators and making laws that govern voting and shape districts and municipalities; as well as governors who appoint key officials, approve laws, and often control purse strings of public institutions. Finally, it includes district attorneys responsible for enforcing voting rules and the judiciary, which is meant to impartially adjudicate rules and regulations and honor precedent in a non-partisan manner.

In the worst instances, key public officials in positions of power invented rules, implemented practices, and created voting districts all designed to disenfranchise voters and dilute student voting power. At times, these officials acted with impunity while relying on government coffers to defend their actions

when they were sued for violating the rights of vulnerable and often impecunious populations.⁴ They were on a few occasions aided by judges who ignored precedent and/or made decisions that triggered the targeting of student voters. Often they were supported, silently or otherwise, by others in positions of power, as well as by populations for whom the ends too readily justified the means. In the best instances, as discussed in the next section, civic actors, often coming from college communities, were able to fight restrictions and demonstrate the best of active American citizenry.

Fueled by community suspicion of student voters, residency-based challenges were a common starting point of efforts to disenfranchise student voters. Students are vulnerable because of the potentially limited duration of stay in their college communities. At Prairie View A&M University (PVAMU) in Waller County, Texas, and at Bard College in Dutchess County, New York, students, unlike other populations, were singled out with questionnaires which were regularly used as a pretext to disqualify them. The approach was reminiscent of the method used to winnow the participation of Black voters in Tuskegee and the rest of Alabama when the legislature imposed a questionnaire through The Voter Qualification Amendment in 1951.⁵ Twenty years later, in Waller County, tax-assessor LeRoy Symm's use of questionnaires led to the landmark *Symm v. U.S.* case in 1979, the only substantive Supreme Court ruling on the 26th Amendment, which resolved the question of law after years in which U.S. District Court Judge James Noel of the Southern District of Texas obdurately refused to recognize other court decisions and the views of the Texas Secretary of State, Texas Attorney General, and U.S. Attorney General.⁶ Two decades later, Dutchess County Election Commissioner William Paroli, Sr. displayed the impunity felt by local officials by targeting students in the county with questionnaires very similar to those used by *Symm*, ignoring rulings by

4 For example, Dutchess County commissioner Erik Haight cost the county nearly \$130,000 in legal fees between 2012 and 2021 in three losing court cases; Jonathan Becker, "DC Legislature Public Comments on Nov. 4, 2021," recorded Dutchess County Legislature committee meeting, November 4, 2021, posted November 5, 2021 by Bard Center for Civic Engagement, YouTube, 7:57, <https://youtu.be/kjZ-vgiQ248>.

5 Robert J. Norrell, *Reaping the Whirlwind: The Civil Rights Movement and Tuskegee* (Alfred Knopf, 1985), 83. Norrell wrote that the questionnaire was "an ambiguous, legalistic form sprinkled with words and phrases like 'bona fide,' 'priority,' 'secular,' and 'moral turpitude,'" that would "prove to be difficult for many applicants, both black and white, though most registrars tended to help whites fill it out." For the full questionnaire, see also United States Commission on Civil Rights, *Hearings Before the US Commission on Voting Rights*, 85th Cong., 1958–1959, <https://www.usccr.gov/files/historical/1958/58-001.pdf>.

6 David Richards, *Once Upon a Time in Texas: A Liberal in the Lonestar State* (University of Texas Press, 2002), 155.

both the U.S. Supreme Court and New York federal and state courts in the process.⁷ The policy changed only after Paroli was convicted federally for conspiracy to commit extortion and another commissioner was appointed; even then it took some months of intensive public lobbying by Bard and Vassar students, backed up by the threat of litigation to ensure that the law was followed.⁸ As noted above, while the laws of the land have changed dramatically since the middle of last century, the methods used by local officials to disenfranchise student voters have, in the worst of cases, been consistent.

Gerrymanders were another favorite tool for diluting voting power. In Alabama, State Senator Samuel Engelhardt ushered through the unanimous passage of Act 140, which gerrymandered the municipal boundaries of Tuskegee from a square into a 28-sided, sea dragon-shaped figure that removed nearly all Black voters and Tuskegee Institute itself from the city boundaries.⁹ In other cases, local leaders divided college campuses into multiple election districts, creating confusion about the correct polling locations and causing havoc with voter registration efforts by forcing students to re-register when they moved dormitories. After *Symm*, in the 1980s, the PVAMU campus was divided into multiple districts until the Justice Department intervened at the end of the decade.¹⁰ The North Carolina A&T State University (NC A&T) campus was divided in two after the implementation of newly drawn congressional maps created in 2016.¹¹ Although a gerrymander was informally proposed but never implemented at Bard, it was deployed in the southern part of Dutchess County at Vassar College, which was divided into three electoral districts.¹² This rebounded on Bard after Dutchess County Supreme

7 Rafi Rom, "Voting Campaign Heats Up," *Bard Observer*, February 28, 2000, 3; Michael Chameides, "Verdict is In: Dutchess County Students Win Right to Vote," *Bard Free Press* 2, no. 1 (September 2000): 1–2, <https://digitalcommons.bard.edu/cgi/viewcontent.cgi?article=1005&context=bardfreepress>.

8 Chameides, "Verdict is In."

9 Lewis Jones and Stanley Smith, *Tuskegee, Alabama: Voting Rights and Economic Pressure*, Field Reports on Desegregation in the South (Anti-Defamation League of B'nai B'rith, 1958).

10 In 1990, thanks to enforcement by the Department of Justice, students were regrouped into one district. See Rodney Ellis, "Jim Crow Goes to College," *New York Times*, April 27, 1992, <https://www.nytimes.com/1992/04/27/opinion/jim-crow-goes-to-college.html>. See also Alexa Ura, "Texas' Oldest Black University Was Built on a Former Plantation. Its Students Still Fight a Legacy of Voter Suppression.," *The Texas Tribune*, February 25, 2021, <https://www.texastribune.org/2021/02/25/waller-county-texas-voter-suppression/>.

11 Elizabeth Thompson, "The Legal Fight Over NC Gerrymandering Isn't Over: How We Got Here, and What's Next," *The News & Observer*, June 27, 2019, <https://www.newsobserver.com/news/politics-government/article231422113.html>.

12 Jyotsna Naidu, "Local Independent Redistricting Could Challenge Gerrymandered Campus," *The Miscellany News*, February 9, 2022, <https://miscellanynews.org/2022/02/09/news/local-indepen>

Court Justice James Brands' 2009 *ex-parte* order, issued on election day solely based on a complaint filed by a notorious attorney, empowered partisan poll watchers to challenge student voters from Bard and Vassar outside of established practices. As a result, bewildered students were challenged at the polls and, with no evidence of wrongdoing, forced to vote via affidavit ballots, significantly increasing the risk that their votes would not be counted.¹³

Another mechanism for suppressing student votes common to our cases is the restriction of poll sites on college campuses. On-campus poll sites are important because they are familiar and comfortable places for students, regularly within easy walking or biking distance for large populations of student voters, accessible through public transportation, and situated in handicap-accessible buildings. A 2016 survey of 'undermobilized'—registered but not voting—youth indicated that two of the most important reasons for their failure to vote were that they were "too busy" (47%) or lacked transportation (19%) to poll sites.¹⁴ PVAMU, NC A&T, and Bard all experienced difficulty with the establishment of poll sites, be they for early or election-day voting. Indeed, Dutchess County Election Commissioner Erik Haight was so committed to preventing a polling place on the Bard College campus that during COVID he insisted voting take place in a small church a mile and a half from campus. In so doing, he dismissed concerns of the church elders and a world-class infectious disease expert who all agreed that the church was unsafe for voters and poll workers, lying to a New York State Supreme Court judge about the challenges of moving the poll site in the process.¹⁵ Even when on-campus poll sites are established there can be challenges. At PVAMU, the hours of operation for early voting were significantly restricted, leading to recent litigation.

dent-redistricting-could-challenge-gerrymandered-campus/. Note, an April 2022 change in New York State law outlaws campus gerrymandering. See Press Release, "New Legislation Will Bring Polling Places to New York College Campuses," Bard College, April 9, 2022, <https://www.bard.edu/news/new-legislation-will-bring-polling-places-to-new-york-college-campuses-2022-04-09>.

¹³ Patricia Doxsey, "Bard Students Unhappy with Voting Hassle," *Daily Freeman*, November 20, 2009, downloaded December 12, 2024, <https://www.dailyfreeman.com/2009/11/20/bard-students-unhappy-with-voting-hassle-with-video/>.

¹⁴ The survey polled 18–29-year-old undermobilized voters. The figures cited refer to those with college experience. For those without college experience, a slightly lower percentage (44%) indicated that free time was a problem but a higher number (35%) indicated that transportation was an impediment: Center for Information & Research on Civic Learning and Engagement, "Why Youth Don't Vote: Differences by Race and Education," August 21, 2018, <https://circle.tufts.edu/latest-research/why-youth-dont-vote-differences-race-and-education>.

¹⁵ Jonathan Becker, "NY State Can Help Overcome Voter Suppression of College Students," *WAMC Northeast Public Radio*, January 27, 2022, 5:30, <https://www.wamc.org/commentary-opinion/2022-01-27/ny-state-can-help-overcome-voter-suppression-of-college-students>.

The NC A&T poll site, which was first established in 2019 after tremendous student efforts, has been threatened twice with removal by the local Board of Elections.¹⁶

Intimidation is another common tactic used to suppress the student vote. It is particularly impactful given the vulnerability of the student voting population, which consists of many first-time voters unfamiliar with voting processes.¹⁷ This was most extreme in Prairie View. In 1992, well after the *Symm* decision, Waller County District Attorney Buddy McCaig erroneously charged members of the ‘Prairie View 19’ with voting fraud and in some cases aggravated perjury.¹⁸ In 2004, local Assistant District Attorney, Oliver Kitzman, accused students of “feigned residency” and published threats to arrest and fine them if they voted locally, even ignoring pushback from Texas attorney general (and future governor) Greg Abbott.¹⁹ Although not as extreme, at Bard, after Judge Brands’ 2009 decision based on a complaint originating at Vassar College, poll watchers descended upon the poll site where Bard students voted and aggressively challenged bewildered students, bashing the camera of a local lawyer recording their actions in order to defend the students in the process.²⁰ Police were also sent to the

16 Sterling Bland, “On-Campus Polling Place at North Carolina A&T State University,” The Andrew Goodman Foundation (2022), [/https://andrewgoodman.org/wp-content/uploads/2023/05/North-Carolina-AT-State-University-Case-Study.pdf](https://andrewgoodman.org/wp-content/uploads/2023/05/North-Carolina-AT-State-University-Case-Study.pdf). The case study was developed in an academic collaboration led by Cornell Brooks and Yael Bromberg with the Harvard Kennedy School’s William Trotter Collaborative for Social Justice. For more resources, see “Toolkit: Securing On-Campus Polling Places,” The Andrew Goodman Foundation (2022), <https://andrewgoodman.org/wp-content/uploads/2022/10/A-Toolkit-For-Securing-On-Campus-Polling-Places.pdf>.

17 Yael Bromberg, “The Future Is Unwritten: Reclaiming the Twenty-Sixth Amendment,” *Rutgers University Law Review* 74, no. 5 (Summer 2022): 1671–1696, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4378484.

18 Caleb Brookins, “Historical Consciousness and the PV 19,” *The Digital PV Panther Project*, October 11, 2022, <https://pvpantherproject.com/2022/10/the-pv19-voter-suppression-and-historical-consciousness-in-2022/>.

19 Eric Hoover, “Students at Prairie View A&M U. File Federal Lawsuit to Protect Their Voting Rights,” *The Chronicle of Higher Education*, February 9, 2004, <https://www.chronicle.com/article/students-at-prairie-view-a-m-u-file-federal-lawsuit-to-protect-their-voting-rights/>. Abbott declared at a news conference, “College students cannot be targeted for discriminatory residency requirements and nothing prevents them from voting where they attend school.” Kitzman only backed down after being sued by a group of students backed by the NAACP and the Lawyers’ Committee for Human Rights, leading him to sign a consent decree. See Lianne Hart, “D.A. Challenge of Student Voters Is a Civil Rights Lesson,” *Los Angeles Times*, February 15, 2004, <https://www.latimes.com/archives/la-xpm-2004-feb-15-na-prairie15-story.html>. For Abbott’s opinion, see: Greg Abbott to Rodney Ellis, opinion letter, “Residency Requirements for Voting in an Election in Texas (RQ-0157-GA),” February 4, 2004, Texas Attorney General Opinion Files, <https://www.texasattorneygeneral.gov/sites/default/files/opinion-files/opinion/2004/ga0141.pdf>.

20 Doxsey, “Bard Students Unhappy.”

newly established poll site at Bard in 2020 by Election Commissioner Haight over the implementation of state-imposed COVID guidelines, although the assigned officer acknowledged the rules were being followed and was apologetic about his presence.²¹ The point of such actions was not simply to intimidate those who may be directly implicated, but to send a message to all students about the potential dangers of voting locally. What is noteworthy in these instances is that the source of the intimidation was a figure of legal and/or regulatory authority; whether in law enforcement or in elections oversight roles, figures to whom students may have looked for guidance in seeking to vote.

Threats were also extended to institutions. Engelhardt threatened Tuskegee with budget cuts in response to Charles Gomillion's voting rights advocacy through the Tuskegee Civic Association (TCA). Dutchess County authorities implicitly threatened to withdraw from negotiations with Bard over control of traffic on a county road that bisects campus due to the College's push for an on-campus poll site.²² The Presidents of PVAMU and NC A&T did not have to be threatened: they understood that they were always in danger of losing funds if they upset state officials, so they were naturally disincentivized from rocking the boat.

2 Why Restrictions?

Although the 26th Amendment was ratified with overwhelming cross-partisan support, the congressional debates surrounding the youth vote illustrated that there were already fears concerning the disruptive impact that large groups of youth voters in college towns could have on local governance. Town-gown tensions go back centuries and, as Tuskegee illustrates, are far more acute at HBCUs given their makeup and history as venues of autonomy and resistance to white supremacy.²³ While motives cannot be discreetly distilled easily, the case studies suggest restrictions on student voters emerged for three primary and overlapping reasons: desire for political advantage, fear of student voting power, and racism.

It is no coincidence that the most egregious attempts to limit student voting emerged at times of intense political competition that threatened established po-

21 Linda Greenblatt, Democratic Inspector Co-ordinator, Town of Red Hook, unpublished report submitted to Board of Elections and shared with author, November, 2020.

22 Erin Cannan, Bard College vice president for civic engagement, interviewed by Jonathan Becker, February 19, 2025.

23 United States Commission on Civil Rights, *Report of the United States Commission on Civil Rights*, 86th Cong., 1st sess., September 9, 1959, 76.

litical and racial hierarchies. The Tuskegee gerrymander did not happen in a vacuum. Nationally, it came three years after *Brown v. Board of Education* challenged the central tenets of Jim Crow and less than a month after Dr. Martin Luther King's "Give Us the Ballot" speech.²⁴ Locally, it emerged after a 1954 school board race in which a Black candidate and Tuskegee Institute employee Jessie P. Guzman won enough votes, in part due to increased Black voter registration, to instill fear in many white residents over the future voting power balance.²⁵ Indeed, Engelhardt, the chief architect of the gerrymander—who was also the executive secretary of the state's White Citizens Council—made it very clear that one of the main reasons he entered politics was to prevent Black people from gaining political power.²⁶

Similar dynamics of political competition can be observed in our other case studies. In Waller County, the indictment of students who were part of the 'Prairie View 19' occurred two weeks prior to a 1992 run-off election in which two Black candidates, one a PVAMU alum, were vying for political office that had long been controlled by the white establishment, including the positions of county commissioner and county constable.²⁷ In North Carolina, the gerrymander occurred not long after the *Shelby* decision, as a newly empowered Republican majority was seeking, once again, to further their grip on the state legislature after prior redistricting maps were overturned for racial discrimination. As the chief architect of changes in district mapping, North Carolina State Assemblyman David Lewis, put it, "I propose that we draw the maps to give a partisan advantage to

24 King himself visited the Tuskegee Civic Association on July 2, 1957, meaning that in a six-week period he issued the "Give Us the Ballot Speech," the gerrymander was launched, and King visited Tuskegee.

25 C.G. Gomillion, "The Tuskegee Voting Story," *Clinical Sociology Review* 6, no. 1 (1988): 25, <https://digitalcommons.wayne.edu/cgi/viewcontent.cgi?article=1117&context=csr>. As Gabriel Smith wrote, "Guzman's run for an otherwise harmless seat on the School Board represented the first real indication to Tuskegee's whites that their Black neighbors were seriously interested in ascending to political power in the town and county. Not only did Guzman's blackness pose a serious threat to the segregationist political landscape of Tuskegee of that time, but it also inspired more Black people to register to vote. With more Black citizens attempting to enter the political process in Tuskegee, the need for Engelhardt's gerrymander became much more apparent to those at the top of Tuskegee's white power structure"; Gabriel Antwan Smith, "A Hollow Inheritance: The Legacies of the Tuskegee Civic Association and the Crusade for Civic Democracy in Alabama" (MA Thesis, Auburn University, 2016), 88–89.

26 Bernard Taper, *Gomillion Versus Lightfoot: The Right to Vote in Apartheid Alabama* (University of Alabama Press, 2003), 49; Smith, "A Hollow Inheritance," 53; Norrell, *Reaping the Whirlwind*, 86.

27 Mark Langford, "Black Student Voters Allege Harassment in Texas," *United Press International*, April 19, 1992, <https://www.upi.com/Archives/1992/04/19/Black-student-voters-allege-harassment-in-Texas/7349703656000/>.

ten Republicans and three Democrats because I do not believe it's possible to draw a map with eleven Republicans and two Democrats."²⁸ Finally, in Dutchess County, Judge Brands' 2009 *ex parte* order allowing aggressive challenges to student voters occurred just as Dutchess County became majority Democrat for the first time in 30 years, and just as the majority on the Red Hook Town Board, where Bard is situated, swung Democrat for the first time in living memory.²⁹ The shifting political grounds no doubt also helped explain Haight's 2012 decision to reject registrations of students from Bard, Marist College, and the Culinary Institute of America who failed to include dorm addresses on their forms, which was set aside on the eve of the midterm election by a federal court.³⁰ The fear of student voting power echoes across the language used by elections officials whose actions have discouraged student voting: Dutchess County Election Commissioner Haight was unusually candid in expressing his views of student voters, invoking similar language to that of District Attorney McCaig when he prosecuted the 'Prairie View 19,' comparing Bard students with "taxpaying, permanent residents."³¹ He openly committed to ensuring the students would not have access to a polling place on campus, even if they constituted the vast majority (nearly 70%) of voters in the district, because he did not want them to be "super-enfranchised," even if this endangered voters and poll workers and saddled the taxpayers of Dutchess County with tens of thousands of dollars in legal fees from losing court battles.³²

It is important to underline that our studies demonstrate that it was not simply political competition and fear of student voting power that drove attempts to disenfranchise: for the HBCU cases, race also played an intersecting and often central role.

²⁸ Thompson, "The Legal Fight Over NC Gerrymandering Isn't Over."

²⁹ Patricia Doxsey, "Dem Enrollment Tops Republican in Dutchess," *Daily Freeman*, October 10, 2008, downloaded December 12, 2024, <https://www.dailyfreeman.com/2008/10/10/dem-enrollment-tops-republican-in-dutchess/>.

³⁰ Patricia Doxsey, "In Dutchess County, Battle Brews Over Dorm Dwellers' Voting Rights," *Daily Freeman*, October 19, 2012, downloaded December 12, 2024, <https://www.dailyfreeman.com/2012/10/19/in-dutchess-county-battle-brews-over-dorm-dwellers-voting-rights/>.

³¹ Erik Haight, "Commissioner Haight: Set Record Straight with Facts," *Poughkeepsie Journal*, May 28, 2016, downloaded December 10, 2024, <https://www.poughkeepsiejournal.com/story/opinion/valley-views/2016/05/28/commissioner-haight-set-record-straight-facts/84920538/>. McCaig stated that the "permanent residents" of Waller County did not want their legally cast votes to be "diluted by someone who is not a legal voter."

³² "Dutchess County Board of Elections, Public Meeting of Dutchess County Board of Elections," virtual meeting, February 25, 2021, posted August 9, 2021, by Bard Center for Civic Engagement, YouTube, 30:32, <https://www.youtube.com/watch?v=v8lZDH1Yg1k&t=2s>.

The Tuskegee gerrymander was fundamentally about race, which is why it resulted in 98% of registered Black voters, and the entire Tuskegee Institute, being removed from the redrawn city lines. As Engelhardt, who used the slogan “I stand for White Supremacy and Segregation,” told a journalist, “That was my angle—to protect ourselves. Not only me, but my family. My aunts, uncles, and cousin owned land. If you have a [pejorative racist expletive] tax assessor, what would he do to you?”³³ Similar racist views permeated the state government. When Tuskegee’s county Board of Registrars resisted being hauled before the newly formed U.S. Commission on Civil Rights to testify as to the appalling Black voter registration rates in the county, it was Alabama State Attorney General John M. Patterson who advised them to resist participating in the hearing all together. Patterson campaigned on white fear and white supremacy and was elected governor, only to continue his mantra against federal intervention. In 1960, he advocated before the U.S. Senate against a federal proposal (which had been inspired by events in Tuskegee) to assign federal registrars to southern jurisdictions resistant to local Black registration.³⁴

At the time of the arrest of the ‘Prairie View 19,’ District Attorney Peter Speers insisted that racism has “nothing to do” with the arrest of the students,³⁵ but few from the Prairie View community bought that. As one student commentator pointed out: “No one has ever questioned the rights of students at the University of Houston or Texas A&M to vote, but the issue is continually raised about the students who attend PVAMU.”³⁶ The suggestion by *The Texas Advocate’s* editor Mary Levy that Frank Jackson, who at the time was running for the seat of county commissioner, be “horsewhipped” over his support for the arrested students underlined the racist dynamic at play.³⁷ State Senator Rodney Ellis from Houston, who filed a complaint with the Justice Department about the treatment of students, put it succinctly: “It looks like there’s a number of ghosts of Jim Crow walking around Waller County. ... At some point, you have to draw the line.”³⁸

The case study of NC A&T showed similar contours. Assemblyman Lewis was conspicuous in his attempts to make the 2016 gerrymander appear partisan and

33 Norrell, *Reaping the Whirlwind*, 86; Smith, “A Hollow Inheritance,” 53; Taper, *Gomillion Versus Lightfoot*, 49.

34 During the boycott, Patterson denounced the “so called leaders” whom he accused of taking contributions “to buy expensive cars, silk suits and pay for expensive trips.” Norrell, *Reaping the Whirlwind*, 98, 114; Taper, *Gomillion Versus Lightfoot*, 20.

35 Langford, “Black Student Voters.”

36 Brookins, “Historical Consciousness and the PV 19.”

37 Brookins, “Historical Consciousness and the PV 19.”

38 Langford, “Black Student Voters.” See also Ellis, “Jim Crow Goes to College.”

not racial in order to avoid judicial blowback, stating, “I acknowledge freely that this would be a political gerrymander, which is not against the law.”³⁹ And yet the history of North Carolina suggests that when an HBCU is targeted, the role of race cannot be dismissed. Braxton Brewington, an NC A&T student leader and Common Cause fellow, articulated the view of student activists when he said, “How could you separate partisan gerrymandering from racial gerrymandering given the makeup of Democrats and Black people ... specific to the state of North Carolina?”⁴⁰ Moreover, it is telling that in addition to NC A&T, another HBCU, Fayetteville State University, was a target of gerrymandering in 2016, with students divided between the 8th and 9th congressional districts.⁴¹

In this manner, youth voter suppression can often stand alone, or be intertwined with racial and/or partisan voter suppression. And, as seen in the Bard College on-campus polling site case, where the disability rights community championed for the on-campus polling site—because it was far more accessible than the small church where Bard students had previously voted and, unlike the church, comported with Americans with Disabilities Act guidelines—disability discrimination may be intertwined as well. And yet, there is something unique about youth voter suppression in terms of its universalism. As Yael Bromberg wrote, “Simply put, all voters *age*—independent of partisanship, race, gender, or class. Age is both fixed as a state of being for a class, or perhaps a generation, and yet, ever-changing on an individual basis.”⁴² In other words, a conceptualization of age-based discrimination may offer a starting point to build bridges where others see polarization.

³⁹ Brennan Center for Justice, “Current Partisan Gerrymandering Cases,” Court Case Tracker, published April 26, 2017, <https://www.brennancenter.org/our-work/court-cases/current-partisan-gerrymandering-cases>.

⁴⁰ Braxton Brewington, interviewed by Jonathan Becker, October 31, 2024.

⁴¹ Prabhat Gautam, Nancy Thomas, and Rebecca Stein, “Student and Minority Communities of Interest for Shaping Voting Districts,” *Institute for Democracy and Higher Education*, October 21, 2021, 4. Unlike NC A&T, the campus was not divided down the middle, but the lines, with Fayetteville State abutting two district lines, left many students, the majority of whom lived off campus, divided between two districts.

⁴² Bromberg, “Youth Voting Rights,” 1112. See also Alexander A. Boni-Saenz, “Age, Time and Discrimination,” *Georgia Law Review* no. 53 (2019): 845–904, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3276514#.

3 The Resistance

The case studies of the four institutions demonstrate that it is possible to resist attempts by public officials to disenfranchise voters. If we turn again to our adaptation of Westheimer and Kahne's typology of 'personally responsible,' 'participatory,' and 'justice-oriented' citizens discussed in chapter two, we see many students, faculty, and institutions playing participatory and justice-oriented roles, engaging robustly with voting issues, and drawing "explicit attention to matters of injustice and to the importance of pursuing social justice."⁴³

3.1 Student Citizens

Many students at the four institutions examined acted as participatory citizens, meaning they helped other students register to vote, supported get-out-the-vote efforts, organized and distributed petitions, and participated in boycotts and marches. The participatory citizen approach among these students often entailed more protest-focused mobilizations, which tended to ebb and flow, and although such actions may serve as legitimate forms of awareness-raising activism, they are often disconnected from longer-term strategic campaign planning. While there is no perfect demarcation line, the justice-oriented students were closer to the nexus of organizing, advocacy, and litigation efforts that were necessary to overcome entrenched voter suppression and effect longer-lasting institutional and legal reforms. The justice-oriented students organized campaigns to promote voting rights often in coordination with other organizations and advocates who sought to effect lasting change. They attempted to resolve access challenges with poll sites on campus. They participated in lawsuits against public officials who deprived students of voting rights and advocated for changes to state and federal laws that protect student voters and facilitate student voting.

Tuskegee students played a supportive role in responding to the gerrymander, participating in the boycott and organizing a 400-student protest in 1960.⁴⁴ They would come to the fore later in the 1960s, when the campus became a vibrant cen-

⁴³ 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.

⁴⁴ Thomas Fortuna, "Black Citizens Boycott White Merchants for U.S. Voting Rights, Tuskegee, Alabama, 1957–1961," Global Nonviolent Action Database, November 9, 2011, <https://nvdatabase.swarthmore.edu/content/black-citizens-boycott-white-merchants-us-voting-rights-tuskegee-alabama-1957-1961#:~:text=By%20the%20end%20of%201959,100%20per%20cent%20effective.>

ter of student organizing and protest. Tuskegee students played a particularly energetic role in registering rural Black voters and, in so doing, helped to realize the long-held aspirations of Gomillion and the TCA.⁴⁵

At PVAMU, several generations of student leaders have acted as justice-oriented citizens, remaining actively engaged to ensure voting rights. Numerous students participated in litigation. Arthur Ray Wilson and Charles Ballas served as named student litigants when Symm, a local election administrator, would not register them due to residency.⁴⁶ After Waller County Assistant District Attorney Kitzman threatened to arrest students for voting locally, PVAMU student Neothies Lindley Jr. and others participated in the 2004 litigation against the county brought by the Prairie View chapter of the NAACP.⁴⁷ Student Council President Priscilla Barbour led the fight in 2012 and 2013 for a poll site on campus that helped secure the site at the Memorial Student Center for early voting and election day.⁴⁸ PVAMU student Jayla Allen sued in the 2018 fight for equal early voting poll sites⁴⁹ and testified before Congress on the history of disenfranchisement at PVAMU.⁵⁰ Generations of PVAMU students organized and participated in major marches that took place in 1992, 2004, 2008, 2018, and 2020 to protest arrests, fight threats and intim-

45 Norrell, *Reaping the Whirlwind*, 179; Brian Jones, *The Tuskegee Student Uprising: A History* (New York University Press, 2022). Gomillion and others at the TCA were ultimately left behind by many students who felt that their gradualist approach to integration was too slow and insufficiently radical for the times; Smith, “A Hollow Inheritance,” 126–132.

46 All litigants included Arthur Ray Wilson, Randolph Grayson, Donnie Gene Young, Leodies U.A. Simmons, and Billy Ray Toliver; *Wilson v. Symm*, 341 F. Supp. 8 (S.D. Tex. 1972), <https://law.justia.com/cases/federal/district-courts/FSupp/341/8/1456867/>.

47 *Prairie View Chapter of the NAACP, Neothies Lindley, JR., K. Thanes Queenan, Vivian Spikes, and Brian Rowland v. Oliver S. Kitzman, Waller County Criminal District Attorney*, Civil Action No. H 04 0459 (S.D. Tex. 2004), <https://lawyerscommittee.org/wp-content/uploads/2015/08/040205-PV-NAACP-v.-Kitzman-complaint.pdf>.

48 Reeve Hamilton, “Student Leader Demands On-Campus Polling Place,” *The Texas Tribune*, July 31, 2013, <https://www.texastribune.org/2013/07/31/prairie-view-m-students-demand-campus-voting/>.

49 Besides Allen, litigants were: Damon Johnson, Joshua Muhammad, Raul Sanchez, and Treasure Smith; *Jayla Allen, Damon Johnson, Joshua Muhammad, Raul Sanchez, and Treasure Smith v. Waller County, Texas*, Civil Case No. 4:18 CV 3985 (S.D. Tex. 2018), <https://www.naacpldf.org/wp-content/uploads/Complaint-Allen-v.-Waller-County-filed-1.pdf>.

50 United States House of Representatives Committee on the Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties, *Hearing on the Enforcement of the Voting Rights Act*, 116 Cong., 2019 (statement of Jayla Allen, Chair, Rock the Vote, Prairie View A&M University), <https://docs.house.gov/meetings/JU/JU10/20190503/109387/HHRG-116-JU10-Wstate-AllenJ-20190503.pdf>.

idation, and to advocate for poll sites and extended voting on campus.⁵¹ The 2008 march alone involved more than 1,000 students and allies marching seven miles from campus to the early voting site after Waller County officials cut the number of early voting sites in the county from half a dozen to one during the March presidential primaries.⁵² The student commitment to promoting voting and protecting voting rights has been such a prominent feature of Prairie View student life that it has been internalized as an essential function of student government.

In North Carolina, a group of committed NC A&T students, including Nick Knight, Braxton Brewington, Love Caesar, and Delaney Vandergrift, worked hand in hand with Common Cause and IGNITE North Carolina to fight the 2016 campus gerrymander. They distributed petitions, held press conferences, and attended Board of Elections meetings to advocate for change.⁵³ Vandergrift and others led the successful fight for a polling place on campus. Students also established a “Real Aggies Vote” campaign, and partnered with organizations like The Andrew Goodman Foundation and the ALL IN Campus Democracy Challenge, as well as a newly founded Office of Leadership and Civic Engagement, to promote student voting.⁵⁴ Students were particularly shaped by the history of activism at NC A&T during the Second Reconstruction, and felt the inspiration and burdens of following the A&T (Greensboro) Four.

At Bard, Student Activists for Voting Equality (SAVE), led by Michael Chameides and Monica Elkinton, fought for the right of students to register and vote locally after student registrations had been systematically denied. Partnering with students from Vassar College, they pressured local representatives in county government, organized protests at the Board of Elections, held press conferences, and presented their case at public hearings.⁵⁵ They collaborated with Bard faculty and administrators to strategize and ensure public institutional support. Their threat of litigation in 2000 played an important role in pushing the county and

51 Lucio Vasquez, “Prairie View A&M Students Combat Voter Suppression by Marching to Early Voting Site,” *Texas Public Radio*, October 15, 2020, <https://www.tpr.org/news/2020-10-15/prairie-view-a-m-students-combat-voter-suppression-by-marching-to-early-voting-site>.

52 Helen Eriksen, “Thousands March in Prairie View for Voting Rights,” *The Ruckus Society*, February 25, 2008, <https://ruckus.org/thousands-march-in-prairie-view-for-voting-rights-2/>; Hamilton, “Student Leader Demands.”

53 Braxton Brewington, interviewed by Jonathan Becker, October 31, 2024; Niklaus Knight, interviewed by Jonathan Becker, October 23, 2024.

54 Bland, “On-Campus Polling Place.”

55 “SAVE,” *Bard Free Press*, October 4, 2000, 3, <https://digitalcommons.bard.edu/cgi/viewcontent.cgi?article=1006&context=bardfreepress>.

Board of Elections to finally register student voters.⁵⁶ After this victory, students at Bard formed an organization called Election@Bard, which not only organized student voter registration and get-out-the-vote efforts, but also began public lobbying for a polling place on campus. Students like Jonian Rafti and Eva-Marie Quinones, partnering with The Andrew Goodman Foundation and the Bard Center for Civic Engagement, used many of the same tactics as SAVE to promote the on-campus poll site.⁵⁷ Several generations of students have served as litigants in court cases since the turn of the millennium, including the 2009 state case to count votes when students were erroneously forced to vote via affidavit ballots, the 2012 federal case over the rejection of registrations that did not include dorm addresses, and the two rounds of litigation in 2020 and 2021 that focused on a polling site on campus.⁵⁸

3.2 Faculty Citizens

Faculty at the four institutions studied served as participatory citizens, advising students on strategies, offering community-based learning courses and tutorials, and publicizing voting rights issues. They have also acted as justice-oriented citizens, serving as litigants, conducting research that exposes inequities in voting rights, and disseminating that research publicly.

Charles Gomillion of the Tuskegee Institute is the model justice-oriented faculty member, not only teaching but also working for decades as the President of the TCA. In pursuing this work, he helped organize efforts for Black citizens of Macon County to register to vote despite a myriad of impediments and ubiquitous threats, wrote public letters to fellow citizens, and confronted local officials, publicly challenging Governor Jim Folsom to “relieve us of the embarrassment we are

⁵⁶ “SAVE,” 3; Anthony Farmer, “Task Force, Let Collegians Vote,” *Poughkeepsie Journal*, March 19, 2000, 1 A.

⁵⁷ Eva-Marie Quinones, “The Battle for the Ballot: Inside the Voting Rights Struggle in New York,” *Buzzfeed*, May 13, 2016, <https://www.buzzfeed.com/evamariequinones/the-battle-for-the-ballot-inside-the-voting-right2crpl>.

⁵⁸ Bard students constituted all of the litigants: Olivia Conti, Sara Kangas, Tanya Sorenson, Casey Asprooth-Jackson, Sarah Bessel, and Iris S.B. Larson in *Conti v Dutchess County Board of Elections*, 9054 (N.Y. Sup. Ct. 2009); Alexis Roe and Hans Kern in *Pitcher v Dutchess County Board of Elections*, Civil Action No. 12 CV 8017 (S.D.N.Y. 2012); Sadia Saba in *Andrew Goodman Foundation v Dutchess County Board of Elections* 52737/20 (N.Y. Sup. Ct. 2020); and Maria Alejandra Rodriguez Ortiz, Sarina Jaqueline Culaj, and Tomas S. Forman in *Bard College v Dutchess County Board of Elections*, 198 A.D.3d 1014 (N.Y. App. Div. 2021) (No. 52777/21).

now experiencing and the political disfranchisement we are now suffering.”⁵⁹ He even testified before the Senate Judiciary Committee as it was considering the impact of segregation in the run-up to the Civil Rights Act of 1957. In response to the gerrymander, he helped organize the Tuskegee local economic boycott, which helped model future economic mobilization in defense of civil rights. He helped document the systematic disenfranchisement of Black voters in Macon County and Alabama more broadly and captured numerous indicators or impediments to social development and political participation in his 1958 dissertation, “Civic Democracy in the South.”⁶⁰ Finally, he served as the lead litigant in what became *Gomillion v. Lightfoot*, the first important Supreme Court case over racial gerrymandering, and a break-through case which set a stepping stone for gerrymander claims even outside of the racial context.

Though *Gomillion* sets the bar for faculty involvement, there were several other faculty members from Tuskegee who worked as a part of the TCA to secure the franchise, including historian Frank Toland, sociologist Stanley Smith, and pioneering researcher in the study of Black people in the rural south Lewis Wade Jones, who, together with Smith, prepared an important research report in 1958, sponsored by the the Anti-Defamation League of B’nai Brith, on voting, the gerrymander, and the boycott, particularly the attitudes of white citizens.⁶¹ William Andrew Hunter, Dean of the Institute’s School of Education, spoke on the first day of public hearings before the United States Commission on Civil Rights in 1958, following *Gomillion*’s former student and TCA executive director William Mitchell.⁶² Political scientist Charles V. Hamilton drafted a bill providing for federal voting registrars when local boards are inactive, planting ideas, like *Gomillion* and Mitchell, that helped shape the Civil Rights Act of 1960 and the Voting Rights Act of 1965.⁶³

Faculty at the other institutions examined also stepped forward as participatory and justice-oriented citizens, although it should be acknowledged that their work was often in the background, doing what good faculty members do: engaging with students within and outside of the classroom and trying, where appropriate, to make lessons inside the classroom relevant to student experiences. This role was especially important at HBCUs, where the ‘second curriculum,’ which emphasized idealism, cultural nationalism, and race consciousness, was so critical to stu-

⁵⁹ Smith, “A Hollow Inheritance,” 35.

⁶⁰ Charles Gomillion, “Civic Democracy in the South” (PhD diss., Ohio State University, 1959).

⁶¹ Jones and Smith, *Tuskegee, Alabama*.

⁶² United States Commission on Civil Rights, *Hearings Before the US Commission on Voting Rights*, 11–36.

⁶³ Norrell, *Reaping the Whirlwind*, 119.

dents' identity as civic actors.⁶⁴ Political scientists Mack Jones and Imari Obadele at PVAMU, Derick Smith and James Steele at NC A&T, and Joseph Luders at Bard played more direct advisory roles, guiding students about voting rights issues and at times intervening in conversations with administrators. Smith, known as the 'People's Professor,' inspired students and helped them understand their legacy, channeled the second curriculum, and taught them about gerrymandering. Luders made public statements and incorporated issues of student voting into his American politics class during the initial fight for student voting at Bard. Robert Koblitz and Alan Sussman at Bard also served as bridges to legal defense groups, linking students with the New York Civil Liberties Union. The Tuskegee faculty demonstrated the importance of engaged research on voting through their extensive documentation of numbers and attitudes. The research of Bard biology professor Felicia Keesing on the relative safety of an on-campus poll site during COVID demonstrates that faculty from a variety of disciplines can deploy their research skills in efforts to defend and preserve democracy.

3.3 Institution as Citizen

Universities as institutions face dilemmas when they address issues of voting. On the one hand, they invoke the link between democracy and education, and frequently encourage students to contribute to society and become agents of change. On the other hand, they are situated in communities which might not want students to vote locally. Leaders have a responsibility not simply to do what is right, but to preserve and protect the institution (and are often fearful for their own positions). They sometimes find themselves navigating between students and faculty who are agitating to promote justice, and concerns about the impact that their actions may have on governmental decisions about everything from planning and zoning to state budgets.

The four institutions studied reflect different circumstances and different approaches. As public institutions that are often the target of government officials, and dependent on state budgetary allocations, PVAMU and NC A&T are more vulnerable, and the leadership of both have taken much more tepid approaches to advocating for student voting rights. In the voting sphere, they have acted more like personally responsible institutions than participatory or justice-oriented insti-

⁶⁴ Jelani M. Favors, *Shelter in a Time of Storm: How Black Colleges Fostered Generations of Leadership and Activism* (University of North Carolina Press, 2020), 4.

tutions, remaining largely neutral as students and outside groups have pressed them to take action against attempts to suppress the student vote.

Priscilla Barbour, who led the 2012 efforts to secure a poll site on PVAMU's campus, bemoaned a lack of involvement of university administration.⁶⁵ However, it could be argued that while the administration did not always directly embrace students' work, it was supportive in the sense that it retained Frank Jackson, the Prairie View alum who became city mayor while simultaneously serving as assistant vice chancellor for state relations. Jackson is a revered figure who served as a regular sounding board and advisor to students, but was distant enough from the university leadership and sufficiently discreet in his interactions to give the university plausible deniability.⁶⁶ And in 2020, PVAMU's President Ruth Simmons participated in the march organized by student government to an early polling site a mile from campus, which protested the absence of an on-campus site.⁶⁷

Students involved in the fight against the 2016 gerrymander at NC A&T met with the university leadership and felt that they were hostile to their efforts, particularly when the president insisted that he would not openly describe the gerrymander as racist.⁶⁸ In their mind, the conservative approach betrayed the legacy of activism that the institution so often trumpeted. Ironically, they also noted the institution's subsequent embrace of the registration and voting process, and were almost wistful about the creation of an Office of Leadership and Civic Engagement, which helped take the lead on such efforts.⁶⁹

Tuskegee and Bard are private institutions, though the former is more dependent on the state for funds. At Tuskegee, the Gomillion period witnessed a form of passive support for the TCA's efforts, with the institution operating publicly as personally responsible citizen, but sometimes privately as a participatory citizen. There was open knowledge that the work of Tuskegee Institute faculty and staff affiliated with the TCA entailed a degree of danger for the institution, but successive presidents Frederick Douglass Patterson (1935–1953) and Luther Hilton Foster (1953–1981) tacitly approved of Gomillion and others' work to fight discrimination.⁷⁰ Patterson ignored Engelhardt's threats to cut funds due to Gomillion's ef-

65 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. 5 (Summer 2022), 1905.

66 Patrick Michels, "The Interview: Frank Jackson," *Texas Observer*, June 20, 2016, <https://www.texasobserver.org/prairie-view-mayor-frank-jackson-interview/>.

67 Vasquez, "Prairie View A&M Students Combat Voter Suppression."

68 Niklaus Knight, interviewed by Jonathan Becker, October 23, 2024.

69 Braxton Brewington, interviewed by Jonathan Becker, October 31, 2024.

70 As Jones and Smith put it, "Both presidents' styles of leadership were heavily criticized and blamed because they both allowed Charles Gomillion, Lewis Jones, and other Institute faculty the

forts and when Alabama Governor Gordon Persons confronted him about Gomillion's work, he insisted that Gomillion was "simply exercising his duties as a citizen. He's not acting officially for Tuskegee Institute."⁷¹ Patterson recalled that the only time he cracked down on Gomillion was when he and others at the TCA used Tuskegee stationery in their work.⁷² As Jones recalled years later, the leadership of Tuskegee played a sort of shell game with Gomillion, moving him from position to position, be it head of department or division or dean of students, to deflect attention from his civic role.⁷³ Having been gerrymandered out of Tuskegee in Act 140, Foster was more open in his support of the boycott, stating, "Now that they don't want us in the city of Tuskegee, I have no reason to trade there."⁷⁴

Bard's leadership took an even more aggressive approach in acting as a justice-oriented citizen. The institution regularly devoted resources—organizational, human, financial, and reputational—to promote and defend students' right to vote. Bard's President Leon Botstein and the Bard Board of Trustees publicly endorsed students' right to vote locally, and institutional leaders regularly published op-eds and commentaries on student voting rights, even encouraging other higher education institutions to join in. The institutional leadership arranged and bankrolled a lawsuit in 2009 which forced the county to count the votes of students required to vote via affidavit ballot as 'unchallenged,' and President Botstein and Vice President for Student Affairs Erin Cannan served as litigants in the battle

freedom to pursue civil rights and community activism without fear of termination or chastisement as long as they continued to be productive faculty members and further the University's mission"; Jones and Smith, *Tuskegee, Alabama*, 76. While the institution's founder, Booker T. Washington, is often criticized for his paternalistic view of racial accommodation and separatist preparedness during the early 20th century, less known or acknowledged is his support behind the scenes. As detailed by Louis R. Harlan, Washington leveraged his Tuskegee network of philanthropists and "secretly paid for and directed a succession of court suits against discrimination in voting, exclusion of Negroes from jury panels, Jim Crow railroad facilities, and various kinds of exploitation of the black poor ... he took every precaution to keep information of his secret actions from leaking out." Indeed, he kept this work separate from the Institute where he was known for his tight control of faculty and students. Louis R. Harlan, "The Secret Life of Booker T. Washington," *The Journal of Southern History* 37, no. 3 (August, 1971), 396.

71 Smith, "A Hollow Inheritance," 111, citing Frederick D. Patterson, Martia G. Goodson, and Harry V. Richardson, *Chronicles of Faith: The Autobiography of Frederick Douglass Patterson* (University of Alabama Press, 1991), 109–110.

72 When Gomillion used the stationery, Patterson recalled telling him: "Don't do that. I don't object to what you are doing but don't identify your movement officially with Tuskegee Institute, because Tuskegee Institute isn't a civil rights movement, it's an educational institution." Smith, "A Hollow Inheritance," 112.

73 Jones and Smith, *Tuskegee, Alabama*.

74 Fortuna, "Black Citizens Boycott White Merchants."

for a polling place on campus in 2020 and 2021. This institutional engagement has extended to include best practices for student voter registration, with mandatory stops at a voter registration station during student orientation, and elaborate registration and get-out-the-vote efforts. These efforts include stationing of college officials as poll workers and poll watchers at the on-campus poll site in order to protect student voters and be responsive to any challenges that might emerge. Bard's Center for Civic Engagement, led by Bard's executive vice president and vice president for academic affairs, even coordinated with an alliance of voting rights organizations to successfully advocate for changes in New York State law to situate polling sites on college campuses with 300 or more registered voters, and at the time of writing is working to refine the law to ensure that more campuses host poll sites.⁷⁵

3.4 External Organizations

Finally, it should be noted that in each of the cases, key actors received critical assistance and guidance from outside advocacy groups and legal defense organizations. The NAACP shaped PVAMU students' response to Assistant District Attorney Kitman's threats to arrest student voters and consistently since, including recent litigation for equal early voting opportunities led by Leah Aden, then-deputy director of litigation for the NAACP Legal Defense and Education Fund; good government group Common Cause was critical in mobilizing NC A&T students' reaction to the campus gerrymander, as a part of its larger efforts in North Carolina through the Common Cause-North Carolina HBCU Student Action Alliance; and nonpartisan student organization The Andrew Goodman Foundation helped galvanize the students' and institution's fight for an on-campus poll site at Bard and on other colleges throughout the country with the legal and academic support of Yael Bromberg, the Harvard Kennedy School Trotter Collaborative or Social Justice, and the Rutgers International Human Rights Clinic. Legal support was further offered, and sometimes wholly driven, by the plaintiffs' bar. Lawyers who left their mark included: Fred Gray, who worked on behalf of Gomillion and the TCA in Tuskegee, a mainstay lawyer in the Alabama civil rights movement; Texas labor and civil rights lawyer David Richards, who litigated the case on behalf of PVAMU students in *Symm*; and Bromberg, Doug Mishkin, Michael Volpe,

⁷⁵ Bard Center for Civic Engagement, "Bard Center for Civic Engagement Prepares Report on Poll Sites on College Campuses," February 16, 2024, <https://cce.bard.edu/news/bard-center-for-civic-engagement-prepares-report-on-poll-sites-on-college-campuses-2024-01-06>.

and Mike Donofrio, who represented Bard College and The Andrew Goodman Foundation to secure an on-campus polling location. While there exist various models of legal defense, these public interest attorneys tend to embrace a litigation approach known as ‘People’s Lawyering,’ which prioritizes client and movement empowerment through the legal process, rather than an arm’s-length transactional client relationship. This approach seeks a legal victory in the courts, of course, but also seeks to advance the cause itself. Legendary constitutional rights attorney Arthur Kinoy defined the term, explaining: “[T]he test of success for a people’s lawyer is not always the technical winning or losing of the formal proceeding ... the real test was the impact of the legal activities on the morale and understanding of the people involved in the struggle.”⁷⁶

This chapter, in many ways, is a product of not only people’s lawyering, but also people’s teaching. The book project is born as an outgrowth of an academic collaboration to synchronously and collectively teach an undergraduate course bringing together faculty and students from the institutions of higher education across four states which have shaped the nation’s voting rights jurisprudence with emphasis on the youth vote. The analysis for this chapter’s comparison of the four case studies is a product of multidisciplinary academic course collaboration engaging with historians, political scientists, litigators and legal scholars, guest speakers, including youth leaders, and not least the students who have participated in the classes.

4 Conclusion

The case studies show that colleges and universities can realize the link between higher education and democracy that is often celebrated but which, to borrow from Dr. King, too often shows a “high blood pressure of words and anemia of deeds.”⁷⁷ Idealistic and determined justice-oriented students, faculty, and administrators have, across multiple institutions in different environments, fought to promote and defend the most essential of democratic rights.

The primary locus of engagement varied. Tuskegee’s fight was led by a faculty member, sociologist Charles Gomillion, who led the TCA to protect the institution. PVAMU’s efforts were anchored in generations of student leaders, so much so that promoting voting and the protection of voting rights has become an essential com-

⁷⁶ Arthur Kinoy, *Rights on Trial: The Odyssey of a People’s Lawyer* (Harvard University Press, 1984), 57.

⁷⁷ Martin Luther King, Jr., *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.*, ed. James M. Washington (HarperCollins, 1985), 198.

ponent of student government and the school's fraternity and social culture. Bard's efforts began with students from the Student Activists for Voting Equality, but the administration, in the form of the Center for Civic Engagement, has guided successive generations of Election@Bard students and placed institutional resources, and partnerships with organizations such as The Andrew Goodman Foundation and the local chapter of the League of Women Voters, squarely behind voting rights efforts. Common Cause-North Carolina mobilized and guided NC A&T students' fight against the gerrymander, but the students were also inspired by the "People's Professor" Derick Smith.

These efforts often took considerable time and tenacity. Gomillion and the TCA's work to gain voting rights for Black citizens in the City of Tuskegee and Macon County took place over a quarter of a century. Bard's fight for student voting rights and a polling place on campus, which included four lawsuits, one federal and three state, took place over a similar time frame. PVAMU's work to defend student voters and gain an accessible and available poll site have been ongoing since the 1970s and promise to continue. In this manner, the process of participatory democracy and democratic engagement is a journey, and not a destination.

It is important to note that the impact of these efforts has rippled out beyond individual campuses. Gomillion and the TCA's thorough documentation of discriminatory practices and the violation of voting rights in Macon County, and the impact of the Tuskegee gerrymander, helped shape the Civil Rights Acts of 1957 and 1960, and the Voting Rights Act of 1965. The suits filed by Prairie View students led to *Symm v. United States* (1979), the only Supreme Court decision concerning the 26th Amendment, which is regularly cited in litigation of student voting cases. Bard's protracted fight for a polling place on campus and its publicizing of the egregious acts of the Dutchess County Board of Elections helped galvanize a coalition of voting rights organizations and members of state government to take such decisions out of the hands of local election boards and mandate polling places on or near college campuses with large groups of registered voters. The cumulative experiences of youth voter infringements across the nation have shaped development of the Youth Voting Rights Act, a comprehensive federal bill to fulfill the promise of the 26th Amendment. But these ripples did not just occur. They emerged from the hard work, dedication, and organization of justice-oriented students, faculty and administrators and their allies, who demonstrated that systemic change is possible.

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