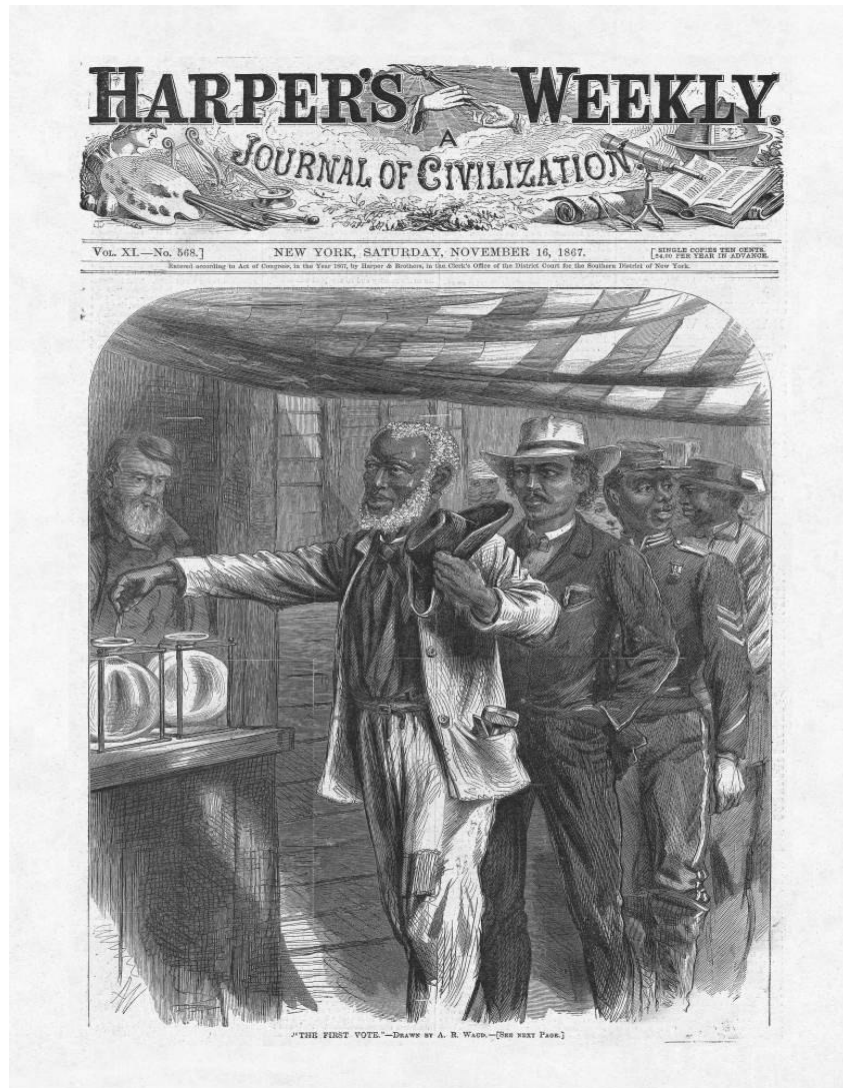


**To Make Amends:
Tennessee's 128-Year Post-Ratification of the 15th Amendment**



“The First Vote.” The freedmen vote in the South under Radical Reconstruction in November 1867. While the former slaves could vote in the South, northerners refused to extend suffrage to blacks in most states until ratification of the 15th Amendment.

Courtesy of the Library of Congress

When Tennessee was readmitted to the Union in July 1866, the United States Congress imposed few requirements on the Volunteer state. For one, Tennessee's post Civil War government was controlled by a party friendly to congressional Republicans—such was not the case in any other Confederate state. Thus, by ratifying the recently passed Fourteenth Amendment, which imposed strict terms on the southern states, checked the power of ex-Rebels, and safeguarded the freedmen by recognizing their civil rights, Tennessee escaped Military (Congressional) Reconstruction. By February 1869, Congress added an additional requirement for readmission—ratification of yet another constitutional amendment, the Fifteenth, which

forbade the states and the federal government from denying the right of citizens of the United States to vote “on account of race, color, or previous condition of servitude.”



Courtesy of the Library of Congress

Readmitted three years prior to Congress’s action to send a black suffrage amendment to the states for ratification, Tennessee’s General Assembly was under no obligation to ratify the proposed amendment. Therefore, as most of the 37 state legislatures (including the Confederate states) quickly ratified the amendment, Tennessee opted to follow the course of action first adopted by the Kentucky state legislature, and subsequently by Delaware and Ohio as well, to formally reject the proposed amendment. Ardentlly opposed to the notion of black suffrage, the 36th Tennessee General Assembly passed joint resolution No. 98 in 1870 denouncing the federal government’s intervention into a state’s legislative affairs by imposing black suffrage on the states.

Despite Tennessee and several other states’ refusal to consent to black suffrage, the 15th Amendment became the law of the land on February 3, 1870 as Iowa became the 28th state to ratify the amendment. With the 15th Amendment, the Constitution became truly color blind for the time in U.S. history.

In the wake of Iowa’s ratification, three more states quickly followed suit: Nebraska, Texas, and New Jersey. Delaware became the 32nd state to ratify at the turn of the century; however, 5 states refused to act positively toward the amendment. As the civil rights movement reached its summit in the late 1950s and early 1960s, Oregon and California’s state legislatures

assented to ratify the amendment. Maryland and Kentucky finally consented more than a decade after President Lyndon B. Johnson signed the Voting Rights Act of 1965, thereby breaking through Jim Crow's last line of defense in the segregated South. By 1997, Tennessee was the only state of the original 37 in the Union in 1869 that remained noncommittal to an official act of support for the 15th Amendment. But developments that spring, spearheaded by an assistant in the Texas state legislature, would put Tennessee on the path to becoming the last state to ratify the 15th Amendment.

Gregory D. Watson was a twenty-year old college sophomore studying economics at the University of Texas at Austin in 1982. While researching the proposed—but not ratified—Equal Rights Amendment (ERA) to the United States Constitution for a paper in his government course, Watson stumbled across documentation of another unratified constitutional amendment. Originally presented to the states in 1789, the amendment provided that any change in the compensation of congressional members may not take effect until an election of the U.S. House shall have intervened. Watson switched the topic of his paper from the ERA to the 1789 amendment, arguing that unlike the ERA, which had a fixed 7-year deadline for ratification by the required three-quarters of the state legislatures (38 states), the 1789 amendment had no deadline within which the nation's state legislatures must have acted upon it and that it could belatedly become part of the Constitution. Following his class, Watson began a letter-writing campaign strategically targeting individual states to ratify the proposed change of compensation amendment. The reaction on the part of individual state legislatures was swift. The original idea behind the 1789 amendment, conceived by James Madison to assure the public's trust in the early Republic and its leaders, resonated among the twentieth-century legislators' constituents, who believed that the proposed amendment would be a beneficial safeguard against political corruption. Watson's one-man campaign, though joined along the way by some heavy hitters such as Ralph Nader, to secure ratification of the 1789 amendment achieved success on May 7, 1992, as Michigan became the 38th state to ratify the 27th Amendment to the Constitution, 203 years after it was first proposed to the original 13 states.

Following the successful ratification of the 27th Amendment, Watson began looking for states that had never ratified other constitutional amendments such as in the case of Mississippi, which remained the only state never to ratify the 13th Amendment. During the summer of 1994, Watson sent letters to each and every single black member of the state legislature not only informing them of the state's status in respect to the Amendment but also included a draft resolution for the legislature to adopt in order to symbolically post-ratify the 13th Amendment. His efforts resulted in the legislature adopting Senate Concurrent Resolution No. 547, thereby making Mississippi the final state to ratify—130 years later—the 13th Amendment.

Watson then cast his eyes toward the Tennessee General Assembly, which remained the only state of the original 37 states never to officially ratify the 15th Amendment. As in Mississippi, Watson focused his attention on the black members of the General Assembly, pointing out to them that their state had embarrassingly, for the past 21 years (Kentucky ratified on March 18, 1976), stood alone as the sole dissenter to the 15th Amendment. 15 members of the Tennessee black caucus joined Representative Tommie F. Brown of Chattanooga as cosigners of House Joint Resolution 32, which was proposed to post-ratify the amendment. The resolution also sought to remedy a sad chapter in Tennessee's legislative history by expunging the state's

1870 act to reject the 15th Amendment from the official record. The joint resolution resolved that the 1870 measure is “hereby revoked, repealed, and utterly rescinded.” Subsequently, all remaining members of both chambers of the General Assembly added their names to the joint resolution as cosigners. On April 2, 1997, the Tennessee General Assembly took a very historic and symbolic action by officially post-ratifying the 15th Amendment, 128 years after the amendment was first rejected by the state legislature. Six days later, in an official ceremony at the state capital, Tennessee Republican Governor Donald K. Sundquist signed House Joint Resolution 32, thereby making Tennessee the 37th and final state to ratify the 15th Amendment.



Gregory Watson
Courtesy of www.post-gazette.com



**Democratic Representative
Tommie Brown (Dist. 28, Hamilton County)**
Courtesy of www.legislature.state.tn.us

15th Amendment Ratification Timeline

The Fifteenth Amendment to the Constitution of the United States was proposed to the legislatures of the several states by the Fortieth Congress, on February 26, 1869, and was declared, in a proclamation of the Secretary of State, dated March 30, 1870, to have been ratified and made supreme law of the land.

1. Nevada, March 1, 1869
2. West Virginia, March 3, 1869
3. Illinois, March 5, 1869
4. Louisiana, March 5, 1869
5. Michigan, March 5, 1869
6. North Carolina, March 5, 1869
7. Wisconsin, March 5, 1869
8. Maine, March 11, 1869
9. Massachusetts, March 12, 1869
10. Arkansas, March 15, 1869

11. South Carolina, March 15, 1869
 12. Pennsylvania, March 25, 1869
 13. New York, April 14, 1869 (and the legislature of the same State passed a resolution January 5, 1870, to withdraw its consent to it, which action it rescinded on March 30, 1970)
 14. Indiana, May 14, 1869
 15. Connecticut, May 19, 1869
 16. Florida, June 14, 1869
 17. New Hampshire, July 1, 1869
 18. Virginia, October 8, 1869
 19. Vermont, October 20, 1869
 20. Alabama, November 16, 1869
 21. Missouri, January 7, 1870
 22. Minnesota, January 13, 1870
 23. Mississippi, January 17, 1870
 24. Rhode Island, January 18, 1870
 25. Kansas, January 19, 1870
 26. Ohio, January 27, 1870 (after having rejected it on April 30, 1869)
 27. Georgia, February 2, 1870
 28. Iowa, February 3, 1870.
- * Ratification was completed on February 3, 1870 ***
29. Nebraska, February 17, 1870
 30. Texas, February 18, 1870
 31. New Jersey, February 15, 1871 (after having rejected it on February 7, 1870)
 32. Delaware, February 12, 1901 (after having rejected it on March 18, 1869)
 33. Oregon, February 24, 1959
 34. California, April 3, 1962 (after having rejected it on January 28, 1870)
 35. Maryland, May 7, 1973 (after having rejected it on February 26, 1870)
 36. Kentucky, March 18, 1976 (after having rejected it on March 12, 1869)
 37. Tennessee April 8, 1997 (after having rejected it on November 16, 1869)

Sources:

Library of Congress: <http://thomas.loc.gov>

John W. Dean, "The Telling Tale of the Twenty-Seventh Amendment: A Sleeping Amendment Concerning Congressional Compensation Is Later Revived" (<http://writ.news.findlaw.com>)

www.usconstitution.net