

The Twenty-Sixth Amendment & the Power of Youth

Overview

Many students feel that adults don't listen and that as teens, they have little power to affect change. In this lesson, students will explore the successful youth movement during the Vietnam era to change the voting age from 21 to 18-years-old. Students will understand that largely due to the valid protests from young people ("Old enough to fight! Old enough to vote!") the Twenty-Sixth Amendment was ratified.

Grades

Middle & High School

Essential Questions

- How has the right to vote become more inclusive?
- How did the Twenty-sixth Amendment allow for a more representative government?
- Why is our democracy dependent upon informed, responsible, and active citizens?
- How can we, as individuals, work to increase voter turnout?
- Why do you think individuals age 18-24 vote less frequently than others?
- Should all citizens eligible to vote be required to vote?

Materials

- Image of a Vietnam Soldier, sample attached
- OPTIONAL: Film clip from *Forrest Gump* or a similar clip illustrating the youth of those who fought in Vietnam
- "Old Enough to Fight! Old Enough to Vote!," amendment summary attached
- Optional Homework: How to Write a Letter Seeking Policy Change, attached

Duration

60 minutes

Procedure

What Power do Youth Really Have?

1. As a warm-up, tell students that you are going to ask them to physically represent their opinions regarding a few statements. Explain that you are going to project (via Power Point or overhead transparencies) and/or read some statements (listed below) and you would like them to respond to the statements by walking to the side of the room labeled with the word that best represents their opinion. (Teachers should post large signs reading "agree" and "disagree" on either side of the room prior to class). Tell students to move to either side of the room silently and carefully as you project each statement for their response. Encourage students to follow their own opinions rather than choosing sides based on where their friends move. Sample statements to project include:
 - Adults, such as parents and teachers, often don't listen to teenagers.
 - Young people have the power to make a difference and change their communities for the better.
 - Voting isn't something that is important to me.
 - The voting age should be lowered to 16 since teenagers have good ideas regarding how to make our government and communities better.

- It is important to participate in democracy and the political process, even if you aren't old enough to vote.
- Federal, state, and local government officials should consult people our age on the decisions they make.
- The voting age should be raised – most eighteen year olds don't know enough to be able to vote.
- There are issues in my school or community that I think need to be improved.

As students move about the room, teachers should make notes regarding what the majority opinion seems to be for each statement, when the group is evenly split, etc., so that this can be discussed further.

2. After going through the statements, thank students for their participation and instruct them to return to their seats. Further discuss their responses and opinions; for example:
 - Almost all of you felt that adults don't listen to young people. Why do you feel this way? What evidence can you note to back this up? Why *should* adults listen to young people?
 - A vast majority of you agreed that officials should consult people your age on the decisions being made. Why should they?
 - For those of you who said there are improvements you'd like to see in your school or community, what are some of those improvements you feel are needed? Have you ever officially shared your opinion with decision makers and/or tried to get these changes implemented? Why or why not?
 - Who said voting isn't important? Why do you feel this way? Who disagrees and why?
 - For those of you who felt that teenagers actually do have the power to make a difference, what makes you think this?
3. To culminate this line of thinking, ask students if they can think of any specific examples throughout history when young people have made a difference or affected change. Note these examples on the board.

The Vietnam Era Controversy

4. Next, use one of the following means to focus student thinking on the Vietnam era, particularly focusing them on the young ages of many of the American soldiers who fought in Vietnam:
 - Select a scene from *Forrest Gump* that features the young soldiers who fought in Vietnam and show it to students. Ask students to pay particular attention to the American soldiers as they view the clip of your choice. Afterwards, ask students what they noticed about the soldiers in Forrest's platoon; if necessary, gradually direct them to the soldiers' young age.
 - If you are unable to show the movie clip, project an image, such as the attached soldier picture, and ask students what they notice about the soldier.

Discuss:

- What do you notice about the soldier(s) pictured?
- How old would you guess this soldier is?
- What age must you be to enlist in the military? Let's assume the soldier pictured is 18 years old. What are the rights that eighteen-year-olds possess in today's society?
- What rights do eighteen-year-olds not possess that older people do possess?

- Can you think of any rights that eighteen-year-olds possess today that this eighteen-year-old soldier during Vietnam did not possess?
5. Lead students to the understanding that a large controversy regarding the rights of eighteen-year-olds developed during the Vietnam War era, since at that time, you could not vote until you were twenty-one years old. Discuss:
- Why do you think many eighteen to twenty-year-old youth found this unfair?
 - Does anyone know why or when the change came about that lowered the voting age to eighteen?

“Old Enough to Fight! Old Enough to Vote!”

6. Let the students know they are going to do some background reading on this controversy, and pass out the attached “Old Enough to Fight! Old Enough to Vote!” handout, which summarizes information about the Twenty-Sixth amendment. Instruct students to read the summary then further highlight and discuss:
- In 1868, the **Fourteenth Amendment** indicated that only individuals over the age of twenty-one were able to vote. While males aged eighteen and older were called upon or encouraged to fight in the **Civil War, WWI, WWII, Korea, and Vietnam**, they were unable to vote in national, state, or local elections!
 - During the **Vietnam War**, protesting abounded, particularly within a younger group known as the “**Counter-Culture**.” This group disagreed with the nation’s presence in Vietnam, and was angered by the fact that the war was fought largely by **draftees** and that the average age for war fatalities was 19 years-old. This counter-culture coined phrases like “Make love, not war.”
 - Allow students to respond to their feelings regarding eighteen-year-olds being drafted and losing their lives in war, but those same eighteen-year-olds not being allowed to vote at home. Some students may similarly note today’s argument concerning the legal drinking age.
 - While the discrepancy between the fighting age and the voting age had arisen in previous times of war, even as early as the Civil War, youth never had a voice in the discussions. During Vietnam however, the youth became a powerful voice.
 - Largely because of the protest of young people, Congress noted the disparity and set forth to extend the **Voting Rights Act of 1965** to individuals eighteen and older.
 - Why do you think Oregon and Texas challenged this?
 - What happened in *Oregon v. Mitchell*?
 - Explain to students that both Oregon and Texas upheld that Congress should not be able to set requirements for state and local elections. In *Oregon v. Mitchell*, the Supreme Court sided largely with Oregon. It found that while Congress could set requirements for voting in federal elections, it did not have the power to set the voting age for state elections. Enforcement of this ruling would have proven to be problematic, since states not lowering the voting age to 18 for state elections would have had to provide special federal-election ballots to citizens between the ages of 18 and 20. States would have had to maintain two sets of voting registries, one for those between the ages of 18 and 20 and another for those 21 and older. This question became moot with the ratification of the Twenty-sixth Amendment the next year, which lowered the voting age to 18 for all elections in all states. Though *Oregon v. Mitchell* affirmed the federal government's power to set a minimum voting age for federal elections, no case has tested whether the federal

government possesses the power to prevent states from lowering the voting age to below 18 for federal elections. Point out to students that such rights of states allowed North Carolina to pass a law in January 2010 allowing 16 and 17-year-olds to *pre-register to vote*! (See the Consortium's "How Do I Pre-Register and Vote in NC" and "Can You Hear Me Now – NC's Pre-Registration Law," available in the Database of Civic Resources, to teach students about their new right to pre-register.)

- Eighteen-year-olds were finally given the right to vote with the **ratification** of the **Twenty-sixth Amendment** on July 1, 1971. North Carolina and Oklahoma were the last two states to ratify the amendment.
 - How did the Twenty-sixth Amendment allow for a more representative government?
 - Throughout history, how has the right to vote become more inclusive? (Discuss other predominantly youth led efforts, such as the civil rights movement, Freedom Riders, etc.)
- While young people had to protest to earn the right to vote, today voters between the ages of 18 and 24 are less likely to vote than any other age group!
 - Do you agree or disagree with the ratification of the Twenty-sixth Amendment? Should the voting age be 18 or should it be a different age? Explain.
 - Even though so many youth fought to lower the voting age to 18, today people between the ages of 18-24 are less likely to vote than any other age group! Why do you think this is?
 - What can be done to encourage people to vote in today's society?

Advocating For Your Right to Vote in 1968

7. Next, break the class into groups of 2-4 and explain/project the following:
 - Imagine the year is 1968. The United States is in its fourth year of fighting in Vietnam.
 - You are members of the "Counter Culture"; you are anti-war protestors. You feel it unfair that young males 18-20 are fighting in Vietnam yet do not have the right to vote; thus, you advocate for change.
 - You have come together with a small group of peers to prepare for a protest by identifying the reasons individuals ages 18-20 should have the right to vote.
 - For the next fifteen minutes, brainstorm every possible reason individuals age 18 and older should be enfranchised and provide viable support for each reason.
 - Then, create a 2 minute presentation to deliver at a rally with the goal of convincing others that 18-year-olds should have the right to vote. Presentation possibilities include a speech, a song, a rap or chant, a skit, etc. Be ready to present to the class in 15-20 minutes!
- **Teacher Note:** If you have any students who believe the voting age should have remained at 21, you may want to allow them to form a group and prepare a presentation advocating their beliefs as well. This can lead to a very rich debate once groups present.
8. Allow students to begin working, giving them time warnings throughout. If one group finishes earlier than others do, you can instruct them to create posters while they wait. (Teachers may also want to play music from the Vietnam War era, such as music from the Forest Gump or Born on the Fourth of July soundtracks, as students work.)

After fifteen minutes, ask the students to share, discuss, and defend their reasons. Have a student record the reasons/arguments on the board. As students present, guide them based on whether or

not their reasons are historically accurate/appropriate and viable. Encourage students to recognize whether or not the ideas they share are timeless - meaning, are they applicable to today's society, 1960s society, or both? Most importantly, challenge your students to provide support and evidence for their arguments. If they state eighteen-year-olds are responsible, ask them why, or provide an example of an irresponsible eighteen-year-old to challenge their thinking.

9. Once students are done sharing their ideas, ask the group to examine the board and to determine which reasons are most likely to have won 18-20 year-olds the vote in 1971. To conclude this discussion, ask students to turn back to their groups and to decide which reason on the board they feel is most powerful and why.

Civic Participation: Write a Letter for Policy Change

10. In culmination, ask students to consider the phrase "civic participation." Discuss:
 - What is civic participation? List examples.
 - Do you think that teens today are more or less engaged in civic participation than teens living during the Vietnam War? Explain.
 - Why are youth so important to social movements and in bringing about change in various communities?
 - Why do you think people your age often underestimate your power?
 - Why is our democracy dependent upon informed, responsible, and active citizens?
 - Why is it important for each of you to be aware of what is happening in our community and throughout the world, and to make it known when you disagree with something or feel your rights, or someone else's rights, are being violated?
 - What are the various ways that you can make your voice be heard and advocate for change? Consider all of the ways we have discussed in class, that you have read about, that you have witnessed, etc. (As students note these, write them on chart paper.)
11. Inform students that one way to participate civically is by writing a letter to a government official. As an optional homework assignment, tell students they will remain in the year 1968 and will employ their selected reason(s) for lowering the voting age to compose a letter to a congressman seeking policy change.
12. Distribute the *How to Write a Letter Seeking Policy Change Handout*, go over its contents, and answer any questions. Allow students the remainder of the period to draft a group letter to their congressman seeking a voting age of 18. Remind students their letter must be from the historical perspective of 1968 and that the letter must be dated as such.
13. Alternatively, teachers can instruct students to write a letter from their modern day perspective regarding an issue they care about that they would like to see changed (i.e. health care, immigration, access to or funding for education, etc.)

Additional Activities

- Continue the discussion regarding the importance of voting by using the Consortium's "How Do I Pre-Register and Vote in NC" and "Can You Hear Me Now – NC's Pre-Registration Law," available in the Database of Civic Resources, to teach students about their new right to pre-register.

Vietnam Soldier



**“Old enough to fight, old enough to vote!”
Student Activism Results in Twenty-Sixth Amendment
to the United States Constitution**

The Twenty-sixth Amendment (Amendment XXVI) to the United States Constitution standardized the voting age to 18. It was adopted in response to student activism against the Vietnam War and to partially overrule the Supreme Court's decision in *Oregon v. Mitchell*. It was adopted on July 1, 1971.



In 1868, the Fourteenth Amendment indicated that only individuals over the age of 21 were able to vote. While males ages 18 and older were called upon or encouraged to fight in the Civil War, WWI, WWII, Korea, and Vietnam, they were unable to vote in national, state, or local elections.

As young protestors abounded amidst the Vietnam conflict, Congress and the state legislatures felt increasing pressure to pass the Constitutional amendment. The young men fighting and risking their lives in the Vietnam War, many of whom were being drafted against their will, weren't able to cast a vote. Thus, "Old enough to fight, old enough to vote," was a common slogan used by proponents of lowering the voting age.

On June 22, 1970, President Richard Nixon signed a law (not yet a constitutional amendment) which required the voting age to be 18 in all federal, state and local elections. Subsequently Oregon and Texas challenged the law in court. In *Oregon v. Mitchell*, 400 U.S. 112 (1970), the Supreme Court declared unconstitutional the parts of the law which required states to register 18-year-olds for state and local elections. However, by this time, four states had a minimum voting age below 21.

On March 10, 1971, the Senate voted 94-0 in favor of proposing a Constitutional amendment to guarantee that the voting age could not be higher than 18. On March 23, 1971, the House of Representatives voted 401-19 in favor of the proposed amendment. Seven months after Congress submitted it to the states, the amendment was ratified by three-fourths of the state legislatures, the shortest amount of time in which any proposed amendment has received the number of ratifications needed for adoption.

On July 5, 1971, during the amendment's signing ceremony in the East Room, President Richard Nixon talked about his confidence in the youth of America:

“As I meet with this group today, I sense that we can have confidence that America’s new voters, America’s young generation, will provide what America needs as we approach our 200th birthday, not just strength and not just wealth but the “Spirit of ‘76’ a spirit of moral courage, a spirit of high idealism in which we believe in the American dream, but in which we realize that the American dream can never be fulfilled until every American has an equal chance to fulfill it in his own life.”

Source: http://en.wikipedia.org/wiki/Twenty-sixth_Amendment_to_the_United_States_Constitution

How to Write a Letter Seeking Policy Changes

2600 Rocky quarry Road
Raleigh, NC 27610

March 1, 1968

Howard Coble, US Congressman
2468 Rayburn Office Building
Washington, DC 20515

Congressman Coble:

The first sentence should state your reason for writing. If your letter calls for a policy change, the related policy should be mentioned in the first sentence; if your letter proposes a new policy, make your intention clear from the start. The next statements address your concerns and relate specific examples if helpful and relevant. You should mention all involved, be they students, soldiers, parents, or all US citizens. Your last sentence will say something like, "For these reasons, I am proposing a new policy that mandates..." or "For this reason, I propose the Voting Rights Act of 1965 is extended to..."

The following 1-3 paragraphs will include your suggestions. Here you will state every possible option for addressing your concern and permanently correcting the problem. You should write a separate paragraph for each suggestion, and it is strongly suggested you provide more than one option if you want your message to be taken seriously. This component requires specifics: Who will be impacted? Who will be responsible for carrying out the change? Who will provide funding if necessary? How will the change be monitored? What will be the lasting impact?

Your next-to-last paragraph offers your recommendation to the congressman. You set forth the best and most reasonable option, state why it emerges as the most reasonable, why it proves most beneficial for all parties involved, and why it points to lasting results. Specificity and an emphatic tone demand your attention.

The last paragraph summarizes all of the above. Identify your initial purpose and ultimate goal. Briefly review the options presented and strongly assert your recommendation. Always thank you reader for his/her time and consideration of your proposal. Mention you look forward to hearing from them in the near future and provide your contact information.

Sincerely,

**You sign your name here.

David Smith