Disenfranchisement*

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Abstract

This paper revisits the historical processes that disenfranchised African Americans in the post-reconstruction U.S. south. We assemble county-level voting data and estimate triple-difference models to explore how voter turn-out responded to political manipulation of the ballot box, and various legal changes. The results suggest disenfranchisement was a two-stage process. White southerners first employed political manipulation and various extra-legal means. It was only later, once the process of disenfranchisement was largely underway, that they turned to formal legal mechanisms such as poll taxes and literacy requirements. The first stage was associated with larger reductions in African American turnout than the second stage.

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1 Introduction

Among the most significant events in American political history, the post-Reconstruction disenfranchisement of Black Americans has had far reaching consequences. For example, the historical denial of Black access to the voting booth helps to explain: the long-time dominance of Democrats in Southern politics (Berkowitz & Clay, 2011; Kuziemko & Washington, 2018); the survival of paternalism and other institutions inimical to Black economic progress (Alston & Ferrie, 1993, 1999); the dearth of meaningful Civil Rights protections in the American South for much of the twentieth century (Wright, 2013); the eventual migration of Black Americans out of the South (Black, Sanders, Taylor, & Taylor, 2015; Collins, n.d.); and the disparate funding of public services such as education (Margo, 1991; Naidu, 2012; Pritchett, 1989). While Cascio and Washington (2014) find that the Voting Rights Act of 1965 undid some of these inequities and induced a significant shift in the distribution of state aid toward localities with large Black populations, the sordid history of disenfranchisement continues to shape the political discourse. It has, for example, proven especially relevant to debates about motor-voter laws and recent efforts to strengthen voter-identification requirements, which some claim are designed to undermine Black political access. The history of African-American voting has also taken on a heightened significance in the aftermath of a 2013 Supreme Court decision striking down portions of the Voting Rights Act.

While popular observers tend to equate the disenfranchisement of African-American voters during the late 1800s with the passage of poll taxes and literacy requirements, most historians suggest that disenfranchisement proceeded in two stages (e.g., Perman (2001)). The first stage was dominated by both informal mechanisms, such as violence and fraud, and also manipulation of the formal rules under which elections were administered. The second stage was dominated by the constitutionally enshrined legal mechanisms (i.e., poll taxes and literacy requirements) commonly associated with disenfranchisement. A long-standing point of contention, however, is the relative importance of these two stages. Some historians emphasize the importance of the poll taxes and literacy requirements enacted during the second stage (e.g., Kousser (1974)), while earlier writers suggest that these formal legal changes merely codified the informal and extra-legal practices observed during the first stage (e.g., Key (1949)).

In this paper, we assemble a panel of county-level voting data and estimate triple-difference models to assess the path to disenfranchisement. Following the framing of Perman (2001), we characterize the first stage of this process as voter "manipulation" and the second stage as voter "elimination". Consistent with this two-stage framing, our analysis suggests that Black voter participation dropped sharply in the years preceding passage of poll taxes and literacy requirements, and more slowly after their adoption. Our results also highlight two mechanisms that drove reductions in Black voter turnout during the first stage: ballot box rules, which hindered the ability of voters to identify favored candidates and parties; and informal mechanisms which contributed to a secular decline in voting by Black men. Poll taxes and literacy requirements were certainly important, as they furthered and made permanent, the "manipulation" processes that had preceded their passage. The patterns we identify comport best with historical accounts (e.g. Key, 1949; Perman, 2001) suggesting that disenfranchisement did not begin with poll taxes and literacy requirements, but rather, with a host of informal and administrative measures that paved the way for the more formal modes of disenfranchisement observed during the voter-elimination phase.

These results contribute to an expanding literature among economists and economic historians on the origins and effects of African American disenfranchisement. For example, Chay and Munshi (2013) find that Republican vote share during the 1870-1890 period (which they interpret as a proxy for Black voter political mobilization) is positively related to the presence of larger Black social networks. Analyzing city-level data from the 1920s, Fryer and Levitt (2012) find that informal modes of intimidation, specifically presence of the Ku Klux Klan, had little, if any, effect on Black migration patterns or voting rates. While most existing work on the effects of violence and other extra-legal mechanisms focuses on political outcomes, Cook (2014) shows that violence and lynching had a negative and statistically significant effect on patenting rates among African American inventors and a negative but statistically insignificant effect on patenting rates among white inventors. Especially relevant to our paper is the work of Bertocchi and Dimico (2017) who find in cross-sectional data for Mississippi in 1896 that Black voter registration rates were decreasing in percent Black, a finding that they interpret as evidence that extra-legal disenfranchisement efforts by whites were driven by threats to white supremacy.

2 Historical Background

In an authoritative treatment of the history of disenfranchisement, Perman (2001, p. 5) divides the process of disenfranchisement into two phases. The first phase, referred to as the "vote manipulation phase," extended from the end of Reconstruction in the mid-1870s through the early 1890s. As explained below, the key elements of the vote manipulation phase are: violence and intimidation, gerrymandering, ballot box laws, and other practices which allowed whites in power to twist and distort electoral outcomes. The second phase, referred to as the "voter elimination" stage, employed formal legal instruments such as poll taxes and literacy requirements, and extends from the 1890s to around 1910. As discussed below, one way to distinguish the vote manipulation phase and the voter elimination is that the latter required constitutional amendments to implement, while the former relied on ordinary legislation, administrative rules implemented by party officials and governors, and informal mechanisms.

Hence, during the vote manipulation phase, Democrats engaged in practices of "varying degrees of criminality" to undermine Black men's access to the ballot box. Initially, Democrats used a combination of intimidation, violence, and fraud to reduce the political efficacy of southern Black voters. Once in office, Democratic politicians then leveraged their political control of the electoral apparatus to limit Black access to the voting booth and thereby maintain and promote the power of the Democratic Party. For example, Democratic governors appointed their preferred agents to supervise elections and altered electoral rules to the party's benefit. In some instances, this led to polling locations purposefully located a great distance from largely Black communities or last-minute changes to polling locations of which only white voters were notified Dunning (1901). By the same token, when federal suits were brought against poll managers in South Carolina who were caught interfering with Black voting rights, the Democratic governor urged the legislature to raise funds to pay the poll managers' legal costs Edgar (1998). Gerrymandering was another widely used approach; an extreme example is Mississippi's "shoestring district," which packed most of the state's highly Black communities into an electoral district three hundred miles long and twenty miles wide.

Ballot box laws were of particular importance during the vote-manipulation phase. These laws required individuals to cast separate ballots for different offices into a set of up to 8 different ballot boxes (invalidating all votes by an individual if even one ballot was miscast). Ballot laws also blocked the use of party symbols or color coding on ballots and barred any assistance in navigating the complicated voting procedure by imposing a "secret ballot" requirement. As shown in the first column of Table 1, such ballot box measures were passed by every state in the South except Alabama and Georgia. Outside of Florida, which passed its law in 1889, all of the ballot-box laws were enacted during the 1890s. While secret ballot and other ballot box measures often sounded benign, or perhaps even fair in theory, most observers believed that they were designed to promote the power of the Democratic Party by making it difficult for less educated voters, particularly African Americans, to identify their favored candidates.

Only after Democrats were able to successfully orchestrate their electoral successes by manipulating the vote, were they able to cement their power and permanently eliminate the Black vote, through passage of literacy requirements and poll taxes. It was the passage of these laws that ushered in the second phase, the voter-elimination phase. Poll tax laws required individuals to provide evidence that they have paid their "poll tax" for the current year (and in some cases required evidence that individuals were current over a long number of years) in order to be eligible to vote. Literacy-test laws typically required individuals to read and explain a portion of the state constitution, to the arbitrary satisfaction of an election official, to be eligible. Both poll taxes and literacy requirements lent themselves to unequal enforcement so that Black voters could be isolated for harsher treatment and higher standards.[1]

The second and third columns of Table 1 describe when and where poll taxes and literacy requirements were enacted. Except for Georgia and Virginia, which passed their first poll tax as soon as Reconstruction ended, Southern states passed their first poll tax laws after 1889 and before 1905. Arkansas and Virginia passed multiple poll tax laws because earlier measures were struck down by the courts or were repealed and later revived by the legislature. Seven of the eleven states passed laws requiring a literacy test to establish voting eligibility. Notice that outside of Virginia, literacy requirements and poll taxes were passed after (or concurrent with) ballot box laws.

Because poll taxes and literacy requirements directly changed who was permitted to vote (hence the phrase, "voter elimination" stage), they almost always required amendments to state constitutions. Amending state constitutions imparted greater permanence and durability than ordinary legislation because un-doing such amendments required a super-majority, or even more costly, a constitutional convention, while a mere legislative majority was typically sufficient to undo an ordinary legislative change Perman (2001, pp. 11-18). The difficulty passing constitutional amendments helps to explain why disenfranchisement in the American South almost had to proceed in two stages. Simply put, there was no way to get the votes necessary to pass such amendments without first denying Black voters the right to vote through more informal channels.

The net effective of these efforts was the effective end of Black male suffrage in the south by the beginning of the 1900s. While there is very limited direct evidence of turnout rates by race in the South

[1]If the goal was to disenfranchise Black voters, one might reasonably ask: why didn't the Democrats simply pass laws that expressly prohibited Black voters from voting? The answer is that the 15th Amendment barred states from enacting restrictions on the franchise that were overtly based on race. For this reason, Democrats were forced to adopt barriers whose impacts, while highly correlated with race, did not mention race explicitly.

over this period, the effect are clear in the data. Consider for instance the data presented in Table 1 which presents turnout rates across all counties in Mississippi for selected presidential elections - broken out by the percent age of each counties eligible voters who were Black. In 1876, turnout rates averaged roughly 75%, even in counties where well over half of the voting eligible population was Black. By 1884, turnout rates were dropping generally and even more so in predominantly Black counties. By 1896, Black suffrage in Mississippi was effectively at an end. One way to see this is to note that the trend-line predicts 0 turnout in a 100% Black county.[2] The last panel in Figure 1 demonstrates that, while near-complete Black disenfranchisement remains in force, white voter turnout has also declined substantially by the end of the new century's first decade.

In light of this brief historical overview, the argument that disenfranchisement proceeded in two phases is clearly testable. If the vote-manipulation phase paved the way for the voter-elimination phase, one expects to observe large drops in Black voter participation before the wave of constitutional amendments beginning in 1889. More precisely, in the seven states that amended their constitutions after 1889, one should observe large reductions in Black voter participation in the years preceding ratification of those amendments. Moreover, the drops in Black voter participation that preceded this wave of constitutional amendments should have been correlated with the passage of ballot box laws and growing Democratic control over the electoral apparatus in each of the states that amended their constitutions.

3 Data and Empirical Approach

3.1 Data

To explore and test the idea that disenfranchisement was a two-stage process, we compile a panel of county-level data on voter participation rates and the percentage of the voting age population of men that was Black. Voter participation counts are taken from data originally compiled by Jerome Clubb, William Flanigan, and Nancy Zingale. These data report total votes cast at the county-level for every congressional and presidential election between 1840 and 1972.[3] To develop county-level counts of the voting age population of men and the percentage of these men who were Black, we begin by aggregating up individual-level observations from the decennial full-count censuses that overlap our study-period Ruggles et al. (2024).[4]. To obtain measures for intercensal years, where possible, we linearly interpolate between the two closest Censuses.

One challenge we confront in constructing the county-level data is the fact that a number of new counties are created during the time period of interest. The creation of these new counties is accompanied by changes in the boundaries of existing counties. When this occurs, linear interpolation misrepresents changes in our voting age population measures. Consider for instance the percent of a county's voting eligible population that was Black. Suppose that the county's boundaries change in 1876 in a way that

[2]This interpretation of course must confront the issue of ecological fallacy. The tripple-difference approach that we take in our main analysis is designed specifically to control for the potential co-founders which could give rise to these concerns.

[3]*Electoral Data for Counties in the United States: Presidential and Congressional Races, 1840-1972*. This dataset is publicly available online at http://www.icpsr.umich.edu/ (study number 8611).

[4]In cases where the census categorization of age doesn't align with 21 (i.e. categorized as over 18 as opposed to over 21) we interpolate in order to estimate the counts of men over 21.

increases the percentage of the population that is Black. It would be inappropriate to use the change in the Black population in that county between the 1870 and 1880 Censuses to construct a continuous linear growth rate for all years within this decade, when in reality there is a discrete jump at 1876.

To address this issue, we first identify all distinct "versions" of each county throughout the panel, where a county is coded as a new "county version" each time that its boundaries change. Using this approach, we construct turnout rates and measures of the percent of eligible voters who were Black using only Census data from the same county version.

Specifically, we begin by identifying new counties that appear in each of the decennial Censuses. Then, we identify (1) the specific year that each new county was created and (2) the surrounding counties that were modified in order to create this county.[5] There are two categories of problem counties to address: counties that are newly created and counties that are modified. Of 841 counties in our sample, 643 (76 percent) counties exist and are unmodified during the entire period of interest (1875-1912). 78 counties are newly created. 102 counties are modified once (including several of the created counties) and 11 are modified twice. For a newly created county, total eligible voters and percent of eligible voters who are Black are estimated for the few years prior to its first year in the Census using a linear extrapolation of these counts from the two following Censuses. For instance, to obtain percent of eligible voters who are Black in 1876 for a county that appears in 1876 we linearly extrapolate the rates of change in total eligible voters and eligible Black voters back based on the trend between 1880 (the first Census for which the county is observed) and 1890.

For pre-existing but modified counties, we conduct a similar procedure with the added complication that we must extrapolate from future Censuses to obtain estimates for the new "county version" and we must extrapolate from previous Censuses to obtain estimates for the pre-existing county version. To make this clear, consider the pre-existing counties that were modified to create a new county. Estimates of eligible voters (total and Black) for years strictly between 1870 and 1876 are constructed using rates of growth from the 1860 and 1870 Censuses. Estimates for 1876 and the remaining years of the decade are constructed using rates of growth from the 1880 and 1890 Censuses.[6]

Our full analysis focuses on the South, and we include in our definition of the South ten of the eleven states that joined the Confederacy (excluding Texas). Our analysis excludes border and Northern states even though poll taxes, literacy requirements, and other voter disenfranchisement measures were sometimes passed in those states as well. We focus on the South (i.e., the former Confederate states) for three reasons. First, the literature we are addressing is focused exclusively on the South. Second, the relationship between race and voting law was presumably very different outside the South where Black Americans tended to represent much smaller shares of the population and where racial issues were less politically salient. Third, the discussion in the historical section makes clear that disenfranchising Black voters in the South granted Democrats a political monopoly; that was not the case outside the South. As to why we

[5] We use the *Atlas of Historical County Boundaries* to accomplish this. This resource can be found at http://publications.newberry.org/ahcbp/. Using the Atlas, we manually record the date that a new county is created and the counties that were modified to create it.

[6] We lose six observations as a result of this method. In particular, to use this method to estimate percent Black for non-Census years, there must be two Census observations of the relevant county version on either side of the change. Thus, if a county changes twice within one decade, we cannot construct percent of eligible voters who are Black for any years in between the first and second changes.

restrict most of our analysis to the period from 1876 to 1912, we are again following the existing literature.

3.2 Empirical Approach: Triple-Differences and Stacked Triple-Differences

Our main approach is a triple-differences model at the county-by-Congressional election year level. For the most part, we take as the outcome a turnout measure, constructed as total votes cast divided by voting eligible population in the county-year. A difference-in-differences approach, regressing turnout on the implementation of a disenfranchising law would identify the average impacts of the laws on the full population. Our interest is in measuring the impacts of the laws on Black voters in particular, as such we incorporate a third difference, interacting the passage of a disenfranchising law with county Black share. Our base approach is thus a triple-differences model at the county-by-Congressional election year level. For the most part, we take as the outcome a turnout measure, constructed as total votes cast divided by voting eligible population in the county-year. A difference-in-differences approach, regressing turnout on the implementation of a disenfranchising law would identify the average impacts of the laws on the full population.

Specifically, our estimating equation is:

$$\begin{aligned} Turnout_{csy} = \beta_1 AnyLaw_{sy} \times PctBlack_{cy} + \beta_2 AnyLaw_{sy} + \beta_1 PctBlack_{cy} \\ + \tau_y + \rho_c + \tau_y \times PctBlack_{cy} + \delta_s \times PctBlack_{cy} + \epsilon_{csy} \end{aligned} \tag{1}$$

The main coefficient of interest is β_1, which estimates the differential effect of disenfranchising laws on turnout in counties with a higher share of Black voters. We advance this as our main coefficient as it provides information on the impacts of disenfranchising laws on individual-level Black voter turnout, which is our key question. For that reason, in some of what follows we sometimes interchangeably refer to this coefficient as providing evidence on "Black voter turnout" and "turnout in counties with a high share of Black voters", but we acknowledge that to equate these requires some ecological inference assumptions. Given the triple-differences design, we include fixed effects for county and year, but also state and year FE's interacted with county-level percent Black.

Any Law in this context could be either a ballot law or poll tax or literacy test. We follow prior scholars in grouping ballot laws as one category – vote dilution efforts that increased the difficult in casting a ballot, but without actively removing voters' ability to participate – and poll tax and literacy test as a second category – voter elimination efforts, often enshrined in states' Constitutions, that prevented voters from registering to vote altogether. In a different specification, we estimate a similar model that separately identifies impacts of ballot laws and poll tax/literacy tests, respectively. The specification is identical to Eqn. 1 except that we include separate indicator variables for Ballot Laws and for Poll Tax/Lit. Tests, and also interact both with Pct. Black.

One concern that is often raised in these settings is the problem of ecological fallacy, our the possibility that other factors that are correlated with racial composition are driving changes in voter turn-out. On the face of it, a quick examination of the types of voter patterns presented in Figure 1 suggest that such correlated factors are unlikely to be the underlying drivers of these patterns. From an econometric

perspective the potential presence of these correlated factors or confounds is exactly what motivates the use of differences-in-differences or triple-difference estimation strategies. They are specifically designed to overcome the presence of such potential confounds. And these concerns motivate our use of this empirical approach.

We also note that ours is a setting where recently raised concerns regarding the two-way fixed effects approach to estimating difference-in-differences models may be particularly acute: all states in our sample are eventually treated; it is reasonable to think that there would be heterogeneity in treatment effects due to differences in implementation of disenfranchising policies; and finally it is also reasonable to expect dynamic treatment effects and not one-time level shifts in turnout (Baker, Larcker, & Wang, 2022; Goodman-Bacon, 2021). As such, while we present our estimating equation above in the two-way fixed effects frame for ease of exposition, we separately estimate - and prefer - a *stacked* triple-difference approach (as in, e.g., Cengiz, Dube, Lindner, and Zipperer (2019)).

In our stacked triple-differences model, we group states by the year that they passed any disenfranchising law (that is, when the variable *Any Law* turns from 0 to 1). For each treatment cohort, defined by treatment year t, we then create a panel that includes six years prior to law passage (t-6) and four years after law passage for the treated states (t+4). In each such panel, as a control group, we also retain observations from states that do not pass any disenfranchising law until *after* year (t+4). As such, each treatment-cohort-specific panel includes only clean (untreated) control comparisons. Notably, in our setting, that means they are untreated by *either* class of law: ballot law or poll tax/literacy test. We then combine each of these panels into a single dataset. In doing so, we create a categorical variable that identifies each distinct panel, again defined by year of treatment cohort t. We then estimate models similar to Eqn. 1 except that we interact county and year fixed effects with treatment cohort-panel fixed effects, such that identification occurs within each of the panels containing only clean control comparisons. Similarly, rather than clustering by county, we cluster at the county-by-treatment cohort panel level.

4 Results

Figure 2 provides an initial summary of turnout patterns in our data. We split the sample into counties above and below median in Black population share. For each of those groups of counties, we plot turnout (Congressional votes divided by voting-eligible population) over time. Doing so previews our main empirical approach in the sense that we cannot identify race-specific turnout and instead rely on county race composition to infer changes in individual-level race-specific turnout. The figure depicts a dramatic difference across the two groups of counties. There is a small decline in turnout in counties with a low Black population share during the time period. On the other hand, counties with a large Black population share experience a pronounced decline in turnout, falling from sixty percent (essentially equal to the other group of counties) at the end of Reconstruction to near ten percent by the end of the panel. Of course, per prior writing and evidence, the dramatic decline in in turnout for Black voters and in high Black population share counties is attributable to some combination of informal mechanisms of disenfranchisement (violence, intimdiation, etc.) and formal mechanisms (poll taxes, literacy tests, ballot laws). The aim of our paper is to provide new causal evidence on the latter.

We provide new evidence on this question via the stacked triple-differences models described in the previous section. Table 2 presents our main results. The "treatment variable" here is the passage of "any law" – either a ballot law, poll tax, or literacy test. When any such law is passed "any law" turns from zero to one, and remains equal to one for the remainder of the panel.

Column 1 is the simplest model. Technically, because we interact our difference-in-differences variable with county-level "Pct. Black", we would want to account for general time trends across high- and low-percent Black counties that may impact turnout. The remaining models reported in the table do so by interacting year fixed effects with percent Black. The model in Column 1 does so by including a linear time trend interacted with percent Black. We do so in part to provide some evidence on on the relative role of general trends in turnout in high vs. low Black counties, aside from any impact of disenfranchising laws. It is well documented, and as discussed above, Southern democrats pursued a range of strategies to disenfranchise Black men. One interpretation of the interacted trend coefficient is as a measure of the success of these efforts.

Still, our primary coefficient of interest is "Any Law x Pct. Blk." which depicts the impact of the law in higher Black share counties, and - by assumption - the impact on Black turnout. On that coefficient, the estimates reveal a large negative impact of any law on Black voters. To take the coefficient literally: the passage of a disenfranchising law reduces turnout by fifteen percentage points more for Black voters than white voters (or, more precisely, in counties with with 100 percent Black population share relative to zero percent). The model also suggests a negative impact on turnout in counties with no Black population ("Any Law"); that result is not robust to our richer specifications. The "Trend X Pct. Black" variable suggests large general decrease in turnout occurring separate from the passage of a disenfranchising law. "Trend" here is measured in electoral cycles or two-year periods. We hesitate to interpret the magnitude of this coefficient too directly as it assumes that informal means of disenfranchising Black voters can be captured by a linear trend; but if we were to interpret the model directly, it would imply that informal means of disenfranchisement spanning about 2.25 electoral cycles (or 4.5 years) has the same impact as the passage of a disenfranchising law.

Columns 2 and 3 add richer fixed effects to more fully account for differences across counties and time, and in doing so better control for potential concerns about ecological fallacy. Column 2 adds the interaction of year fixed effects and county-level percent Black which is critical for identification in a triple-differences specification. We also include interactions between state fixed effects and county-level percent Black. Column 3 further adds state-specific linear time trends.

Columns 2 and 3 both reveal similar results on our main coefficient of interest ("Any Law x Pct. Blk."). We estimate that a disenfranchising law reduces Black voter turnout by 15.7 to 22.1 percentage points, depending on specification. Column 2 continues to suggest that there is a negative impact of a disenfranchising law in counties with zero Black population share, but that result does not hold in Column 3. We note that a negative impact on turnout in counties with zero Black population share is reasonable to expect. Historical evidence varies, but some suggests that officials enacting such laws also aimed to disenfranchise some subset of white voters. In addition to that, it is reasonable to expect that some white supremacist voters may turn out in lower numbers once Black voters are disenfranchised and one-party rule was cemented.

Figure 3 presents an event study, testing both the differential trends in turnout and the dynamics of the disenfranchising effects of "any law". The figure takes turnout as the outcome and plots coefficients interacting "pct. Black" with dummies capturing the years since or until the passage of any law. In other words, plotted are the triple-difference coefficients. We see that there are no differential pre-trends in Black voter turnout in years leading up to the passage of a disenfranchising law. From periods 0, 2, and 4, we see that there was a large immediate and (potentially) growing effect of the law on suppressing Black voter turnout.

Column 4 of Table 2 takes on the specification from Column 3, but adopts a different outcome variable. Specifically, in place of turnout, we take the two-party Republican vote share as our outcome. Our estimates reveal that the disenfranchising laws specifically reduced the vote share received by Republican candidates in counties with a larger Black population share. This result further supports an interpretation of our empirical model as identifying impacts on Black turnout rates and is consistent with the laws disenfranchising Black Republican voters (who would have represented the vast majority of Black voters).

Table 3 decomposes the "any law" treatment variable into two distinct treatments: the passage of a ballot law ("BL") and the passage of a poll tax or literacy test ("PT/LT"). We estimate specifications of the same types as in the previous table, with columns 1-3 again taking turnout as our outcome. In Columns 2 and 3, which include the fixed effects and interactions necessary for identification, we find that ballot laws had a much larger and clear negative effect on Black turnout than poll taxes and literacy tests. Column 4 reveals the same pattern when we instead take Republican vote share as our outcome. One reason for the larger impact of ballot laws is that they were typically introduced first, as they could be enacted without a change to the states' constitutions. Our argument is therefore not that poll taxes and literacy tests are unimportant in the disenfranchising environment, but instead that they were passed at a time when Black voters faced such high barriers to voting (due to informal mechanisms of disenfranchisement and also ballot laws) that there was little additional room to impact turnout. Instead, the role that poll taxes and literacy tests can be viewed as fulfilling is cementing the disenfranchisement that had already occurred through other means.

Figure 4 presents distinct event studies, similar to that in Figure 3, separately for the passage of a ballot law and for the passage of a poll tax or literacy test. The figures reinforce the absence of differential trends in years prior the passage of a law; they also provide clearer evidence on the growing effect of ballot laws in particular over time.

5 Conclusion

The disenfranchisement of Black voters in the post-Reconstruction South has had long-lasting effects on politics and policy in the United States. With the 2013 Supreme Court ruling striking down one section of the Voting Rights Act and controversies around voter-identification laws, questions around the mechanisms used to limit the franchise for Black and other minority voters continue to be relevant today. Our paper quantitatively assesses the mechanisms driving disenfranchisement in the post-Reconstruction South. Standard historical accounts suggest that disenfranchisement took place in two phases: a vote manipulation phase and a voter elimination phase. The first phase involves attempts to minimize the

political influence of Black voters. This was achieved through intimidation, fraud at the ballot box, and manipulation of the voting process by election officials. The second phase actively removed Black voters from the rolls using poll taxes and literacy tests. We employ an ecological decomposition approach – taking advantage of variation across counties in the size of the Black population – to identify rates of Black turnout. We embed this approach within a difference-in-differences framework to identify the impact of various laws and other disenfranchising "treatments" and demonstrate the robustness of our results through a variety of specification tests.

Our analysis suggests that, while both phases described in the qualitative historical literature had an impact on Black turnout, the "manipulation" phase was especially important. One of the key strategies used by states during this phase was the implementation of election laws that made it more difficult for Black voters to vote for the candidate they preferred (without actively preventing them from voting). Specifically, all of the states in our sample introduced secret ballots, multi-box elections, or both. These "ballot laws" have a clear, robust negative impact on Black turnout. They reduced turnout by between 5-10 percentage points depending on the specification employed. This is a large impact relative to our estimated impact of poll taxes and literacy tests, the main instruments used in the "voter elimination" phase. Depending on the specification employed, there is either a much smaller effect of these laws (between 1-3 percentage points) or no detectable effect at all.

These results also suggest that existing papers studying policy outcomes resulting from disenfranchisement (in the form of poll taxes and literacy tests) may actually be underestimating the effects of removing Black voters from the electorate. For instance, Naidu (2012) finds that the implementation of poll taxes and literacy tests reduced teacher-child ratios for Black students by 10-23%. Our paper shows that Black voters' political power had eroded well before those laws were introduced, so it may be the reduction in quality of schooling (or any of the other policy outcomes studied in the literature) in fact diminished by an even greater amount after Reconstruction ended.

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Figure 1: Turnout Rate by Pct. Black for Mississippi Counties

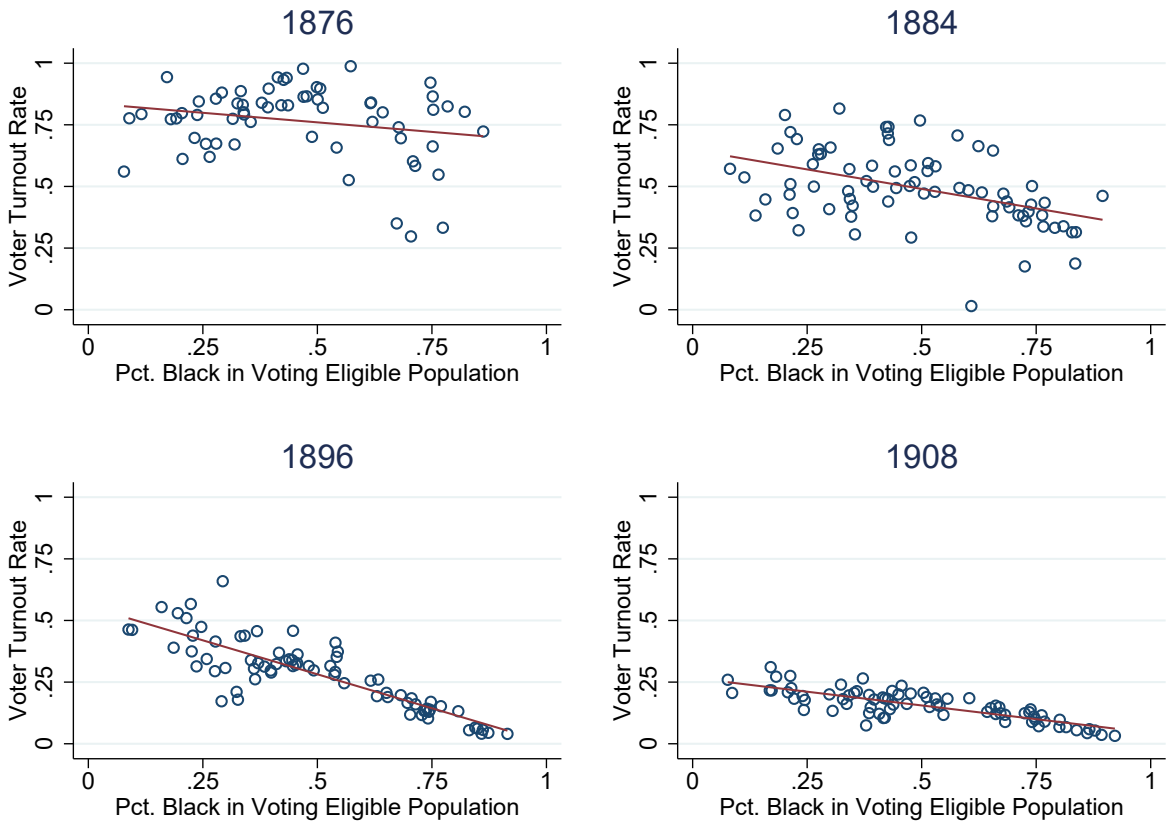
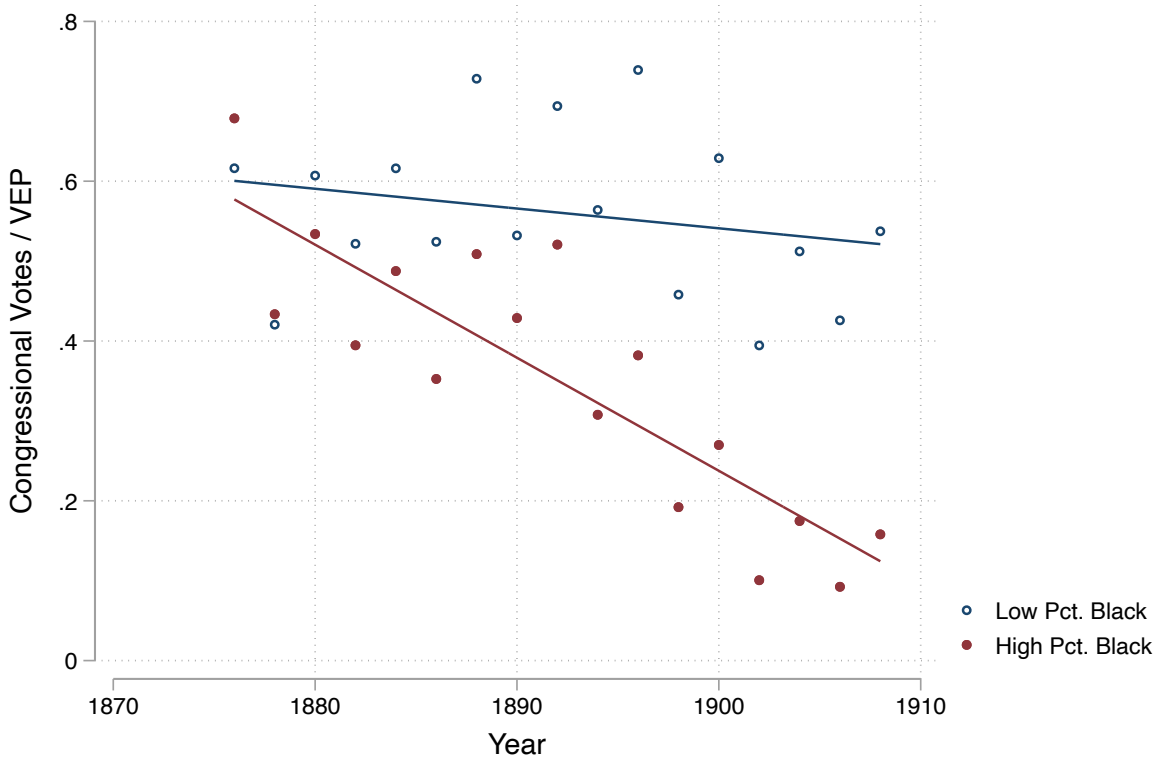
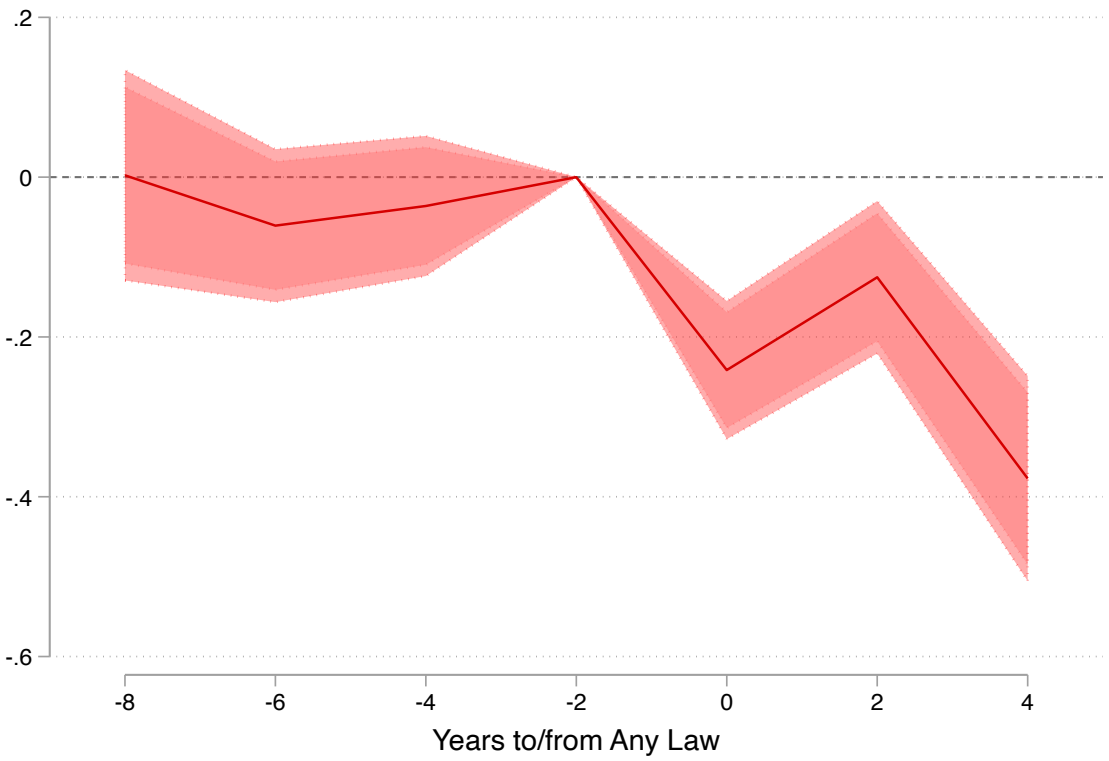


Figure 2: Trends in Turnout in Congressional Elections



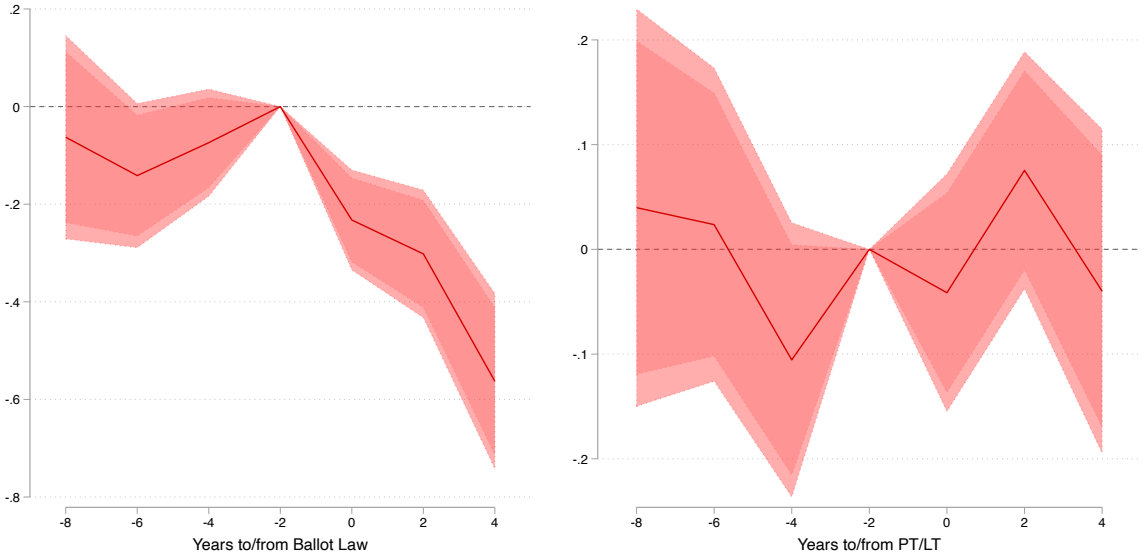
Notes: "Low" and "High" Pct. Black counties defined as lowest and highest quartile in county-level Pct. Black, respectively. The figure is binned scatterplot reporting average turnout across time.

Figure 3: Stacked Event Study: Impact of Any Disenfranchising Law



Notes: (to be added)

Figure 4: Stacked Event Study: Separate Impacts of Ballot Law and Poll Tax/Lit. Test



Notes: (to be added)

Table 1: Disenfranchising Laws

State	Poll Tax	Literacy Test	Secret Ballot/Multi-Box
Alabama	1902	1903	1892[b]
Arkansas	1893-1904[a], 1910		
Florida	1889		1889[c]
Georgia	1877	1908	
Louisiana	1900	1899	1896[d]
Mississippi	1891	1892	1891[e]
North Carolina	1902	1902	1899[c]
South Carolina	1896	1896	1882[c]
Tennessee	1890		1890[f]
Texas	1903		
Virginia	1877-1882[g], 1904	1902	1894[h]

a Invalidated by U.S. Circuit Court January 7, 1905, reenacted prior to the Election of 1910.

b The Election Law of 1891 mandated a secret ballot and standardized ballots. In concert, these requirements were a type of de-facto literacy test. Illiterate voters could no longer rely on symbols and/or similar devices to vote straight party, and the secret ballot requirement created barriers to voting assistance.

c Several states adopted complicated "multi-box" election laws that required multiple ballots (typically 8) each to be placed in a separate ballot box. A mistake in filing a single ballot would disqualify all ballots – thus, these laws operated much like a de facto literacy test.

d Combination of Secret Ballot requirement and a change in registration requirements.

e Secret Ballot.

f Secret Ballot w/out Party Identifiers & New Registration Law.

g Virginia's Poll Tax was repealed 1882 and then re-instated in 1904.

h Secret Ballot w/out Party Identifiers.

Sources:

Alabama, *Literacy Requirement & Poll Tax* – Revised Alabama State Constitution Adopted **1901**.

Arkansas, *Poll Tax* – state constitutional amendments ratified in 1892, Invalidated by U.S. Circuit Court due to electoral challenge January 7, 1905 (Knight v. Shelton), reinstated as an amendment to Arkansas Constitution in 1909. Secret Ballot – **BRANAM C.** "Another Look at Disfranchisement in Arkansas"; 1888-1894. *Arkansas Historical Quarterly*. September 2010; 69(3):245-256.

Florida, *Multi-Box & Poll Tax* – Constitutional amendment of 1885 empowers state to adopt Poll-Tax & Multi-Box adopted by legislature in 1889. See Perman, M. "Struggle for Mastery: Disenfranchisement in the South 1888-1908" 2001, UNC Press.

Georgia, *Poll Tax* – Cumulative Poll Tax requirement included in 1877 Amendments to State Constitution. *Literacy Test* – Amendment to the state constitution in Fall of 1908.

Louisiana, *Poll Tax & Literacy Test* – Amendments to the State Constitution adopted in 1898. *Ballot Law* – Perman (2001).

Mississippi, *Poll-Tax, Literacy Test & Multi-Box* – Amendments to the state constitutions adopted in 1890.

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South Carolina, *Poll Tax & Literacy Test* – Amendments to State Constitution adopted December 1895. Multi-Box – Perman (2001).

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Texas, *Poll Tax* – Amended State Constitution adopted November 1902. "American Government and Politics: The Poll Tax: The Case of Texas", Donald S. Strong. *The American Science Review* Vol. 38, No. 4 (Aug., 1944), pp. 693-709.

Virginia, *Poll Tax & Literacy Test* – Constitutional amendments adopted November, 1876, subsequently reinstated in July, 1902.

Ballot Law – Amendments to the State Constitution adopted by the State Legislature 6 March 1899.

Table 2: Impact of Any Disenfranchising Law on Turnout in Congressional Elections (Stacked DDD)

VARIABLES	(1) Cong. Turnout (Votes/VEP)	(2) Cong. Turnout (Votes/VEP)	(3) Cong. Turnout (Votes/VEP)	(4) Two-Party Rep. Share
Any Law	-0.075***	-0.049***	-0.003	0.024
	(0.012)	(0.014)	(0.015)	(0.023)
Any Law x Pct. Blk.	-0.151***	-0.221***	-0.157***	-0.115**
	(0.031)	(0.035)	(0.036)	(0.051)
Trend x Pct. Blk.	-0.067***			
	(0.006)			
Observations	10,021	10,021	10,021	10,037
R-squared	0.776	0.779	0.790	0.626
State FE x Pct. Black	No	Yes	Yes	Yes
Year FE x Pct. Black	No	Yes	Yes	Yes
State Trends	No	No	Yes	Yes

Robust standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

Table 3: Impacts of Ballot Law and Poll Tax/Lit. Test on Turnout in Congressional Elections (Stacked DDD)

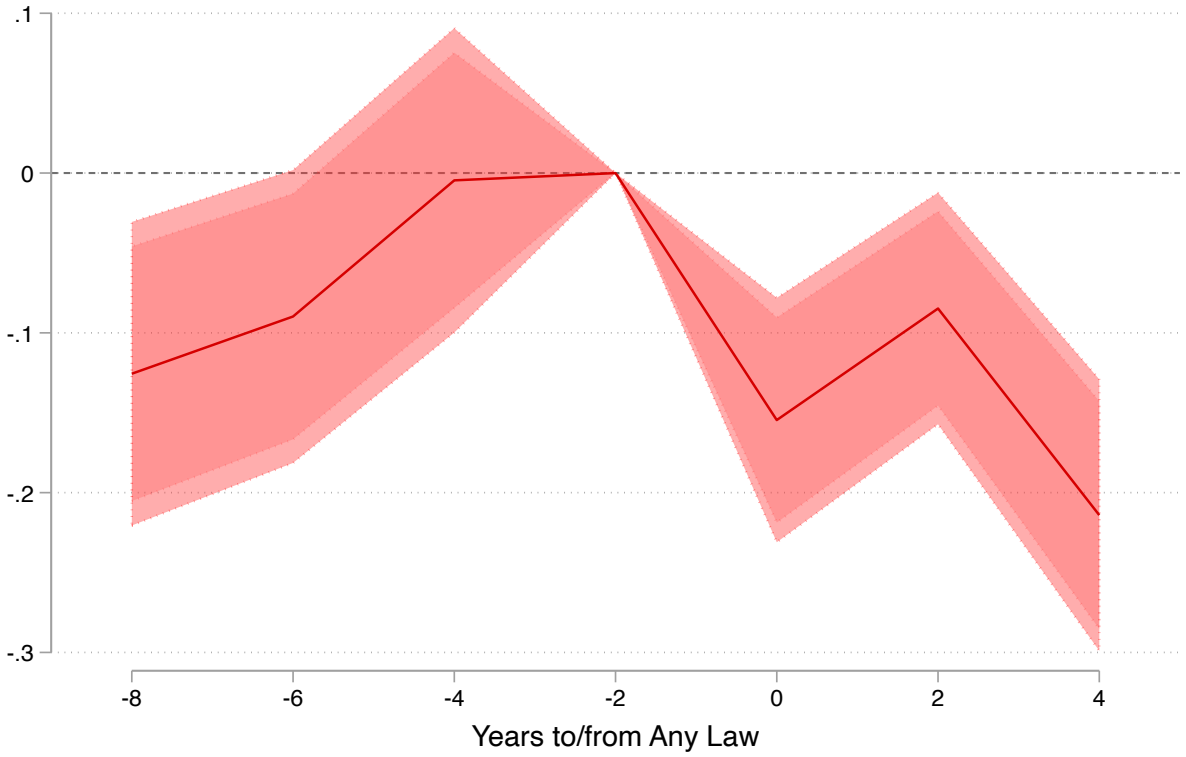
VARIABLES	(1) Cong. Turnout (Votes/VEP)	(2) Cong. Turnout (Votes/VEP)	(3) Cong. Turnout (Votes/VEP)	(4) Two-Party Rep. Share
Ballot Law (BL)	-0.126***	-0.082***	-0.048***	0.160***
	(0.017)	(0.017)	(0.018)	(0.029)
Poll Tax/Lit. Test (PT/LT)	0.021	0.011	-0.005	-0.122***
	(0.018)	(0.018)	(0.020)	(0.036)
BL x Pct. Blk.	-0.109***	-0.243***	-0.148***	-0.262***
	(0.036)	(0.036)	(0.038)	(0.059)
PT/LT x Pct. Blk.	-0.090**	-0.057	-0.045	0.040
	(0.037)	(0.041)	(0.045)	(0.069)
Trend x Pct. Blk.	-0.067***			
	(0.006)			
Observations	10,021	10,021	10,021	10,037
R-squared	0.779	0.782	0.791	0.628
State FE x Pct. Black	No	Yes	Yes	Yes
Year FE x Pct. Black	No	Yes	Yes	Yes
State Trends	No	No	Yes	Yes

Robust standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

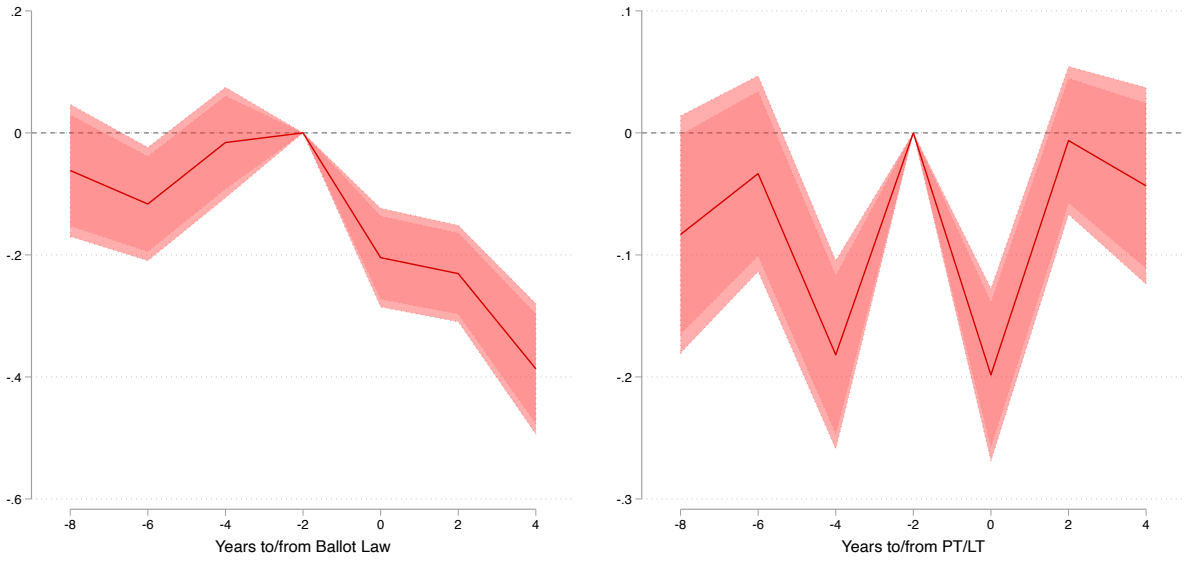
A Appendix

Figure A.1: Event Study (TWFE): Impact of Any Disenfranchising Law



Notes: (to be added)

Figure A.2: Event Study (TWFE): Separate Impacts of Ballot Law and Poll Tax/Lit. Test



Notes: (to be added)

Table A.1: Impact of Any Disenfranchising Law on Turnout in Congressional Elections (TWFE DDD)

VARIABLES	(1) Cong. Turnout (Votes/VEP)	(2) Cong. Turnout (Votes/VEP)	(3) Cong. Turnout (Votes/VEP)	(4) Two-Party Rep. Share
Any Law	-0.090***	-0.082***	-0.089***	0.080***
	(0.009)	(0.010)	(0.009)	(0.017)
Any Law x Pct. Blk.	-0.141***	-0.166***	-0.179***	-0.163***
	(0.024)	(0.026)	(0.026)	(0.040)
Trend x Pct. Blk.	-0.036***			
	(0.003)			
Observations	11,088	11,088	11,088	11,077
R-squared	0.736	0.740	0.755	0.562
State FE x Pct. Black	No	Yes	Yes	Yes
Year FE x Pct. Black	No	Yes	Yes	Yes
State Trends	No	No	Yes	Yes

Robust standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1

Table A.2: Impacts of Ballot Law and Poll Tax/Lit. Test on Turnout in Congressional Elections (TWFE DDD)

VARIABLES	(1) Cong. Turnout (Votes/VEP)	(2) Cong. Turnout (Votes/VEP)	(3) Cong. Turnout (Votes/VEP)	(4) Two-Party Rep. Share
Ballot Law (BL)	-0.027**	-0.009	-0.010	0.284***
	(0.011)	(0.012)	(0.012)	(0.019)
Poll Tax/Lit. Test (PT/LT)	-0.089***	-0.076***	-0.082***	-0.090***
	(0.008)	(0.008)	(0.008)	(0.012)
BL x Pct. Blk.	-0.231***	-0.295***	-0.347***	-0.464***
	(0.027)	(0.030)	(0.031)	(0.048)
PT/LT x Pct. Blk.	-0.030	-0.077***	-0.048**	0.048*
	(0.020)	(0.022)	(0.023)	(0.028)
Trend x Pct. Blk.	-0.026***			
	(0.003)			
Observations	11,088	11,088	11,088	11,077
R-squared	0.744	0.750	0.765	0.578
State FE x Pct. Black	No	Yes	Yes	Yes
Year FE x Pct. Black	No	Yes	Yes	Yes
State Trends	No	No	Yes	Yes

Robust standard errors in parentheses

*** p<0.01, ** p<0.05, * p<0.1