



Living in Infamy: Felon Disfranchisement and the History of American Citizenship (Studies in Crime and Public Policy)

Pippa Holloway

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Living in Infamy examines the history of disfranchisement for criminal conviction in the United States during the late 19th and early 20th centuries. In the post-war South, white southern Democrats expanded the usage of laws disfranchising for crimes of infamy in order to deny African Americans the suffrage rights due them as citizens, employing historical similarities between the legal statuses of slaves and convicts as justification. At the same time, our nation's criminal code changed. The inhumane treatment of prisoners, the expansion of the prison system, the public nature of punishment by forced labor, and the abandonment of the idea of reform and rehabilitation of prisoners all contributed to a national consensus that certain categories of criminals should be permanently disfranchised.

As racial barriers to suffrage were challenged and fell, rights remained restricted for persons targeted by such infamy laws; criminal convictions--in place of race--continued the disparity in legal status between whites and African Americans. Decades later, after race-based disfranchisement has officially ended, legislation steeped in a legacy of racial discrimination continues to perpetuate a dichotomy of suffrage and citizenship that still affects our election outcomes today.

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