

THE CENSUS IN U.S. HISTORY



Library of Congress

A census taker talks to a group of women, men, and children in 1870.

The Constitution requires that a census be taken every ten years. This means counting all persons, citizens and noncitizens alike, in the United States. In addition to conducting a population count, the census has evolved to collect massive amounts of information on the growth and development of the nation.

Why Do We Have a Census?

The original purpose of the census was to determine the number of representatives each state is entitled to in the U.S. House of Representatives. The apportionment (distribution) of seats in the House depends on the population of each state. Every state is guaranteed at least one seat.

After the first census in 1790, the House decided a state was allowed one representative for each approximately 33,000 people. Following every ten-year census as the population of the nation grew, the total number of House seats was increased. Thus, Congress had to reapportion itself.

After the 1910 census, the House set the total number of House seats at 435. Since then, when Congress reapportions itself after each census, those states gaining population may pick up more seats in the House at the expense of states declining in population that have to lose seats.

Who is counted in apportioning seats in the House? The Constitution originally included “the whole Number of free persons” plus indentured servants but excluded “Indians not taxed.” What about slaves? The North and South argued about this at the Constitutional Convention, finally agreeing to the three-fifths compromise. Slaves would be counted in each census, but only three-fifths of the count would be included in a state’s population for the purpose of House apportionment.

After the Civil War, the Fourteenth Amendment changed the Constitution so that the number of House seats would be based on the census “counting the whole

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number of persons in each state, excluding Indians not taxed.” By 1940, the federal government ruled that there were no longer any “Indians” (Native Americans) who should be classed as “not taxed.” Thus, they are now also counted as part of each state’s population.

There is another constitutional purpose of the census. The number of votes each state has in the Electoral College to elect the president includes the number of its apportioned House members plus its two senators.

Over time, the census has been expanded and used to measure the “progress” of the nation in many areas. State legislatures use census population counts to redraw their congressional district lines. Each year the federal government distributes about \$900 billion to states based on formulas grounded in census population statistics.

How Does the Census Work?

The first censuses were conducted by U.S. marshals and assistants appointed to personally contact individuals living within a certain area. These census takers made up their own forms, tabulated the numbers, and passed the results on to the secretary of state.

Over time, census takers were hired, trained, and provided standard questionnaires for each census. By 1970, the Census Bureau mailed nearly all households the questions for persons to fill out and mail back. The questions for the upcoming 2020 census are planned to be made available for most people to complete online.

There was no census agency in the federal government until 1840 when a census office was established for each census and then closed afterward. In 1902, the Census Office was made permanent to conduct the census, tabulate the data, and plan for the next one. It was later renamed the Census Bureau within the Department of Commerce.

In 1910, President William Howard Taft issued a proclamation assuring that census data collected on individuals would be confidential and not shared with other government agencies, even law enforcement. However, this protection was suspended during World War I to assist with draft registration.

Congress turned the confidentiality policy into law in 1954.

In 1978, Congress enacted a law that kept the personal information of individuals collected in the census confidential for 72 years before opening it to the public. This has been a boon for genealogy researchers.

A Messenger of Change

The census since 1790 has been like a messenger of change. What follows are some censuses that reported significant developments in the nation’s history.

1790-1840: The early censuses were focused on counting heads for the purpose of apportioning the seats in the House of Representatives. Only the name of the head

of household was recorded. The 1790 census counted 3,929,625 individuals living in the original 13 states and its territories. The total slave population was 694,207. The 1800 census revealed that the U.S. population had increased by about a third, a rate of increase that held until the Civil War. Between 1810 and 1840, questions about manufacturing, commerce, and agriculture were added to the census.

1850: For the first time, the 1850 census listed all persons by name except slaves. “Free colored persons” were counted as well as the number of fugitive slaves who had escaped a state to seek freedom elsewhere.

1860: When the Civil War began in 1861, the federal government possessed huge amounts of census data about military age men and the economy of the South to compare with that of the North. The 1860 census also reported that the number of slaves had increased to 3.9 million.

1870: The 1870 census reported that the freed slaves in the South would now be counted as full persons rather than three-fifths. Thus, perhaps ironically, the former Confederate states would gain seats in the House of Representatives. Republicans, fearful of losing their majority in the House, had already enacted the 14th and 15th Amendments to guarantee the right to vote of the freedmen, now solid Republican Southern voters.

But when whites regained power in the South after Reconstruction ended in 1877, they suppressed black voting with laws and violence.

1880|1890: The 1880 census was the first to document a changing America from rural and agricultural to urban and industrial. The 1890 census demonstrated the end to the frontier since so few areas between the At-

lantic and Pacific remained unsettled.

1910: The 1910 census report noted that there had been a decline in the number of immigrants from north-western European countries like England. At the same time there was a jump of “new immigrants” from eastern and southern European countries like Russia and Italy, and from Asian countries like China, Japan, and the Philippines.

1920: The new-immigrant trend was even more evident in the 1920 census. A nativist (anti-immigrant) wave swept the nation, especially directed against Jewish and Catholic immigrants from southern and eastern Europe and Asian immigrants. The National Origins Act of 1924 established a quota system that discriminated against immigrants from eastern and southern Europe and barred all immigration from Asian countries until it was repealed in 1965.

1940: The population increase in the 1930 census, during the Great Depression, was the lowest ever at

In 1978, Congress enacted a law that kept the personal information of individuals confidential for 72 years.

7.2%. The census reported 14.4% unemployed in 1940, a high rate but not as high as the Great Depression's peak in 1933 with a 25% unemployment rate. After the U.S. entered the war in 1941, the government made heavy use of 1940 census data to estimate military manpower and industrial resource needs. The government also used 1940 census information to incarcerate individuals of Japanese ancestry, citizens and noncitizens alike, in internment camps.

1960: The census began to modernize in 1960. The Census Bureau began to mail census forms to households. The forms sent to most people were shortened to include only a handful of questions. A "long form" containing more questions was distributed to a sample of households.

1970: The 1970 census discovered that over 25 million Americans lived below the poverty level. The poverty rate for black people was three times that of whites. Congress passed anti-poverty programs and funded them based on the census number of people with incomes below the poverty level in each state. Census statistics were also used to detect discrimination against minorities and women in such areas as employment and to enforce voting rights.

2010 — The Last Census: The population of the U.S. in 2010 was 308.7 million, an increase of 304.8 million since 1790. The U.S. was still growing, but only at about 10% every ten years. The traditional family household, consisting of a husband, wife, and children under 18, was 41.7% in 2010. The female head of household with no husband present and children under 18 was 54.9%. The Census Bureau today collects data not only every ten years but also from more detailed ongoing surveys of people like the American Community Survey.

The Next Census in 2020

The 2020 census plans to encourage people to complete the questions "anytime and anywhere." Individuals will be able to use any online device. Those unable to do so or not responding will be mailed the printed questions to complete and mail back, or in some cases will be visited by a census taker. Most people will complete a short census form that will be available in English and a dozen other languages.

Among other things, the 2020 census will ask for the name, sex, date of birth, and race of every person living in a household. There will be 14 race categories to choose from plus the ability to check more than one.

The Citizenship Question

On March 26, 2018, Secretary of Commerce Wilbur Ross, whose department includes the Census Bureau, announced a new census question: "Is this person a

How the 2020 Census will invite everyone to respond



U.S. Census Bureau

Every household will have the option of responding online, by mail, or by phone.

Nearly every household will receive an invitation to participate in the 2020 Census from either a postal worker or a census worker.

95% of households will receive their census invitation in the mail.



Almost 5% of households will receive their census invitation when a census taker drops it off. In these areas, the majority of households may not receive mail at their home's physical location (like households that use PO boxes or areas recently affected by natural disasters).

Less than 1% of households will be counted in person by a census taker, instead of being invited to respond on their own. We do this in very remote areas like parts of northern Maine, remote Alaska, and in select American Indian areas that ask to be counted in person.

Note: We have special procedures to count people who don't live in households, such as students living in university housing or people experiencing homelessness.

United States
**Census
2020**

This information from the U.S. Census shows the different ways people may complete their census form. By law, all information collected is the census is kept confidential.

citizen of the United States?" Secretary Ross explained that he was responding to a December 2017 letter by the Department of Justice (DOJ), which requested data using a citizenship question. The DOJ claimed that the question was "critical" to help enforce the Voting Rights Act of 1965.

Questions about citizenship had been asked frequently by U.S. censuses in the past. But this would be the first time since 1950 that a citizenship question would be asked of every person rather than a sample of people, which had been the recent practice.

The Constitution gives Congress authority over the census. But Congress has delegated authority to the Secretary of Commerce to conduct the census "in such form and content as he may determine."

Many states that happened to have traditionally Democratic majorities challenged the addition of the citizenship question in federal court. They claimed that given President Trump's policies against undocumented immigrants, many undocumented immigrants and their U.S.-citizen family members in their households would fear their census information would be released to immigration law enforcement. As a result, ▶

Quick Census Facts on Where You Live

To find the latest Census Bureau information on where you live, follow these directions:

1. Go to www.census.gov/quickfacts
2. At the search strip, you can type your state, county, city, town, or zip code.
3. You will then see up-to-date census information on where you live.

they would not participate in the census. Of course, the confidentiality law of 1954 prohibits this, but this protection had been suspended before during the two world wars.

Secretary Ross overruled Census Bureau officials who recommended against a citizenship question after estimating that up to 6.5 million persons would probably not be counted if it was included in the 2020 census. This undercount could result in states with large immigrant populations losing seats in the House of Representatives and votes in the Electoral College. It could also mean cutting their share of federal funding for such things as highway construction and aid to schools.

Some Republican strategists hoped that data from a citizenship question could be used by states to form House districts based solely on the number of citizens rather than all persons, which has always been the practice. The loss of noncitizens in the apportionment count would shrink heavily immigrant-populated Democratic districts, forcing them to merge with others. The end result would be fewer Democratic districts and House seats. Such a change may or may not be constitutional.

Much of the controversy over the citizenship question had to do with the origin of Secretary Ross's decision to add it. In federal court trials, evidence showed that Secretary Ross himself started working to add a citizenship question soon after he was appointed by President Trump in February 2017. Ross consulted with White House advisors. At first, the DOJ rejected the idea. However, he persuaded Attorney General Jeff Sessions, then head of the DOJ, to reverse course and produce the December 2017 letter that Ross later tried to claim had spurred Ross's own request for a citizenship question to help enforce the Voting Rights Act.

In federal court, opponents of the citizenship question claimed it had nothing to do with voting rights enforcement and everything to do with weakening Democratic Party strength in the House and Electoral College. They pointed out that citizenship data to enforce the Voting Rights Act already existed from American Community Survey sampling. The Trump administration countered that a citizenship question would produce a more accurate figure.

On June 27, 2019, the Supreme Court delivered one of its most unusual decisions in *Department of Commerce v. New York*. The 5-4 majority was made up of the four so-called liberal justices and the generally more conservative chief justice, John Roberts.

Writing for the majority, Chief Justice Roberts upheld lower-court orders that blocked the citizenship question for the 2020 census. Roberts stated that its justification "appears to have been contrived." Roberts seemed to have accepted the opponents' argument that the Voting Rights Act justification was a cover-up for the real political reasons. There must be "genuine justifications for important decisions," Roberts wrote. He also stated Secretary Ross did not give "a full and accurate account of his decision."

Nevertheless, the 5-4 majority did not rule out including a citizenship question in the census as long as the justification for it was genuine. President Trump pressed the Justice Department to come up with another justification. But this effort was soon abandoned because prolonging the controversy would result in more court hearings that could seriously delay the 2020 census and violate the constitutional requirement to count the population to reapportion the House of Representatives.

WRITING & DISCUSSION

1. What do you think was the most significant historical development identified by the census in the article? Why?
2. Do you agree or disagree with the Supreme Court decision on the citizenship question? Why? Use evidence from the article in your answer.
3. Why is it important for every household to participate in the census?

ACTIVITY: Who Should Decide What Goes in the Census?

Divide the class into five groups. Each group will be assigned one of the following entities of government: the president, Congress, the Supreme Court, the secretary of commerce, Census Bureau officials.


1. After each group chooses a spokesperson, each group's task is to decide if their assigned entity should have the final say in approving the census questions every ten years, such as the question about citizenship, or whether census data should ever be released to law enforcement.
2. Each group should discuss the arguments for and against the citizenship question, as well as any other useful information in the article, in order to reach its decision.
3. Groups' spokespersons take turns announcing their groups' decisions. Keep a tally of the decisions.
4. Lead a whole-class discussion on the results of the groups' decisions, and then take a vote in class to see who in the government the class thinks should have the final say in what questions should be used in the census.


Sources


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Standards Addressed

The Census in U.S. History

National U.S. History Standard 10: Understands how the industrial revolution, the rapid expansion of slavery, and the westward movement changed American lives and led to regional tensions. High School: (2) Understands characteristics of economic development during the 19th century. . . . (5) Understands the impact of the Industrial Revolution during the early and later 19th century. . . .

National U.S. History Standard 15: Understands how various reconstruction plans succeeded or failed. High School: (1) Understands the elements of different plans for Reconstruction (e.g., how each plan viewed secession, amnesty, pardon, and procedure for readmission to the Union; the influence of the issue of Federalism on the debate over Reconstruction policy; the motives of the Radical Republicans). (2) Understands the 14th and 15th amendments to the Constitution (e.g., how citizenship was included. . . .) (4) Understands factors that inhibited and fostered African American attempts to improve their lives during Reconstruction. . . .

National U.S. History Standard 16: Understands how the rise of corporations, heavy industry, and mechanized farming transformed American society. High School: (2) Understands issues associated with urban growth in the late 19th century. . . .

National U.S. History Standard 17: Understands massive immigration after 1870 and how new social patterns, conflicts, and ideas of national unity developed amid growing cultural diversity. High School: (1) Understands challenges immigrants faced in society in the late 19th century (e.g., experiences of new immigrants from 1870 to 1900, reasons for hostility toward the new immigrants, restrictive measures against immigrants, the tension between American ideals and reality).

National Civics Standard 24: *Understands the meaning of citizenship in the United States, and knows the requirements for citizenship and naturalization.*

High School: (1) Understands the distinction between citizens and noncitizens (aliens) and the process by which aliens may become citizens. (3) Knows the criteria used for admission to citizenship in the United States such as five years residence in the U. S.; ability to read, write, and speak English; proof of good moral character; knowledge of the history of the United States; knowledge of and support for the values and principles of American constitutional government.

California History-Social Science Standard 11.1: *Students analyze the significant events in the founding of the nation and its attempts to realize the philosophy of government described in the Declaration of Independence.* (3) Understand the history of the Constitution after 1787 with emphasis on federal versus state authority and growing democratization. (4) Examine the effects of the Civil War and Reconstruction and of the industrial revolution, including demographic shifts. . . .

California History-Social Science Standard 11.2: *Students analyze the relationship among the rise of industrialization, large-scale rural-to-urban migration, and massive immigration from Southern and Eastern Europe.* (2) Describe the changing landscape, including the growth of cities linked by industry and trade, and the development of cities divide according to race, ethnicity, and class.

California History-Social Science Standard 11.7: *Students analyze America’s participation in World War II.* (5) Discuss the constitutional issues and impact of events on the U.S. home front, including the internment of Japanese Americans. . . .

California History-Social Science Standard 11.8: *Students analyze the economic boom and social transformation of post-World War II America.* (4) Analyze new federal government spending on defense, welfare . . . and federal and state spending on education. . . .

California History-Social Science Standard 11.10: *Students analyze the development of federal civil rights and voting rights.* (6) Analyze the passage and effects of civil rights and voting rights legislation . . . with an emphasis on equality of access to education and to the political process.

California History-Social Science Standard 11.11: *Students analyze the major social problems and domestic policy issues in contemporary American society.* (1) Discuss the reasons for the nation’s changing immigration policy, with emphasis on how the Immigration Act of 1965 and successor acts have transformed American society. (7) Explain how the federal, state, and local governments have responded to demographic and social changes. . . .

California History-Social Science Standard 12.2: *Students evaluate and take and defend positions on the scope and limits of rights and obligations as democratic citizens, the relationships among them, and how they are secured.* (6) Explain how one becomes a citizen of the United States, including the process of naturalization (e.g., literacy, language, and other requirements).

Common Core State Standards: SL.11-12.1, SL.11-12.3, RH.11-12.1, RH.11-12.2, RH.11-12.10, WHST.11-12.10.

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