

THE VOTING RIGHTS ACT OF 1965

Why did there need to be a voting rights act in 1965?

Because states—particularly Southern states—had found ways to get around the 15th Amendment, which had guaranteed African American men the right to vote. Poll taxes, grandfather clauses, literacy and civics tests, as well as violence, made it virtually impossible for many black Americans to exercise their right to vote. Civil rights activists had challenged these restrictions in court cases, but in 1965, Congress determined that these case-by-case lawsuits were ineffective.

The key points of the Voting Rights Act of 1965:

- No voting qualification, prerequisite to voting, or standard, practice or procedure shall be imposed ... to deny or abridge the right of any citizen of the United States to vote on account of race or color.
- The court will appoint federal examiners to enforce the guarantees of the 15th Amendment.
- No “test” (e.g., literacy or civics) or “device” (e.g., grandfather clause) may be used as prerequisites for voting.
- States that require special attention are those that most severely restricted voting rights before this 1965 law. The Voting Rights Act identified those states as those that used any “test or device” that limited voting based on race or color on November 1, 1964; or where less than 50 percent of people of voting age were registered to vote on November 1, 1964.
- ~~Whenever one of the states identified above wants to change voter qualifications or voting procedures, it needs court approval to do so.~~
- ~~Federal examiners will oversee voter registration in the states identified above.~~
- Federal examiners may, at the request of the attorney general, observe at voting sites and vote-counting sites.

THE EFFECT OF THE VOTING RIGHTS ACT

Soon after passage of the Voting Rights Act, federal examiners were conducting voter registration, and black voter registration began a sharp increase. The cumulative effect of the Supreme Court's decisions, Congress' enactment of voting rights legislation, and the ongoing efforts of concerned private citizens and the Department of Justice, has been to restore the right to vote guaranteed by the 14th and 15th Amendments. The Voting Rights Act itself has been called the single most effective piece of civil rights legislation ever passed by Congress.