

APGoPo Unit 2

VOTING RIGHTS

PROTECTING VOTING RIGHTS

- After federal troops withdrew from the South in 1877, southern Democrats used social pressure, violence, and terrorist activities to keep African-Americans from voting
- Southern States created Jim Crow laws that made it difficult or impossible for African-Americans to vote; use of grandfather clause to keep white people voting
- Other devices used to keep African Americans from voting
 - White primary - Primary operated by the Democratic party in southern states that, before Republicans gained strength in the "one-party South," essentially constituted an election; ruled unconstitutional
 - Racial gerrymandering - the drawing of election districts to ensure that African Americans would be a minority in all districts – unconstitutional (15th Amendment)
 - Poll tax
 - Literacy tests

THE VOTING RIGHTS ACT OF 1965

- Prohibits any voting qualifications or standards (including literacy tests) that result in a denial of the right of any citizen to vote on account of race and color
- Requires that states that had a history of denying African-Americans the right to vote must clear any changes in any voting practice or laws that might result in dilution of voting power with the Department of Justice
- The Supreme Court, in a series of cases beginning with *Shaw v. Reno*, announced that although states may take race into account, they may not make race the sole reason for drawing district lines (majority-minority districts are LEGAL)
- Effect - It has been a major instrument for increasing the number of African American and other minority voters

| | 15 th | 19 th | 23 rd | 24 th | 26 th |
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| Voting Rights | African American males were guaranteed the right to vote (1870) | The right to vote cannot be denied because of a person's gender (1920) | People who live in Washington, D.C. are allowed to vote for President and granted three electoral votes (1961) | People cannot be denied the right to vote in federal elections because they had not paid a tax on voting (1964) | 18-year-olds granted right to vote (1971) |

RIGHTS TO EQUAL ACCESS: ACCOMMODATIONS, JOBS, AND HOMES

ACCOMMODATIONS

- Title II (of Civil Rights Act of 1964): Places of public accommodation
 - Makes it a federal offense to discriminate against any customer or patron in a place of public accommodation because of race, color, religion, or national origin
 - *Heart of Atlanta Motel v. U.S. (1964)* - Congress has a right to regulate individual businesses in the interest of promoting interstate travel
- Title VII (of Civil Rights Act of 1964): Employment
 - Makes it illegal for any employer in any industry affecting interstate commerce and employing 15 or more people to discriminate in employment practices against any person because of race, color, national origin, religion, or sex
 - Aggrieved persons can file a class action suit
 - Equal Employment Opportunity Commission (EEOC) enforces its provisions
 - Affirmative action programs - 1965 presidential executive order requires all contractors of the federal government, including universities, to adopt and implement affirmative action programs to correct for "underutilization" of women and minorities
- Housing: Fair Housing Act and Amendments, 1968 and 1988
 - The Fair Housing Act of 1968, amended in 1988, forbids (with some exclusions) owners to refuse to sell or rent to any person because of race, color, religion, national origin, sex (since 1978), handicap, or because a person has children (since 1988)
 - Housing segregation persists