Literacy test

Literacy test, in the United States, was a method used to prevent African Americans and other minority groups from voting. It was used in some states from the late 1800's to about 1970.

The 15th Amendment, ratified in 1870, guaranteed that one’s right to vote could not be “denied or abridged . . . on account of race, color, or previous condition of servitude.” Although the intention was to extend the vote to former slaves who had been made citizens by the 13th Amendment, Southern States passed a series of laws preventing blacks from exercising their legal right to vote. These laws included the requirement that voters pay poll taxes. A poll tax is a tax levied equally on all the citizens of a community.

An unintended consequence of these laws was that they also excluded poor whites from voting. Some states began in 1890 to pass literacy test laws, requiring that voters be able to read in order to vote. These came into favor over poll taxes for preventing black citizens from voting. Although many whites were also unable to read, the strategy was that the difficulty of the test could be adjusted by local authorities according to the racial background of the potential voters. In addition, some states passed an “understanding clause” under which voters had to pass a test about their knowledge of the state or federal constitution. The test had different standards for “proper interpretation” applied according to the race of the test taker. To prevent some poor, illiterate people from being removed from the voting rolls, some states passed a grandfather clause, which waived the property ownership or literacy test qualifications for anyone whose relatives could have voted in 1867, thus excluding the freed slaves.

In 1915, in the case of Guinn v. United States, the Supreme Court of the United States struck down Oklahoma’s grandfather clause. The justices ruled that such a system was an unconstitutional effort to evade the 15th Amendment guaranteeing African Americans the right to vote. After states continued to create legal loopholes to prevent African Americans from voting, in 1959, the Supreme Court ruled in the case of Lassiter v. Northampton County Board of Elections that such voting tests would be allowed if they had the same effect on every potential voter, regardless of race.

Realizing that a more extensive federal approach was needed to protect minority voting rights and eliminate loopholes such as literacy tests, Congress passed the Civil Rights Act of 1964. The act required that voting regulations be applied equally to all people regardless of race, national origin, religion, or sex. One year later, Congress passed the Voting Rights Act of 1965, which eliminated the literacy test and other state laws that prevented minority groups from voting. It also created a system of federal oversight for voting regulations in
states or counties with literacy tests or where voter registration was unusually low. The southern states of Alabama, Georgia, Louisiana, Mississippi, and South Carolina were affected, as well as parts of North Carolina and several other states. In the 1966 case of Katzenbach v. Morgan, the Supreme Court used part of the Voting Rights Act of 1965 to outlaw the use of an English literacy test in New York.

Contributor:
Bruce Allen Murphy, Ph.D., Fred Morgan Kirby Professor of Civil Rights, Lafayette College.

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