

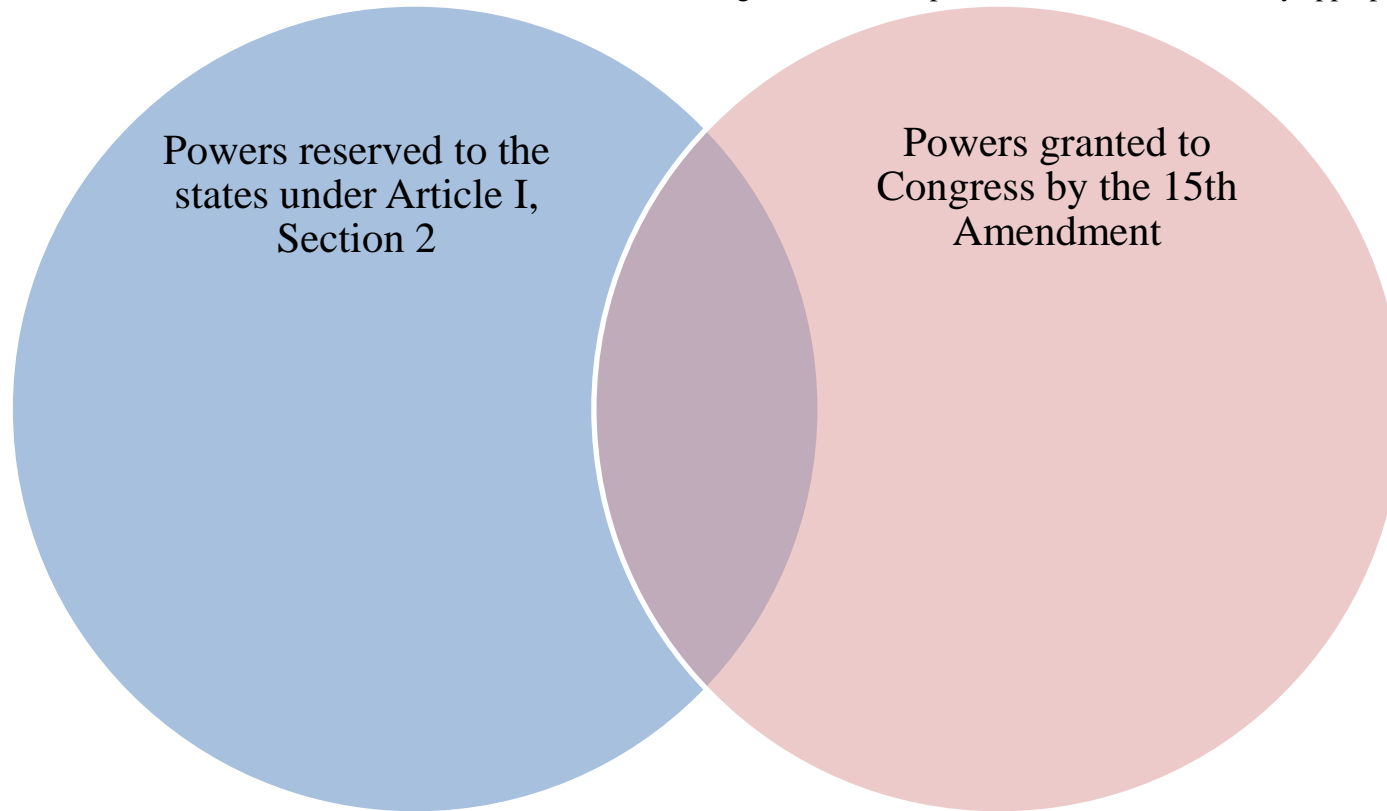
Congress Protects the Right to Vote: The Voting Rights Act of 1965

Worksheet 1: Charting the Constitutional Issues

Article I, Section 2: Electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

15th Amendment: Section. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section. 2. The Congress shall have power to enforce this article by appropriate legislation.



In the event of an overlap of powers or a conflict in authority, which constitutional clause should prevail?

What events or actions would justify reassessing the balance of state and Federal authority over voting qualifications?

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Worksheet 2: Decoding the Documents

Name _____

Title of document _____

1. What kind of document is it? (newspaper, letter, bill, petition, etc.)
2. Date of the document
3. Who is the author of the document? (Include name and position, if available)
4. For what audience was the document created?
5. What aspect of the voting rights issue is addressed in this document?
6. What is the author's perspective on the issue he or she discusses?
7. How persuasive is the evidence the author presents in relation to the use of Federal authority over voting rights?
8. How would you summarize the argument presented in this document as one sentence?

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Worksheet 3: Weighing the Issues

Each row of this table presents a pair of documents presenting evidence heard by the House Judiciary Committee. Acting as members of the committee, each small group will:

- Use Worksheet 2 to evaluate one pair of documents to determine which makes the stronger argument relating to the division of federal and state authority over voting rights.
- Mark the column on this sheet that indicates the group’s assessment of the more persuasive of the two documents in your assigned pair and the degree to which it is more persuasive.
- Answer Question 1 (below) in relation to your assigned document pair, and have a spokesperson share your answers with the class.
- Contribute to class discussion to answer Question 2.

Evidence in support of the Voting Rights Act	<i>Strongly persuasive</i>	<i>Moderately Persuasive</i>	<i>Neutral</i>	<i>Moderately Persuasive</i>	<i>Strongly Persuasive</i>	Evidence opposed to the Voting Rights Act
<i>1. Evidence presented in Congress prior to the Committee hearings</i>						
1A. “Shocking Brutality in Selma” speech by Sen. Walter Mondale submitting for the record a newspaper article on the Selma march*						1B. “The Real American Tragedy” speech by Rep. James Martin submitting for the record a newspaper article on the Selma march*
<i>2. Testimony presented to the Judiciary Committee during its hearings</i>						
2A. Testimony of U.S. Attorney General Nicholas deB Katzenbach * with voting statistics						2B. Testimony of Virginia Attorney General Robert Y. Button*
<i>3. Opinions from non-Congressional stakeholders</i>						
3A. President Lyndon Johnson’s March 15 address to the nation *						3B. “In a Time of Frenzy,” opinion from the Southern States Industrial Council*
<i>4. Citizen letters sent to the Committee</i>						
4A. Letter from Mrs. E. Jackson of Brooklyn, New York						4B. Letter from George Neu of Newport News, Virginia
<i>5. Testimony to the Committee by Members of Congress</i>						
5A. Statement of Rep. Claude Pepper of Florida*						5B. Statement of Rep. L. Mendel Rivers of South Carolina*

1. What argument is being contested in this pair of documents, and which makes a stronger case for its position?
2. Based on this evidence, should Congress pass legislation to change the balance of state and federal authority over voting?

* These documents are excerpts from original records, not facsimiles. For source information for all ten documents, see the Document Citation List.

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Document Citation List

U.S. House of Representatives. Committee on the Judiciary. Tables of data relating to race, voting, and voting tests submitted by the Attorney General. Hearings on *H.R. 6400 and other proposals to enforce the 15th Amendment to the Constitution of the United States*, March 18, 1965. 89th Congress. Washington: Government Printing Office, 1965.

1A. Senator Walter Mondale (MN). "Shocking Brutality in Selma, Alabama," *Congressional Record* Vol. 111, Pt. 4 (March 8, 1965) pp. 4350-4352.

1B. Congressman James Martin (AL). "The Real American Tragedy," *Congressional Record* Vol. 111, Pt. 4 (March 15, 1965) pp. 5017-5018.

2A. Statement by Attorney General Nicholas deB. Katzenbach before the House Judiciary Committee on the proposed Voting Rights Act of 1965, March 18, 1965; Judiciary Committee, Legislative Files, House bills, H.R. 6400; 89th Congress, Records of the U.S. House of Representatives, Record Group 233, National Archives Building, Washington, D.C.
ARC Identifier [5754066](#)

2B. U.S. House of Representatives. Committee on the Judiciary. Statement of Hon. Robert Y. Button, Attorney General of the State of Virginia. Hearings on *H.R. 6400 and other proposals to enforce the 15th Amendment to the Constitution of the United States*, March 29, 1965. 89th Congress. Washington: Government Printing Office, 1965.

3A. President Lyndon Johnson's speech to Congress on voting rights: The American Promise, March 15, 1965; Judiciary Committee, Accompanying papers, S. 1564 (SEN 89A-E12); 89th Congress, Records of the U.S. Senate, Record Group 46, National Archives Building, Washington, D.C.
ARC Identifier [5753156](#)

3B. U.S. House of Representatives. Committee on the Judiciary. Statement and editorial from the Southern States Industrial Council. Hearings on *H.R. 6400 and other proposals to enforce the 15th Amendment to the Constitution of the United States*, April 6, 1965. 89th Congress. Washington: Government Printing Office, 1965.

4A. Letter from Mrs. E. Jackson in favor of the Voting Rights Act of 1965, March 8, 1965; Judiciary Committee, Legislative Files, House bills, H.R. 6400; 89th Congress, Records of the U.S. House of Representatives, Record Group 233, National Archives Building, Washington, D.C.
ARC Identifier [2173239](#)

4B. Letter from George Neu to the Chairman of the Judiciary Committee against the Voting Rights Act of 1965, March 26, 1965; Judiciary Committee, Legislative Files, House bills, H.R. 6400; 89th Congress, Records of the U.S. House of Representatives, Record Group 233, National Archives Building, Washington, D.C.
ARC Identifier [2173238](#)

5A. U.S. House of Representatives. Committee on the Judiciary. Statement of Congressman Claude Pepper. Hearings on *H.R. 6400 and other proposals to enforce the 15th Amendment to the Constitution of the United States*, March 24, 1965. 89th Congress. Washington: Government Printing Office, 1965.

5B. U.S. House of Representatives. Committee on the Judiciary. Statement of Congressman L. Mendel Rivers. Hearings on *H.R. 6400 and other proposals to enforce the 15th Amendment to the Constitution of the United States*, March 31, 1965. 89th Congress. Washington: Government Printing Office, 1965.

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Worksheet 4: “Tweet” the Voting Rights Act of 1965

	Voting Rights Act excerpt	“Tweet”
1.	“AN ACT To enforce the fifteenth amendment to the Constitution of the United States, and for other purposes. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Voting Rights Act of 1965."	
2..	SEC. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.	
3.	SEC. 3. (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of Federal examiners by the United States Civil Service Commission in accordance with section 6 to serve for such period of time and for such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment	
4.	(1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or	
5.	(2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision:	
6.	Provided, That the court need not authorize the appointment of examiners if any incidents of denial or abridgement of the right to vote on account of race or color	
7.	(1) have been few in number and have been promptly and effectively corrected by State or local action	
8.	(2) the continuing effect of such incidents has been eliminated,	
9.	(3) there is no reasonable probability of their recurrence in the future.	
10.	b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of tests and devices in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary. “	