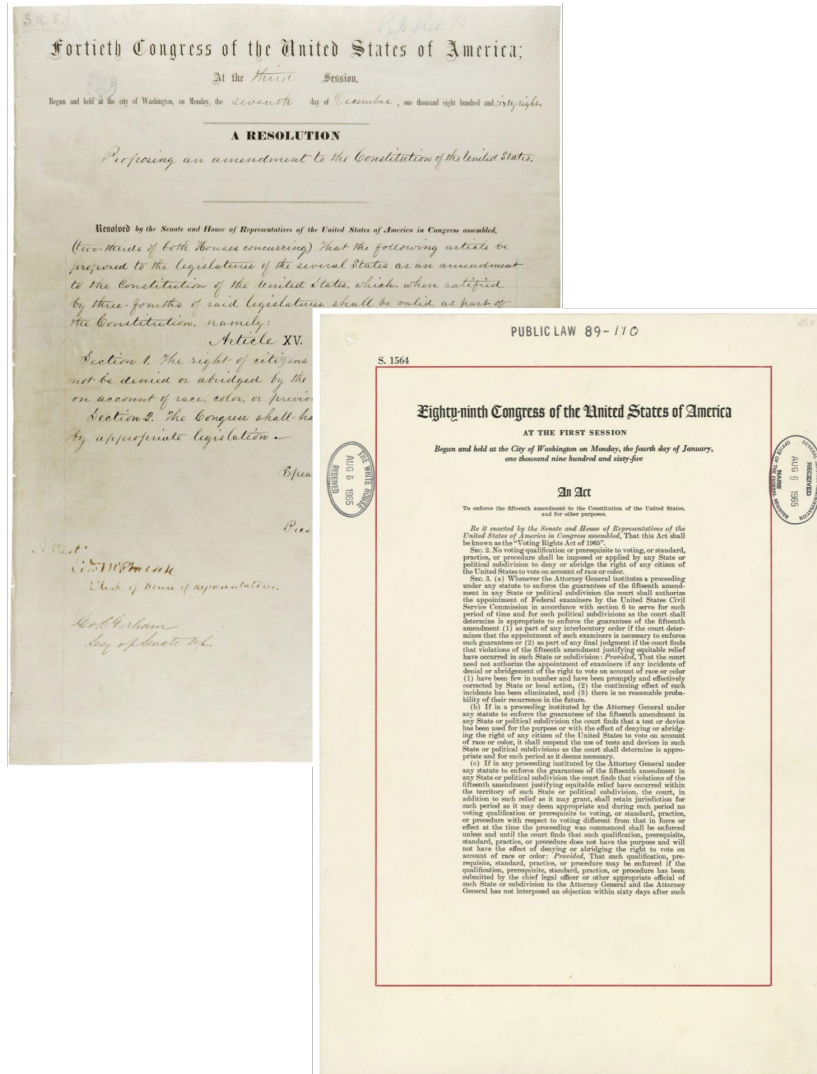


# Activity 3:

## The 15th Amendment and Voting Rights Act of 1965



# Activity 3: The 15th Amendment and Voting Rights Act of 1965

## Guiding Question

- How did the Civil Rights movement fulfill the mission of the Reconstruction era and the ideals and values of the Declaration of Independence?

## National Standards

### National Center for History in the Schools History Standards

- *Era 5: Civil War and Reconstruction (1850 - 1877)*
  - *Standard 3: How various reconstruction plans succeeded or failed*
    - *Standard 3A.* The student understands the political controversy over Reconstruction.
- *Era 9: Postwar United States (1945 to early 1970s)*
  - *Standard 4: The struggle for racial and gender equality and for the extension of civil liberties*
    - *Standard 4A.* The student understands the “Second Reconstruction” and its advancement of civil rights.

### National Standards for Civics and Government

- *NSCG.9-12.2.D.5.* Disparities between ideals and reality in American political and social life. Students should be able to evaluate, take, and defend positions about issues concerning the disparities between American ideals and realities.
- *NSCG.9-12.5.B.2.* Political rights. Students should be able to evaluate, take, and defend positions on issues regarding political rights.

### Common Core State Standards

- *CSS.ELA-Literacy.RH.9-10.1:* Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information. See also: *CCSS.ELA-Literacy.RH.11-12.1*
- *CCSS.ELA-Literacy.RH.9-10.2:* Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text. See also: *CCSS.ELA-Literacy.RH.11-12.2*
- *CCSS.ELA-Literacy.RH.9-10.4:* Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science. See also: *CCSS.ELA-Literacy.RH.11-12.4*

### College, Career, & Civic Life C3 Framework for Social Studies State Standards

- *D2.Civ.2.9-12.* Analyze the role of citizens in the U.S. political system, with attention to various theories of democracy, changes in Americans’ participation over time, and alternative models from other countries, past and present.
- *D2.His.2.9-12.* Analyze change and continuity in historical eras.
- *D2.His.11.9-12.* Critique the usefulness of historical sources for a specific historical inquiry based on their maker, date, place of origin, intended audience, and purpose.

## **Educating for American Democracy Roadmap**

- *HDQ4.4: B.* What efforts have been made over time to build a “more perfect union” upon the one forged in 1776 and redesigned by the U.S. Constitution in 1787/88? How do perspectives on this question differ depending on whether people have or have not had access to political rights?
- *HDQ4.4: D.* Does the U.S. Constitution and its amendments, together with major reform legislation like the Voting Rights Act of 1965 and its ongoing interpretation by the Supreme Court, adequately guarantee the right to vote?
- *HDQ5.4:B.* Are there specific moments of political and social change that constitute refoundings? Why, or why not?
- *HDQ5.4:C.* To what degree should such moments be understood as extensions of the original founding story or revolutions against it?

# Historical Context

## The 15th Amendment and Voting Rights Act of 1965

### 15th Amendment to the U.S. Constitution<sup>1</sup>

Passed by Congress February 26, 1869, and ratified February 3, 1870, the 15th Amendment granted African American men the right to vote.

To former abolitionists and to the Radical Republicans in Congress who fashioned Reconstruction after the Civil War, the 15th Amendment, enacted in 1870, appeared to signify the fulfillment of all promises to African Americans. Set free by the 13th amendment, with citizenship guaranteed by the 14th Amendment, Black males were given the right to vote by the 15th Amendment. In retrospect, it can be seen that the 15th Amendment was in reality only another step in the struggle for equality that would continue for more than a century before African Americans could begin to participate fully in American public and civic life.

African Americans exercised the right to vote and held office in many Southern states through the 1880s, but in the early 1890s, steps were taken to ensure subsequent “white supremacy.” Literacy tests for the vote, “grandfather clauses” excluding from the franchise all whose ancestors had not voted in the 1860s, and other devices to disenfranchise African Americans were written into the laws of former Confederate states.

Social and economic segregation were added to Black America’s loss of political power. In 1896, the Supreme Court decision *Plessy v. Ferguson* legalized “separate but equal” facilities for the races. For more than 50 years, the overwhelming majority of African American citizens were reduced to second-class citizenship under the “Jim Crow” segregation system. During that time, African Americans sought to secure their rights and improve their position through organizations such as National Association for the Advancement of Colored People and the National Urban League and through the individual efforts of reformers like Booker T. Washington, W.E.B. DuBois, and A. Philip Randolph.

The most direct attack on the problem of African American disenfranchisement came in 1965. Prompted by reports of continuing discriminatory voting practices in many Southern states, President Lyndon B. Johnson, himself a southerner, urged Congress on March 15, 1965, to pass legislation “which will make it impossible to thwart the 15th Amendment.” He reminded Congress that “we cannot have government for all the people until we first make certain it is government of and by all the people.”

The Voting Rights Act of 1965, extended in 1970, 1975, and 1982, abolished all remaining deterrents to exercising the right to vote and authorized federal supervision of voter registration where necessary. In 2013, the Supreme Court struck down a key provision of the act involving federal oversight of voting rules in nine states.

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<sup>1</sup> Adapted from <https://www.archives.gov/milestone-documents/15th-amendment>

## Voting Rights Act<sup>2</sup>

This act was signed into law on August 6, 1965, by President Lyndon Johnson. It outlawed the discriminatory voting practices adopted in many southern states after the Civil War, including literacy tests as a prerequisite to voting.

This “act to enforce the fifteenth amendment to the Constitution” was signed into law 95 years after the amendment was ratified. In those years, African Americans in the South faced tremendous obstacles to voting, including poll taxes, literacy tests, and other bureaucratic restrictions to deny them the right to vote. They also risked harassment, intimidation, economic reprisals, and physical violence when they tried to register or vote. As a result, African-American voter registration was limited, along with political power.

In 1964, numerous peaceful demonstrations were organized by Civil Rights leaders, and the considerable violence they were met with brought renewed attention to the issue of voting rights. The murder of voting-rights activists in Mississippi and the attack by white state troopers on peaceful marchers in Selma, Alabama, gained national attention and persuaded President Johnson and Congress to initiate meaningful and effective national voting rights legislation. The combination of public revulsion to the violence and Johnson's political skills stimulated Congress to pass the voting rights bill on August 5, 1965.

The legislation, which President Johnson signed into law the next day, outlawed literacy tests and provided for the appointment of federal examiners (with the power to register qualified citizens to vote) in those jurisdictions that were "covered" according to a formula provided in the statute. In addition, Section 5 of the act required covered jurisdictions to obtain "preclearance" from either the District Court for the District of Columbia or the U.S. Attorney General for any new voting practices and procedures. Section 2, which closely followed the language of the 15th amendment, applied a nationwide prohibition of the denial or abridgment of the right to vote on account of race or color. The use of poll taxes in national elections had been abolished by the 24th amendment (1964) to the Constitution; the Voting Rights Act directed the Attorney General to challenge the use of poll taxes in state and local elections. In *Harper v. Virginia State Board of Elections*, 383 U.S. 663 (1966), the Supreme Court held Virginia's poll tax to be unconstitutional under the 14th amendment.

The Voting Rights Act of 1965 was the most significant statutory change in the relationship between the federal and state governments in the area of voting since the Reconstruction period following the Civil War; and it was immediately challenged in the courts. Between 1965 and 1969, the Supreme Court issued several key decisions upholding the constitutionality of Section 5 and affirming the broad range of voting practices for which preclearance was required. [See *South Carolina v. Katzenbach*, 383 U.S. 301, 327-28 (1966) and *Allen v. State Board of Elections*, 393 U.S. 544 (1969)] In 2013, the Court struck down a key provision of the act involving federal oversight of voting rules in nine states.

The Voting Rights Act had an immediate impact. By the end of 1965, a quarter of a million new Black voters had been registered, one-third by federal examiners. By the end of 1966, only four out of 13 southern states had fewer than 50 percent of African Americans registered to vote. The Voting Rights Act of 1965 was readopted and strengthened in 1970, 1975, and 1982. In 2013, the Supreme Court struck down a key provision of the act involving federal oversight of voting rules in nine states in *Shelby County v. Holder*.

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<sup>2</sup> Adapted from <https://www.archives.gov/milestone-documents/voting-rights-act>

# Educational Activity

## Expanding Suffrage: The 15th Amendment and Voting Rights Act of 1965

*In this activity, students will examine selections from the 15th Amendment that granted suffrage to former male slaves and the Voting Rights Act of 1965 nearly 100 years later that protected that right.*

Estimated time: 40 minutes.

A digital version of this activity is available on DocsTeach, the online tool for teaching with documents from the National Archives. The [teacher page](#) provides an overview of the activity and suggested teaching instructions. Students can access the [student page](#) on their devices or you can project or screen share the activity with the whole class.



## Teaching Instructions

This activity is appropriate in a unit related to the Civil War and Reconstruction, the Civil Rights movement, or in a Civics unit about the expansion of suffrage--the right to vote. For grades 7-12. Approximate time needed is 40 minutes.

This activity can be completed individually or in small groups. Students can either work on analyzing both documents, or you can ask 1/2 of each class to analyze each document and then compare findings. Distribute copies of the [Analyze a Document](#) worksheet to aid students in their analysis of the primary source documents.

Prompt students to carefully examine the two documents with the analysis questions provided. [Model the initial stages of document analysis](#) with the 15th Amendment.

- What type of document is it?
- Describe it as if you were explaining to someone who can't see it.
- Who wrote it?
- Who read/received it?
- When is it from?
- Where is it from?

- What is it talking about?
- Write one sentence summarizing this document.
- Why was it written? Quote evidence from the document that tells you this.
- What was happening at the time in history this document was created?

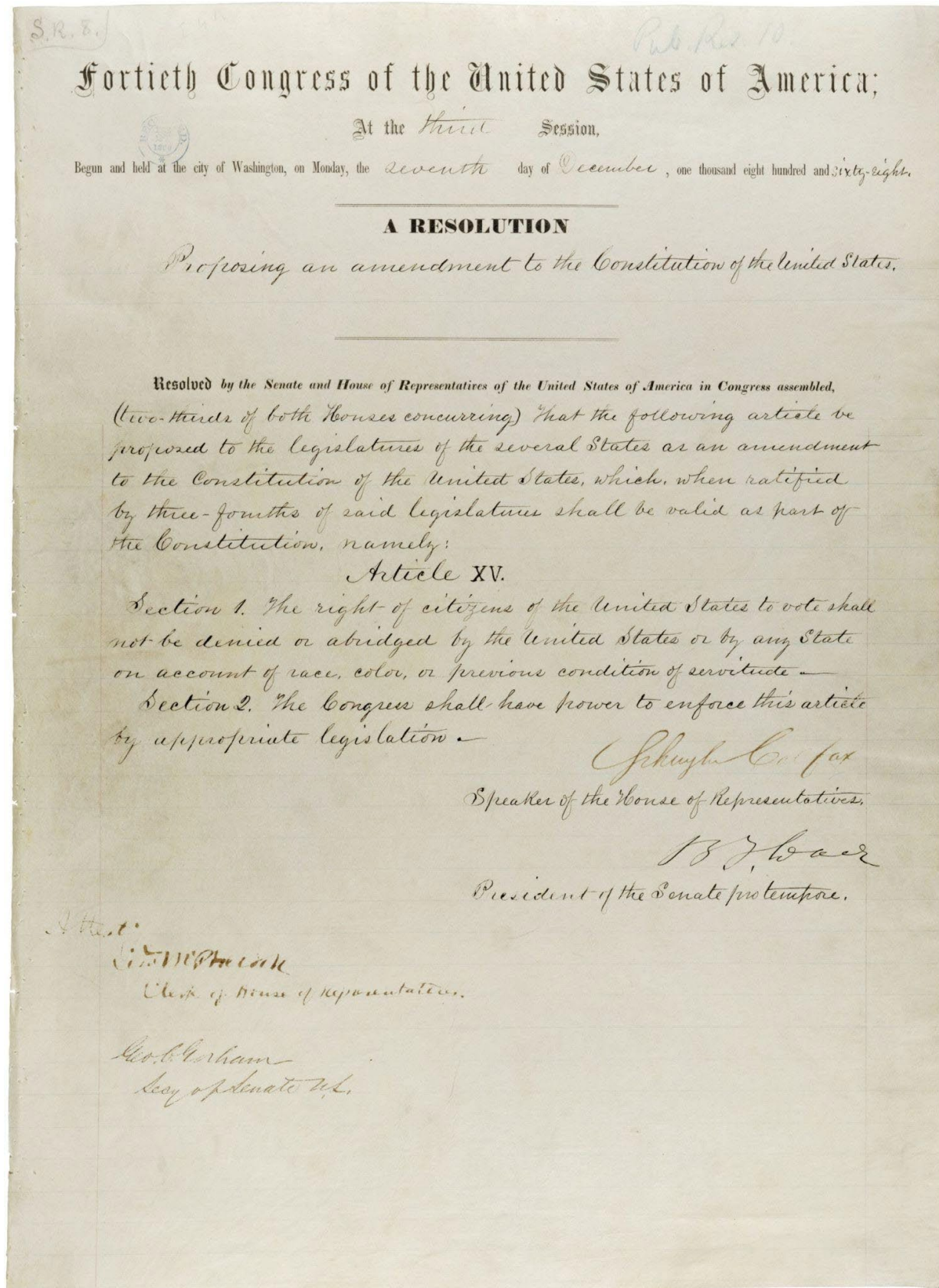
Discuss the details of the individual documents together. Ask students to compare certain details, especially the overall purpose of each document and the years between their creations.

- How are the documents related to each other? How do their purposes relate to each other?
- How far apart are the two documents?
- What was happening in each period of history?
- What was happening between these periods?
- What do these two documents tell you about US history?

Through this discussion, focus on details such as there are over 90 years between the two documents, one is a joint resolution proposing a constitutional Amendment that would have to be ratified by the states and the other is a law created to specifically enforce the 15th Amendment. They might also point to the fact that the 15th Amendment applied only to male suffrage, while the Voting Rights Act of 1965 (due to the intervening 19th amendment) applied to females as well. Students may also point to the Jim Crow laws, poll taxes, and literacy tests that existed between these two documents.



## Educational Activity Resources



### Joint Resolution Proposing the Fifteenth Amendment

<https://www.docsteach.org/documents/document/fifteenth-amendment>



S. 1564

## Eighty-ninth Congress of the United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Monday, the fourth day of January,  
one thousand nine hundred and sixty-five

## An Act

To enforce the fifteenth amendment to the Constitution of the United States,  
and for other purposes.

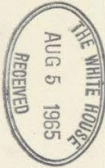
*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act shall be known as the "Voting Rights Act of 1965".

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.

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 (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (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: *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 (1) have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(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.

(c) If in any 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 violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and during such period no voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be enforced, unless and until the court finds that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such



## Voting Rights Act of 1965

<https://www.docsteach.org/documents/document/voting-rights-act-1965>

# Analyze a Written Document

## Meet the document.

Type (check all that apply):

- |   |                                    |  |  |  |
|---|------------------------------------|--|--|--|
| <input type="checkbox"/> Letter                 | <input type="checkbox"/> Speech    | <input type="checkbox"/> Patent                  | <input type="checkbox"/> Telegram      | <input type="checkbox"/> Court document        |
| <input type="checkbox"/> Chart                  | <input type="checkbox"/> Newspaper | <input type="checkbox"/> Advertisement           | <input type="checkbox"/> Press Release | <input type="checkbox"/> Memorandum            |
| <input type="checkbox"/> Report                 | <input type="checkbox"/> Email     | <input type="checkbox"/> Identification document |  | <input type="checkbox"/> Presidential document |
| <input type="checkbox"/> Congressional document | <input type="checkbox"/> Other     |  |  |  |

Describe it as if you were explaining to someone who can't see it.

*Think about: Is it handwritten or typed? Is it all by the same person? Are there stamps or other marks? What else do you see on it?*

## Observe its parts.

Who wrote it?

Who read/received it?

When is it from?

Where is it from?

## Try to make sense of it.

What is it talking about?

Write one sentence summarizing this document.

Why did the author write it?

Quote evidence from the document that tells you this.

What was happening at the time in history this document was created?

## Use it as historical evidence.

What did you find out from this document that you might not learn anywhere else?

What other documents or historical evidence are you going to use to help you understand this event or topic?



Materials created by the National Archives and Records Administration are in the public domain.

<https://www.archives.gov/education/lessons/worksheets/analyze-a-written-document-intermediate>

# Supplemental Educational Resources

The following educational activities are designed to support student learning. These activities are not required. Feel free to facilitate only the activities that you think would be most helpful for your students.

## 1. To What Extent was Reconstruction a Revolution? (Part 1) DocsTeach Activity

*Students will examine several historical congressional records from the Reconstruction period to assess whether they show evidence that the Reconstruction period of American history should or should not be viewed as a revolution. Estimated time: 40 minutes*

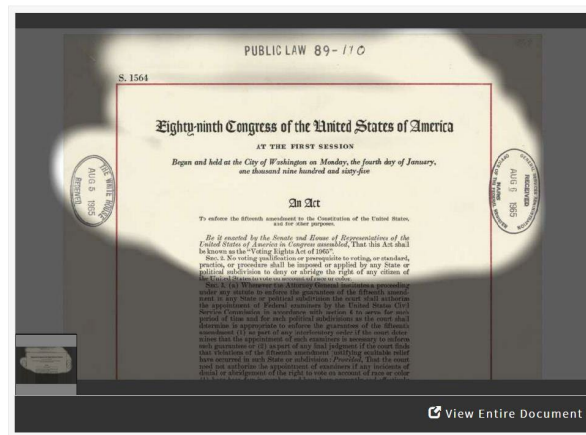
The [teacher page](#) provides an overview of the activity and suggested teaching instructions. Students can access the [student page](#) on their devices or you can project or screen share the activity with the whole class.



## 2. To What Extent was Reconstruction a Revolution? (Part 2) DocsTeach Activity

*Students will examine the Voting Rights Act of 1965 and determine whether their analysis of this document changes their responses to the guiding question regarding the revolutionary nature of the Reconstruction era. Estimated time: 20 minutes*

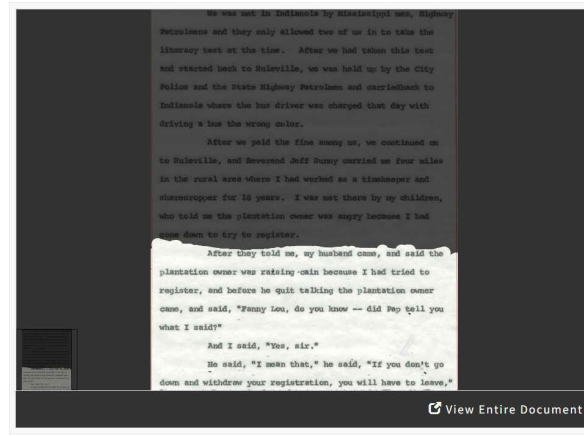
The [teacher page](#) provides an overview of the activity and suggested teaching instructions. Students can access the [student page](#) on their devices or you can project or screen share the activity with the whole class.



### 3. Fannie Lou Hamer and Voting Rights

*In this activity, students will analyze a portion of Fannie Lou Hamer's testimony at the 1964 Democratic National Convention about registering to vote in Mississippi in 1962. Estimated time: 30 minutes.*

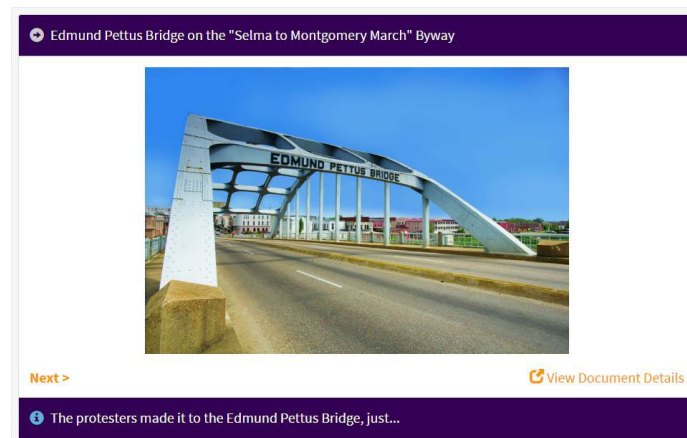
The [teacher page](#) provides an overview of the activity and suggested teaching instructions. Students can access the [student page](#) on their devices or you can project or screen share the activity with the whole class.



### 4. The Impact of Bloody Sunday in Selma

*In this activity, students will examine documents from the FBI case file about Bloody Sunday in Selma, Alabama. They will answer questions to show understanding of the events that took place, and how the spread of information about Selma impacted the Civil Rights Movement. Estimated time: 45 minutes.*

The [teacher page](#) provides an overview of the activity and suggested teaching instructions. Students can access the [student page](#) on their devices or you can project or screen share the activity with the whole class.





## 5. The Path of Justice: Selma & the Voting Rights Act

*In this activity, students will analyze a speech by President Lyndon Baines Johnson about the March on Selma. Estimated time: 45 minutes.*

The [teacher page](#) provides an overview of the activity and suggested teaching instructions. Students can access the [student page](#) on their devices or you can project or screen share the activity with the whole class.

**READ THIS FIRST**

This March week has brought a deep and painful challenge to the unending search for American freedom. That challenge is not yet over. But before it is ended every resource of this government will be directed to ensuring justice for men of all races -- in Alabama and everywhere in this land. That is the meaning of the oath I swore before Almighty God when I took this office. That is what I believe in with all my heart. That is what the people demand.

Last Sunday a group of Negro Americans in Selma, Alabama, attempted peacefully to protest the denial of the most basic political right of all -- the right to vote. They were attacked, and some were brutally beaten.

From that moment, until this, we have acted effectively to protect the constitutional rights of the citizens of Selma, and to prevent further violence and lawlessness.

More than seventy federal officials, including FBI agents, Justice Department lawyers, and Governor Collins, whom I asked to go to Selma, have been continuously present in Selma. They have all been working to keep the peace and enforce the law.

At all times the full power of the federal government has been ready to protect the people of Selma against further lawlessness.

[View Entire Document](#)