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Voting Rights in the South

Today, most citizens register to vote without regard to race or color by signing their name and address on something like a postcard. But it was not always so.

Prior to passage of the federal Voting Rights Act in 1965, Southern (and some Western) states maintained elaborate voter registration procedures whose primary purpose was to deny the vote to nonwhites. This process was often referred to as a "literacy test." But in fact, it was much more than just a reading test, it was an entire complex system devoted to denying African-Americans (and in some regions, Latinos and Native Americans) the right to vote.

The registration procedures, and the Registrars who enforced them, were but one part of an interlocking system of racial discrimination and oppression. The various state, county, and local police forces — all white of course — routinely intimidated and harassed Blacks who tried to register. They arrested would-be voters on false charges and beat others for imagined transgressions; and often this kind of retribution was directed not only at the man or woman who dared try to register, but against family members as well, even the children.

Throughout the deep South, white businesses, employers, banks, and landlords were organized into White Citizens Councils who inflicted economic retaliation against nonwhites who tried to vote. Evictions. Firings. Boycotts. Foreclosures. Small-scale farmers needed a crop loan each year in order to buy seed, fertilizer, fuel, and food until they could sell their cotton after picking. Banks denied those loans to Blacks who tried to vote, forcing them off the land.

And if economic pressure proved insufficient, the Ku Klux Klan was ready with violence and mayhem. Cross-burnings. Night riders. Beatings. Rapes. Church bombings. Arson of businesses and homes. Murder and mob lynchings, drive-by shootings and sniper assassinations. Today these people would be called "terrorists," but back then the white establishment saw them as defenders of the "southern way of life" and upholders of "our glorious southern heritage."

While in theory there were standard state-wide registration procedures, in real-life the individual county Registrars and clerks did things their own way. The exact procedure varied from county to county, and within a county it varied from day to day according to the mood of the Registrar. And, of course, it almost always varied according to the race of the applicant.

In Alabama, a typical registration process for an African-American citizen went something like this:

In the rural counties where most folk lived, you had to go down to the courthouse to register. The Registrar’s Office was only open every other Monday for a couple of hours, usually in the morning or afternoon. You had to take off work — with or without your employer's permission — to register. And if a white employer gave such permission, or failed to fire a Black who tried to vote, he could be driven out of business by economic retaliation from the Citizens Council.

On the occasional registration day, the county Sheriff and his deputies made it their business to hang around the courthouse to discourage "undesirables" from trying to register. This meant that Black women and men had to run a gauntlet of intimidation, insults, threats, and sometimes arrest on phony charges, just to get to the Registration Office. Once in the Registrar’s Office they faced hatred, harassment, and humiliation from clerks and officials.

The Alabama Application Form and oaths you had to take were four pages long. It was designed to intimidate and threaten. You had to swear that your answers to every single question were true under penalty of perjury. And you knew that the information you entered on the form would be passed on to the Citizens Council and KKK.

Many counties used what they called the "voucher system." This meant that you had to have someone who was already a registered voter "vouch" for you — under oath and penalty of perjury — that you met the qualification to vote. In some counties this "supporting witness" had to accompany you to the registrar’s office, in others they were interviewed later. Some counties limited to two or three the number of new applicants a registered voter could vouch for in a given year. Since no white voter would dare vouch for a Black applicant, in counties where only a handful of Blacks already registered only a few more could be added to the rolls each year even if they passed the "test." And in counties were no Blacks were registered, none ever could be registered because they had no one to vouch for them.

Of course, any of these rules or requirements, including the so-called literacy test itself, could be ignored or altered at any time by whim of the Registrar. So most whites were not subject to this onerous process, and on occasion a Registrar might allow one or two Blacks to register as a way of feigning compliance with some Federal court order diverting the attention of reporters.

In addition to completing the application and swearing the oaths, you had to pass the actual "Literacy Test" itself. Because the Freedom Movement was running "Citizenship Schools" to help people learn how to fill out the forms and pass the test, Alabama changed the test 4 times in less than two years (1964-1965). At the time of the Selma Voting Rights campaign there were many different tests in use across the state. In theory, each applicant was supposed to be given one at random from a big loose-leaf binder. In real life, some individual tests were easier than others and the registrar made sure that Black applicants got the hardest ones.

A typical Alabama "test" consisted of three-parts:

In "Part A" the applicant was given a selection of the Constitution to read aloud. The registrar could assign a long complex section filled with legalese and convoluted sentences, or he could select a simple one or two sentence section (see Alabama Literacy Test for examples). The Registrar marked each word he thought you mispronounced. In some counties, you had to orally interpret the section to the registrar's satisfaction. You then had to either copy out by hand a section of the Constitution, or write it down from dictation as the registrar spoke (mumbled) it. White applicants usually were allowed to copy, Black applicants usually had to take dictation. The Registrar then judged whether you "literate" or "illiterate." His judgment was final and could not be appealed.

In Parts "B" and "C," you had to answer two different sets of four written questions each. Part "B" was 4 questions based on the excerpt you had written down. Part "C" consisted of 4 "general knowledge" questions about state and national government.

Your application was then reviewed by the three-member Board of Registrars — often in secret at a later date. They voted on whether or not you passed. It was entirely up to the judgment of the Board whether you passed or failed. If you were white and missed every single question they could still pass you if — in their sole judgment — you were "qualified." If you were Black and got everyone correct, they could still flunk you if they considered you "unqualified."

Your name was published in the local newspaper listing of those who had applied to register. That was to make sure that all of your employers, landlords, mortgage-holders, bank loan officers, business-suppliers, and so on, were kept informed of this important event. And, of course, all of the information on your application was quietly passed under the table to the White Citizens Council and KKK for appropriate action. Their job was to encourage you to withdraw your application — or withdraw yourself out of the county — by whatever means they deemed necessary.

Today, people ask how anyone — white or Black — ever got through this mess to actually register? A good question. As a matter of public record, white registration in Alabama was very high, while Black registration was minuscule. In some of the counties where African-Americans were the majority of the population, white registration was close to, or over, 100% (in some cases as high as 115%), while Black registration was zero or close to it.

White registration could be over 100% because when white voters died or moved out of the area their names were kept on the voting list. Oddly enough, many of them (even the dead ones), somehow managed to actually vote (usually for the incumbent) every election day. This was commonly referred to as the "tombstone vote" and to the local politicians it was a miracle of southern democracy.

***Respond to the following questions. (11 points each) This will count as a quiz grade.***

1. Were the requirements to vote in the South simply a “literacy test” or was there more involved? Explain.

2. What types of pressure did whites exert on blacks to not vote?

3. What was voter registration typically like?

4. What was the voucher system?

5. What did the Alabama literacy test consist of? 3 parts.

6. Who decided if a voter was “qualified”?

7. Was there any consistency in their judgment? Explain.

8. What were the actual percentages of whites and blacks voting in Alabama?

9. What was the “tombstone vote”?