Who Guards the Vote?

How election laws changed the balance of government power

E.P.2.1 "Demonstrate an understanding of the principles of government, the benefits of democratic systems, and their responsibilities as citizens..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the first sentence of paragraph 1, circle the sentence in paragraph 2 that explains preclearance, and number the first two sentences of paragraph 3 as 1 and 2. Use your marks to track how federal authority over elections changed.

A Right, a Law, and a Ruling

1. In 1870, the Fifteenth Amendment barred the federal and state governments from denying a citizen's vote because of race, color, or previous condition of servitude. Yet that rule did not stop every obstacle at the polls. Some states used literacy tests, often graded unfairly, to keep Black citizens from voting. State and local officials ran elections, so federal officials had limited tools to challenge these practices one case at a time. The gap between a constitutional promise and an actual ballot shows why a right on paper can depend on how governments enforce it.

2. In 1965, Congress passed the Voting Rights Act to enforce the Fifteenth Amendment. The law suspended literacy tests in jurisdictions covered by its formula, rather than banning them nationwide at that time. It also required certain jurisdictions with histories of voting discrimination to get federal approval before changing election rules, a process called preclearance. Federal examiners could help register voters in some places. These measures shifted power: state and local officials still ran elections, but federal officials gained stronger ways to block discriminatory rules. Supporters saw this oversight as protection for equal political participation; critics argued that it limited state control.

3. In 1970, Congress extended the ban on literacy tests to elections nationwide. In 2013, the Supreme Court's Shelby County v. Holder decision struck down the coverage formula used to determine which jurisdictions needed preclearance. The ruling did not erase the Voting Rights Act, but without a new formula, the old preclearance system could not operate. States gained more room to change election rules without advance federal review, while lawsuits against discriminatory rules remained possible. Voters, lawmakers, and courts still debate how to protect equal access while dividing election authority between state and federal governments. That debate asks citizens to judge both rights and the power used to protect them.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did the Fifteenth Amendment's rule differ from the power Congress used in the 1965 Voting Rights Act?

2. How did preclearance change what a covered jurisdiction had to do before changing an election rule?

3. Why did the 1970 law matter if the 1965 law already addressed literacy tests?

4. How did the 2013 ruling change federal oversight without ending every way to challenge a discriminatory rule?

3 YOUR TURN

Your own words

A state proposes moving all polling places to one central building. Write a public comment that weighs a possible benefit and a possible harm, explains what citizens could do if access becomes unequal, and uses two changes in federal election authority from the passage to support your judgment.

Who Guards the Vote?

PART 1 · READ AND MARK

Underline the first sentence of paragraph 1, circle the sentence in paragraph 2 that explains preclearance, and number the first two sentences of paragraph 3 as 1 and 2. Use your marks to track how federal authority over elections changed. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did the Fifteenth Amendment's rule differ from the power Congress used in the 1965 Voting Rights Act?	**The amendment prohibited denying the vote because of race, color, or previous condition of servitude. The 1965 law gave federal officials stronger ways to enforce voting rights, including oversight in covered jurisdictions.**
2	How did preclearance change what a covered jurisdiction had to do before changing an election rule?	**A covered jurisdiction had to get federal approval before making the change.**
3	Why did the 1970 law matter if the 1965 law already addressed literacy tests?	**The 1965 law suspended literacy tests in covered jurisdictions. In 1970, Congress extended the ban to elections nationwide.**
4	How did the 2013 ruling change federal oversight without ending every way to challenge a discriminatory rule?	**It struck down the coverage formula, so the old preclearance system could not operate without a new one. Lawsuits against discriminatory rules remained possible.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

One central polling place might save the state money, but voters without reliable transportation could face longer trips. I would ask officials to keep several locations and invite residents to describe how the plan would affect them. The 1965 Voting Rights Act required covered jurisdictions to get federal approval before changing election rules, giving federal officials a chance to review a proposal. After the 2013 Shelby County decision, the old preclearance system could not operate without a new coverage formula. Citizens can still organize and, if a rule is discriminatory, challenge it in court.

Accept public comments that make a reasoned judgment about the proposal and accurately use two changes described in the passage. Students should not claim that the 1965 law banned literacy tests nationwide or that the 2013 ruling eliminated the Voting Rights Act.