The Voting Exception

How a voting rule met the Fifteenth Amendment

OKH.C.6.3.B "Explain the outcome of Oklahoma's attempt to restrict suffrage rights through the grandfather clause (Guinn v. United States of America)."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the rule Oklahoma used to limit voting, circle the exception to that rule, and number two details that explain the Supreme Court's decision. Use your marks to trace what changed and what did not.

A Test With an Exception

1. Imagine arriving to register to vote in Oklahoma in 1910. A new state constitutional amendment required voters to read and write a section of the Oklahoma Constitution. But it made an exception: people who had been eligible to vote before January 1, 1866, people who had lived in a foreign country then, and their descendants did not have to pass the test. The date mattered. Before 1866, most Black Americans had been barred from voting, while many white Americans had been eligible. The exception protected many white voters from a test that could keep Black voters from the polls.

2. Federal prosecutors challenged the rule, and the case reached the U.S. Supreme Court as *Guinn v. United States*. Oklahoma argued that its amendment did not name any race. The justices looked beyond its wording to its effect. The Fifteenth Amendment forbids denying citizens the vote because of race or previous condition of servitude. By using voting eligibility before 1866 to excuse some people from the reading and writing test, Oklahoma tied the exception to a time when Black people had been excluded from voting. The Court concluded that this exception violated the Fifteenth Amendment.

3. In 1915, the Supreme Court struck down Oklahoma's grandfather clause, the exception based on earlier voting eligibility or descent. The ruling meant Oklahoma could not use that exception to shield many white voters while applying the reading and writing test to others. The Court did not rule that every reading and writing test was unconstitutional. Nor did its decision end every barrier to voting in Oklahoma. Its outcome was narrower but important: a state could not avoid the Fifteenth Amendment by writing a racial restriction into a voting rule indirectly, without naming race.

2 ANSWER WITH EVIDENCE

Use the passage

1. How could Oklahoma's exception protect many white voters while leaving Black voters subject to the test?

2. Oklahoma said its amendment did not name a race. Why did the Supreme Court reject that defense?

3. What part of Oklahoma's voting rule did the Supreme Court strike down, and what did the Court not declare unconstitutional?

4. What did the decision establish about using an earlier voting date in a state voting rule?

3 YOUR TURN

Your own words

Write a four- or five-sentence newspaper correction to this 1915 headline: "Supreme Court Ends All Voting Barriers in Oklahoma." Explain what Oklahoma tried to do, why the Court rejected it, and why the headline overstates the outcome.

ANSWER KEY

The Voting Exception

HIGH SCHOOL · OKH.C.6.3.B

PART 1 · READ AND MARK

Underline the rule Oklahoma used to limit voting, circle the exception to that rule, and number two details that explain the Supreme Court's decision. Use your marks to trace what changed and what did not. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How could Oklahoma's exception protect many white voters while leaving Black voters subject to the test?	**It excused people eligible to vote before 1866 and their descendants. Most Black Americans had been barred from voting then, while many white Americans had been eligible.**
2	Oklahoma said its amendment did not name a race. Why did the Supreme Court reject that defense?	**The Court considered the rule's effect: its exception relied on voting eligibility from a time when Black people had been excluded, so it violated the Fifteenth Amendment.**
3	What part of Oklahoma's voting rule did the Supreme Court strike down, and what did the Court not declare unconstitutional?	**It struck down the grandfather clause. It did not declare every reading and writing test unconstitutional.**
4	What did the decision establish about using an earlier voting date in a state voting rule?	**A state could not use an earlier voting date to create an indirect racial restriction that violated the Fifteenth Amendment.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The Supreme Court did not end all voting barriers in Oklahoma. Oklahoma had excused people eligible to vote before 1866 and their descendants from a reading and writing test, protecting many white voters while leaving Black voters subject to the test. The Court struck down that grandfather clause because its use of an earlier voting date violated the Fifteenth Amendment. The decision did not declare every reading and writing test unconstitutional or remove every obstacle to voting.

Accept explanations that connect the pre-1866 date to the exclusion of Black voters and distinguish the invalid grandfather clause from reading and writing tests in general. Students need not use the term "indirect discrimination" if they explain the rule's effect accurately.