Rights on Paper

Federal power, state control, and voting rights after the Civil War

USH.C.1 "Analyze the transformation of the United States of America through its civil rights struggles, immigrant experiences, and settlement of the American West during the Post Civil War Era..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline federal actions meant to protect rights and circle actions that restricted rights. Number two places where the passage shows a change in the balance of state and federal power.

Who Would Protect the Vote?

1 After the Civil War, the question was not only who was free, but who could make freedom meaningful. The Thirteenth Amendment ended slavery, yet some Southern states passed Black Codes that restricted where formerly enslaved people could work and limited their economic choices. Congress answered with the Civil Rights Act of 1866, which declared most people born in the United States citizens and protected equal rights to make contracts and own property. The Fourteenth Amendment then required states to provide equal protection of the laws. These actions shifted power toward the federal government when states denied individual rights.

2 The Fifteenth Amendment, ratified in 1870, barred governments from denying voting rights because of race, color, or previous enslavement. Black men voted and won public office during Reconstruction. Yet the Ku Klux Klan used threats and violence to drive Black voters away from the polls. Congress passed Enforcement Acts in 1870 and 1871, allowing federal officials to prosecute people who interfered with voting rights. Federal power could protect participation when local authorities failed to act. But a constitutional rule alone could not stop intimidation: its impact depended on officials willing to enforce it.

3 After federal troops withdrew from the South in 1877, federal protection of Black voters weakened. In the 1890s, Southern states imposed poll taxes and literacy tests, often applying them unfairly to keep Black citizens from voting. These rules did not name race, but they undermined the Fifteenth Amendment's purpose. Some defenders called voting rules a matter of local self-government. For people excluded from the polls, however, state control came at the expense of individual rights. The struggle showed a limit of federalism: when states restrict rights, national protections need more than words on paper.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did the federal response to Black Codes change the balance between state power and individual rights?

2. Why were the Enforcement Acts needed even after the Fifteenth Amendment was ratified?

3. How could poll taxes and literacy tests undermine the Fifteenth Amendment without naming race?

4. What did the withdrawal of federal troops reveal about the difference between a constitutional protection and its enforcement?

3 YOUR TURN

Your own words

Suppose you are advising lawmakers in the 1890s. In 80 to 110 words, propose one federal action and one local action to protect voting rights, using two details from the passage. Explain how your plan balances local control with individual rights.

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PART 1 · READ AND MARK

Underline federal actions meant to protect rights and circle actions that restricted rights. Number two places where the passage shows a change in the balance of state and federal power. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did the federal response to Black Codes change the balance between state power and individual rights?	**Black Codes restricted formerly enslaved people's economic choices. The Civil Rights Act of 1866 protected rights to make contracts and own property, and the Fourteenth Amendment required states to provide equal protection.**
2	Why were the Enforcement Acts needed even after the Fifteenth Amendment was ratified?	**The amendment prohibited race-based voting restrictions, but Klan threats and violence kept Black voters from the polls. The Enforcement Acts allowed federal officials to prosecute interference with voting rights.**
3	How could poll taxes and literacy tests undermine the Fifteenth Amendment without naming race?	**Southern states often applied these rules unfairly to keep Black citizens from voting, defeating the amendment's purpose without stating a racial restriction.**
4	What did the withdrawal of federal troops reveal about the difference between a constitutional protection and its enforcement?	**The Fifteenth Amendment remained in force, but federal protection weakened after 1877. States were then able to restrict Black voting through poll taxes and literacy tests.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

I would ask Congress to fund federal investigators who could document threats at polling places and bring cases against those responsible. I would also ask local election officials to publish clear voting rules and record every rejected ballot. The Fifteenth Amendment barred race-based voting restrictions, but the Klan still frightened voters, so enforcement matters. Later, literacy tests were applied unfairly; recording rejections could expose that practice. Local officials could manage elections, while federal oversight would protect the public interest in fair elections and each person's right to vote.

Accept other historically plausible federal and local actions if the response uses two accurate passage details and explains the balance between local control and individual rights.