Voter Qualifications

Objectives You may wish to call students’ attention to the objectives in the Section Preview. The objectives are reflected in the main headings of the section.

Bellringer Write the phrase No Shirt, No Shoes—No Service! on the board, and ask students where they have seen it and whether they think this restriction on who can enter a restaurant is fair. Explain that in this section, they will learn about the restrictions, or qualifications, on who can enter a voting booth.

Vocabulary Builder Point out the Political Dictionary. Have students try to link the first two terms and the last two terms to restrictions on voting. Ask students to verify their links as they read the section.

Lesson Plan

Teaching the Main Ideas

1. Focus Tell students that to qualify for voting, people must meet the requirements set by their States. Ask students to discuss what they know about the requirements that every State has.

2. Instruct Ask students what prevents transients from voting in most States. Have students skim the section to identify this and other past and present voter qualifications required by States. List them on the board. Have students circle all requirements still held by at least one State. Discuss how the elimination of the uncircled requirements has expanded suffrage.

3. Close/Reteach Remind students that several requirements for voting have been eliminated because States used them to disfranchise certain groups. Ask students to write all of the subheadings from the section on a sheet of paper. Have them review the section and summarize the key points for each subheading.

Section Preview

Objectives

1. Identify the universal requirements for voting in the United States.
2. Explain the other requirements that States have used or still use as voting qualifications.

Why It Matters

All States have citizenship, residence, and age requirements for voting. Other voting qualifications differ from State to State. Some requirements—especially those that were used to disfranchise certain groups—have been eliminated over time.

Political Dictionary

transient
registration
purge
poll books
literacy
poll tax

Are you qualified to vote? Probably not—at least not yet. Do you know why? In this section, you will see how the States, including yours, determine who can vote. You will also see that the various qualifications they set are not very difficult to meet.

Universal Requirements

Today, every State requires that any person who wants to vote must be able to satisfy qualifications based on three factors: (1) citizenship, (2) residence, and (3) age. The States have some leeway in shaping the details of the first two of these factors; they have almost no discretion with regard to the third one.

Citizenship

Aliens—foreign-born residents who have not become citizens—are generally denied the right to vote in the United States. Still, nothing in the Constitution says that aliens cannot vote, and any State could allow them to do so if it chose. At one time about a fourth of the States permitted those aliens who had applied for naturalization to vote. Typically, the western States did so to help attract settlers.

Only two States now draw any distinction between native-born and naturalized citizens with regard to suffrage. The Minnesota constitution requires a person to have been an American citizen for at least three months before he or she can vote in elections there. And the Pennsylvania constitution says that one must have become a citizen at least one month before an election in order to vote in that State.

Residence

In order to vote in this country today, one must be a legal resident of the State in which he or she wishes to cast a ballot. In most States a person must have lived in the State for at least a certain period of time before he or she can vote.

The States adopted residence requirements for two reasons: (1) to keep a political machine from importing bribing enough outsiders to affect the outcome of local elections (a once common practice), and (2) to allow new voters to vote.

Consider these suggestions to manage extended class time:

Tell students that in 1999, Congress proposed the Civic Participation and Rehabilitation Act (H.R. 906), restoring federal voting rights to convicts released from prison. Have students use the Internet to research the bill and the debate that surrounded its proposal. (A link to the text of the bill can be found at www.PHSchool.com) Then have students reconstruct the debate over the bill in the classroom, incorporating their research and their own opinions.
at least some time to become familiar with the candidates and issues in an election.

For decades, every State imposed a fairly lengthy residence requirement—typically, a year in the State, 60 or 90 days in the county, and 30 days in the local precinct or ward. The requirement was a longer one in some southern States—for example, one year in the State, six months in the county, and three months in the precinct in Alabama, Louisiana, and South Carolina, and a year in the State, a year in the county, and six months in the precinct in Mississippi.

Residence requirements are not nearly so long today. In fact, most States now require that a voter be a legal resident but attach no time period to that qualification. About a fourth of them say that a voter must have lived in the State for at least 30 days. In a few, the period is somewhat shorter—for example, 29 days in Arizona, 28 in Kentucky, 20 in Minnesota, and 10 in Wisconsin.

Today’s much shorter requirements are a direct result of a 1970 law and a 1972 Supreme Court decision. In the Voting Rights Act Amendments of 1970, Congress banned any requirement of longer than 30 days for voting in presidential elections. In Dunn v. Blumstein, 1972, the Supreme Court found Tennessee’s requirement— at the time, a year in the State and 90 days in the county—unconstitutional. The Court held such a lengthy requirement to be an unsupportable discrimination against new residents and so in conflict with the 14th Amendment’s Equal Protection Clause. The Supreme Court said that “30 days appears to be an ample period of time.” Election law and practice among the States quickly accepted that standard.

Nearly every State does prohibit transients, persons living in the State for only a short time, from gaining a legal residence there. Thus, a traveling sales agent, a member of the armed services, or a college student usually cannot vote in a State where he or she has only a temporary physical residence. In several States, however, the courts have held that college students who claim the campus community as their legal residence can vote there.

Age

The 26th Amendment, added to the Constitution in 1971, declares:

> The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

—26th Amendment

Thus, no State may set the minimum age for voting in any election at more than 18. In other words, the amendment extends suffrage to citizens who are at least 18 years of age. Notice, however, that any State could set the age at less than 18, if it chose to do so.

Until the 26th Amendment was adopted, the generally accepted age requirement for voting was 21. In fact, up to 1970, only four States had put the age under 21. Georgia was the first State to allow 18-year-olds to vote; it did so in 1945, in the midst of World War II. Kentucky followed suit in 1955. Alaska entered the Union in 1959 with the

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7Recall, the precinct is the smallest unit of election administration; see page 140. The ward is a unit into which cities are often divided for the election of members of the city council.

8Until recently, Arizona imposed a 50-day requirement period. The Supreme Court upheld Arizona’s residence law in Marston v. Lewis in 1973, but it also declared that that law “approaches the outer constitutional limits.”

9The Supreme Court upheld this in Oregon v. Mitchell in 1970.

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Organizing Information

To make sure students understand the main points of this section, you may wish to use the web graphic organizer to the right.

Tell students that a web can be used to record a main idea and its supporting details. Have students use the web to record details about voting requirements for Americans.

Teaching Tip A template for this graphic organizer can be found in the Section Support Transparencies, Transparency 1.

Answer to... Interpretng Political Cartoons By using intimidation tactics to discourage some voters, or by employing voting officials who only “count” favorable votes.
Background Note
Roots of Democracy

While the right to vote is nearly universal and those not permitted to vote are the exception in democracy as we know it today, Athens, Greece, the birthplace of democracy, voting was restricted to the privileged few. Only citizens could vote, and only men could be citizens. Although there were occasional exceptions, one generally had to be born into the more affluent citizen class in order to vote. Even at the height of Athenian democracy in the fourth century B.C., when citizenship extended more broadly than ever before, only 40,000 of an estimated population of 275,000 were citizens—about 1 out of 7.

Differentiated Instruction

Explain to students that in the 2000 presidential election, ballot design became a controversial issue. Voters in the State of Florida complained that the “butterfly” ballot they used was confusing, causing them to misread their intended vote. Have students design a ballot that is easy to read and understand. They may test their ballots by having other students use them to vote for something, for example, a favorite food.

Go Online

For career-related links and activities, visit the Magruder’s American Government companion Web site in the Social Studies area at the Prentice Hall School Web site.

Answer to . . .
Interpreting Political Cartoons (a) What attitudes make this cartoon character a nonvoter? (b) What is the cartoonist’s opinion of these attitudes?

Voter registration cards, ballots, public information booklets, posters, books, forms—each of these millions of printed items issued by the U.S. government must be designed. Many government agencies employ print designers to not only enhance the appearance of a printed item, but also to clearly convey vital information to American citizens.

Careers in Government—Print Designer

Skills Activity Have a small group of students design a voter registration card. Their goal should be to make the card attractive and appealing enough to encourage registration. Have students post their design(s) in the classroom, along with an actual voter registration card. Then have individual students write paragraphs explaining why they would or would not be interested in this career.

19Wisconsin does not require registration by voters who live in rural areas or in cities with populations of less than 10,000.
vote. This process is known as purging, and it is usually supposed to be done every two or four years. Unfortunately, the requirement is often ignored. Where it is, the poll books (the official lists of qualified voters in each precinct) soon become clogged with the names of a great many people who, for one reason or another, are no longer eligible to vote.

There are some who think that the registration requirement should be abolished, everywhere. They see the qualification as a bar to voting, especially by the poor and less educated.

Those critics buttress their case by noting that voter turnout began to decline in the early 1900s, just after most States adopted a registration requirement. They also point to the fact that voter turnout is much higher in most European democracies than in the United States. In those countries voter registration is not a matter of individual choice; by law, public officials must enter the names of all eligible citizens on registration lists. The United States is the only democratic country in which each person decides whether or not he or she will register to vote.

Most people who have studied the problem favor keeping the registration requirement as a necessary defense against fraud. However, they also favor making the process a more convenient one. In short, they see the problem in these terms: Where is the line between making it so easy to vote that fraud is encouraged, and making it so difficult that legitimate voting is discouraged?

Most States have eased the registration process over the last several years, and in 1993 Congress passed a law that required every State (but North Dakota) to do so. That law, dubbed the "Motor Voter Law," became effective in 1995. It directs every State to (1) allow all eligible citizens to register to vote when they apply for or renew a driver's license; (2) provide for voter registration by mail; and (3) make registration forms available at the local offices of State employment, welfare, and other social service agencies. The Federal Election Commission reports that by 2000 some

Interpreting Graphs
(a) Approximately what percentage of Americans participate in some way in political campaigns?
(b) Judging by the attitudes shown in the graph, what could be done to increase that participation?

Political Participation and Awareness in America

<table>
<thead>
<tr>
<th>Activity</th>
<th>Percentage of Americans who...</th>
<th>Percentage of Americans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Watched the campaign on television</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Care who won the congressional election</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Read about campaign in newspapers</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Approve of the way Congress has been handling its job</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Think people have a say in what the government does</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Think most government officials are honest</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Trust the Federal Government most of the time</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Were contacted by either major party</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Wore a button or put a sticker on their car in the last election</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Gave money to a campaign</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
<tr>
<td>Worked for a party or candidate in the last election</td>
<td>0 1 02 03 04 05 06 07 08 09</td>
<td></td>
</tr>
</tbody>
</table>


Preparing for Standardized Tests

Have students read the passages under Other Qualifications on pp. 154–156 and then answer the question below.

Which of the following is still a valid voting requirement in most States today?
A. passing a literacy test
B. registering
C. paying a poll tax
D. being a white male

Answer to . . .
Interpreting Graphs (a) About 10 percent wore a button or put a sticker on their car; about 8 percent gave money to a campaign; and about 4 percent worked for a party or candidate. (b) Answers should be supported with specific references to the graph.
Differentiated Instruction

Have students create posters explaining each of the universal voting requirements described in this section. Students should design their posters so they provide quick information for a person unfamiliar with voting requirements. Encourage students to decorate their posters or include visuals on them. LPR

Background Note

A Diverse Nation

Although no State today requires its citizens to fulfill a literacy requirement in order to vote, immigrants must show that they can read, write, speak, and understand English in order to become American citizens. This literacy test is one of several criteria—including possessing “good character” and demonstrating a knowledge of United States history and government—that aliens must meet as part of the naturalization process. Since only American citizens possess suffrage rights, then, there is a de facto literacy requirement which applies to those who must arrive at their citizenship through naturalization rather than birth.

Point-of-Use Resources

ABC News Civics and Government Videotape Library

The Blessings of Liberty, 1803–1861 (time: about 15 minutes)

Answer to . . .

Interpreting Political Cartoons They disqualified white, male voters.
At the time Congress banned literacy tests, 18 States had some form of literacy requirement. The Supreme Court finally eliminated the poll tax as a condition for voting in any federal election. The Court held the Virginia poll tax to be in conflict with the 14th Amendment’s Equal Protection Clause. The Court could find no reasonable relationship between the act of voting on the one hand and the payment of a tax on the other. Clearly, democratic government can exist only where the right to vote is very widely held. Still, every State does purposely deny the vote to certain persons. For example, none of the 50 States allows people in mental institutions, or any other persons who have been legally found to be mentally incompetent, to vote. Several of the States still prohibit anyone who commits a serious crime from ever gaining or regaining the right to vote. A few States also do not allow anyone dishonorably discharged from the armed forces to cast a ballot.

**Persons Denied the Vote**

By that time, the poll tax had been abolished in North Carolina (1924), Louisiana (1934), Florida (1937), Georgia (1945), South Carolina (1950), Tennessee (1951), and Arkansas (1964). The 24th Amendment, ratified in 1964, outlawed the poll tax, or any other tax, as a condition for voting in any federal election. The Supreme Court finally eliminated the poll tax as a qualification for voting in all elections in 1966. In *Harper v. Virginia Board of Elections*, the Court held the Virginia poll tax to be in conflict with the 14th Amendment’s Equal Protection Clause. The Court could find no reasonable relationship between the act of voting on the one hand and the payment of a tax on the other.

**Section 2 Assessment**

1. For what reasons do most States require voter registration?
2. What is the Motor Voter Law? What is its purpose?
3. (a) Why do election officials keep poll books? (b) Why is it a good idea to purge them every few years?
4. How was the poll tax used as a voting qualification?
5. Drawing Conclusions (a) Do you think that one must be able to read in order to be a well-informed voter? Why or why not? (b) Do you think literacy is more or less important now than it was 100 years ago?
6. Recognizing Bias What were grandfather clauses? How did they discriminate against African Americans?

**Critical Thinking**

5. (a) Why do election officials keep poll books? (b) Why is it a good idea to purge them every few years?
6. Grandfather clauses were intended to allow white males to vote who otherwise would have been restricted by poll taxes or other requirements. They demonstrated a bias toward white males and against African Americans.