invocation of the power of property and of status against the challenge of discontent.

Undoubtedly the cumulative effects of these parallel sanctions contributed mightily to the creation of the one-party system. Moreover, their effects live on. It is impossible to speculate on the nature of political behavior without attributing to events long past their profound influence in the establishment of current habits of action. Yet the piling up of compulsions toward conformity within the South happened to be fortuitously supplemented by events on the national political scene. The nomination of Bryan, in 1896, and the Democratic theft of Populist principles, left the southern Populists high and dry. Their alternative was to return to the Democratic party, which was controlled locally by their natural political antagonists, or to join the Republican party, also controlled by their natural political antagonists, northern business and finance. The return of the Populists to the Democratic fold and the inability of the Republican party to build a southern wing threw all political debate into the Democratic party. One-party politics, re-enforced by suffrage limitations, cannot arouse the electoral interest that accompanies two-party politics.

Chapter Twenty-six

THE LITERACY TEST: FORM AND REALITY

THE disfranchisement movement of the 'nineties gave the southern states the most impressive systems of obstacles between the voter and the ballot box known to the democratic world. Yet these suffrage limitations have been more impressive in theory than in practice. The fundamental bases of Negro disfranchisement have been informal rather than legal. Nonvoting has constituted but one element in a system of race relations maintained by a variety of informal sanctions, illegal and extralegal.

The southern system of suffrage qualifications has included several principal components. The literacy test and allied requirements have provided legal means of accomplishing illegal discrimination. The poll tax has served as an additional element of the system in some states; in others, it has been the only unusual suffrage requirement. Until its nullification by the Supreme Court in 1944, the white primary was a more important component of the system than formal limitations on the right to vote. Negroes were excluded as Negroes from the party primary; they could be legally excluded from the general election only by indirection. Invalidation of the white primary, therefore, brought again into prominence the literacy test and other methods of disfranchisement by indirection.

Since their adoption literacy tests have undergone alteration in de-

tail. That evolution need not be traced, but the present status of these requirements needs to be outlined. Literacy tests may be radically different in their application from their form. A report of impressions of the administration of literacy tests will incidentally provide opportunity to indicate the nature of procedures for the registration of voters. Reserved for later treatment are the poll tax and the white primary.

1. *Literacy Requirements and Their Alternatives*

Drafters of southern suffrage requirements set out to establish standards that would admit whites to the electorate but would exclude Negroes without mentioning race or color. At the time of the disfranchisement movement illiteracy was much more prevalent among blacks than whites; hence, the literacy test seemed an obvious method of discrimination between the races in fact but not in form. Yet to fulfill their promises to disfranchise no whites, constitution drafters had to contrive alternatives to the literacy requirement that would take care of the illiterate white. The "grandfather clause" was one such loophole, but it was only a temporary expedient.[1] The Mississippi convention invented the "understanding clause" as an alternative to the literacy test. A person who could not "read" any section of the constitution might qualify as an elector if he could "understand" and give a "reasonable interpretation" thereof when it was read to him. The assumption was that registrars would find that illiterate whites had the capacity to "understand" and "interpret" the constitution.

In addition, to the "understanding" alternative to literacy, a few states provided other alternatives. Georgia authorized registration of illiterates "of good character" who could show that they understood "the duties and obligations of citizenship under a republican form of government." The same state adopted a property-owning requirement as another alternative to literacy. A person owning 40 acres of land on which he resided or property in the state assessed for taxation at $500 or more might qualify although unable to meet the literacy test. Alabama, until

[1] The grandfather clauses about which some misconceptions prevail deserve only brief mention. Their effect was to permit certain classes of individuals, defined so as to exclude Negroes, to register permanently within a specified period without the necessity of meeting literacy or other tests. The individuals who might claim the right to register under these clauses differed from state to state. The 1898 Louisiana clause permitted the registration of males who were entitled to vote in any state on January 1, 1867, or prior thereto, the sons and grandsons of such persons, and male persons of foreign birth naturalized before January 1, 1898. Applicants for registration were required to have five years' residence in the state. The clause spread to several other states, but was finally held unconstitutional in 1915 in litigation arising in Oklahoma. By this time the period had expired in which permanent registration could be accomplished under the grandfather clauses. Apart from its bearing on the Oklahoma constitution, the principal effect of the court decision was to prevent revival of the clause.

1946, permitted those to register who owned 40 acres of land on which they resided, or real estate or personal property in the state assessed for taxation at $300 or more. The Louisiana constitution of 1898 contained a similar provision.

The trend since the adoption of the disfranchising constitutions has been toward the elimination of alternatives to literacy.[2] Thus, the "understanding" alternative remains in its original form only in Mississippi. Georgia retains a "good character" alternative. The property-owning alternative has disappeared in Louisiana and Alabama. In states with property alternatives Negroes have found it easier to register under this provision than to meet the literacy test; an application for registration based on property ownership cannot be so easily denied as can an application under a literacy clause. The spread of property ownership among Negroes enabled more of them to qualify under the property alternative, which in 1948 existed only in Georgia and South Carolina.[3]

Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia have a literacy requirement in one form or another.[4] The nature of the current requirements and their alternatives, if any, are presented in Table 60, except those of Alabama and Louisiana, which do not readily lend themselves to tabular treatment.

The tendency to tighten the literacy requirement by eliminating understanding and property-owning alternatives has been paralleled by the establishment of requirements supplemental to literacy. With the gradual reduction of illiteracy among Negroes, the requirement of literacy, if fairly administered, would not exclude nearly so large a proportion of persons of color as in 1900. In Louisiana and Alabama literacy has not been thought enough. Additional tests, readily susceptible of discriminatory application, have had to be met by the applicant for registration.

[2] The statement of constitutional and statutory suffrage requirements in this chapter analyzes the situation as of January 1, 1949. It seemed probable that 1949 legislatures would make statutory changes and propose constitutional amendments, not all of which could be taken note of by proof changes.

[3] Several states, including Georgia and Mississippi, have had requirements that in order to vote persons should have paid all taxes assessed against them. These suffrage standards were not a requirement that a person be a taxpayer to vote but that he should have paid taxes levied against him. The great depression killed off these requirements; many leading citizens, temporarily in straitened circumstances, were delinquent in paying their taxes. Property ownership, however, remains a requirement for voting in local referenda on bond issues and related questions in several southern states.

[4] Whether the South Carolina test has ever been of significance in application to whites is doubtful. Before the recent repeal of its laws relating to primaries, South Carolina legislation empowered political parties to prescribe "requirements and safeguards" for the conduct of primaries except that no party should enact "rules or regulations based upon an educational or property qualification as a requisite for voting in a primary. . . ."—*South Carolina Civil Code, 1932*, Title 24, sec. 2369. After the repeal of all South Carolina statutes governing the primary, the party rules were amended to provide that enrollment in Democratic clubs should be conditioned, among other things, on ability "to read and write and interpret the Constitution of the State of South Carolina."

TABLE 60

Literacy Tests for Registration and Alternatives [a]

STATE	TEST OF LITERACY	UNDERSTANDING ALTERNATIVE	PROPERTY ALTERNATIVE
Georgia [b]	Correctly read in English "any paragraph" of State or U. S. Constitution and "correctly write the same" when read to him	Only those unable to read or write because of "physical inability" may qualify if they can "understand" and give a "reasonable" interpretation when "read" to them	40 acres of land in the state on which elector resides or property in the state assessed for taxation at $500
Mississippi	"Read" any section of state constitution	"Understand" any section when read to him and give a "reasonable interpretation" thereof	
North Carolina	"Read and write" any section of constitution to the "satisfaction of the registrar"		
South Carolina	"Read and write" any section of state constitution		Ownership and payment of taxes for previous year on property in state assessed at $300 or more
Virginia	Apply to registrar "in his own handwriting" stating name, age, date and place of birth, residence, occupation, etc.		

[a] Presumably in the states that had grandfather clauses a few persons still vote by virtue of permanent qualification under other alternatives to literacy set out in the clauses.

[b] Still another alternative to literacy is open to applicants for registration in Georgia: a person may be registered if he "be of good character, and understand the duties and obligations of citizenship under a republican form of government." For 1949 changes, see note 26, p. 577.

The Louisiana suffrage requirements are formidable, at least in language. To register a person must be (a) of "good character," (b) "understand the duties and obligations of citizenship under a republican form of government," and (c) be able "to read and write." To establish the ability to write an applicant must fill out an application blank stating the qualifications for voting "without assistance or suggestion from any person or any memorandum whatever." He must also "be able to read any clause" in the state or national constitution; and (d) be able to "give a reasonable interpretation" of any clause in either constitution. A person unable to read and write may qualify to vote, but he shall be "a person of good character and reputation, attached to the principles of the Constitution of the United States and of the State of Louisiana and shall be able to understand and give a reasonable interpretation of any section of either constitution when read to him by the registrar, and he must be well disposed to the good order and happiness of the State of Louisiana and of the United States and must understand the duties and obligations of citizenship under a republican form of government." Lest it be thought that few citizens of Louisiana meet these qualifications, it may be noted that thousands of Cajuns have qualified under tests that would fluster a Supreme Court justice.

In 1946 Alabama adopted a constitutional amendment setting up standards for registration similar to those of Louisiana. In March, 1949, the Supreme Court ruled that the amendment was unconstitutional. The requirements of the Alabama amendment were, in brief, that an applicant for registration be able to "read and write" *and* "to understand and explain" any article of the Constitution of the United States in English. Furthermore, unless physically unable to work, a person must have "worked or been regularly engaged in some lawful employment, business, or occupation, trade, or calling for the greater part of the twelve months" preceding his application for registration. Finally, the amendment provided that no "persons shall be entitled to register as electors except those who are of good character and who understand the duties and obligations of good citizenship under a republican form of government."

The Alabama amendment of 1946 was designed, according to its proponents, to apply only to future applicants for registration. Those already on the permanent lists of electors would not have to meet the new qualifications unless the legislature ordered a re-registration and compel all citizens to meet the new requirements. In any event, persons moving from county to county and applying for re-registration would have to meet the new tests.[5]

[5] In addition to the suffrage tests peculiar to the region, southern states have the usual requirements of citizenship, age, residence, and the like. In some instances these conventional requirements have been formulated in a manner to limit Negro voting, but they deserve only brief mention.

Residence. Four states—Alabama, Louisiana, Mississippi, and South Carolina—

2. Machinery for Registration

A solemn recapitulation of the formal literacy and understanding requirements verges on the ridiculous. In practice literacy and understanding have little to do with the acquisition of the right to vote. Whether a person can register to vote depends on what the man down at the courthouse says, and he usually has the final say. It is how the tests are administered that matters. Qualifications of would-be voters are generally determined before election day by application to the cognizant public authorities who prepare lists or registers of those qualified to vote. Some jurisdictions have permanent registration of voters, i.e., a person's name remains on the list until he dies, moves from the jurisdiction, or otherwise becomes disqualified. In others, registration is periodic, i.e., the voter must register at annual, biennial, quadrennial, or other intervals. With few exceptions a person may not vote if his name is not on the list prepared in advance.

Registration thus becomes a function basic to the operation of a democratic regime. Conducted efficiently it establishes a list of persons legally qualified to vote. Registration, properly managed, permits the maximum number of citizens to register with minimum inconvenience. Conducted inefficiently or corruptly it results in lists containing names of unqualified or nonexistent persons and thereby provides a means for fraud on election day. By creating an additional step in the voting process any registration system reduces the number of voters, but at times the procedure seems to have been deliberately designed to make it impracticable for many persons to register.

In the South registration assumes special importance because of the peculiar regional suffrage qualifications. Registration authorities determine whether applicants meet literacy and understanding tests and thus have functioned as the principal governmental agency for Negro disfranchisement. The southern registration process is important not only

require residence of two years in the state to qualify to vote. Elsewhere, only in Rhode Island must residence be so long. The other southern states require a year's residence; none reduces the period to six months as do 11 nonsouthern states. Unusually long residence requirements were thought to discriminate against the Negro, supposedly more of a wanderer than the white. Recent studies of farm tenancy indicate, however, that Negro tenants are more stable than white tenants.

Age. The only breaches in the usual requirement of 21 years have been made in the South. In 1943 Georgia lowered the voting age to 18. The slogan was, "Fight at 18, Vote at 18." In 1946 the South Carolina Democratic party admitted those over 18 to its primaries, but it returned to the normal standard in 1948.

Disqualification for Crime. In common with other states, those of the South deny the vote to persons convicted of specified crimes. The only regional peculiarity of these disqualifications is that several states disqualify for petty crimes supposedly committed more frequently by Negroes than whites.

for this reason. Nearly everywhere the management of registration and elections is a backward art; southern registration practices match the primitiveness of those anywhere else in the United States.

Nine southern states have systems of voter registration, although Tennessee does not require registration in all parts of the state.[6] The other two—Arkansas and Texas—prepare voting lists as an incident to poll-tax collection. Neither state surrounds its tax-collection procedures with the safeguards of a well-ordered registration system, yet presumably the fact that a poll tax must be paid for each name deters padding of the lists.[7]

Southern registration machinery is probably not much worse in its design and personnel than registration machinery elsewhere. It is peculiar, however, in the extent to which it is centralized and in the absence in most states of bipartisan participation in the registration process. In several states county registration authorities are state-appointed. In Alabama an ex officio board consisting of the governor, the commissioner of agriculture and industries, and the auditor appoints for each county a board of registrars of three "reputable and suitable persons." In Mississippi the circuit clerk functions as county registrar but an ex officio state board of elections appoints boards of county election commissioners, which hear appeals from denials of registration and purge the lists of deadwood. The governor of South Carolina appoints for each county three "competent and discreet" persons to serve as a board of registration; county Democratic committees, however, conduct a separate registration for voting in Democratic primaries.[8]

North Carolina's state board of elections appoints bipartisan county boards of elections which in turn designate registrars for townships, wards, or districts. In Tennessee the state-appointed county election commissioners name the registrars for wards or other local units used for registration purposes. Virginia arrangements permit state control of regis-

[6] The Tennessee statutes require registration in counties with 50,000 population or more in all cities, towns, and civil districts of 2,500 inhabitants or more. Local legislation modifies the general rule for particular localities. The state board of supervisors of elections must by law maintain a list of all counties, towns, cities, and civil districts "which are under the laws pertaining to the registration of voters." The chairman of the board, when interviewed, was mildly astonished to learn that it had this duty.

[7] The Arkansas constitution has prohibited the adoption of a registration requirement, in memory of Reconstruction when registration meant the disfranchisement of good Confederates. An amendment to permit registration, proposed in contemplation of repeal of the poll tax, was adopted in 1948.

[8] Quite commonly a separate registration is required to vote in southern municipal elections. In some South Carolina cities the good citizen must register four times, viz., once with the city Democratic committee to vote in municipal primaries; once with the city registration board to vote in municipal elections; once with his precinct or ward Democratic club to vote in state and county primaries; and finally with the county board of registration to vote in general elections.

tration personnel in the final analysis. The circuit or corporation judge, chosen by the legislature, designates the county electoral board which in turn appoints district registrars.

State concern over registration usually ends with the act of appointment. The local registrars are on their own and are subject to no prodding or inspection by state officials. Nor do they receive any sort of assistance, advice, or guidance from state authorities except in North Carolina and Virginia. They are left alone and unaided, guided by complex and often incomprehensible election laws, provided usually with the most archaic records, paid miserable pittances, and expected to do a good job. And some of them do.

The usual interpretations of state appointment of registration officials are twofold. It assures Democratic control in all localities even in those counties, once more numerous, with Republican majorities; and white control in all counties, even in those with Negro majorities. While at one time Democrats may have made it difficult for Republicans to register, inquiries among Republican leaders bring no complaint of current discrimination. Sometimes Republicans are counted out, but they are not barred from the ballot box by arbitrary decisions of registrars.[9] Discrimination against the Negro is, of course, another story. It may be significant in speculating about administrative origins to note that states with the most unlimited state power of appointment—Mississippi, South Carolina, Alabama—are states with high proportions of Negro population. In reality, of course, state control is now illusory because state authorities rely on local political potentates for counsel in appointing registrars.

In three states appointment of registrars is local in form as well as in fact. Louisiana's parish registrars are appointed by the policy jury; the governor appoints the New Orleans registrar. An ex officio state board of registration (the governor, Lieutenant-governor, and speaker) may remove local registrars.[10] The most prevalent arrangement in Florida is for the county to elect a supervisor of registration. Georgia's county tax collectors function as registrars in the first instance, but each county has a board of registrars, of three "upright and intelligent" citizens appointed by the judge of the superior court. The board's main job is to purge the names of unqualified persons from the list. In most states special arrangements deviating from that prescribed by general law exist for particular localities.

[9] In Florida Negroes and Republicans relate that a favorite device of registrars has been to register Negroes as Republicans, an action equivalent to disfranchisement. When the white-primary rule was in effect, registrars automatically enrolled Negroes as Republicans and the habit persists. In North Carolina, on the other hand, Republicans complain without intense feeling that Democratic registrars sometimes refuse to enroll Negroes as Republicans.

[10] See Alden L. Powell, *Registration of Voters in Louisiana* (Baton Rouge: Bureau of Government Research, Louisiana State University, 1940).

Commonly the statutes attempt to vest finality of decision in the local registration officials and make appeals from their decisions difficult. In states whose suffrage qualifications involve wide discretion in their application, this finality of decision may re-enforce abuses of discretion. In Alabama, for example, an applicant must "establish by evidence to the reasonable satisfaction" of the board that he is qualified to register. Appeal lies to the circuit court within 30 days after denial of registration. In practice, to make doubly sure of the finality of their action, local boards sometimes do not notify applicants of denial until more than 30 days after their action. In any case, few persons, black or white, of so lowly a status that a board would dare deny them registration have the spare cash to hire a lawyer to take an appeal to the circuit court. In 1948 the Birmingham Bar Association scale of minimum fees fixed $100 for filing a suit in circuit court and $150 for court attendance in such a suit. Mississippi's county board of election commissioners hears appeals from the county registrar. The board's decisions are final on questions of fact, but appeal lies to the circuit court, within two days, on questions of law. South Carolina provides appeal from the board of registration to the court of common pleas and from thence to the supreme court. All these and other such appeals procedures provide recourse from arbitrary action, but they are little used.

3. Glimpses at Registration in Practice

The local registration official gives specific meaning to the grandiloquent phraseology of constitutional suffrage requirements. Actual practice is, of course, impossible of determination without extensive local investigations. Every local registration officer is a law unto himself in determining the citizen's possession of literacy, understanding, and other qualifications. No state agency knows what these officials do or how they interpret the requirements. In only Louisiana and Florida do state authorities even know the number of registered voters. Interviews with scattered local registrars and with others familiar with registration practices indicate the widest diversity in administration within individual states. Florida, Louisiana, and isolated counties in other states give promise of developing effective registration systems; over most of the South, however, the simple business of preparing a list of names of voters seems to be relatively untouched by clerical efficiency and unmarred by record-keeping techniques of a vintage later than 1850.

The administration of voter registration differs, at least in principle, in three groups of states with different types of suffrage requirements. Those in one group—Georgia, Mississippi, North Carolina, South Carolina, and Virginia—require literacy to vote and the constitution usually

fixes the test for its determination. In a second group, Louisiana and Alabama have required, in addition to literacy, capacity to understand or explain the constitution and an understanding of the duties of citizenship, as well as good character. Evaluation of these higher faculties and abstract qualities presumably presents a problem of greater intricacy than the determination of literacy alone. The states of a third group—Tennessee and Florida—impose on their registrars only the duty of determining whether the would-be voter meets such requirements as age and residence. All the states have, of course, in common the problem of maintaining accurate and usable records of voters and of purging from the lists those who lose their right to vote.

In the first group—those with literacy tests alone—is Virginia with its simple requirement that persons apply for registration in their own handwriting. Negroes complain only infrequently of discrimination in the application of this test. Persons informed about Virginia practices report that in most counties and cities literate Negroes have no trouble. In some places, chiefly rural counties, with many Negroes, denial of registration is often accomplished by such genteel and courteous tactics that complaint is forestalled. A favorite device for rejecting Negro applicants is built on the requirement that the applicant "make application . . . in his own handwriting, without aid, suggestion or memorandum, in the presence of the registration officers stating therein his name, age, date and place of birth, residence and occupation at the time and for one year next preceding and whether he has previously voted, and if so, the State, county, and precinct in which he voted last." Obviously if the constitutional mandate were regarded seriously a great many whites, respectable and otherwise, would fail the test.[11] Some registrars, in violation of the constitution, provide a blank to be filled in by the applicant.[12] A Negro may be presented with a blank piece of paper and told to write thereon the information required by the constitution. On the other hand, in Richmond blacks and whites alike are given printed application forms; if they can read and write well enough to fill out the form, they are registered. In the rural areas registrars at times manifest complete ignorance of the legal requirements. One registrar, for example, questions the applicant about the items of information required in the application and writes down the answers himself.

[11] Until 15 or 20 years ago, it was not uncommon for registrars to superimpose an "understanding" test on the constitutional literacy requirement. The courts held, in a case arising in Hampton, that registrars had no authority to deny registration because a person could not answer questions unrelated to the suffrage requirements prescribed by the constitution. Apparently the local registrar had examined applicants to determine their knowledge of picayune governmental forms and procedures, a test entirely beyond the law.—*Davis* v. *Allen*, 160 S. E. 85, 157 Va. 54.

[12] In 1948 J. Lindsay Almond, Jr., became the third attorney general to declare the practice illegal. He went further, however, and asserted that it was the duty of the registrar to tell the applicant orally what questions he should answer.

Virginia's permanent registration makes essential a frequent purging of the lists.[13] Yet a clerk in one registrar's office for several years recalls no purge. Court clerks, the law says, must report to the registrars the names of persons convicted of crimes which disqualify for the franchise, and it is the duty of the registrar to strike such names from the lists. Our clerk's office has received no reports from court clerks in accord with the statute. No use has been made of the health department's records of deaths. In fact, in this city, the law on the purging of the lists is utterly without effect.

A high degree of finality in determination of right to register is vested in precinct registrars of North Carolina. Although the state board of elections has exerted itself more in the improvement of elections than in the betterment of registration processes, little rumor and complaint are heard of electoral abuses hinging on registration weaknesses. North Carolina's handling of Negro registration resembles that of Virginia. Negroes register freely in most cities; discrimination occurs chiefly in the eastern rural counties with high proportions of Negro population.

The registrar has discretion by the fact that the applicant must "read" and "write" any section of the constitution "to the satisfaction of the registrar." This phraseology permits some registrars to graft on to the literacy requirement a test of "understanding." An applicant may read and write the section, and the registrar may then follow up with questions to determine whether, as one registrar is said to have put it, the applicant can "interrupt" the constitution. It is reported that in one county more than 50 per cent of the obviously qualified Negro applicants are arbitrarily rejected on the basis of the writing test. Variations in administration within the state are suggested by the statement of one registrar that he never requires demonstration of ability to write but that he requests the applicant to read a passage from the state constitution. When the applicants are not in his judgment obviously intelligent and educated citizens, he asks them questions about the state and Federal governments. Further, this registrar states that he considers somewhat the general character of the Negro applicant as, for example, whether his vote will be purchaseable. On the other hand, in some larger cities of the state registration officials even come out to Negro meetings to facilitate registration.

In North Carolina, as in other states with permanent registration,

[13] An incomprehensible phenomenon of a civilization that has developed remarkably efficient office procedures and prides itself on its great organizing ability is the dispute over permanent versus periodic registration. Completely stumped by the problem of striking from the registers persons who have died or lost the right to vote, some argue that the only way to produce clean lists is to compel the electorate—hundreds of thousands or even millions of citizens—to troop to the registration offices every year or two or four, fundamentally because registration officials are either lazy or stupid. The Virginia legislature in its proposed constitutional amendment repealing the poll tax, to be voted on in 1949, substitutes an annual registration for permanent registration.

the purging of the lists seems to be an unsolved problem. The county board of elections can order a complete re-registration. Beyond this means of clearing up the rolls, the precinct registrars have the duty of purging the lists but the decentralization of work to them makes awkward the direction of routine flows of relevant information, such as death certificates. Thus, one registrar says that the only purging that he does is of names of registrants who he knows have died. His books, he says, are loaded with the names of persons who have moved away and with people who have probably died but whose death he does not know about. The statute provides for purging by challenges from interested citizens. Our registrar says that he faithfully goes to the high school with his registration books on the days prescribed for challenges and sits there all day reading for pleasure. No one has ever come in to make a challenge. If a challenge should be made, he supposes that he would call up the Democratic county chairman to find out what he ought to do.

Mississippi's circuit clerks function as registrars, subject to the supervision of the board of county commissioners of elections. Visits to the offices of a few clerks reveals what might be expected all along, viz., that some clerks do a sloppy job and that others are meticulous in the performance of their duties. Mississippi registrants must be able to "read" any section of the constitution. It seems doubtful that any test of this ability is actually administered to whites, although the act of signing the registration book and of filling in the data on residence, age, and so forth constitutes a simple test of literacy.

In rural counties registration is a casual process. One registrar, for example, simply has the person sign the registration book and fill in the required items of information. She does not require him to swear to the oath printed at the top of the page. She gives no reading test nor does she require proof of residence. She knows most of the persons who come in because they are her neighbors. If a stranger came in, she would make a more particular inquiry. The law forbids a person to register twice, she says, and, hence, there is no chance of duplicate registration. Another clerk indicates that she requires no proof of a registrant's qualifications. Each registrant takes an oath that appears at the top of the page and when he swears to that, full responsibility rests on him and not on her. She feels free to register anyone who will take the oath.

Few Negroes apply for registration except in two or three of the most urbanized counties. One of the gentler techniques of dissuasion in the rural counties is illustrated by the practice of the registrar of a county with over 13,000 Negroes 21 and over, six of whom were registered in 1947. The registrar registers any qualified person, black or white, if he insists. When a Negro applies, however, she tells him that he will be registered if he insists, but she gives him a quiet, maternal talk to the effect that the time has not yet come for Negroes to register in the county.

The people are not ready for it now and it would only cause trouble for the Negro to register. Things move slowly, she tells the applicant, but the day will come when Negroes can register just as white people. Almost always, she says, the applicant agrees with her and departs in peace.

Another registrar says that sometimes she asks questions of the applicant, questions on the "constitution and similar things." Still another registrar requires Negroes to present poll-tax receipts for registration, a procedure unauthorized by law. He frequently requires Negroes to read the constitution and to answer questions, "sometimes questions which are very hard," says a local Negro leader. Thus, in Mississippi the reading requirement tends to be supplemented by an informal "understanding" requirement.

Removal of deadwood from Mississippi's permanent lists seems to be on the basis of information that comes personally to the attention of the registrar or the election commissioners. As a last resort the commissioners may order a new registration. In one county the registrar says that the board of election commissioners does little purging of the lists. "Oh, if they happen to know that some individual has died they will probably take his name off the books." A person must present a couple of poll-tax receipts when he votes anyway, it is argued, so the accuracy of the lists matters little. Election officials do not invariably demand presentation of the receipts, but one hears little gossip in Mississippi of election frauds based on inaccurate rolls.

Mississippi registration laws, enacted in the era of horse transport, require the registrar to spend a day at specified intervals in each voting precinct to receive applications for registration. This year, one of the circuit clerks said in 1947, she spent a day in each of two dozen precincts and did not receive more than a dozen applications. If for any reason she particularly desires to get a person registered, she must look him up individually.

South Carolina has maintained a dual registration system. To register for the general election a person must be able to "read and write" any section of the state constitution. Few people vote in the general election, anyway, and, hence, the Democratic party's enrollment system for primary voters is of more practical importance. Party rules require that club members shall be able to "read and write and interpret the Constitution of the State of South Carolina." The nature of the requirement may be deduced from a sharp denial by one politician that such a requirement existed. When the rules were shown to him, he conceded the point, but insisted that the only real requirement was that one be white.

Party officials who are aware of the existence of the reading, writing, and interpreting requirement indicate that it is generally ignored. Further, usually the "administration" of party enrollment is loose. In some counties the enrollment books are deposited in grocery stores,

filling stations, and similar places. Usually the proprietor is supposed to be in charge of the book, but anyone who wishes can go in and write his name on the list, and as many other names as he wishes. This sort of "absentee enrollment" does not prevail in the enrollment conducted by the city Democratic club of Columbia, which also makes an effort to purge duplicate names from the books. In Charleston and Columbia, factional workers are said to check the lists and by their surveillance to contribute to the accuracy of the rolls.

The county board of registration—three "competent and discreet" citizens—registers applicants for participation in the general elections and determines their ability to "read and write" any section of the state constitution. Although this test is not uniformly applied to white applicants, Negro leaders make remarkably little complaint about refusals of registration to Negroes who can "read and write." Their chief grievance has been exclusion from the Democratic primaries, a matter rectified by court decision in 1948. Insofar as registration to vote in the general elections, their grievances relate to a few local situations. For instance, one registrar, a white woman, is said to require Negroes, or at least some of them, to read the entire state constitution and then to write it. Her prescription arises from the constitutional mandate that the applicant be able to read and write "any" section. In another locality the chairman of the board sought to discourage a group of Negroes who showed up to register by absenting himself. The leader of the Negroes said that he guessed he would go down to Columbia and see the NAACP about it. The news traveled over the white grapevine to the chairman of the board who turned up at the office to register the colored applicants.[14] But these are isolated instances. At the opposite extreme is the 1948 case of Negro leaders of a community about 30 miles from the county seat who approached the board and told them that people in their community intended to register and wanted to know precisely what the requirements

[14] The Progressive Democratic party, a Negro organization, distributes to its county leaders photostatic copies of a letter from an Assistant Attorney General of the United States which probably eases the way. The letter acknowledges information about discriminatory practices in registration. "All otherwise qualified citizens have a federally secured right to register for voting and any interference with that right because of race or color is a matter of federal concern." The Department of Justice, the letter goes on to say, "will promptly act upon any specific information that you will provide on this subject. Please furnish the names and addresses of the complainants, the officials involved, and the full circumstances surrounding the denial of the right to register." State leaders carefully instruct Negroes in the procedures and etiquette of registration. A broadside, for example, warns that the registrar has the right to "refuse to register you" and "to punish you if you cause a disturbance." "If you are not allowed to register . . ., do not argue. Ask the registrar for a statement telling why you were refused, and if possible get names and addresses of witnesses to the refusal. Have an affidavit (sworn statement) prepared and send it to the S. C. Conference, NAACP, Box 1145, Columbia, South Carolina."

were. The board responded by saying that if the Negroes would pay for their gas and oil the board would go over to their town and save them the trip to the county seat. The board went over and registered 360 Negroes, a number equivalent to the entire supply of registration certificates taken along.

Although for 50 years general elections have had no importance in South Carolina, increased registration of Negroes in recent years has stimulated whites to counter measures. For example, in three or four counties of the coastal plain, the boards of registration are said to have stimulated registration by whites, i.e., they have written out registration certificates for all unregistered whites whose names they could lay their hands on, mailed the certificates to them, and thereby saved them the trouble of a personal appearance.

A registrant in Georgia must be able to "read" correctly "any paragraph" of the state or Federal Constitution and "correctly write the same," with certain exceptions.[15] Tax collectors maintain "voters' books" for each militia district of their counties, and the law directs them to permit only those persons with the qualifications to vote to sign the "voters' books."[16] After the closing of a collector's books several months in advance of the election, he transmits lists of new names to the county board of registrars for addition to the existing permanent list of voters. The board has the duty of purging the lists. Any voter may examine the lists and challenge names of persons thought to be unqualified.

Tests of ability to read and write constitutional passages seem to be given rarely. Nor are Negroes even uniformly required to demonstrate literacy. At times, however, literacy tests are enforced against Negroes in a discriminatory fashion,[17] and in some instances apparently a test of understanding is added to that of literacy, all in violation of the constitu-

[15] An alternative to literacy is "good character" and an understanding of the duties and obligations of citizenship. Registrars' books provide blanks for indication of whether a voter qualified under the literacy clause, or the good character, or property holding alternatives. Registrars, however, often make no notation of how a registrant qualified.

[16] In practice not all voters have to sign the book. Thus, Bunche reports the case of a tax collector who requires all registrants to sign the book in person "unless it's a wife, or a sister or somebody like that" or a person registering for close kin "if you know them."—*Political Status of the Negro* (mss.), p. 237. This manuscript, prepared for the Myrdal survey, is available in microfilm at the Library of Congress.

[17] Thus, in a southwest Georgia county in 1946 Negroes had to demonstrate ability to read and write. Mrs. D. and her cook went down to vote on election day, and the cook was turned away on the ground that her name was not on the lists. Mrs. D. went around to see "the man" to ask the reason. His answer was that the cook had not demonstrated her ability to read and write. The undisputed retort was that her cook could read and write better than a great many of the white people who were voting that day and that probably many of the whites flushed out of the swamps to vote that day could not read and write at all. The chairman of the board of registrars gave the cook a card entitling her to vote. Not all Negroes have white friends who will go to bat for them in this way.

tion and laws.[18] Scattered evidence suggests that some tax collectors register about anyone and everyone whom they know not to be obviously disqualified and then leave it to the board of registrars to cleanse the rolls.[19] These boards, as in Alabama, are part-time boards and are not always competently manned.[20]

Thorough purging of the lists by boards of registrars appears to be exceptional. The principal use of the power to purge has been to harass Negroes. In 1946, following the closing of the registration books, the Talmadge forces organized a campaign to purge the rolls of Negroes in those counties in which it would be to their advantage to do so. Estimates of the number removed from the lists run from 15,000 to 25,000. In some counties all Negroes were removed from the rolls. The anti-Talmadge forces resisted the purge by slowdown tactics. They employed lawyers to represent Negroes before the boards and argued each purge as if it were a court trial. Thus, in Fulton County slowdown tactics limited review of challenges to about 250 in the period in which the registration authorities had to act. In one county the "defense" lawyer stretched out the argument so that only four or five cases were completed per day.

In the 1947 legislative session Talmadge leaders attempted to revise the registration laws to substitute biennial for permanent registration, to require a complete re-registration, to levy a $1 registration fee, and to alter the procedures in other respects, but the bill failed of enactment. The proposals were made again in 1949, with better prospects of passage.

The states mentioned in the foregoing pages require as one condition for voter registration literacy, although in some instances alternative routes to registration are available. In Alabama and Louisiana registration requirements—at least on paper—have been more formidable. In addition to literacy, applicants have been required to understand, interpret, or explain the constitution and to meet other standards which registration authorities may apply with wide discretion.

Administration of Alabama's registration requirements rests in three-member county boards of registrars. The board itself is supposed to examine each applicant for registration. Board members, except those in the more populous counties, receive $7.50 a day when actually engaged in their duties. The level of compensation tends to restrict board membership to widows, others in necessitous circumstances, and to public-spirited citizens given to self-sacrifice.

[18] A tax collector for 10 years was unable to recall that he had ever refused to register a white person. He once started to do so when a man wanted to register his brother who was known by the tax collector to be *non compos*. The collector did not refuse because he did not want to tell "this on him right here in front of everybody."—R. J. Bunche, *Political Status of the Negro*, p. 242.

[19] Tax collectors under general legislation, modified for particular localities by special legislation, receive 5 cents per name added to the voters' books.

[20] In Haralson County in 1948 all three of the registrars were past 70 years of age.—*Atlanta Journal*, April 11, 1948.

Before the adoption of more stringent registration requirements in 1946, practices of the boards varied from place to place. Ability to read and write was usually considered established if a person could fill out an application for registration. Few Negroes applied for registration and even fewer were registered in the predominantly Negro counties, although they fared better in cities and in the northern counties of the state. Some boards apparently set up quotas; they decided to accept five or ten Negroes at a session of the board. The first five or ten applicants would be notified promptly that they had been accepted, but other Negro applications would go unanswered. In Montgomery, Negroes properly identified as the cook or the butler of white citizens of standing would be registered, but generally hostility toward Negro registration prevailed. Qualified Negro applicants in Mobile encountered no insuperable obstacles, although slowdown tactics in the examination of applicants limited the number of registrants. In Anniston, in northern Alabama, discriminatory application of the literacy test apparently constituted no part of the mechanisms of disfranchisement.

One of the most serious procedural obstacles to Negro registration in Alabama has been a requirement by some local boards that applicants be "vouched for" by two white men. At some places, it is reported, politicians "hang around" registration offices on registration day to vouch for applicants, but in other communities only the leading citizens in the Negro community can produce vouchers with ease.[21]

In 1946 Alabama adopted the "Boswell Amendment" to the state constitution which set up new suffrage standards and lodged in the boards of registrars of broad discretion akin to that long exercised by Louisiana registration officials. The boards became petty tribunals to determine whether would-be voters could "read and write, understand and explain any article of the constitution of the United States," whether they were of "good character," and whether they understood "the duties and obligations of good citizenship under a republican form of government." It was this wide latitude granted to the boards and the demonstrated discriminatory use of it against Negroes that led a Federal district court in 1949 to enjoin permanently the Mobile County board of registrars from enforcing the requirements of the amendment. The court noted that 57 Negroes had been rejected because they were unable to "understand and explain" the constitution, whereas during the same period only 11 whites had been denied registration, and they for other reasons than the standards set by the amendment.

No instance has come to our attention in which a board of registrars

[21] The defense of the voucher requirement has been that both whites and blacks were required to have their applications supported by persons able to give evidence that the applicants met such requirements as those of residence.—*Mitchell* v. *Wright*, 62 F. Supp. 580 (1945), 154 F. (2d) 924 (1946), 69 F. Supp. 698 (1947).

has formulated objective tests of ability of applicants to meet the suffrage requirements. Rather, the board of "three reputable and suitable" persons decides each case on its merits, usually after an examination of the applicant in private. In Jefferson County (Birmingham) the board consisted in 1948 of a former house detective of the Tutwiler Hotel whose home county had had no high schools when he was growing up, a former rural school teacher who had not been graduated from high school but had won a teaching certificate by attending a normal school, and a clerk of the elections commission who had quit high school before graduation to attend a business college. These three persons sat to determine their fellow citizens' understanding of the constitution, their good character, and their acquaintance with the duties and obligations of good citizenship.

Douglas L. Hunt, of the *Birmingham News,* inquired into the functioning of the board and discovered wide variations and inconsistencies in its practices. Some persons were questioned at length; others were registered without inquiry. The questions ranged far and wide.[22] The board had no announced policy toward Negroes but it subjected them to closer questioning than whites and discouraged them by dilatory tactics. Charges of discrimination against whites were made by the Birmingham Federation of Labor which felt that two members of the board found a good many workingmen unable to comprehend the constitution and the duties and obligations of citizenship.

In Birmingham, a goodly number of Negroes is registered, but in rural counties with heavy Negro populations a stiffer policy tends to be followed. In 1946, the Macon County (81 per cent Negro) board of registrars resigned, no other citizen to whom appointment was offered would accept, and for approximately two years the county registration machinery did not function for either blacks or whites. The explanation offered was that a Tuskegee Negro had sued board members for damages because of denial of registration. Registrars at $7.50 a day could not afford the risk of damage suits.

Aside from the question of Negro registration, Alabama registration procedures suffer from defects common to many states. Although registration is permanent, the process is discontinuous. The board of three sits only on prescribed days. Applicants have to line up and wait to file individually before the board for examination. In effect a person has to take a day off from work to register. The Mobile Building and Construction Trades Council protested without success the refusal of the

[22] Dr. Hunt's series of articles in the *News* (February 11, 13, 18, 20, 1948) constitutes a valuable case study. Of interest are some of the questions asked by the board: How many state senators are there? In what congressional district do you live? Who is the sheriff of Jefferson County? What do we mean by UN? How old are your wife's father and mother? Why have you never registered before? Who is in charge of street improvements in Birmingham?

Mobile board in 1948 to schedule night sessions for applicants who could not conveniently appear during the day. The labor spokesmen wanted a larger number of qualified voters so they would be able "to combat the Mobile County political machine."

Outside a few of the more populous counties of Alabama the purging of the permanent lists seems to be treated casually. In Birmingham the clerk of the board receives reports of deaths and reports of convictions for disfranchising crimes and makes other checks of the lists. In rural counties less systematic purging is apt to prevail. Thus a rural official observed that their list of 6500 included the names of about 250 persons who were dead, some of them for 20 years. "It would be awful to make a mistake and call somebody dead who really isn't," he explained. The Alabama poll tax provides some check against inadequate purging, since the registration list is supposed to be checked against the poll-tax list in the preparation of voter lists for each election. The procedure, however, has a loophole as broad as a barn door. The check does not affect those exempt from the tax, which include all veterans among others.

Alabama's registration laws, in common with those of many other states, are cluttered with archaic provisions. Special legislation gives the more populous counties discretion to use modern records procedures, but the general law for most counties abounds with references to that great classic of American local government law, "a well-bound book." Thus, the board of registrars in a rural county meets at the beginning of the month for a session and reports its handful of new registrants to the probate judge in a "well-bound book" about 20x20 inches and one and one-half inches thick. Or the statutes require that a list of qualified voters be transmitted to the secretary of state, and some registrars actually comply, but to what end no one has ever been able to figure out.

Louisiana's battery of literacy, understanding, and character requirements antedate those of Alabama. It seems obvious that for the white population these tests mean absolutely nothing. They exist only as a bar to Negro registration, and they do not have to be utilized frequently, for the general tradition of nonparticipation by Negroes results in few Negro applicants. Most Negro registrants reside in urban centers. In rural counties without Negro registrants the constitutional arrangements have little to do with the absence of blacks from the lists of voters. Thus, in a rural parish with a high proportion of Negro population a local politician reported that some 15 years ago 18 Negroes presented themselves at the registrar's office. A deputy sheriff was called, and he "cracked the head of one of the niggers open with a pistol butt. Oh, it didn't injure him permanently."

In those localities in which Negroes can register, apparently Louisiana's formidable constitutional requirements mean little or nothing. In New Orleans, for example, the policy in 1947 was to register all persons,

black or white, who could satisfactorily fill out the application blank required by the constitution. The act of filling out the blank constituted a demonstration of ability to read and write, but the tests of "good character" and comprehension of the "duties and obligations of citizenship under a republican form of government" were applied to neither blacks nor whites.[23] The completion of the application blank, however, is not a simple task, and opportunity exists for discrimination. The constitution forbids any assistance to the applicant who is coping with the blank, and while registration clerks maintain correct legal neutrality with respect to blacks they often aid whites in dealing with the tricky questions. For example, the applicant must compute his exact age in years, months, and days. Once a Negro surmounts the application hurdle, he is usually registered without regard to the nonsense about "interpreting" the constitution and "understanding" the duties and obligations of citizenship.[24]

Sample inquiries suggest that in rural parishes greater use is made of the understanding and interpretation clauses as a basis for the denial of registration than is the practice in the urban centers. It is scarcely necessary to note that few Negroes are registered under the alternative clause by which illiterates may qualify to vote. In October, 1946, the voting lists included 49,603 white voters who had "made their mark" instead of writing their names while two Negroes had "made their mark."

Two states—Florida and Tennessee—are handicapped neither by literacy tests nor by the understanding and interpreting mumbo-jumbo. Registration is required only in localities of prescribed sizes in Tennessee. Some counties, notably those with large cities, have set up systems of permanent registration under special legislation, but elsewhere biennial or quadrennial registration is required. There is a marked lack of uniformity in procedures within the state.

Inquiries at a few Florida registration offices yielded the impression that Florida's political atmosphere in this respect, as in others, is unlike that of states of the Deep South. Its registration laws, on the whole, seem to make sense, and the few registrars interviewed appeared to know what they were about, to be concerned with efficient performance of their duties, and to be motivated by pride in their work.

The operations of a supervisor of registration of a county with a

[23] A 1946 circuit court decision brought about a discontinuance by the local registrar of reliance on tests of "understanding" and of ability to interpret the constitution to exclude Negroes. The registrar had refused to permit an applicant to fill out the application blank, after he had correctly identified the judicial district in which he resided but admitted that he did not know the number of his senatorial district. See *Hall* v. *Nagel*, 154 F. (2d) 931 (1946).

[24] A New Orleans Negro political leader reported that he knew of only two instances in recent years of the use of the "understanding" clause against Negroes. In these cases the applicants had already fouled up two application cards, and, he says, the registrar's office was probably simply trying to get rid of them quickly.

city of around 20,000 population provide an illustrative case. Her tenure extends back 18 years, although she had had opposition in every primary save one. She takes great pride in the system of loose-leaf records in use in her office. She designed it, sold the plan to her county commissioners, and obtained special legislation to permit its use instead of the archaic "well-bound books" prescribed by general laws.

Registration at her courthouse office is continuous; she makes no effort to limit registration to the times prescribed by statute. Applicants are asked to show their driver's license or some other evidence of the length of their residence in the county. They do not actually raise their right hand and swear to the oath, but they are asked to read it and sometimes they say that they can't sign it because they lack a month or so of having the required residence.

The law applicable to this county requires registration in the precincts during specified periods in advance of the primary and the election. Our registrar instructs the precinct registrars, whom she appoints, and visits them at intervals during their work to advise with them. She does not insist that precinct registrars limit themselves to the prescribed office hours; she tries to have as precinct registrars the sort of person who will drum up trade at church suppers and other gatherings, on the theory apparently that registrars should work for the voters and not the voters for the registrars.

In this county the law provides for permanent registration and hence transfers and purging of the lists takes on importance. Our registrar receives reports of deaths and reads the papers and pulls the cards containing the names of the deceased. Her greatest difficulty is keeping check on persons who move from the county; yet the sources of information available to women are manifold, and she thinks that she keeps track of people who move away and of those who move from precinct to precinct. Her loose-leaf system permits her to make intracounty transfers easily. While she receives no formal reports of convictions for disfranchising crimes, the court clerk upstairs is a great friend of hers and keeps her informed.

Our registrar speaks with great enthusiasm of her attendance at the sessions of the association of supervisors of registration. Though the desire to obtain legislation raising the pay of registrars contributes to the association's vitality, at its meetings they trade ideas, thrash out their problems, and agree on legislation to improve registration practices. Occasionally, their proposals are enacted. She pays her own expenses to the meetings of the association.

The registrar of a rural county with a small population presents a different picture. An elderly storekeeper, who functions as supervisor of registration for $50 a month, demonstrates less clerical virtuosity than our urban registrar but conveys the same impression of integrity and interest in his job. On his desk is a well-worn copy of the election laws,

and he is intimately familiar with its contents. For the law he has a genuine respect. He requires all applicants to raise their right hand and take their oath to the facts qualifying them for registration. Yet for the convenience of the citizenry he registers people out of the prescribed hours, though he is strict about not registering on Sunday. He does not bother about instructing his precinct registrars; he gives them the books and tells them to go to it; while some are better at going to it than others, there are few registrants in the precincts anyway.

In purging the books our rural registrar relies on his personal information to know who should be stricken from the books. The county commissioners also participate and pool their knowledge with that of the registrar. In this county the general laws prescribe the use of "well-bound books" and about every 15 or 20 years the records get in such a mess that the county has the legislature pass an act requiring a completely new registration.

4. Literacy and an Enlightened Electorate

No matter from what direction one looks at it, the southern literacy test is a fraud and nothing more. The simple fact seems to be that the constitutionally prescribed test of ability to read and write a section of the constitution is rarely administered to whites. It is applied chiefly to Negroes and not always to them. When Negroes are tested on their ability to read and write, only in exceptional instances is the test administered fairly. Insofar as is known, no southern registration official has utilized an objective test of literacy. In some states, of course, the constitution prescribes the method for testing, but in other states it would be legally possible to employ a simple objective test similar to that used by some northern states that prescribe literacy as a voting prerequisite.

A literacy test fairly administered would even now exclude large numbers of Negroes from the suffrage and relatively few whites. It would also enable literate Negroes now excluded from the electorate to qualify to vote. Illiterate persons, black and white, uniformly show a much lower degree of interest in voting than do persons higher up the educational scale. Yet if competing whites should scheme to vote blocs of illiterate blacks, such a test would be a deterrent. The largest proportions of illiterate Negroes are to be found in those rural, agricultural, black-belt counties which are supposed to be threatened by Negro domination. And it is, of course, in these counties that the Negro shows least interest in voting. A fair literacy test would exclude the few black and white illiterates who applied for registration, a matter of no great consequence one way or another. Yet a fairly conducted literacy test would have great propaganda value for those who wish to defend before the nation the South's right to take care of its own problems in its own way.[25] Rather than advocate a defensible limitation that would permit some Negroes to vote, short-sighted politicians have stood for methods of arbitrary exclusion that may be used to prevent all Negroes from voting.

Of the tests supplementary to literacy—ability to understand, explain, or interpret the constitution, and understanding of the duties and obligations of citizenship—little more can be said. Born of a union of constitutional fraud and political ineptitude, they have served only to make the South's position even more untenable before the nation and to postpone the facing of realities. The understanding and explaining clauses must in their nature be cloaks for the arbitrary exclusion of voters or tests of the possession of useless knowledge. It would be possible to reduce them to fairly administered tests. In fact, if any test of understanding were applied at all to any substantial number of citizens of status, the registrars would be hanged to the nearest lamp post and no grand jury could be found that would return a true bill. Suffrage requirements that cannot be made at least to appear nondiscriminatory in their application will sooner or later fall before the constitutional ban on racial discrimination.

Apart from the problem of discriminatory application of literacy and other tests, southern registration systems have difficulties common to registration in all states. Registration administration in the South, as elsewhere, is on the whole primitive. There are bright spots here and there, but there is a long way to go to achieve the simple objective of clean lists of persons eligible to vote. Undoubtedly in many rural communities and small towns, ineffectiveness of registration administration results in no fraud, but lists cluttered with deadwood are a standing invitation to fraud. Southern registration policies in some respects provide a sound foundation on which to build a good voter-registration system, given the will. The general acceptance of the principle of permanent registration, for example, is in accord with the best practice. The general absence of a custom of bipartisan administration by party hacks also clears the way for the development of a system manned by persons with a professional interest in the improvement of registration and election administration.[26]

[25] Albert B. Saye, of the University of Georgia, advocates for Georgia a test of educational attainment. He would have applicants for registration show that they have completed the seventh grade or have passed an examination based on this level of education administered by the state department of education.—"The Elective Franchise in Georgia," *Georgia Review*, 2 (1948), pp. 434–46.

[26] The 1949 legislature overhauled Georgia's registration machinery and requirements. To establish "understanding," as an alternative to ability to read and write, the applicant must answer correctly 10 of 30 questions specified by law. The legislature ordered a complete re-registration, but declined to abolish permanent registration. It also voted down a proposed $1 registration fee.