

WHY THE LEAGUE OF WOMEN VOTERS OPPOSES AMENDMENT No. 3.

1. An amendment containing all the same provisions was voted on by the people of Alabama in December, 1961 and was defeated.
2. This amendment will make the registration process for new voters more involved and more difficult, thus discouraging rather than encouraging people to qualify to vote. Alabama ranked 49th among the states in 1960 in the percent of its adults who voted in the presidential election.
3. This amendment is likely to disfranchise more whites than Negroes. One possible intent of the amendment is to discourage Negro voting. However, the examination it proposes could be so difficult that few white persons or Negroes could pass it. The amendment states: "Applicants shall be examined as to their knowledge of the duties and responsibilities and authority of state officers and . . . as to such other related matters as may serve to demonstrate their understanding of state government." Even the reading and writing test could be very difficult: "any section of the Constitution or statutes of Alabama," it states. Many Alabama statutes are worded in legal language unfamiliar to the average person.
4. Another possible intent of this amendment is to raise the standard of literacy and/or intelligence among the electorate. If so, there are less complicated ways to do it.
5. The amendment, if passed, might well be declared unconstitutional on the basis that it is discriminatory in intent if not in wording. Judge Johnson of the U. S. District Court has already stated that the effort to "preserve the existing racial imbalance" by making tests for voters more difficult is subject to court injunction.
6. Since the amendment creates a new State Board of Examiners who have control over writing and grading the examinations, one court injunction against this board could tie up the whole registration procedure for the state.
7. The provision that "no person may take the examination more than once during any calendar year" is too strict. No other state has such a requirement. Since the State Board of Examiners proposed by this bill is given "full power to determine what constitutes a passing mark" it would be possible for both white and Negro applicants to fail the examination year after year for unimportant mistakes. No provision is made as to how long the Board of Examiners may keep the test before grading it and no provision is made regarding qualifications for the members of the Board.
8. This amendment was passed by the Legislature with a minimum of publicity and public discussion. There is a danger that it will be voted on before the public has an opportunity to understand it.