

The End of A Racket

The Supreme Court's decision upholding a federal district court invalidation of Alabama's notorious Boswell Amendment may sound the death knell of the "constitutional interpretation" racket that is used so widely in the South to prevent Negroes from voting.

These laws require a registrant to "interpret" the constitution to the satisfaction of the local registrar of voters who is the sole judge of the efficacy of the answer. These registrars have been known to find a Negro PHD lacking in constitutional knowledge on the one hand and to find perfect satisfaction with the answer of white illiterates on the other.

For years these statutes were supposed to be proof against all constitutional attacks and the fact is that the Supreme Court had given them left handed endorsement in the past.

The Alabama politicians ran into trouble largely because they were too brazen about the whole thing. While the measure was under debate in the

legislature members agreed, and said for the record, that they were trying to find some way to disfranchise Negroes. During the public debate over its passage proponents said the same thing in the press, on the air and wherever else they could get a hearing.

Of course, the law was fair on its face and made no reference to race or color anywhere. When it was challenged in the courts its supporters tried to persuade the federal court that it wasn't really aimed at disfranchising Negroes at all but was simply a bill to improve the quality of the state's electorate.

The district court pointed to the speeches made in the legislature and in public by its proponents and quoted back what had been said: that the bill was an anti-Negro voting measure. Against that background, it said, it could not be doubted that the Amendment was an attempt to bypass the Fifteenth Amendment and hence invalid.