

Title: Nixon v. Herndon

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Source: *Encyclopedia of Civil Rights in America*. Ed. David Bradley and Shelley Fisher Fishkin. Vol. 2. Armonk, NY: Sharpe Reference, 1998. p668.

Document Type: Topic overview

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Page 668

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1927: U.S. SUPREME COURT decision overturning a Texas law designed to deny African Americans their VOTING RIGHTS.

In May, 1923, Texas enacted a statute prohibiting African Americans from participating in Democratic Party primary elections held in Texas. Dr. Lawrence A. Nixon, a black Democrat of El Paso, Texas, challenged the validity of the law, arguing that his FOURTEENTH and FIFTEENTH AMENDMENT rights had been violated when he was denied permission to vote in a primary election in El Paso. Nixon sued for five thousand dollars in damages. The defendants argued that because the subject matter of the case was political, the court lacked jurisdiction to hear it.

Although the Democratic Party was technically a private organization, the Supreme Court determined that in enacting such an obvious restriction against African Americans the state established its endorsement of racial discrimination. The Court ruled unanimously that Nixon had a right to recover private damages for the political action taken by the election registrars. However, the Court based its ruling only on the Fourteenth Amendment, which it found had been violated more directly than the Fifteenth Amendment because of the expressed intent in the statute to deny equal protection of the laws to African Americans. Five years later the Court amplified its ruling on this issue in NIXON V. CONDON.

—*Angelyque P. Campbell*

Source Citation

Campbell, Angelyque P. "Nixon v. Herndon." *Encyclopedia of Civil Rights in America*. Ed. David Bradley and Shelley Fisher Fishkin. Vol. 2. Armonk, NY: Sharpe Reference, 1998. 668. *Gale Virtual Reference Library*. Web. 24 Aug. 2010.

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Gale Document Number: GALE|CX3459600500