

Title: Smith v. Allwright

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1944: U.S. SUPREME COURT decision banning all-white primaries.

Thurgood MARSHALL of the NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP) brought action against representatives of the Democratic Party on behalf of Mr. Lonnie E. Smith, a black resident of Houston, Texas, who had been denied the right to vote in a primary election. In 1941 the Court had upheld federal criminal charges against party election supervisors in *United States v. Classic* because the U.S. CONSTITUTION authorized Congress to regulate primaries as well as general elections if "the primary is by law made an integral part of the election machinery." Using this rationale, the Court found the electoral scheme in Texas constituted state action because it delegated power from the state to political parties to set the qualifications for primary elections of state and national officials. The Court reserved political parties' right to set general membership criteria, but declared that if the criteria were essential to voting in primaries to select nominees for general elections, then the party would be considered an actor of the state, and as such its actions would be found to be unconstitutional. In holding that the rules of the Democratic Party excluding African Americans from voting in primary elections violated the FIFTEENTH AMENDMENT, the Court overruled its 1935 *Grovey v. Townsend* decision.

—Angelyque P. Campbell

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