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50 Years of the Voting Rights Act | Joint Center for Political and Economic Studies - Voting Rights Materials

<http://jointcenter.org/blog/50-years-voting-rights-act>

2.

<https://johnlewis.house.gov/press-release/lewis-hoyer-clyburn-conyers-and-brady-reintroduce-voter-empowerment-act>

Lewis, Hoyer, Clyburn, Conyers and Brady Reintroduce Voter Empowerment Act

Mar 19, 2015 Issues: Voting Rights

WASHINGTON, DC – Today, lead sponsors Rep. John Lewis (GA-5), House Democratic Whip Steny H. Hoyer (MD-5), Assistant Democratic Leader James Clyburn (SC-6), Rep. John Conyers (MI-13), Rep. Robert Brady (PA-1) and more than 170 Democrats reintroduced the Voter Empowerment Act in the House of Representatives. Sen. Kirsten Gillibrand of New York will introduce a companion version in the Senate. **The Voter Empowerment Act will help ensure equal access to the ballot for every eligible voter, will modernize our voter registration system to help more Americans participate, and takes steps to eliminate deceptive practices and voter fraud that deter voters from casting their ballots.**

On March 21, 1965, thousands of protestors left Selma, Alabama and marched all the way to Montgomery to underscore the need for voting rights legislation which assured access to the ballot box for millions of Americans. Sponsors offer the VEA today as a continuation of the on-going effort to ensure that every American has an equal and fair opportunity to make their voices heard through the electoral process. At a time when some states have implemented or are planning to implement new barriers for voters who may be seniors, students, low-income Americans, members of our Armed Services, disabled, or speak English as a second language, Democrats see the need to certify their efforts to protect voting access for all Americans.

Click for a section by section description, quotes in support, or full bill text of the Voter Empowerment Act.

"As we look to commemorate the 50th Anniversary of the final Selma-to-Montgomery march, begun on March 21, 1965," said Rep. John Lewis, "I am proud to join my colleagues to reintroduce the Voter Empowerment Act. The goal of this bill is to make voting access equal, fair, and simple for every American. Democracy is not a state; it is an act. The vigilant action of every member of Congress and every citizen is necessary to ensure that liberty, equality and justice remain the guiding principles of our democracy. The VEA is just one of the steps we believe

must be taken to make sure the vote retains its power as the most transformative, non-violent tool citizens have in our society to make their voices heard."

"I'm pleased to be joining Civil Rights Movement hero Rep. John Lewis, Assistant Leader Clyburn, Ranking Member Conyers, and Ranking Member Brady today to reintroduce the Voter Empowerment Act," said **Democratic Whip Hoyer**. "This legislation aims to make it easier for eligible voters to cast their ballots and have those ballots counted accurately at a time when, unfortunately, some states are making it more difficult for voters to exercise their right to participate in our democracy. Our legislation would modernize the voter registration system to include same-day registration, expand early voting, prohibit deceptive practices, create a national voter protection hotline, and mandate a verifiable paper trail, among other reforms. I hope that Democrats and Republicans in the House can come together in this fiftieth anniversary year of the Selma-to-Montgomery march and the enactment of the Voting Rights Act to pass our bill and empower all Americans to have a voice in their government."

Assistant Democratic Leader James E. Clyburn said, "The Voter Empowerment Act is the product of a collaborative effort involving dozens of Members and representatives from scores of advocacy organizations. In the face of recently enacted creative devices that constitute a modern version of the Jim Crow-era practice of voter disenfranchisement, this legislation will improve access to the ballot box, protect the integrity of our elections, and ensure that those who seek to cause mischief are held accountable. I am hopeful the voices of people of good will rise above the din of despair we so often hear about the future of our great country and Congress will act on this needed vehicle toward 'a more perfect Union.'"

"There is no more important right in our society than the right to vote— the foundation of all of our other rights enshrined in the Constitution, " said **Rep. John Conyers**. "Unfortunately, efforts to scale back the right to vote continue to thrive in our country. Today we call on Congress to once again protect that precious right. Congress did not stand idly by in 1965 when we passed the Voting Rights Act and the many federal protections we passed thereafter. When equal access to the ballot box is impaired by any means, the Constitution obligates our most careful and deliberate attention. And, we, the 114th Congress, must not stand idly now by when American citizens are denied their constitutional right to vote."

"We are fewer than two years away from the next federal election," says **Rep. Robert Brady**, "and are destined to repeat the same unacceptable mistakes of 2012. Without action, thousands of eligible voters will be turned away from the polls because of preventable problems. We need

to modernize voter registration and ensure that state and local election officials are fully equipped with the information and resources necessary to effectively and efficiently administer their elections. This is not a Democratic or Republican issue but a democracy issue.”

3. See attached: *Shelby v Holder* US Sup Ct decision 6.25.13; filed 6.10.2010; Argued Feb 2013

4. Scotus Blog: <http://www.scotusblog.com/case-files/cases/shelby-county-v-holder/>

5. Basic ... can be included in materials for understanding by lay individuals/groups who might attend.

<http://thebea.st/1tSwMUo> Everything You Need to Know About the Voting Rights Act: The Supreme Court has struck down a key pillar of the civil-rights legislation. What does it mean for future elections? Eliza Shapiro offers a primer on the ruling.

6. Colloquy From MSNBC: MADDOW: We remember them forever as the three civil rights workers were murdered or maybe murdered in Philadelphia and Mississippi in 1964. What we remember about them particularly today is that what they were doing in Philadelphia and Mississippi, what they were risking their lives for, and what they ultimately gave their lives for specifically was voting rights in Mississippi. They were registering people to vote, registering African- Americans to vote as part of an effort called the Mississippi Freedom Summer. And they died for it.

The man who coordinated Mississippi Freedom Summer for the SNCC, for the Student Nonviolent Coordinating Committee was John Lewis. In March 1965, the year after Freedom Summer, it was John Lewis and Josiah Williams who led a group of 600 protesters on a march that started in Selma, Alabama. We also as Americans remember forever Selma.

But what we remember particularly today about Selma is what they were marching for specifically, again, was voting rights. What they were trying to do was march nonviolently this distance, from the city of Selma to the state capitol of Alabama, to the state capitol, which is Montgomery, about 50 miles away.

They were stopped that first day when they were trying to march that distance before they ever got out of Selma. Here, trying to cross the Alabama River to get out of town, to get out of Selma, the 600 peaceful protesters were met by hundreds of Alabama state police and local police.

The policemen attacked the protesters. They used tear gas on them. They beat them with billy clubs. The protesters were whipped and stomped on by police horses.

The leader of the march, John Lewis, took a billy club to the head. He very easily could have died on that bridge that day. Seventeen of the marchers were sent to the hospital. That happened on Sunday, bloody Sunday, March 7th.

Now I said that they did not get out of Selma that day when they were beaten on that bridge. But the nation was horrified. And the movement was galvanized. And two days after bloody Sunday, two days later on Tuesday, March 9th, they went back. Only this time it was not 600 people marching that route nonviolently, this time it was not 600, it was 2,500 people marching that same route. And they marched to that bridge again.

And then a week later, they took on that march again, only this time, they were protected by thousands of U.S. Army soldiers and national guardsmen acting under federal command.

And by the time that speech, that march, excuse me, ended up at the Montgomery state capitol, it was not 600 people, it was not 2,500 people, it was 25,000 people.

And that was when Martin Luther King gave his “How Long, Not Long” speech at the state capitol.

The night before that last march started, the president of the United States convened a joint session of Congress to address the crisis and to demand a very specific response. This is the night, of course, when President Lyndon Baines Johnson in his Texas drawl said live on national TV, “We shall overcome.”

(Begin Video Clip)

LYNDON BAINES JOHNSON, FORMER U.S. PRESIDENT: Mr. Speaker, Mr. President, members of the Congress:

I speak tonight for the dignity of man and the destiny of democracy.

At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Alabama

What happened in Selma is part of a far larger movement which reaches into every section and State of America. It is the effort of American Negroes to secure for themselves the full blessings of American life.

Their cause must be our cause too. Because it's not just Negroes, but really it's all of us, who must overcome the crippling legacy of bigotry and injustice.

And we shall overcome.

Every American citizen must have an equal right to vote.

Every device of which human ingenuity is capable has been used to deny this right. The Negro citizen may go to register only to be told that the day is wrong, or the hour is late, or the official in charge is absent. And if he persists, and if he manages to present himself to the registrar, he

may be disqualified because he did not spell out his middle name or because he abbreviated a word on the application.

And if he manages to fill out an application, he is given a test. The registrar is the sole judge of whether he passes this test. He may be asked to recite the entire Constitution, or explain the most complex provisions of State law. And even a college degree cannot be used to prove that he can read and write.

For the fact is that the only way to pass these barriers is to show a white skin.

In such a case our duty must be clear to all of us. The Constitution says that no person shall be kept from voting because of his race or his color. We have all sworn an oath before God to support and to defend that Constitution. We must now act in obedience to that oath. ([Watch the entire speech here](#))

MADDOW: And so, that was a joint address to congress a week after John Lewis was nearly beaten to death marching for voting rights in Selma. And so, a year after the freedom summer and its martyrs, too, there was LBJ proposing the Voting Rights Act of 1965, and it passed, and he signed it into law.

And the Voting Rights Act did not make it illegal to keep people from voting based on their race. That was already illegal, as LBJ explained in his speech. What the Voting Rights Act did is make that right not just legal, but true.

It created a framework that could be used to force the parts of the country that weren't upholding that law to uphold it, a framework that could be used to force states and localities to do what the law already said they should do, but that they were not doing.

The Voting Rights Act was created in full cognizance of and in direct reaction to the resistance in parts of this country, to people trying to exercise this right to vote that they had in law but in fact. And so, the Voting Rights Act banned any sort of test or hurdle that you had to surmount in order to be allowed to vote.

The Voting Rights Act in most parts of the country essentially gave you grounds on which to sue in federal court if your voting rights were infringed. That was true for most of the country.

But in parts of the country with a more horrible than usual history of denying people the right to vote based on race, in some parts of the country, special attention would be paid. Those places would no longer be allowed to keep moving the polling places or closing the polling places or moving people in and out of voting districts, or changing the registration procedures, or changing voter ID requirements, or changing election dates or anything else they could think of to undermine or thwart minority voting while just hoping that they wouldn't get sued some day over it, but if they did, oh, well, damage is already done.

No, in states and in some counties and cities that had really earned it, those states would have to clear any of the changes they wanted to make around their elections rules with the feds. The

same way those marchers ultimately got protection from soldiers and national guardsmen operating under federal command. There were some parts of the country that would have to clear the changes they wanted to make to their election laws with the Justice Department ahead of time. And if the Justice Department said OK, this will not adversely affect minority voting rights, then fine, they could go ahead.

But they had to ask first. They needed preclearance from either a panel of judges or the Justice Department to make any changes. And that`s because they earned it.

Over time, some places were added to the original list of places that got special scrutiny like this. Other places have been able to get out of the special scrutiny requirement over time after essentially showing a long stretch of good behavior.

But the principle that some parts of the country need special scrutiny to protect voting rights in those places, that is at the heart of the Voting Rights Act. Of course, it was challenged in court right away, and the Supreme Court in 1966 upheld it as an appropriate response for Congress to take given the problems that we had on this issue as a country.

Initially, the special preclearance requirement was set to expire in five years. Well, when the five years were up, Congress decided to renew it for another five years. And when those five years were up, Congress renewed it for another seven years. And when those seven years were up, Congress renewed it for 25 years — 25 years, because by then it was clear that it was an effective way to deal with this problem in our country, and we should therefore keep doing it.

When that 25-year extension was up, Congress again renewed it for another 25 years. That was 2006 when George W. Bush was president. Congress held 21 hearings over 10 months of debate. They took in 15,000 pages of evidence on whether this was still needed. And after all of that, they voted nearly unanimously to keep doing it this way for another 25 years.

In the Senate, it actually was unanimous. It was a 98-0 vote in the Senate.

Well, today, Supreme Court Justice Antonin Scalia asserted in court that those 98 senators did not actually want to vote for the voting rights act. He says they didn`t actually mean to vote that way, and that we should not see their votes for the Voting Rights Act as votes for the voting rights act. He said that the 98-0 vote in the Senate was actually just a sign that people see voting as some kind of racial entitlement now.

That was the phrase that he used, racial entitlement. And yes, people in the courtroom gasped when he said it. And it seemed like he likes it when that happens.

Justice Scalia said that his concern was, quote, “that this is not the kind of question you can leave to Congress, because Congress might vote for it unanimously after ten months of debate when clearly, they couldn`t possibly mean to vote for it unanimously.

He then said immediately after that, quote, “There are certain districts in the House that are black districts by law just about now” — which I don’t think he meant to sound like oh my god, black people are taking over, but that is roughly what it sounded like to me.

And sitting right next to him, the Chief Justice John Roberts was as clearly hostile today, just without the gratuitously inflammatory racial language. I don’t know if he likes the gasping as much.

The lawyer arguing for Shelby County, Alabama, that the Voting Rights Act should be dismantled said today in court I think the problem to which the Voting Rights Act was addressed is solved. He said everyone agrees it’s been very effective. Section 5 has done its work.

What happened today is that the conservative majority of the Supreme Court signaled that they are going to dismantle the Voting Rights Act. Not on the basis of evidence that it isn’t needed anymore. Congress assembled 15,000 pages of that evidence that it is still needed back in 2006. And after looking at 15,000 pages of evidence and taking 21 hearings and 10 months of the debate, they decided to vote unanimously in favor of keeping it.

The court seems like it has decided to kill this pillar of the Voting Rights Act today. Not because of some new evidence that it isn’t needed anymore. That evidence went to Congress, and congress acted accordingly.

No, the court signaled today, the conservative majority of the court signaled today that they may get rid of this pillar of civil rights, the most important federal civil rights law that we’ve got, arguably, they signaled they may get rid of it not because of evidence that it is not needed, but just because they don’t like the whole idea of it. What good is it any way?

Read the entire transcript at MSNBC.com

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To sum up, liberals have always worked to bring people into the voting franchise that conservatives have always worked to block by intimidation up to and including murder, and wrapping voter suppression policies in the cloak of legality.

America being a nation whose people – in reality – [long for a more egalitarian system](#), let’s face it – we’ve been weighed down with the anchor of conservatism – [and the people have suffered](#).
With the destruction of the Voting Right’s Act, we’re in for the long haul again.

Don’t let the (made in China) American flag lapel pins fool you. That’s just part of the costumes in the “Conservatives Love America Show.” Where Republican Regressives wrap themselves in the flag while they drag us back to the same serfs and lords system our founders fought a revolution to escape.

So the next time you hear a Republicans say they want “clean elections,” remember they just mean they want to steal them – and get away clean.

7. Attached poster: Martyrs of the Voting Rights Act: Goodman Schwerner Chaney

8. Where Voting-Rights Litigation Stands

Marcia Coyle, Supreme Court Brief October 1, 2014 - Seven key voting rights challenges are pending across the country. Here are the most recent court actions in those cases. Read more:

<http://www.nationallawjournal.com/supremecourtbrief/id=1202672056773/Where-VotingRights-Litigation-Stands#ixzz3ZxB9omcX>

9. The areas with asterisk definitely include re CLE materials and areas with 2 asterisks will be considered re produced/shown on monitor.

ACLU website ****Timeline: A History of the Voting Rights Act - 1867 to 2014 (included are a number of videos)**

<https://www.aclu.org/timeline-history-voting-rights-act>

10. 1965 Selma & March to Montgomery - <http://www.crmvet.org/tim/timhis65.htm>

11. Background/History:

1965: Selma & the March to Montgomery

[Selma Voting Rights Campaign \(Jan-Mar\)](#)

[The March to Montgomery \(Mar\)](#)

[Murder and Character Assassination of Viola Liuzzo \(Mar\)](#)

Rest of 1965:

[Confronting the Klan in Bogalusa With Nonviolence & Self-Defense \(Jan-July\)](#)

[Issues of Poverty, Exploitation, and Economic Justice](#)

[Mississippi Freedom Labor Union \(Jan\)](#)

[Issaquena County School Boycott \(Feb-May\)](#)

[Passage of the Voting Rights Act \(Mar-Aug\)](#)

[Cracking Lowndes County \(Mar-Aug\)](#)

[Jackson, MS Protests \(June\)](#)

[Summer Community Organization Political Education Project \(SCOPE\)](#)

[The *Southern Courier* \(July\)](#)

[Americus GA Protests \(July\)](#)

[Murder of Jonathan Daniels \(Aug\)](#)

[Vietnam and the Assembly of Unrepresented People \(Aug\)](#)

[Natchez MS — Freedom Movement vs Ku Klux Klan](#)

[ASCS Election Campaigns \(Fall\)](#)

[Crawfordville GA School Bus Struggle \(Jun-Oct\)](#)

[Poor Peoples Corporations, Cooperatives, & Quilting Bees](#)

[Birmingham Voter Registration Campaign \(Dec-Mar\)](#)

Selma Voting Rights Campaign (Jan-Mar)

[Photos](#)

See [The Selma Injunction](#) for background and previous events.

See also [Selma & the March to Montgomery](#) for a discussion of the Selma events by Freedom Movement veterans.

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The Situation	Letter From a Selma Jail
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The Alabama Project	Bound in Jail
SCLC & SNCC	Clubs and Cattle Prods
Selma on the Eve	Holding On and Pushing Forward
Breaking the Selma Injunction	The Shooting of Jimmy Lee Jackson
Marching to the Courthouse	Tension Escalates
The Teachers March	

1965: Voting Rights Background

1965 is the climactic year in the campaign to win Black voting rights. Sometimes referred to as America's "Second Reconstruction," this fight for the vote stretches far back, deep into [history](#).

Previous voting-related articles in this History & Timeline include:

Murder of Harry & Harriet Moore (1951)	Struggle for the Vote Continues in Mississippi (1963)
Citizenship Schools Started (1954)	Americus GA Movement & "Seditious Conspiracy" (1963)
Tuskegee Merchant Boycott (1957-1961)	Freedom Day in Selma (1963)
Fayette County Tent City for Evicted Voters (1959-1963)	Freedom Ballot in MS (1963)
Direct-Action or Voter Registration? (1961)	Freedom Day in Hattiesburg (1964)
Voter Registration & Direct-Action in McComb (1961)	24th Amendment Ends Poll Tax in Federal Elections (1964)
Mississippi Voter Registration — Greenwood (1962)	Freedom Day in Canton (1964)
Greenwood Food Blockade (1962)	Mississippi Freedom Democratic Party Founded (1964)
Marching For Freedom in Greenwood (1963)	1964 Mississippi Freedom Summer (1964)
Voter Registration Movement Expands in MS (1963)	The Selma Injunction (1964)
Selma — Cracking the Wall of Fear (1963)	MFDP Congressional Challenge (1964)
1. <i>Race and Democracy: The Civil Rights Struggle in Louisiana, 1915-1972</i>, Adam Fairclough	
2. "By Any Means Necessary," Mike Marqusee, <i>Nation</i> magazine, July 5, 2004	
3. <i>Pure Fire: Self-Defense as Activism in the Civil Rights Era</i>, Christopher B. Strain	
4. Bogalusa: Negro Community vs. Crown Colony (Calisphere ~ U.C. Berkeley)	
5. <i>Dr. King, the Farmers Will Tell You...</i>, Don Jelinek	
6. <i>Bearing the Cross: Martin Luther King, & SCLC</i>, David Garrow.	
7. <i>Pillar of Fire, America in the King Years 1963-1965</i>, Taylor Branch.	
8. <i>At Canaan's Edge—America in the King Years 1965-68</i>, Taylor Branch.	
9. <i>Selma, Lord, Selma</i>, Sheyann Webb and Rachel West Nelson	
10. <i>Selma 1965: The March That Changed the South</i>, Charles Fager.	
11. <i>Walking With the Wind</i>, John Lewis.	
12. <i>SNCC Report From Selma</i>, Silas Norman & John Love.	

13. *Everybody Says Freedom*, Pete Seeger & Bob Reiser.
14. Interview: Charles Bonner & Bettie Mae Fikes, 2005.
15. *My Soul is Rested: The Story of the Civil Rights Movement in the Deep South*, Howell Raines.
16. *Selma and the March to Montgomery: A Discussion*, CRMVets.
17. *Hands on the Freedom Plow: Personal Accounts by Women in SNCC*.
18. *Insurgent Memories*, Dr. Gwen Patton.
19. *Sammy Younge, First Black College Student to Die in the Black Liberation Movement*, James Forman.
20. *The Good Doctors: The Medical Committee for Human Rights and ...*, John Dittmer.
21. *Ready for Revolution: The Life and Struggles of Stokely Carmichael*, Kwame Ture and Ekwueme Michael Thelwell.
22. *A Circle of Trust: Remembering SNCC*, Cheryl Lynn Greenberg.
23. Interview: Jimmy Rogers & Linda Dehnad, 2001
24. Interview: Bruce Hartford, 2002
25. *The Selma Campaign, 1963-1965*, Wally Vaughn
26. Diane Nash, Interview for *Eyes on the Prize*, 1985
27. Albert Turner, Interview for *Eyes on the Prize*, 1979