

6 *Explainer: A brief introduction to the Voting Rights Act*

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HISTORY

With the end of the Civil War in 1865, equal rights for African Americans were formally recognized in the U.S. through the passage of the 14th and 15th Amendments to the Constitution. These events initially led to a surge of African American voter registration and to the election of Black representatives, but the gains were quickly rolled back. By the late 1870s, a series of Supreme Court decisions, political deals, and legislative actions spelled the end of the Reconstruction Era and the dawn of Jim Crow, the long period of legal repression of Black civil rights coupled with violent intimidation campaigns. Historians typically bracket the Jim Crow Era from 1877, when the federal troops who were enforcing anti-discrimination laws were withdrawn from the South, to 1965, with the passage of the Voting Rights Act.



The Voting Rights Act of 1965 (VRA) reflects “Congress’ firm intention to rid the country of racial discrimination in voting” (in the words of Justice Earl Warren) and was one of the most important pieces of legislation passed during the Civil Rights era. Before the passage of the VRA, less than one-third of Black adults were registered to vote in Southern states, while White voter registration was closer to 75 percent. The decades following the VRA’s passage coincided with a 30-fold expansion in the number of Black elected officials, from about 300 in 1964 to 9,430 in 2002 (see Figure 1 for a visualization).¹ The number of elected Hispanic officials saw similar growth in the decades since the VRA was passed.

The VRA was passed in the wake of a methodical, courageous, and at times bloody campaign led by John Lewis, Martin Luther King, Jr., Ella Baker, and other civil rights leaders. After World War II, the campaign against Jim Crow and voter suppression

¹The Census Bureau cites the latter figure in perma.cc/Q8UT-DP3C.

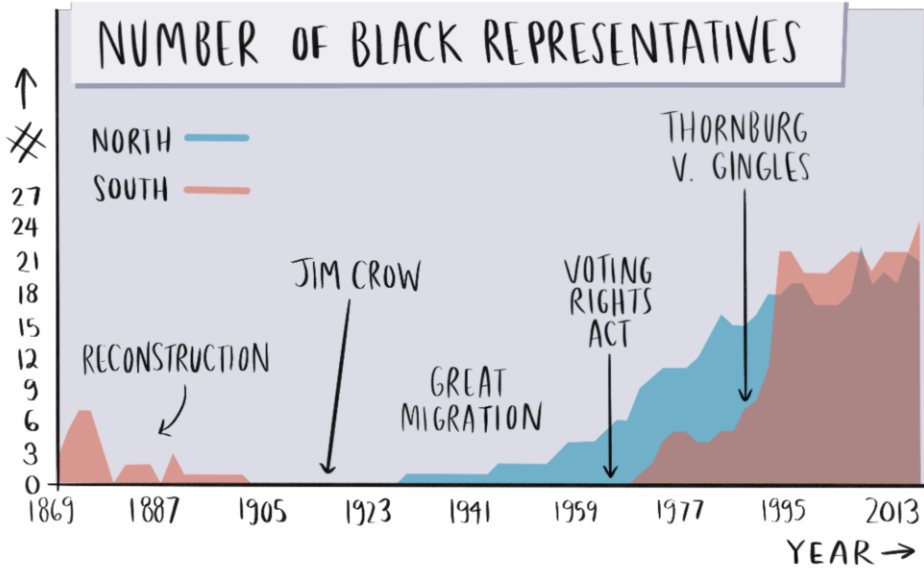


Figure 1: Number of Black representatives in the U.S. Congress by year, split by North and South. Adapted from a figure created by Mira Bernstein.

picked up momentum. Organizations like the Student Nonviolent Coordinating Committee sent young people to the South to help to register and educate Black residents; civil rights leaders adeptly used the media to draw public attention to discrimination in the South; and large events—like the march across the Edmund Pettus bridge in Selma, Alabama, in March of 1965, in which Representative John Lewis and others were badly beaten by local police—helped to force the federal government to act.

The violent attacks in Selma created an urgency that propelled Congress and President Johnson to push for new legislation. Just days after the Selma attacks, President Johnson addressed the nation on television, echoing the words used in the civil rights movement by calling on southern jurisdictions to “[o]pen your polling places to all your people,” and to “[a]llow men and women to register and vote whatever the color of their skin.” Five months later, Johnson signed the Voting Rights Act of 1965 into law. The VRA was amended and reauthorized by Congress five times—1970, 1975, 1982, 1992, and 2006. It was in the 1975 reauthorization that “language minorities” were added, opening the door to claims on behalf of Latino, Asian, and Native American plaintiffs. Over the years, the core provisions of the Act remained largely the same, but these important clarifications and expansions of scope—passed with strong bipartisan majorities—helped keep the law in sync with shifting American racial realities.