

The right of vote

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"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."

President Lyndon B. Johnson
June 4, 1965

As a mature African American male, born and reared in the United States (U.S.) of America, I have witnessed many historical events that have shaped this country. Some of these events have had positive impacts on African Americans and this nation, whereas others have not been so positive. One event—passage of the Voting Rights Act of 1965—still stands out in my mind because of its wide reaching affirmative impact not only on African Americans of my generation, but on other generations as well. It was a defining moment in U.S. history as well as an important part of the Civil Rights Movement.

The Voting Rights Act of 1965 put "teeth" in the 15th Amendment to the U.S. Constitution. This legislation allows African Americans to enjoy the inalienable right to vote. On August 6, 2005, Americans celebrated the 40th anniversary of this landmark legislation. This article provides a brief overview of a people's struggle to obtain the right to vote in the U.S.,

beginning with establishment of a democracy to enactment of the Voting Rights Act in 1965.

Let me begin by defining democracy. It is a political system or form of government ruled directly by its people or through elected representatives. The right to vote is a basic and fundamental right of a democracy. Therefore, when a citizen is denied the right to vote there is no democracy.

On March 7, 1867, following the end of the Civil War, the U.S. Congress enacted the Reconstruction Act of 1867.¹ This era was known as the "Period of Reconstruction," that is, the period in which northern states attempted to heal the wounds caused by the Civil War, especially those resulting from sons killing fathers and/or fathers killing sons over the issue of slavery. Additionally, this Act sought to rebuild governments of the southern states by authorizing their readmission into the Union, provided they adopt new state constitutions permitting the right to vote.

On July 9, 1868, Congress added the 14th Amendment to the U.S. Constitution. This Amendment conferred rights of citizenship on all persons born or naturalized in the U.S., including people of African descent.

The right to vote was given to all U.S. citizens by passage of the 15th Amendment to the U.S. Constitution on February 3, 1870. This Amendment specifically provided that the right to vote should not be denied or abridged on the basis of race, color or previous condition of servitude. Further, this Act superseded state laws that had directly prohibited African descendants from voting. Additionally, in 1870 and 1871, Congress enacted the Enforcement Acts that were designed to protect black voters. It also contained criminal penalties for interference with their right to vote and provided for federal election oversight.

As a result of these Acts and Amendments, African descendants became U.S. citizens and were granted the right to vote. They saw the window of opportunity opened and diligently exercised their rights to vote as well as their right to run for elected offices. During the reconstruction period, African Americans were elected to local, state, and federal offices, including the U.S. Congress. As of August 2005, forty-three African Americans served in the U.S. Congress (forty-two as members of the House of Representatives and one as a senator).

This window of opportunity, however, was not opened for long because of the lack of good will and good faith on the part of the U.S. government (hereafter referred to as the federal government).

Although the federal government was well aware of the negative temperament southerners displayed toward the African Americans, it allowed those states to determine which citizens would be eligible to vote. Naturally, the southern states were primarily concerned with maintaining the status quo, i.e., slavery, even though they lost the war over this issue. Lawmakers in these states did not agree to give voting rights to persons who were previously slaves or descendants of former slaves. The federal government made matters worse by failing to provide the necessary support to enforce the laws and constitutional amendments it had enacted to resolve voting rights problems and, thereby, have a true democracy.

The southern states strongly resisted granting the right to vote to African Americans. In an effort to deter these citizens from exercising their constitutional rights, the Voter Registration Boards in these states used poll taxes and literacy tests as a way to determine voter eligibility. The poll taxes were set at whatever fees the Voter Registrars decided were appropriate and based on what he/she felt African American citizens could not pay. On January 23, 1964, the Congress enacted the 24th Amendment that outlawed the poll tax in federal elections, that is, elections for the President, Vice President, Senators or members of the House of Representatives. A Supreme Court decision in 1966 struck down the poll tax in all elections.

The literacy tests usually required African American citizens to recite the U.S. Constitution in full or interpret a complex state law. This requirement was laughable

since the Voter Registrars could not possibly pass the tests for which they were asking African Americans to take. Nevertheless, this was just another stumbling block erected to deter the citizens from registering and seeking to vote.

When these stumbling blocks failed to keep African Americans from voting, they

were then faced with harassment, intimidation, economic reprisals and physical violence each time they tried to register or vote. Terrorist organizations such as the Ku Klux Klan and the Knights of the White Camellia used physical violence and intimidation to prevent implementation of the 15th Amendment.²



Other events have illustrated the furtherance of the harassment, intimidation, and economic reprisals against African Americans. For example, since 1961, civil rights activists have worked hard to increase voter registration in the southern states of Alabama, Georgia, and Mississippi. In the summer of 1964, the



Congress of Racial Equality (CORE) and the Student Nonviolent Coordinating Committee (SNCC) organized the Mississippi Freedom Summer Project. As a part of this project, 1,000 Northern college students, teachers, artists, and clergy - both black and white- were recruited to help register African American voters in Mississippi and establish freedom schools that taught blacks of all ages traditional subjects as well as black history. Participants in this project faced harassment, firebombs, arrests, beatings, and even murder from terrorists such as the Klu Klux Klan. This effort increased the number of registered voters in Mississippi from 6.7% in 1964 to 66.5% in 1969.

During the 1960's, terrorist organizations underestimated the strength and the conviction of President Lyndon Baines Johnson, the 36th U.S. President on voting rights issues. Apparently, they felt that since he was a "good old southern boy" born in Texas, one of the Confederate States, he would agree with their thinking and actions to prevent African Americans from voting. Much to their surprise, they found that President Johnson was outspoken and determined to correct what he perceived as a negative mark on his country. He truly believed that all citizens had the inalienable right to vote. In several of his speeches, he summarized his beliefs, talked about what he discovered was happening to prevent African Americans from voting and explained how he planned to address the problem. For example, on March 15, 1965, President Johnson spoke on the Voting Rights Act. He stated:

"Every American citizen must have an equal right to vote. Yet the harsh fact is

that in many places in this country men and women are kept from voting simply because they are Negroes. Every device of which human ingenuity is capable has been used to deny this rights. 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 late, or the official in charge is absent. And if he persists and he manages to present himself to register, he may be disqualified because he did not spell out his middle name or because he abbreviated a word on his application. And if he manages to fill out an application he is given a test. The register is the sole judge of whether he passes his tests. He may be asked to recite the entire constitution, or explain the most complex provisions of states laws. 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. This bill will strike down restrictions to voting in all elections - federal, state, and local- which have been used to deny Negroes the right to vote.”

On June 4, 1965, while speaking at Howard University in Washington, D. C., he commented:

“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. There, long-suffering men and women peacefully protested the denial of their rights as Americans. Many were brutally assaulted. One good man - a man of God - was killed. This was the first nation in the history of the world to be founded with a purpose.

The great phrases of that purpose still sound in every American heart, North and South: “All men are created equal” –“Government by consent of the governed”– “Give me liberty or give me death”. And those are not just clever words and not just empty theories. In their name Americans have fought and died for two centuries. Experience has clearly shown in that the existing process of law cannot overcome systematic and ingenious discrimination. No law that we now have on the books can ensure the right to vote when local officials are determined to deny it. Wednesday I will send to Congress a law designed to eliminate illegal barriers to the right to vote. This bill will strike down restrictions to voting in all elections –federal, state, and local– which have been used to deny Negroes the right to vote.”

NOTES AND BIBLIOGRAPHY

1. The Civil War was a war fought between U.S. northern states (called Union States) and Southern States (called Confederate States) between 1861-1865. The Union States supported abolishment of slavery, whereas the Southern States supported slavery. The Southern States included Alabama, Arkansas, Georgia, Florida, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.
2. The Klu Klux Klan was an underground terrorist group whose members wore white gowns and hoods over their faces so they could not be identified since many of them were local, state, and federal officials.