

# VOTING RIGHTS ACT

## 50 YEARS OF PROGRESS

MARYLAND OFFICE OF THE ATTORNEY GENERAL CIVIL RIGHTS DIVISION

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On August 6, 1965 President Lyndon B. Johnson signed the Voting Rights Act into law to “enforce the Fifteenth Amendment of the Constitution.” The Fifteenth Amendment of the United States Constitution prohibits federal and state governments from denying a citizen the right to vote based on that citizen’s race, color or previous condition of servitude. The Amendment was ratified in 1870 during the presidency of Ulysses S. Grant and was specifically intended to protect and encourage African Americans to vote.

In spite of the passage of the Fifteenth Amendment, African Americans in the South were denied the right to vote. Southern states passed laws and adopted state constitutions which were clearly aimed at suppressing the black vote. Some of the methods used to prevent African Americans from voting were poll taxes, literacy tests and whites-only primaries. Harassment, intimidation, retaliation and physical violence were also used to keep African Americans from registering and voting. The suppression methods used by whites resulted in very few African Americans being able to exercise their right to vote which in turn led to limited political power, locally and nationally.

At the time the Voting Rights Act was passed into law racial tensions were running high across America. The Civil Rights Act became law in 1964. Three civil rights workers were murdered in Mississippi while working on the “Freedom Summer” campaign to register African Americans to vote. And thousands of nonviolent protestors were attacked in Selma, Alabama by state troopers and local police while attempting to campaign for voting rights.

The Selma attacks, now referred to as “Bloody Sunday,” drew national attention and put pressure on Congress to pass the Voting Rights Act. At the signing of the Voting Rights Act of 1965 President Johnson delivered his remarks in the Capitol Rotunda. “Today is a triumph for freedom as a huge as any victory that has ever been won on any battlefield. Yet to seize the meaning of this day, we must recall darker times... This Act flows from a clear and simple wrong. Its only purpose is to right that wrong. Millions of Americans are denied the right to vote because of

their color. This law will ensure them the right to vote.” And with a stroke of the pen, a huge blow was dealt to the disenfranchisement of African Americans.

The Voting Rights Act of 1965 created a nationwide bar against denying or restricting a persons’ right to vote. The general provisions of the Act prevented state and local governments from imposing any voting law that resulted in race-based discrimination. This included putting an end to literacy tests and similar devices which were being used in the South. The special provisions of the Act applied to the areas of the country which Congress felt had the greatest potential for race-based discrimination. These regions were prevented from enacting voting policies unless the policies were reviewed by the Attorney General of the United States or by the United States District Court for the District of Columbia.

In spite of the strides towards voting rights equality that have been made throughout the country, there is still a long road to travel on the path to civil rights and equal justice for all with respect to voting rights. The on-going struggle is highlighted in a New York Times Magazine cover story, “A Dream Undone,” published on August 2, 2015\*, and in a Brookings Institute article\*\* on the impact of changes to election law and procedures passed in numerous states that disproportionately affect minority citizens.



The Maryland Office of the Attorney General, under the leadership of Attorney General Brian E. Frosh, is committed to the protection of voting rights. In 2015, Attorney General Frosh supported House Bill 73, the Voters Rights’ Protections Act of 2015 which was passed by the Maryland General Assembly to address “organized efforts to suppress or discourage voting that have occurred in Maryland.” The Voters Rights’ Protections Act of 2015 authorizes the Attorney General to bring an action in a circuit court for injunctive relief to prohibit a person from violating election laws.

Attorney General Frosh also supported House Bill 980 which created a more rational and equitable standard for permitting those who have repaid their debt to society to regain their voting rights and be able to participate fully in our society.

The words of President Johnson spoken in 1965 remain true today: “The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.”

For more information on the history of the Voting Rights Act, see [http://www.justice.gov/crt/about/vot/intro/intro\\_b.php](http://www.justice.gov/crt/about/vot/intro/intro_b.php)

For a video of Attorney General Frosh speaking on the 50th Anniversary of the Voting Rights Act Anniversary, see <https://youtu.be/31TNNAazzwI>

\* [http://www.nytimes.com/2015/07/29/magazine/voting-rights-act-dream-undone.html?\\_r=0](http://www.nytimes.com/2015/07/29/magazine/voting-rights-act-dream-undone.html?_r=0)

\*\* <http://www.brookings.edu/blogs/the-avenue/posts/2015/08/03-voting-rights-minority-turnout-next-election-frey>