

U.S. Voting Rights Act, now 40, due for renewal

Part One

By Ana Radelat
Gannett News Service

WASHINGTON — Debate over the future of the 1965 Voting Rights Act, which changed the political fortunes of minorities, already is in full swing, two years before important elements of the act expire.

"The Voting Rights Act created an historic rise in Latino and African American elected officials all around the nation, but it is not enough, said Rep. Raul Grijalva, D-Ariz. "It is unfortunate that after 40 years, voter inequities, disparities, and obstacles still remain for far too many minority voters."

The act, which marks it



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Ruth Bryant fought for the right to vote more than 45 years ago in Shreveport.

40th anniversary today, will be the subject of congressional hearings this fall. Lawmakers plan to vote next

summer on renewing the measure, which expires in 2007.

Congressional debate is all

Struggle touched North Louisiana

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WASHINGTON — Francis Joseph Atlas, a Monroe-area cotton farmer, was one of hundreds of black Louisianians who stepped forward more than 40 years ago to tell federal investigators how local white businessmen had kept them from voting.

Atlas told investigators that cotton gin owners in East Carroll Parish had "threatened, intimidated and coerced" him and other blacks to "discourage them from registering to vote and from voting for candidates for federal offices," according to court papers filed by the U.S. Commission on Civil Rights.

Atlas, then 57, said the gin

owners refused to buy his cotton and the cotton of other black farmers who wanted to vote.

Federal investigators, who filed a civil rights suit against the gin owners, said there were about 3,220 white and about 5,330 black voting-age residents in East Carroll Parish in 1960. But

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but certain on the Supreme Court's interpretation of some of the act's most important provisions in September,

when the Senate Judiciary Committee holds hearings on the nomination of John G. Roberts Jr. to replace retiring

Justice Sandra Day O'Connor. When the Voting Rights

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on Dec. 6, 1960, there were 2,845 white people and no blacks on the parish's voter roles.

Testimony from people like Atlas about the often-violent tactics used to keep blacks from the ballot box led to the approval of the Voting Rights Act of 1965, legislation that unlocked the polling booth doors for blacks and Hispanics.

The legislation, which became law 40 years ago today and must be renewed by 2007, is credited with changing the political map of the United States. It forced the redrawing of political districts, making sure blacks, Hispanics and other minority candidates had a chance

to serve in political office.

It also eliminated poll taxes — taxes levied as a requirement for voting — and literacy tests, and it dispatched federal observers to areas with a history of discrimination.

As a 23-year-old new mother, Ruth Bryant was willing to risk her job — and possibly her life — to fight for the right to vote in Shreveport.

More than 45 years ago, she told investigators from the U.S. Commission on Civil Rights that white officials in Shreveport repeatedly had refused to register her as a voter. Her birth certificate and pay stubs from her employer, the Confederate Memorial Medical Center, weren't good enough to prove her identity, she said the officials told her. Neither were the two local black pastors Bryant brought along to vouch for her.

Like Atlas, Bryant was one of thousands of black Americans who fought for the right to cast ballots in the 1950s and early 1960s. Many were beaten, or lost their jobs, or had their homes or businesses fire-bombed. Some were kidnapped and killed or were murdered in drive-by shootings.

"I was afraid," Bryant, 70, said. "But I wanted the right to vote. I felt I needed the right to vote."

Bryant's testimony was never used. A judge in Shreveport blocked the hearing in 1959 where investigators had hoped to present her story and the stories of other local blacks. The investigators later dropped plans for the hearing because they realized they couldn't offer protection to their witnesses. The hearing was held two years later in New Orleans.

Bryant wasn't targeted for retaliation based on her efforts to vote.

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Act was last renewed in 1982, Roberts, then a Justice Department employee, "wrote a rather strong memorandum" indicating he had strong reservations about the act, said Democratic Sen. Ted Kennedy of Massachusetts.

"The Voting Rights Act is the most basic and fundamental legislation that's related to the workings of our democracy," Kennedy said.

Bush administration officials say they will back reauthorization of all the act's provisions. But Democrats like Grijalva and Kennedy and civil rights groups want to go further and strengthen the act.

They cite reports that in the 2004 election there weren't enough voting machines in minority areas of Ohio — leading to eight-hour waits at some polling places — and that blacks were improperly purged from voting lists in Florida in 2000.

On the other side, conservatives such as Abigail Thernstrom, vice chairwoman of the U.S. Commission on Civil Rights, say some of the most important provisions up for renewal are unconstitutional because they pertain to some parts of the country and not others.

Those provisions focus on Southern states and some counties with historic voting-rights problems north of the Mason-Dixon line. Those areas used voting tests — including screening for "good moral character" and literacy exams. They also had fewer than 50 percent of eligible voters registered to vote in 1964, the year before the act was signed into law.

On the Web

www.usdoj.gov/crt/voting/intro/intro_b.htm — U.S.

Department of Justice, Civil Rights Division, introduction to federal voting rights laws.

www.yale.edu/lawweb/avalon/statutes/voting_rights_1965.htm — text of the 1965 Voting Rights Act.

The Voting Rights Act, inspired by the often-violent civil rights struggles in the South in the 1950s and 1960s and promoted by President Lyndon Johnson, eliminated those and other barriers to voter registration among minorities.

Under the legislation, states and counties with a history of suppressing minority voting were barred from changing their voting rules without permission from the Justice Department. That provision, one of the most important up for renewal in 2007, affected proposed changes in how a ballot looks, when elections are held and how political districts are shaped.

Also up for renewal:

- A provision that allows the federal government to provide Election Day observers in jurisdictions that have a history of voting rights problems and have been the target of recent complaints.

- A provision that requires bilingual ballots and language assistance in areas with large minority populations. The amendment was added in 1975 because English-only ballots were seen as constituting literacy tests for Latinos and American Indians who didn't speak English.

Under the amendment, nine counties in Mississippi must offer voting materials in Choctaw.

But C.O. Simpkins wasn't so lucky. Simpkins, a black dentist, let investigators use his office to interview Bryant and other blacks who had been denied the right to vote. In 1960, his lake house in Bossier Parish was firebombed. He started building a new house. It too was firebombed, in 1962.

Simpkins, now 80, moved to New York. But he returned to Shreveport 18 years ago and ran, unsuccessfully, for mayor of the city.

"That's how much things had changed," Simpkins said. "A black man could run for office and have a good chance."

But passage of the Voting Rights Act didn't solve the problem of voter disenfranchisement among minorities right away.

"People did not open the gates immediately," said Emmett Burns, 64, a former field director for the

Mississippi National Association for the Advancement of Colored People.

And civil rights groups say minority voting rights still aren't fully protected. They hope to strengthen the act when key provisions are renewed next year.

Julie Fernandes, an attorney with the Leadership Conference on Civil Rights, said the disenfranchisement of minority voters was "pervasive and institutionalized" in the decades before the passage of the act, signed into law by President Johnson on Aug. 6, 1965.

"There was wholesale blocking of blacks in the South and Latinos in the Southwest," Fernandes said. "It was part of the fabric of society."

Burns, now a member of the Maryland General Assembly, said he was able to register to vote easily when he turned 21 in 1957 — but

only after he submitted to a test that required him to interpret part of the Constitution.

Burns said he wasn't required take an even more ridiculous test — many blacks in the South were asked to guess the numbers of bubbles in a bar of soap — thanks to the sympathetic white clerk who handled his registration.

"My experience was the tame side of what was happening," he said.

But he also knew the violent side of the voting rights struggle. His friend, Medgar Evers, was involved in every facet of the civil rights struggle in the South, especially the push to register black voters. Evers was assassinated in 1963.

"He recognized that blacks could not achieve equal rights if they could not vote," Burns said.