Stony the Road We Trod:

The Legacy of Selma and the Continuing Struggle for the Right to Vote

by Robert A. Pratt

> It was awful. Blood was everywhere on that bridge. They were running horses up into the crowd, and the horses were afraid; and they would rear up, and when they came down, there was no place for you to go. You could outrun the state troopers on foot, but you couldn't outrun the ones on horses.[1]
>
> --Jo Ann Bland, eleven-year-old eyewitness to "Bloody Sunday"

A little more than sixty years ago the issue of who could, and who could not, participate in our cherished democracy came to a head in the voting rights campaign that took place in Selma, Alabama. On March 7, 1965 blacks and whites were brutally beaten on the Edmund Pettus Bridge as they sought to march from Selma to Montgomery for the right to vote. Two weeks later, more than 30,000 marchers arrived in Montgomery and listened to Dr. Martin Luther King's stirring oratory that signaled the march's triumphant conclusion. On August 6, 1945, Congress finally passed and President Lyndon B. Johnson signed the Voting Rights Act into law, removing once and for all those obstacles that had prevented African Americans from voting. But the ink had hardly dried before some began to come up with new schemes aimed at undermining the bill. Today, many in this nation continue to struggle to exercise freely the right to vote. This essay examines that ongoing struggle.

The passage of the Voting Rights Act had far-reaching implications regarding national politics as the electoral map changed almost overnight. The South had been solidly Democrat since the Civil War; but, while southern Democrats on the state and local level had remained largely conservative and still identified with white supremacy, the national Democratic Party had become more progressive over the years, as reflected in the increasing level of support for civil rights in the Truman, Kennedy, and Johnson Administrations. President Johnson expressed concern that the civil rights legislation passed in the 1960s would alienate large numbers of white southerners who had in the past supported national Democratic candidates, and that

the Republican Party would soon become a more attractive alternative. Just two months after passage of the Civil Rights Act, life-long segregationist Strom Thurmond, first elected United States Senator from South Carolina in 1956 as a Democrat, switched to the Republican Party on September 16, 1964—a move repeated by many other southern Democrats over the next decade.[2]

No sooner had Republicans regained control of the Presidency did the push begin to weaken enforcement of voting rights laws. Originally set to expire in 1970, the Voting Rights Act has been reauthorized periodically and for varying periods of time, with each extension being accompanied by debates over which changes should be made and which parts of the country should be covered under the enforcement provisions. When the Act was up for renewal for the first time in 1970, President Nixon's attorney general John Mitchell attempted to weaken the bill—or perhaps eliminate it entirely—by calling for only a three-year renewal. Additionally, he wanted to eliminate the preclearance provision, which requires states or any areas covered under the Act to submit any voting changes to the Justice Department to be approved in advance—or "precleared"—before the changes could go into effect. Under Mitchell's proposal, the covered areas would not need Justice Department approval for any voting changes; rather, the states would be free to change their voting laws at their leisure, requiring the Justice Department to issue a challenge only *after* the changes had become law. In other words, the burden of proof would shift: the Justice Department would now have to prove that the states were still engaging in racially discriminatory voting practices rather than the states having to prove that they were not. Enraged by the attorney general's announcement, a group of civil rights activists staged a sit-in at Mitchell's office. After contentious debate in both chambers, Senators Philip Hart, a Michigan Democrat, and Hugh Scott, Republican minority leader from Pennsylvania, prepared a substitute bill. Their bill extended the Act for another five years (not the three that Mitchell had proposed) and it provided for a national ban on literacy tests. President Nixon signed the Voting Rights Act extension into law on June 22, 1970. Unlike five years earlier, there was no public ceremony to mark the occasion.[3]

The Voting Rights Act led to some historic elections of African American lawmakers. Maynard Holbrook Jackson was elected mayor of Atlanta, Georgia in 1973, becoming the city's first black mayor and the first black mayor of a large southern city. He would eventually serve three terms (1974-82, 1990-94). Also, in

that year Coleman Young was elected first black mayor of Detroit, serving from 1974 to 1994. In 1978 Ernest Morial was elected as the first black mayor of New Orleans; in 1979, Richard Arrington became Birmingham's first black mayor; in 1983, Harold Washington and Harvey Gantt were elected as the first black mayors of Chicago and Charlotte, North Carolina, respectively; in 1984, Wilson Goode was elected the first black mayor of Philadelphia; in 1988, Kurt Schmoke was elected the first black mayor of Baltimore; and in 1989, David Dinkins was elected as the first black mayor of New York. In that same year, Lawrence Douglas Wilder was elected governor of Virginia, becoming the first African American ever to be elected governor of a state.

Black electoral gains notwithstanding, the idealism and optimism that had characterized much of the 1960s and the early 1970s gave way to white backlash and retrenchment in later years, and for the first time the significant gains made during the civil rights movement appeared to be in real jeopardy. Earl Warren's retirement as U.S. Supreme Court Chief Justice and Richard Nixon's election as president signaled a shift—gradual at first—in the Court's direction from liberal to conservative. For the next twenty-four years, from 1969-1993, luck would be on the side of the Republicans when it came to appointing judges to the federal bench (in addition to those appointed to the U.S. Supreme Court), and as a consequence, the political pendulum moved increasingly to the right. Richard Nixon appointed four justices to the Supreme Court, Gerald Ford appointed one, Ronald Reagan appointed three, and George H.W. Bush appointed two. Elected in 1976, Jimmy Carter was the only Democrat to serve as president during that period, but as fate would have it, he did not have an opportunity to appoint a single justice to the high court. Carter remains the only president in the nation's history to have served at least one full term in office without making a single appointment to the Supreme Court.[4]

The Supreme Court's new conservative majority handed down a string of decisions that appeared to limit African Americans' electoral opportunities. In *Mobile v. Bolden* (1980) the Court ruled that because African Americans in Mobile, Alabama could register and vote freely, the city's at-large election system did not discriminate against them, even if such a system made it more difficult for blacks to be elected to office. The Court held that discriminatory *effects* had to be accompanied by discriminatory *intent*. Justice Potter Stewart wrote that "disproportionate impact alone cannot be decisive, and courts must look to other

evidence to support a finding of discriminatory purpose." In several important decisions in the 1990s, the Court held that race could not be a factor in the creation of voting districts. In *Shaw v. Reno* (1993) the Court ruled that North Carolina's congressional redistricting plan (which had created two predominantly black congressional districts out of a total of twelve districts) constituted racial gerrymandering. The white plaintiffs who challenged the oddly-shaped district alleged that they were the victims of racial segregation by virtue of having been excluded from the district. Speaking for the 5-4 majority, Justice Sandra Day O'Connor agreed. She wrote that the configuration of North Carolina's twelfth district was so bizarre on its face that clear racial intent was the only possible explanation. Calling the district a version of "political apartheid" (a reference to South Africa's system of rigid racial separation), O'Connor condemned "racial classifications of any sort." In a similar case in 1995, the Court ruled in *Miller v. Johnson* that Georgia's eleventh district, represented by Cynthia McKinney, the first black woman elected to Congress from Georgia, was also flawed—not because of the shape of the district, but because race was the predominant factor in determining the configuration of the district. Writing for the majority, Justice Anthony Kennedy determined that race, "for its own sake," could not be tolerated as a criterion in drawing district boundaries. Equal opportunity could never be achieved, Kennedy wrote, "by carving electorates into racial blocs." Dissenting from the majority opinion, Justice Ruth Bader Ginsburg, appointed to the Court by President Bill Clinton in 1993, argued that the Court's rulings in these cases handicapped the very minority group that the Voting Rights Act had been created to protect.[5]

Despite occasional setbacks as a result of decisions handed down by an increasingly conservative Supreme Court, black participation in the electoral process had become a fact of American life by the 21st century. African Americans (as well as Latinos, who by now outnumbered blacks as the nation's largest non-white minority) were increasing their representation in local, state, and national elective offices. In 1965 there were only five blacks in Congress; in 2014, there were forty-three blacks represented in the 113th Congress. In 1965 there were roughly 1400 black officeholders nationwide; by December 2009 that number had grown to 10,000, including many who were elected in majority white districts, some of which were in the South. By 2007, African Americans had served as congressional representatives and senators, state governors, and state legislators. Only the nation's highest elective

office, the Presidency, appeared to be out of reach. And while a few African Americans had previously mounted presidential bids—New York congresswoman Shirley Chisholm in 1972, civil rights activist Jesse Jackson in 1984 and 1988, civil rights activist Al Sharpton and former Illinois U.S. Senator Carol Moseley-Braun in 2004—none had drawn enough white support to be considered viable candidates. But in 2007, a relatively obscure U.S. Senator from Illinois would shake up the political establishment, and in one fell swoop would soon personify the penultimate achievement of the 1965 Voting Rights Act.

On November 4, 2008, Barack Hussein Obama was elected the 44th president of the United States. He defeated John McCain by a convincing margin of 53 percent to 46 percent in the popular vote, the first Democrat since Jimmy Carter in 1976 to win a majority of the popular vote, and his margin of victory was the largest for a Democrat since Lyndon Johnson's 1964 victory over another Arizonan, Barry Goldwater. Obama won 28 states and the District of Columbia, and most significantly, won the key battleground states of Ohio, Pennsylvania, and Michigan. He also won three southern battleground states—Florida, Virginia and North Carolina—moving Virginia and North Carolina out of the Republican column for the first time since 1964 and 1976, respectively. His margin of victory in the Electoral College, 365-173, was decisive.

The fact that the nation had elected its first African-American president almost immediately prompted many political commentators to declare that America had arrived at the millennium, and that the Obama Presidency signaled the beginning of a "post-racial" society, one in which race no longer mattered. While they were busy promoting the fallacy of a post-racial America, many conservatives were beginning to take note of the nation's changing demographics. In 1976, whites made up 89 percent of the presidential electorate; in 2008, that had dropped to 74 percent. The percentage of older white male voters had dropped even more significantly. Further, Latinos now outnumbered blacks as the nation's largest minority group, and with nearly 50,000 Latinos turning eighteen every thirty days, they would soon be a political force to be reckoned with. In this world of changing demographics and increased minority voter participation, many white conservatives apparently caught a glimpse of the political future that was at once unsettling and alarming.

And then, just two years after Obama's election, the 2010 midterm elections resulted in a conservative backlash that led to Republicans taking control of the House of Representatives while increasing their numbers in the Senate. The GOP gained 63 seats in the House for a total of 242, the most Republican House seats since 1946. The Democrats retained control of the Senate, but lost six seats. On the state level, the results were even more disastrous for the president's party. Before the 2010 elections, Democrats held the majority of state governorships and state legislatures. But Republicans won 23 of 37 gubernatorial contests in 2010, gaining 11 new governorships for a total of 30 out of 50 states. Republicans also made gains in the state legislatures, now controlling *both* legislative bodies in twenty-six states, with twenty-three of those also having a Republican governor, the equivalent of a political trifecta. As one observer noted, "What happened next was so swift that it caught most observers off guard—and began surreptitiously to reverse the last half-century of voting rights reforms."[6]

In the aftermath of the 2010 midterm elections, Republican legislatures all across the country enacted a series of new laws and restrictions designed to make voting more difficult. While these laws did not specifically target any one group (and like earlier disfranchisement schemes, made no mention of race) it was obvious that the overwhelming majority of those affected were part of Obama's Democratic coalition—minorities, the poor, students, the elderly or handicapped. In 2008, the Supreme Court had upheld a new Indiana law requiring government-issued photo identification for voting. Soon thereafter, Republicans in other states drew up and hastily passed similar laws which they claimed were needed to combat widespread voter fraud. In reality, instances of voter fraud nationally were virtually non-existent. As one observer noted, "The real impetus behind such measures was to weaken Democratic Party fortunes at the polls." All of the studies have shown that the poor, minorities, and college-age students—those most likely to vote Democratic—were least likely to have government-issued identification. The nonpartisan Brennan Center for Justice at New York University Law School reported that approximately 25 percent of African Americans did not possess a photo ID card. Before 2010, only two states required voters to show government-issued photo ID at the polls. By August 2012, thirty-four state legislatures had considered photo ID laws and thirteen had passed them; five more states had such laws passed in the Republican-controlled legislatures only to be vetoed by Democratic governors. Some accepted state-issued

student IDs while others (South Carolina, Tennessee, and Texas) accepted no student IDs whatsoever. In Texas, however, while a student ID is not considered a valid form of identification for the purpose of voting, a permit to carry a concealed handgun is accepted as valid ID. By the summer of 2012, many states already had the new restrictive voter ID laws in place: Pennsylvania (where it was estimated that 9.2 percent of registered voters had no photo ID), Alabama, Mississippi, Rhode Island, New Hampshire, Kansas, South Carolina, Tennessee, Texas, and Wisconsin.[7]

The Brennan Center for Justice also found that of the eleven states with the highest black voter turnout in 2008, seven passed laws making it harder to vote. Of the twelve states with the largest Hispanic population growth in the 2010 census, nine have new voting restrictions in place. And of the fifteen states that used to be monitored closely under the 1965 Voting Rights Act because of a history of racial discrimination in voting, nine have passed new voting restrictions. Instead of embracing efforts to encourage voter participation, Republicans have worked in concert to undermine the process.

These new laws requiring government-issued photo IDs were just the beginning. One after the other, Republican-controlled state legislatures adopted measures to reduce the number of days for early voting, which African Americans in particular had taken advantage of. Many black communities participate in something referred to as "Souls to the Polls," in which black voters head to the polls *en masse* following church service on the Sunday before Election Tuesday. Republican lawmakers in Ohio introduced a bill, H.B. 194, that would have cut the number of early voting days by more than half and that would also have prohibited voting on the last Sunday before Election Day, a ploy aimed squarely at black voters. The Brennan Center observed that the push to shut down Sunday early voting in states where it has been most successful "is a glaring example" of "especially egregious" targeting of minority voters.

Not only has voting become more difficult, but Republican lawmakers have also made it much more cumbersome to register. Since 2010, ten states have passed laws making it harder for citizens to register to vote. These include laws eliminating the highly popular same-day registration (in Nebraska and North Carolina); a law making it harder for people who move to stay registered (in Wisconsin); laws

curbing voter registration drives (in Florida, Illinois, Texas, and Virginia); rules requiring voters to provide documentary proof of citizenship, such as a birth certificate, when registering (in Alabama, Kansas, Tennessee, and previously in Arizona). Groups such as the League of Women Voters have been prohibited from conducting voter registration drives, which tend to enroll twice as many minorities as whites, and which over the years have helped close the racial registration gap. And for those who lack the proper documentation to register, a fee is usually required in order for them to obtain it, which is the modern-day equivalent of a poll tax, which effectively disenfranchised African Americans for nearly a century.

Additionally, many states have made it all but impossible for those with prior criminal convictions to have their voting rights restored. In the states of Iowa and Florida, those citizens are essentially permanently disenfranchised. Florida Republican governor Rick Scott secretly reversed the policies of his Republican predecessors Jeb Bush and Charlie Crist that would have permitted 100,000 former felons, most of whom were black and Latino, to vote in the 2012 presidential election. Democrats were stunned, prompting former president Bill Clinton to comment that "There has never been in my lifetime, since we got rid of the poll tax and all the Jim Crow burdens in voting [such a] determined effort to limit the franchise that we see today." Nationally, it is estimated that at least 5.85 million Americans who have done their time have lost their right to vote, 1.5 million of whom reside in Florida. Overall, 7.7 percent of blacks have lost their right to vote as a result of a felony conviction, compared to 1.8 percent of whites. The number and complexity of new voting restrictions across the country is staggering, prompting one observer to refer to these restrictions as "a death-by-a-thousand-cuts strategy."[8]

To ensure that their efforts at voter suppression were fool proof, and leaving nothing to chance, Republicans also engaged in a widespread campaign of voter intimidation, which includes but is not limited to the following: voters being threatened with arrest at the polling station if they had unpaid child support or unpaid parking tickets; misleading robocalls to black voters (in Maryland) saying that there was no need to vote because "our goals have been met;" fliers being circulated (in Ohio and Virginia) informing voters that Republicans vote on Election Day and that Democrats vote the day after; challenges to black voters (in Philadelphia) by men carrying clipboards who drove a fleet of cars with signs that looked like law enforcement insignia. Many states permit "voter challenges," which allows any

person to challenge another's right to vote, often by suggesting that an individual is engaging in voter fraud. Depending upon the state law, these challengers may be appointed by political parties or other organizations. As one might expect, the challengers are white, and most of those challenged are minorities. An Ohio Republican Party plan in 2004, for example, would have involved challengers confronting 97 percent of new African-American voters in one location while only challenging 14 percent of white voters in another. Organizations such as True The Vote, a Tea Party group, have attempted to purge thousands of voters from voting rolls across the country. The group vowed to send thousands of poll-watchers to the polls on Election Day in 2012 to "monitor" voters. Republicans have said the efforts are meant to protect against in-person voter fraud, which there is little evidence of, and to keep undocumented immigrants from voting.

Many of these new voting restrictions had been strategically timed to go into effect prior to the 2012 presidential election (with President Obama running for re-election), but various civil rights and civil liberties groups across the nation successfully challenged many of the laws in the federal courts. But just when it appeared as if the courts would step in to guarantee minority voting rights and uphold the integrity of the 1965 Voting Rights Act, the U.S. Supreme Court dealt voting rights activists a devastating blow. In 2013, in *Shelby County, Alabama v. Holder*, the Court ruled 5-4 that the act's coverage formula, Section 4, was no longer valid, and that affected jurisdictions no longer had to submit voting changes to the Justice Department before going into effect. Writing for the 5-4 majority, Chief Justice John Roberts contended that the nation had made tremendous racial progress since 1965. He noted the election of the first black president, increased black voter turnout, and the election of black mayors in Selma, Alabama and Philadelphia, Mississippi, two cities with a rich civil rights history. If Congress wanted to extend federal oversight over state and local elections, Roberts suggested it should do so on the basis of current data. In its current form, however, Roberts wrote that the Voting Rights Act is "based on 40-year-old facts having no logical relationship to the present day."[9] The Court did not strike down Section 5 (preclearance), but without Section 4, no jurisdiction will be subject to Section 5 preclearance unless Congress enacts a new coverage formula, which as of this writing, Congress has not done. In the 1980s, Roberts had worked in President Reagan's Justice Department and had argued for weakened enforcement of the Voting Rights Act, a position that

he brought with him to the Supreme Court. One legal analyst wrote that Roberts' mission on the Court was "to declare victory in the nation's fight against racial discrimination and then to disable the weapons with which the struggle was won." Joining Roberts in his opinion were Justices Anthony Kennedy, Samuel Alito, Antonin Scalia, and Clarence Thomas. Scalia commented that the Voting Rights Act was nothing more than the "perpetuation of racial entitlement," while his African-American protégé Clarence Thomas, in typical fashion, took an ever more extreme view, insisting that the entire Voting Rights Act was unconstitutional.[10]

Predictably, within hours of the Court's decision, Texas reinstated its photo ID law, which a federal court judge had previously rejected for imposing "strict, unforgiving burdens" on minority voters. Soon thereafter, North Carolina imposed tougher voter ID laws, reduced the number of days for early voting, eliminated same-day registration, ended pre-registration for 16- and 17-year-olds, and disqualified provisional ballots cast outside of voters' home precincts. Other than the stricter ID requirement, which will go into effect in 2016, all of the other laws are already in place. In 2008, more than 700,000 North Carolinians voted during the week that was cut from early voting—including nearly a quarter of all African Americans who voted that year. Even in the 2010 midterm elections, more than 200,000 voters cast ballots during that week. In 2012, nearly 100,000 voters used same-day registration in North Carolina, almost one-third of whom were black. Nationally, same-day registration is credited with boosting turnout by as much as 5 to 7 percent. In 2014, hundreds of citizens cast ballots that went uncounted because of the elimination of out-of-precinct voting. North Carolina now has the dubious distinction of having the nation's harshest and most sweeping voting requirements.[11]

Donald Trump's election to the presidency in 2016 put to rest once and for all the myth of a post-racial America. Trump's campaign, fueled by white backlash against Barack Obama's presidency, played to white working-class grievances, and his campaign slogan, "Make America Great Again," was understood by many to be code for "Make America White Again," as the nation was becoming blacker and browner with each election cycle. Trump was able to appoint three justices to the United States Supreme Court, cementing the Court's 6-3 conservative majority. During the 2020 campaign he sowed seeds of distrust about the upcoming election, saying repeatedly that the only way he could lose would be if the election were rigged. When Joe Biden won the election, Trump cried fraud, and his lawyers filed

more than sixty lawsuits in an attempt to overturn the outcome. When all of the lawsuits failed, Trump incited an insurrection on January 6, 2021, in an attempt to stay in office. He eventually left office, but because Congress failed to hold him accountable (he was impeached for a second time in the House of Representatives, but escaped conviction in the Senate), he would be free to run for office again in 2024.

Trump's second term began with an unrelenting assault on African Americans. He fired thousands of blacks from government jobs, fired or demoted dozens of top black military officials, began restoring the names of Confederate generals to U.S. military bases, and continued his attempt to rewrite history by ordering artifacts about slavery and segregation removed from the nation's museums. In an attempt to shield himself from an angry black electorate, Trump urged Republican governors to gerrymander their congressional districts to make them more favorable to Republican candidates, a clear violation of Section 2 of the 1965 Voting Rights Act. Having already weakened the Act thirteen years earlier in its *Shelby County v. Holder* decision (2013), the U.S. Supreme Court's 6-3 emboldened conservative majority continued to chip away at the protections afforded under the Voting Rights Act, even reversing positions it had taken just a few years earlier.

In *Allen v. Milligan* (2023), the U.S. Supreme Court ruled 5-4 that Alabama's congressional map violated Section 2 of the Voting Rights Act. The justices found that the state's map illegally diluted the voting power of the Alabama's black residents by packing them into a single majority-black district. Although blacks made up 27 percent of Alabama's population, the congressional map put forward by state Republicans contained only one majority-black district out of a total of seven congressional districts. Alabama was ordered to draw a new map. But in April 2026, the Court eviscerated Section 2 of the Voting Rights Act by ruling in *Louisiana v. Callais* (2026) that Louisiana could engage in *partisan* gerrymandering by eliminating one of only two majority-black congressional districts in the state. In essence, the Court gave its imprimatur for southern states to engage in partisan gerrymandering (which is clearly a cover for racial gerrymandering that benefits white Republican candidates while effectively disenfranchising black Democratic candidates). Former Vice-President Kamala Harris slammed the Court's decision as "backdooring racism through politics."[12] Within hours of the Court's ruling, every one of the former

Confederate states rushed to redraw their congressional maps (but because some elections were already underway, a few states, like Georgia and South Carolina, opted to wait until 2028). Predictably, in light of the Court's ruling (and reversal) in *Callais,* Alabama Republicans submitted their original congressional map (the same map that the Supreme Court had invalidated in 2023) for approval. A three-judge district court (two of the judges were Trump appointees) ruled that Alabama's 2023 congressional map violated Section 2 of the VRA and was intentionally discriminatory. The court permanently enjoined the state from using the map, noting its findings were "not a close call," and ordered the implementation of a fair map. Alabama immediately appealed that decision to the U.S. Supreme Court, which in an emergency order, reversed its own decision from three years earlier by siding with the state of Alabama, thereby removing any doubt that the Court was determined to gut what was left of the Voting Rights Act. In her dissent, Justice Sonia Sotomayor excoriated the decision to go down a path that "disregards both democratic values and the rule of law." Sotomayor continued: "Now the Court is squarely faced with a record of the turmoil it has caused and the harm it has wrought. Yet, just as Alabama doubled down on racial discrimination, the Court today doubles down on chaos."[13]

In 2025, a group of scholars and community activists gathered for a three-day conference sponsored by the Association of African American Museums and Selma to Montgomery National Historic Trail 60th Anniversary Voting Rights Act Scholars Roundtable held in Selma, Alabama. The purpose of the event was to reflect on past achievements over the past sixty years and to discuss strategies to confront the challenges that lay ahead as Donald Trump unleashed his racist agenda to roll back the hard-won gains of the 1960s. Many of us likened this period to a second Redemption, when southern whites reasserted their authority over African Americans following the era of Reconstruction. Yet, despite the frustrations of the moment, the conference concluded on a note of cautious optimism buoyed by a renewed determination to make real the promises of democracy. Guided by the spirit of those who came before and who succeeded against all odds in laying the foundation for a just and equitable society, conference attendees vowed to remain steadfast in their convictions, always mindful that each generation must fight for its own freedom.

Over the years I have had the opportunity to take several groups on a civil rights tour of the South, and Selma, Alabama was always one of the stops. There have been few changes in Selma over the past sixty years. Indeed, in many respects, Selma appears to be a place lost in time. A few new businesses have come to the area, but many have left, and dilapidated buildings and run-down houses are common.[14] The one constant in Selma during all this time has been lifelong Selma resident and civil rights activist Jo Ann Bland. She was always there to meet with us and to share the dramatic history that she lived. As was her custom, she would gather us at a spot she had chosen, and instruct all present to pick up a rock. "The rock you're holding is Amelia Boynton, who spearheaded the Selma campaign." And then she would say to another, "the rock you're holding is John Lewis, who, along with Hosea Williams, led the march on Bloody Sunday and who suffered a skull fracture from the beating he took." And then to another, she would say, "the rock you're holding is Jimmie Lee Jackson, whose murder is what led to the march in the first place." And with that, she took us on a mystical journey back in time when demanding the right to vote was enough to get one killed. With her unique blend of seriousness and humor, she always had the ability to captivate any audience, and our personal friendship spanned more than twenty years. Jo Ann Bland died on February 19, 2026 at the age of seventy-two. But she left a legacy of determined activism and an indomitable spirit that will forever resonate in the history of the civil rights movement. In spite of all she had witnessed, and all she had endured, she never stopped believing in a better America; but most important, she never stopped fighting for it. It is to her memory that this essay is dedicated.

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[1] Interview with Jo Ann Bland, February 2019.

[2] The only exceptions to the Republican Party's dominance in the South in presidential contests were in 1976, when Georgia governor Jimmy Carter won every southern state except Virginia, and in 1992 and 1996, when Arkansas governor Bill Clinton ran successfully for the presidency. In 1992, Clinton won Arkansas, Georgia, Kentucky, Louisiana, and Tennessee. In 1996, he won Arkansas, Florida, Kentucky, Louisiana, and Tennessee.

[3] See Gary May, *Bending Toward Justice: The Voting Rights Act and the Transformation of American Democracy* (Durham: Duke University Press, 2015), 204-08.

[4] See Steven F. Lawson, *Black Ballots: Voting Rights in the South, 1944-1969* (New York: Columbia University Press).
[5] The fundamental issue in both of these cases centered on the best way to maximize minority voting strength, and on this issue African Americans did not always agree on the best course of action. While some favor creating a few majority black districts, thereby making it easier to elect black candidates, others argue that when blacks are concentrated in a few districts, the other districts naturally became more heavily white and conservative. A better strategy, some believe, is to have a greater black electoral presence in many districts, thereby giving them more "influence" in those districts. Even if a black is not elected, white candidates would likely adopt a more moderate position owing to the increased number of black voters in their districts. Critics of majority-minority districts argue that carving out districts that favor black candidates often comes at the expense of moderate and liberal white Democrats, who are more likely than Republicans to support African Americans' interests.
[6] May, 241.
[7] May, 250-55.
[8] See Michelle Alexander, *The New Jim Crow: Mass incarceration in the Age of Colorblindness* (New York: The New Press, 2010).
[9] Robert A. Pratt, *Selma's Bloody Sunday: Protest, Voting Rights, and the Struggle for Racial Equality* (Baltimore: Johns Hopkins University Press, 124-27), 2017.
[10] *Shelby County, Alabama v. Holder* (2013).
[11] *After Selma*, documentary.
[12] *Axios*, June 5, 2026.
[13] *Allen v. Milligan* (2026).
[14] See Cynthia Griggs Fleming, *In the Shadow of Selma: The Continuing Struggle for Civil Rights in the Rural South* (Lanham, MD: Rowman and Littlefield, 2004).

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