Voting Rights Act 60th Anniversary Symposium and Roundtable

The Ballot Born of Blood and Battles: An Early History and Current Lesson

by

Prof. Gloria J. Browne-Marshall

The centuries-long battle over voting rights best represents this country's conflicted national personality. The United States of America has had a true dilemma since inception, a conflicted national personality. A nation of immigrants, with one side of the personality represented by the Statue of Liberty lifting a torch pledging liberty while the other personality, lighted by simmering prejudices, crushes freedom. Even the nation's origin story is conflicted. On the one hand, the United States teaches its foundation is based on the Pilgrims arriving on the ship *Mayflower* in Massachusetts in 1620.[1] Yet the factual history that is not taught reveals this nation dates back to the arrival of English businessmen and indentured servants into what is now Virginia, in 1607.

On those ships, the *Susan Constant, Godspeed,* and the *Discovery,* landing in what they called Jamestown, Virginia, were the men who began this colony under a business contract with King James. This is the same King James whom many of us know from the King James Version (KJV) of the Bible. This is the actual beginning, the foundation of the United States of America. This English colony was a combination of the lower- class strivers below deck who wanted a better life than what awaited each generation in Europe and the businessmen leading the venture seeking expansion of the English empire for King James and a profit-making crop to make themselves wealthy.

Wealth brought influence through land ownership brought protection, respect, and a voice in a monarchy where they were subjects of the crown. In Virginia, there was land and opportunity, greed and misery, as the conflicted goals of the colonists formed the history of legal battles, violent bloodshed, and an ongoing fight for representation in a nation of immigrants created on Indigenous land.[2]

The vote was limited; political participation was restricted to those who were landholders. Slavery of any kind did not exist initially. Instead, Europeans who were too poor to pay passage to the New World contracted themselves as unfree laborers.[3] European indentured laborers went unpaid while working for a colonial planter, skilled tradesman, or other landed person, and upon learning a skill they were released after five to nine years having paid their debts. They were fully incorporated into the colony and were free to purchase land, and with land ownership came the right to vote.[4] European indentured servants were the primary labor force before the accidental arrival of Africans in 1619.[5]

Africans kidnapped from Ndongo (Angola) arrived in the Jamestown colony in August 1619.[6] One month earlier, in July of 1619, the colony's leaders formed the House of Burgesses as a lawmaking body, having grown impatient with sending their colonial matters to England by ship only to wait months for a reply from Parliament in London.[7] Jamestown's House of Burgesses was composed of Englishmen who were landowners of high standing. With the arrival of Africans who held agricultural knowledge, the planters' labor-intensive tobacco crops increased, allowing the planters to gain the wealth they desired and for the Virginia Colony to flourish as King James had demanded.[8] The Virginia Colony set the legal standard for the other colonies that would comprise the American Colonies under British rule.

There were no slave laws in the Virginia Colony in 1619, allowing some of the Africans were treated similarly to European indentured servants. Having served their time of unpaid

labor, they were free to purchase property and thus should have been allowed to vote. Mary and Anthony Johnson were among those Africans who gained freedom after indenture.[9] The Johnsons purchased land and, and with it, should have been able to vote in the colony and have their voices heard in the House of Burgesses. But whereas European indentured servants had ties to nations with laws governing their treatment as indentured servants in the colony, the Africans had no such representation, creating a perfect storm for oppression and slavery. Gradually, members of the House of Burgesses began passing laws to favor their agricultural, financial, and political interests.[10]

Unfortunately, the Johnson family was the victim of legislative policies that not only undermined their ability to participate in the political process in the Virginia colony but also eventually forced them out of the colony altogether and confiscated their property.[11] By 1705, the English colonies of North America, which became the United States of America, had devolved into maintaining the institution of chattel slavery, moveable property.[12] Africans, and some Indigenous people, were subjugated into bondage that deprived them of name, personhood, legal rights, and, of course, the ability to vote against legalizing oppression. The Johnsons were driven from the Virginia Colony after they did all that was required by law to become full voting members of the colony. This betrayal would be the pattern and practice for generations of African-descended people over centuries.

Despite contributions in art, science, and agriculture, which fuelled the building of this nation by brain and brawn, the right of Africans to possess self-determination in most North American colonies ended in the early eighteenth century. Chattel slavery laws reduced human beings to movable property and denied the right of self-defense.[13] Yet the colonies successfully rebelled against England, based largely on the lack of representation and economic trials, in 1776. The colonists wanted a voice in their government and a bigger part of the profit from the goods sold overseas, the majority of which was created by the blood, sweat, tears, and free

labor of enslaved Africans who were given no representation and no share of the wealth made from arduous labor or intellectual capital.

The Declaration of Independence, which reached its 250th anniversary in 2026, was a document purporting to proclaim the rights of free people, written by a slaveholder, Thomas Jefferson, in the presence of enslaved Africans on stolen Indigenous land.[14] The United States continued its conflicted nature, spouting liberty internationally while pressing Africans into horrific bondage and driving the Indigenous into reservations. Ratified in 1789, the Constitution of the United States, under Article I, Section 2, Clause 3, counts an enslaved person as three-fifths of a person to determine the number of representatives in Congress. Under Article I, Section 2, Clause 1, the states are given the power to determine the qualifications to vote in elections.[15]

In the Deep South, the Alabama Territory entered the Union as the state of Alabama on December 14, 1819, two hundred years after the 1619 arrival of Africans at Point Comfort, now in the Hampton area.[16] The institution of slavery had been embedded in Alabama by Europeans before statehood, with approximately one-third of the state's 128,000 residents enslaved. Yet 571 Africans were free in Alabama, according to the 1820 census.[17] Two White politicians, Thomas Bibb and Israel Pickens, sought to extend voting rights to free African American citizens residing in Alabama. However, the measure failed. Instead, the 1819 state constitution blanketly restricted the right to vote to "every white male person" twenty-one years of age or older who was a resident of the state and a U.S. citizen, with or without land ownership, thus prohibiting the Indigenous and even free African Americans, including landowners, from voting.[18] Alabama had determined that African Americans would never be allowed to vote based on their race, alone.

The U.S. Supreme Court's *Dred Scott v. Sandford* decision of 1857 stripped people of African descent in America of their citizenship and stated that "It is too plain for argument, that [Blacks] have never been regarded as a part of the people… nor supposed to possess any political rights which the dominant race might not withhold or grant at their pleasure."[19] The Civil War was fought over states' rights, primarily the right of a state to have and enforce the enslavement of Africans. The infusion of over 100,000 soldiers of African descent turned the tide of the war in favor of the Union Army. Frederick Douglass, a formerly enslaved man who rose to be a journalist, orator, and statesman, made clear that it was the "ballot or the bullet."[20]

By the end of the Civil War, President Abraham Lincoln had pushed for the abolition of slavery through the Emancipation Proclamation of 1863 and through the later passage of the Thirteenth Amendment, which abolished slavery "except as a punishment for a crime."[21] After Lincoln's assassination, the Fourteenth Amendment was ratified, granting citizenship at birth, Privileges & Immunities, Due Process, and Equal Protection to all formerly enslaved Africans and people of African descent across the nation.[22] The Fifteenth Amendment was ratified in 1870 and granted all Black men the right to vote; no women of any race could yet cast a ballot.[23] Protected by federal troops in the South, as a peace-keeping mission after the Civil War, during an era known as Reconstruction, Black men voted, and the power of their vote changed the outcome of elections.[24] White fear and anger over this power resulted in terrorist violence and the murder of Black voters. When federal troops were removed as part of political appeasement and Reconstruction ended, segregation laws were enacted, and the slaughter of Black people began in earnest and with impunity, as most prosecutors, sheriffs, judges, and politicians turned a blind eye to the violence, condoned it, or participated in it.[25]

African Americans from Alabama served in the U.S. Congress after the Civil War. Benjamin Sterling Turner, formerly enslaved, became a businessman, and served in the United States House of Representatives representing Alabama's First Congressional District in the

Forty-Second United States Congress from 1871 to 1873.[26] James Rapier, born free in Alabama, studied law in Canada, travelled to Paris as a commissioner to the World's Fair, and was elected to the U.S. Congress in 1873, serving one term.[27] Jeremiah Haralson was born enslaved and educated himself, becoming an Alabama state legislator before serving in the U.S. Congress from 1875 to 1877.[28] With the end of Reconstruction, and the rise of racial violence by White mobs, the number of African Americans in political office diminished.

Congress had passed the Enforcement Act of 1870 to protect the voting rights of African Americans, and the Civil Rights Act of 1871, also known as the anti-Ku Klux Klan law, knowing states refused to bring charges against white citizens for race-based violence. However, the federal legislation was rarely applied, and when it was met a reversal from the U.S. Supreme Court.[29] The Colfax Massacre in Colfax, Louisiana, on Easter Sunday in 1873, resulted in perhaps hundreds of Black voters being gunned down by white militia as the voters met to discuss how to best use their political power in elections.[30] Although federal charges were brought against some of the white murderers and instigators of the massacre, the U.S. Supreme Court, in yet another betrayal, found in United *States v. Cruikshank* that federal laws protecting the voting rights of Black citizens did not apply to in this case and the defendants were set free.[31] The message to Black voters was clear: they would exercise their rights as citizens at their own peril.

The Mississippi Plan of 1890, which was virulently supported by the renowned Senator James K. Vardaman, was the grand scheme used to undermine the voting power of African Americans by enacting literacy tests, poll taxes, racial segregation laws, and the "grandfather clause."[32] Under the grandfather clause, if one's relatives could not vote prior to the Civil War, then the free person was prohibited from voting. States in the deep South, and then across the country, began to adopt their own versions of the Mississippi Plan. The Louisiana case of

Plessy v. Ferguson provided the U.S. Supreme Court with the ammunition needed to institute racial segregation across the nation.[33]

As the nation moved into the twentieth century, African Americans entered it with fewer rights than they had during Reconstruction and braced themselves to fight battles against racialized laws and racist violence to gain their right to vote, with Alabama becoming a key battleground. The National Association for the Advancement of Colored People (NAACP) was founded in 1909 with voting rights as part of its core mission.[34] Lawyers from this advocacy organization, led by Charles Hamilton Houston—a brilliant lawyer, professor, and strategist—brought cases that chipped away at "Jim Crow" segregation.[35] A few examples of legal cases in Alabama demonstrate the issues of concern and the slow, uphill climb toward accessing the ballot box. For instance, the NAACP was heavily involved in the Guinn v. United States case that ended the application of the grandfather clause in 1915.[36]

Gerrymandering was another tool used to undermine the Black vote. Voting districts were manipulated to spread Black populations into majority-white voting districts or to pack all the Black voters into one district to undermine their voting strength.[37] In the case of Gomillion v. Lightfoot, the NAACP found that the small town of Tuskegee, Alabama, was gerrymandered into a 28-sided figure by an act passed in 1957 that redefined boundaries to discriminate against Black voters in municipal elections.[38] The United States Supreme Court determined that Alabama and the city of Tuskegee had violated the constitutional rights of their Black voters.[39]

By 1964, civil rights protests had built powerful momentum, including the historic March on Washington for Jobs and Freedom in 1963, the Brown v. Board of Education case that found segregated public schools unconstitutional in 1954,[40] and the desegregation of Central High School in Arkansas in 1957.[41] Furthermore, the Montgomery Bus Boycott that

began in 1955 resulted in a Supreme Court ruling that racial segregation on Montgomery's buses must end, as decided in the 1956 case of Browder v. Gayle.[42] A blow to "Jim Crow" segregation was also a blow to political oppression. Sit-ins, boycotts, and marches, among many other acts of defiance, forced the nation to pay attention to the rights of Black Americans. The violence against those who practiced nonviolent civil disobedience led by Rev. Dr. Martin Luther King Jr. was covered extensively by the media,[43] further pushing the issue of voting rights to the forefront and to a global audience outside the country. Domestically, the strategy was simple: African Americans needed to vote out of office the people who terrorized their communities, undereducated their children, and refused to employ them.[44]

However, entrenched racism had many allies, especially in Alabama. The Ku Klux Klan, White Citizens' Councils, and racists employers evicted Black people who attempted to register to vote leading to ‘tent cities’ filled with displaced families and peaceful civil rights workers were threatened, brutalized, and killed.[45] Despite this, in the 1964 case of *Reynolds v. Sims,* the Supreme Court ruled in favor of the Black community, deciding that certain voting districts had been based on the population in 1901 and had not considered subsequent demographic shifts, thereby ignoring tens of thousands of African Americans living in urban centers.[46] It was in *Reynolds v. Sims* that the Supreme Court ruled that the vote was a fundamental right and that Alabama had violated the Equal Protection Clause, stating that districts must provide substantially equal legislative representation for all citizens.[47]

States still held the constitutional authority to decide the qualifications for voters, provided they did not discriminate. Unfortunately, it took the deaths of many, including Jimmie Lee Jackson of Alabama who was shot by law enforcement for leading a voting rights march which triggered John Lewis, then twenty-one years of age, to lead a protest march across the Edmund Pettus Bridge in Selma, Alabama, before federal voting rights protections were enacted.[48] The Selma to Montgomery marches in March 1965 consisted of three distinct

attempts by civil rights activists to cross the Edmund Pettus Bridge to demand voting rights. The first march, on March 7, known as "Bloody Sunday," ended in brutal violence when state troopers and deputies carrying piano legs as weapons attacked peaceful demonstrators with tear gas and batons.[49] The second attempt, on March 9, led by Dr. Martin Luther King Jr. and remembered as "Turnaround Tuesday," saw marchers approach the bridge, pray, and intentionally turn back to comply with a federal restraining order.[50] The third and final march began on March 21 with federal military protection, successfully crossed the bridge,[51] and culminated in a historic 54-mile journey to the state capital in Montgomery that catalysed the passage of the Voting Rights Act of 1965.[52]

However, passage of the Voting Rights Act did not end the war for the ballot. Instead, more blood was shed as the racists fought back to gain control of Black citizens and retaliate against the progress made in society and under law. Viola Liuzzo was the first White woman slain during the modern civil rights era.[i] A married mother of five, she had traveled from Detroit, Michigan, to Selma, Alabama, to support the marchers in their fight for voting rights. It was March 7, 1965, when the first attempt to cross the Edmund Pettus Bridge, led by Martin Luther King, Jr., ended in a televised display of brutal violence by Alabama police. A 39-year-old member of the Unitarian Church, Liuzzo was horrified by what she saw on television and drove to Selma to join the movement. The third attempt to march, this time against voter suppression, required protection by the National Guard.

On the night of March 25, Liuzzo volunteered to drive those departing civil rights protesters to the airport. That evening, she was behind the wheel with Leroy Moton, a Black voting rights worker, seated beside her. After stopping at a gas station, they were followed by four White men. Liuzzo had been warned not to be seen alone in a car with a Black man. The image alone stirred centuries of anti-miscegenation rage and ignorance. As the two cars sped along Route 80, the men pulled up beside her vehicle and shot Liuzzo in the head, narrowly

missing Moton. Splattered with blood, Moton pretended to be dead when the Klansmen approached to confirm the killing.[2] Liuzzo died instantly. Moton later went for help. One of the men in the pursuing car, Gary Rowe, was an FBI informant. He testified before an all-White, all-male jury that Collie Leroy Wilkins had killed Liuzzo on the orders of Eugene Thomas. Despite the damning testimony, the jury acquitted Wilkins. No one would ever be convicted for the murder of Viola Liuzzo.[3]

In Lowndes County, dozens of evicted families found sanctuary on Black-owned land near Route 80. The Tent City residents lived in ventilated cloth army tents, staked directly into the bare earth, with tin pipes extending from holes in the tent walls to vent the wood-burning stoves inside. The conditions were harsh and could have been even more precarious had the tents been set up on White-owned land.

Fortunately, Timothy Mays, an African American resident of Lowndes County, owned the land and opened his fields to the evicted families. Black-owned land provided a measure of freedom and safety for the displaced, reducing the risk of assault or further retaliation. Mays was a member of both the Student Nonviolent Coordinating Committee (SNCC) and the Black Panther Party.[4] He also offered his land to support the marchers on Dr. King's journey to Montgomery.[5] After the Voting Rights Act was passed and African Americans began registering to vote, a wave of mass evictions followed. "In December 1965, over forty families either left the county, moved in with friends and relatives, or took up residence in Tent City in Lowndes County, Alabama."[6] Some Black families lived in those tents for more than two years.

One symbolic victory, perhaps forgotten, was the historic campaign of Alice Moore, who became the first African American candidate in modern Alabama history when she ran for Tax Assessor in Lowndes County. Her political platform was bold and direct: "Tax the rich to

feed the poor."[7] Although Moore did not win, her candidacy marked a milestone in the fight against taxation without representation.

In 2015, Roy Managan, then around 70 and slightly stooped, was interviewed by this writer at Mt. Gillard Missionary Baptist Church. Managan expressed a quiet urgency to preserve the legacy of those who had fought for voting rights in Lowndes County. "I still want to work with them [the U.S. Parks Service] to get some oral history before the people who were there back then pass on," he said, after a long, thoughtful pause. The theme for the Gillard Church program was drawn from Matthew 20:12: *"Saying, these last have worked but one hour, and thou hast made them equal unto us, which have borne the burden and heat of the day."* Today, the Lowndes County Interpretive Center stands near the site of Tent City. For those who come later, it offers a chance to learn from history, a reminder that voting rights in the United States have been won through the spirit and sacrifice of many, both known and unknown

A largely unsung hero of the voting rights movement is Rev. Cordell T. Vivian, a former member of the Freedom Riders and the Student Nonviolent Coordinating Committee (SNCC).[47] It was the standoff between the nonviolent Rev. Vivian and the notorious Sheriff Jim Clark, on the front steps of the Dallas County Courthouse in Selma on an overcast day in 1965, that revealed the true measure of Rev. Vivian. Sheriff Clark, a former military man, was infamous for his brutality toward African Americans, which he carried out without consequence. He wore a "Never" button to show his opposition to voting rights and carried both a cattle prod and a billy club—weapons he used on peaceful protesters. It was Clark and his deputized clan who led the Bloody Sunday attack of March 1965 on the Edmund Pettus Bridge.[48]

Rev. Vivian knew his adversary well when he led about seventy African American citizens of Dallas County to the courthouse, intent on registering to vote.[53] A news reporter, camera in hand, captured the moment as the group arrived and was barred from entering by Sheriff Clark and his deputies.[54] The footage of this encounter remains a lasting record of Vivian's courage, preserved for generations to witness. As Rev. Vivian ascended the courthouse steps, Sheriff Clark looked down at him.[55]

The following exchange between Rev. Vivian and Sheriff Clark was captured on camera:

> **REV. VIVIAN:** This courthouse does not belong to Sheriff Clark. This courthouse belongs to the people of Dallas County. And these are the people of Dallas County. And they have come to register. And you know this within your own heart, Sheriff Clark. You are not as evil a man as you act. You know in your heart what is right. What you're really trying to do is intimidate these people by making them stand in the rain, keep them from registering to vote. And this is the kind of violation of the Constitution, the violation of the court order, the violation of decent citizenship. You can turn your back on me, but you cannot turn your back upon the idea of justice. You can turn your back now, and you can keep the club in your hand. But you cannot beat down justice. And we will register to vote because as citizens of these United States, we have the right to do it.[56]
>
> **SHERIFF JIM CLARK:** I'm looking down the line and seeing all the people who have been in jail for felonies. That's what I'm looking at.[57]
>
> **REV. VIVIAN:** Precisely right. And if they're not fit to vote, you'll be able to find that out. But you'll not know it until they're on the register. And many of

those have the felony action because Sheriff Clark made them a felony action, not because they were rightfully…[58]

SHERIFF JIM CLARK: Get out of here[59]

Clark struck Vivian in full view of the cameras. Bloodied, Vivian stood back up as the embodiment of the nonviolent resistance he had preached.[60]

REV. VIVIAN: If you want to arrest us, arrest us, but you don't have to beat us. Arrest us. Arrest us if we are wrong, but don't beat us.[61]

Rev. Vivian's dignity and clear-eyed resolve remained firm throughout this encounter with Sheriff Clark.[62] He believed that he could not walk away from the evil that had been destroying Black people. The pain of being beaten by Clark was secondary because Rev. Vivian got back up, refusing to let violence defeat the nonviolence of the voting rights protesters he led.[63] Their confrontation was a symbol of the forces for freedom.[64]

This long, bloody history of discrimination against African American voters in Alabama, and across America, was discounted when Chief Justice John Roberts wrote the opinion in the *Shelby County v. Holder case* in 2013, gutting an essential enforcement mechanism of the Voting Rights Act of 1965.[65] The preclearance provision of the Voting Rights Act required proposed changes to voting laws in covered jurisdictions to be reviewed by a three-judge court or the United States Department of Justice before taking effect. Shelby County is located in Alabama, and Eric Holder was the nation's first African American Attorney General of the United States, serving under Barack Obama, the first African American President of the United States.[66]

In the 5–4 *Shelby County* ruling, the U.S. Supreme Court ruled that the federal coverage formula under Section 4(b) was unconstitutional because it relied on decades-old data that did

not reflect current conditions, effectively leaving the Section 5 preclearance requirement unenforceable.[67] Within hours of the *Shelby County v. Holder* decision, states began enacting strict photo ID requirements, closing polling places, and purging voter rolls while advancing unsubstantiated claims of voter fraud.[68] Since 2013, voter suppression has accelerated from the highest levels of government as other states in the Deep South followed Alabama's lead. Chief Justice John Roberts, in what critics characterize as an act of social engineering, has rolled back the clock on African American progress, especially in voting rights.[69]

This pattern of judicial rollbacks culminated in the landmark decision *Louisiana v. Callais*, which further weakened the Voting Rights Act of 1965.[70] In a 6–3 decision, the U.S. Supreme Court struck down a newly drawn congressional map that had established a second majority-Black district. Writing for the majority, Justice Samuel Alito narrowed the historic protections of Section 2 of the Voting Rights Act by requiring plaintiffs to meet an exceptionally high burden of proving intentional discrimination, a shift that legal scholars and dissenting justices warned left the remaining enforcement apparatus of Section 2 "all but a dead letter."[71]

In *Louisiana v. Callais, a* controversial 2026 U.S. Supreme Court case, the conservative supermajority ruled 6–3 that Louisiana's newly drawn congressional map, which had created a second majority-Black voting district, was an unconstitutional racial gerrymander because it used race as a predominant factor without a sufficient state interest.[72] Writing for the conservative majority, Justice Samuel Alito concluded that the state lacked a compelling constitutional interest in using race to draw the boundaries,[73] while civil rights attorneys argued that the ruling removed critical protections against the dilution of minority voting power.[74]

As African Americans face another century of battle, entering this era with fewer rights than their parents, one must keep hope alive and remember the sacrifices of the past that

allowed the achievements of the present to take place.[75] New generational unaccustomed to the voting rights war are grappling with how to reconcile the American liberty purported with the intentional stripping away of Black hard-won progress, erasure of history, and suppression of voting rights. C. T. Vivian was ninety-two years old when he wrote these sentiments in the foreword to The Voting Rights War: The NAACP and the Ongoing Struggle for Justice, by this author.[76]

His wisdom is powerful and resounding:

> "I understand the disillusionment and impatience of young people, the disenfranchised, overburdened people, and those folks who stopped believing it could be fair. I have spent nearly one hundred years on God's earth fighting for freedom by using nonviolent protest. And I believe the vote has made the difference. People around the world watched us rise up and fight for our freedom. Then, they wanted to fight for theirs too. If you aren't ready to fight for a full democracy, then you won't get it. That fight is ongoing and it's a war. I've seen the casualties and the victories."[77]

Rev. Cordy Tindell "**C. T.**" Vivian passed away on July 17, 2020, in Atlanta.[78] The torch has been passed to present generations to work for political freedom, voting rights, and first-class citizenship. [79]

ENDNOTES

1. William Bradford, Of Plymouth Plantation, 1620–1647, ed. Samuel Eliot Morison (New York: Knopf, 1952), 47–68.
2. James Horn, A Land as God Made It: Jamestown and the Birth of America (New York: Basic Books, 2005), 35–52.
3. David Galenson, White Servitude in Colonial America: An Economic Analysis (Cambridge: Cambridge University Press, 1981), 102–15.
4. Richard Hofstadter, America at 1750: A Social Portrait (New York: Knopf, 1971), 33–65.
5. Edmund S. Morgan, American Slavery, American Freedom: The Ordeal of Colonial Virginia (New York: W. W. Norton, 1975), 154–79.
6. John Thornton, "The African Experience of the '20 and Odd' Negroes Arriving in Virginia in 1619," William and Mary Quarterly 55, no. 3 (1998): 421–34.
7. "Proceedings of the Virginia General Assembly, July 30–August 4, 1619," in Journals of the House of Burgesses of Virginia, 1619–1658/59, ed. H. R. McIlwaine (Richmond: Virginia State Library, 1915), 3–14.
8. Morgan, American Slavery, American Freedom, 102–29.
9. T. H. Breen and Stephen Innes, "Myne Owne Ground": Race and Freedom on Virginia's Eastern Shore, 1640–1676 (New York: Oxford University Press, 1980), 68–95.
10. Morgan, American Slavery, American Freedom, 316–25.
11. Breen and Innes, "Myne Owne Ground," 96–110.
12. Morgan, American Slavery, American Freedom, 326–37.
13. Morgan, American Slavery, American Freedom, 338–45.
14. Danielle Allen, "The Declaration at 250: The Contradictory Promise of American Liberty," Journal of American History 113, no. 1 (2026): 14–29; Thomas Jefferson, The Declaration of Independence (July 4, 1776), Record Group 360, National Archives.
15. US Constitution, art. 1, sec. 2, cl. 1 and cl. 3.
16. Alabama Department of Archives and History, "The Alabama Constitution of 1819 and Early Statehood Elections," Alabama History Education Series, last modified March 2024
17. US Bureau of the Census, Return of the Whole Number of Persons within the Several Districts of the United States [1820 Census] (Washington, DC: Gales & Seaton, 1821), 28.
18. Alabama Constitution of 1819, art. 3, sec. 5.
19. *Dred Scott v. Sandford*, 60 U.S. (19 How.) 393, 407 (1857).
20. Frederick Douglass, "What the Black Man Wants: Speech Delivered at the Annual Meeting of the Massachusetts Anti-Slavery Society," Boston, April 11, 1865.
21. Abraham Lincoln, "The Emancipation Proclamation," January 1, 1863, Presidential Proclamations, Record Group 11, National Archives; US Constitution, amend. 13, sec. 1.
22. US Constitution, amend. 14, sec. 1.
23. US Constitution, amend. 15, sec. 1.
24. Equal Justice Initiative, Reconstruction in America: Racial Violence after the Civil War, 1865–1877 (Montgomery, AL: Equal Justice Initiative, 2020), 4–12.
25. Equal Justice Initiative, Reconstruction in America, 28–45.
26. Maurine Christopher, Black Americans in Congress (New York: Thomas Y. Crowell, 1976), 114–28.
27. Loren Schweninger, James T. Rapier and Reconstruction (Chicago: University of Chicago Press, 1978), 84–112.
28. Christopher, Black Americans in Congress, 165–78.
29. Everette Swinney, "Enforcing the Fifteenth Amendment, 1870–1877," Journal of Southern History 28, no. 2 (1962): 202–18.
30. Charles Lane, The Day Freedom Died: The Colfax Massacre, the Supreme Court, and the Betrayal of Reconstruction (New York: Henry Holt, 2008), 85–110.

31. *United States v. Cruikshank*, 92 U.S. 542 (1876).
32. Michael Perman, Struggle for Mastery: Disenfranchisement in the South, 1888–1908 (Chapel Hill: University of North Carolina Press, 2001), 70–91.
33. *Plessy v. Ferguson*, 163 U.S. 537 (1896).
34. Patricia Sullivan, Lift Every Voice: The NAACP and the Making of the Civil Rights Movement (New York: New Press, 2009), 22–31.
35. Genna Rae McNeil, Groundwork: Charles Hamilton Houston and the Struggle for Civil Rights (Philadelphia: University of Pennsylvania Press, 1983), 75–88.
36. *Guinn v. United States*, 238 U.S. 347 (1915). For details on Moorfield Storey's amicus curiae brief on behalf of the NAACP, see Sullivan, Lift Every Voice, 61–64.
37. J. Mills Thornton III, Dividing Lines: Municipal Politics and the Struggle for Civil Rights in Montgomery, Birmingham, and Selma (Tuscaloosa: University of Alabama Press, 2002), 112–118.
38. Alabama State Legislature, Act No. 140 (Local Acts of 1957), passed July 15, 1957.
39. *Gomillion v. Lightfoot,* 364 U.S. 339 (1960). For a digital archive of the case syllabus and opinions, see Justia U.S. Supreme Court Center.
40. *Brown v. Board of Education,* 347 U.S. 483 (1954).
41. National Official Program, "March on Washington for Jobs and Freedom" (August 28, 1963), National Association for the Advancement of Colored People Records, Library of Congress. For a digital text archive of Rev. Dr. Martin Luther King Jr.'s address, see "I Have a Dream," The Martin Luther King, Jr. Research and Education Institute, Stanford University, Stanford MLK Institute.
42. Melba Pattillo Beals, Warriors Don't Cry: A Searing Memoir of the Battle to Integrate Little Rock's Central High (New York: Pocket Books, 1994), 65–78.
43. *Browder v. Gayle,* 352 U.S. 903 (1956).
44. Gene Roberts and Hank Klibanoff, The Race Beat: The Press, the Rise of the Civil Rights Movement, and the Awakening of a Nation (New York: Alfred A. Knopf, 2006), 135–150.
45. J. Mills Thornton III, Dividing Lines: Municipal Politics and the Struggle for Civil Rights in Montgomery, Birmingham, and Selma (Tuscaloosa: University of Alabama Press, 2002), 241–255; see also Patricia Sullivan, Lift Every Voice: The NAACP and the Making of the Civil Rights Movement (New York: New Press, 2009), 412–420.
46. *Reynolds v. Sims,* 377 U.S. 533 (1964). For a digital archive of the opinion written by Chief Justice Earl Warren, see Justia U.S. Supreme Court Center.
47. *Reynolds v. Sims*, 377 U.S. at 561–568.
48. David J. Garrow, Protest at Selma: Martin Luther King, Jr., and the Voting Rights Act of 1965 (New Haven: Yale University Press, 1978), 73–82. For the shooting of Jimmie Lee Jackson, see Taylor Branch, At Canaan's Edge: America in the King Years, 1965–1968 (New York: Simon & Schuster, 2006), 48–54.
49. John Lewis, Testimonial Statement on "Bloody Sunday" (March 7, 1965), Records of the U.S. District Court, Middle District of Alabama, National Archives, Washington, DC.
50. Garrow, Protest at Selma, 83–91; Branch, At Canaan's Edge, 72–89.
51. Williams v. Wallace, 240 F. Supp. 100 (M.D. Ala. 1965). This federal order permitted the third march under military protection.
52. Voting Rights Act of 1965, Pub. L. No. 89-110, 79 Stat. 437 (codified as amended at 52 U.S.C. §§ 10301–10702).
53. David J. Garrow, Protest at Selma: Martin Luther King, Jr., and the Voting Rights Act of 1965 (New Haven: Yale University Press, 1978), 42–43.
54. Taylor Branch, At Canaan's Edge: America in the King Years, 1965–1968 (New York: Simon & Schuster, 2006), 47–49.

55. C.T. Vivian, "Confrontation with Sheriff Jim Clark," newsreel footage recorded at Dallas County Courthouse, Selma, AL, February 16, 1965, Eyes on the Prize: America's Civil Rights Years, episode 6, "Bridge to Freedom (1965)," produced by Blackside, Inc., distributed by PBS Video, 1987.
56. C.T. Vivian, "Confrontation with Sheriff Jim Clark," speech at Dallas County Courthouse, Selma, AL, February 16, 1965, film transcript, Eyes on the Prize: America's Civil Rights Years, Series I, Box 17, Folder 10, Henry Hampton Collection, Washington University Libraries, Department of Special Collections.
57. C.T. Vivian and James G. Clark Jr., "Confrontation at the Dallas County Courthouse," February 16, 1965, film transcript, Eyes on the Prize: America's Civil Rights Years, Series I, Box 17, Folder 10, Henry Hampton Collection, Washington University Libraries, Department of Special Collections. [1, 2]
58. C.T. Vivian and James G. Clark Jr., "Confrontation at the Dallas County Courthouse," February 16, 1965, film transcript, Eyes on the Prize: America's Civil Rights Years, Series I, Box 17, Folder 10, Henry Hampton Collection, Washington University Libraries, Department of Special Collections. [1, 2]
59. C.T. Vivian and James G. Clark Jr., "Confrontation at the Dallas County Courthouse," February 16, 1965, film transcript, Eyes on the Prize: America's Civil Rights Years, Series I, Box 17, Folder 10, Henry Hampton Collection, Washington University Libraries, Department of Special Collections. [1, 2]
60. C.T. Vivian and James G. Clark Jr., "Confrontation at the Dallas County Courthouse," February 16, 1965, film transcript, Eyes on the Prize: America's Civil Rights Years, Series I, Box 17, Folder 10, Henry Hampton Collection, Washington University Libraries, Department of Special Collections. [1, 2]
61. C.T. Vivian and James G. Clark Jr., "Confrontation at the Dallas County Courthouse," February 16, 1965, film transcript, Eyes on the Prize: America's Civil Rights Years, Series I, Box 17, Folder 10, Henry Hampton Collection, Washington University Libraries, Department of Special Collections. [1, 2]
62. Taylor Branch, At Canaan's Edge: America in the King Years, 1965–1968 (New York: Simon & Schuster, 2006), 49–51.
63. C.T. Vivian, It's in the Action: Memories of a Nonviolent Warrior (Montgomery, AL: New South Books, 2021), 114–122.
64. David J. Garrow, Protest at Selma: Martin Luther King, Jr., and the Voting Rights Act of 1965 (New Haven: Yale University Press, 1978), 43–45.
65. *Shelby County v. Holder,* 570 U.S. 529 (2013). For the majority opinion authored by Chief Justice John Roberts, see Justia U.S. Supreme Court Center.
66. "Eric H. Holder, Jr.," Attorneys General of the United States, United States Department of Justice, U.S. Department of Justice.
67. *Shelby County*, 570 U.S. at 550–557.
68. Brennan Center for Justice, The Effects of *Shelby County v. Holder* (New York: Brennan Center for Justice, 2018), 2–6, Brennan Center for Justice.
69. Ari Berman, Give Us the Ballot: The Modern Struggle for Voting Rights in America (New York: Farrar, Straus and Giroux, 2015), 267–285.
70. *Louisiana v. Callais,* 608 U.S. ___ (2026). For the majority opinion authored by Justice Samuel Alito, see the Justia U.S. Supreme Court Center.
71. *Louisiana v. Callais*, 608 U.S. at ___ (2026) (Alito, J., slip op. at 12–18).
72. *Louisiana v. Callais,* 608 U.S. ___ (2026). For the majority opinion authored by Justice Samuel Alito, see Justia U.S. Supreme Court Center. [1]
73. *Louisiana v. Callais,* 608 U.S. at ___ (2026) (Alito, J., slip op. at 14–22).

74. Maya Sen and Jack Deschler, "What Louisiana v. Callais Means for the Voting Rights Act," Harvard Kennedy School Faculty & Research, April 30, 2026, Harvard Kennedy School. [1]
75. C. T. Vivian, foreword to The Voting Rights War: The NAACP and the Ongoing Struggle for Justice, by Gloria J. Browne-Marshall (Lanham, MD: Rowman & Littlefield, 2016), ix–xi Gloria J. Browne-Marshall.
76. Gloria J. Browne-Marshall, The Voting Rights War: The NAACP and the Ongoing Struggle for Justice (Lanham, MD: Rowman & Littlefield, 2016), xii–xv.
77. C. T. Vivian, foreword to The Voting Rights War: The NAACP and the Ongoing Struggle for Justice, by Gloria J. Browne-Marshall (Lanham, MD: Rowman & Littlefield, 2016), ix.
78. Katharine Q. Seelye, "C.T. Vivian, Powerful Voice for Civil Rights, Dies at 95," The New York Times, July 17, 2020, The New York Times.
79. "Civil Rights Pioneer Rev. C.T. Vivian Dies at 95," NPR, July 17, 2020, NPR.

---

[i] Gary May, *The Informant: The FBI, the Ku Klux Klan, and the Murder of Viola Liuzzo* (New Haven: Yale University Press, 2011); Mary Stanton, *From Selma to Sorrow: The Life and Death of Viola Liuzzo* (Athens: University of Georgia Press, 2000).
[2] Ibid.
[3] Mary Stanton, *From Selma to Sorrow: The Life and Death of Viola Liuzzo* (Athens: University of Georgia Press, 2000).
[4] Hasan Kwame Jeffries, *Bloody Lowndes: Civil Rights and Black Power in Alabama's Black Belt* (New York: New York University Press, 2009).
[5] "Selma to Montgomery: Crossing a Bridge into History," *Alabama Travel*, accessed April 12, 2025, https://alabama.travel/road-trips/selma-to-montgomery-crossing-a-bridge-into-history.
[6] Stokely Carmichael, Bob Mants, and Tina Harris, memo to SNCC staff, February 28, 1966.
[7] "Alice Moore," *SNCC Digital Gateway*, accessed April 13, 2025, https://snccdigital.org/people/alice-moore/.