

# VOTING LAW AND OVERCOMING BARRIERS TO ENTRY

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## OVERVIEW

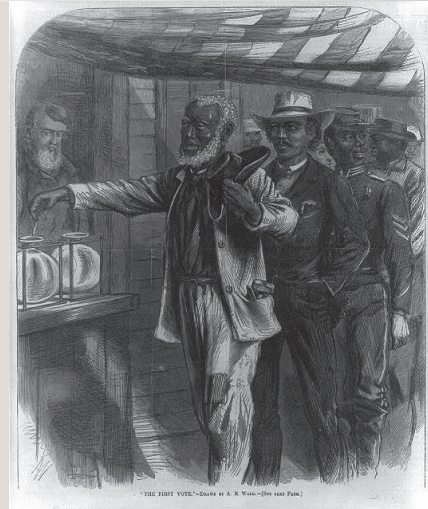
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- History of Voter Suppression in the South
- Current Barriers to Entry
- Using Advocacy to Create Change

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# VOTER SUPPRESSION IN THE SOUTH

- Prior to Reconstruction, Black men could not vote, and only gained the right to vote as a result of the 14<sup>th</sup> and 15<sup>th</sup> Amendment
- Once Black men had the right to vote, Black voting flourished and as a result, so did Black political representation



## ”WHITE REDEMPTION”

- After Reconstruction ended, the South made it its mission to disenfranchise Black voters, through violence or through the law.
- The “Mississippi Plan” provides an apt example. During the 1890 Mississippi Constitutional Convention, the delegates passed amendments adding the:
  - Poll Tax
  - Literacy Test
  - Grandfather Clause



# WHITE REDEMPTION CONT'D

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- Because of the Mississippi Plan, Black voter registration plummeted and so did Black representation
  - In 1900, a newspaper, the Charlotte Daily Observer, characterized the years-long efforts to remake and homogenize the electorate as the struggle of the white people of North Carolina to rid themselves of the danger of the rule of negroes and the lower class of whites.
- During this time, many states also passed felony disenfranchisement laws in yet another effort to suppress the Black vote. Black people were overly criminalized (See *Slavery by Another Name* by Douglas Blackmon), and as such, laws disenfranchising people convicted of felonies disproportionately affected Black voters.

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## EFFECTS OF THE VOTING RIGHTS ACT OF 1965

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- The purpose of the Voting Rights Act of 1965 was to explicitly protect Black voters who were being disenfranchised, and brutalized and killed just for trying to cast a ballot.
- The two biggest protections of the VRA are Section 2 and Section 5 (which was rendered a functional nullity by *Shelby County v. Holder* 2013)
- The VRA stopped a case by case litigation method that had dominated the previous decades, and provided an ex-ante protection for Black voters.

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## Title search: Voting Law and Overcoming Barriers to Entry

Also available as part of the eCourse

[Voting Law 101: What Voters and Advocates Need to Know \(REPLAY\)](#)

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