



DISCUSSION GUIDE

BENDING TOWARD JUSTICE
THE VOTING RIGHTS ACT AND THE
TRANSFORMATION OF AMERICAN DEMOCRACY
GARY MAY



WHO GETS TO VOTE?

CONVERSATIONS ON VOTING RIGHTS IN AMERICA

Gary May, *Bending Toward Justice: The Voting Rights Act and the Transformation of American Democracy*. Chapel Hill: University of North Carolina Press, 2013.

1. In *Bending Toward Justice* Gary May asserts that the seemingly every-day act of voting is the “most powerful instrument” in United States democracy. Yet the legal infrastructure envisioned by the founding fathers has historically excluded many from the right to vote.

Who was eligible to vote in 1776? Would you have been able to vote then? What are the watershed moments or time periods in the expansion and contraction of voting rights? How has Louisiana’s history of voting rights reflected or contradicted national and regional trends?

2. In the 2013 *Shelby County v. Holder* decision Chief Justice John Roberts argued that the Voting Rights Act of 1965 was a “extraordinary measure for an extraordinary time.” Roberts’s understanding of voting discrimination and post-civil rights-era racism is in line with the idea of a “post-racial America,” which assumes that forms of systemic racial discrimination have largely ended in America.

Do you think we’re living in a “post-racial America”? Why or why not? If not, is a “post-racial America” an attainable or desirable goal?

3. May begins the story of the fight for the Voting Rights Act in 1962 with the organizing of Black student activist Bernard Lafayette in Selma, Alabama. The leadership of the Student Non-Violent Coordinating Committee (SNCC) described Selma as a “hopeless” site for organizing the local Black community. Why?

How did Lafayette help turn Selma into a key site of confrontation in the modern civil rights movement? What made Selma “an ideal place” to stage a confrontation over Jim Crow segregation?

4. How did police brutality against civil rights activists in Selma set the stage for Martin Luther King Jr.’s decision to join the struggle there? Did any of you watch the violence against protesters on national television or did you see

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the footage later? Do you remember your reaction then? Has the way you understand civil rights-era protests changed over time? If so, how? If not, why?

5. King arrived in Selma in January of 1965 shortly after winning the Nobel Peace Prize. In his speech to protesters he repeatedly demanded, “Give us the ballot,” putting pressure on President Lyndon Johnson to act on a voting rights bill. Such a bill had long been promised, but according to Johnson, the nation “needed more time.” He declared that it was “not politically expedient” to pass more legislation so soon after passage of the 1964 Civil Rights Act.

Who determines the pace of change within the law or society?

6. Rev. Frederick Reese, a science teacher and president of the Dallas County Voters League, was an unsung hero in the Selma campaign. On January 22, 1965, he led a teachers’ march. According to May, however, during the march “not a single person had been registered but 2,000 had been arrested” (64). While the teachers’ march did not directly lead to the passage of the Voting Rights Act, it was an important development in a series of local actions that galvanized the community.

Do you know any local foot soldiers of the movement for freedom and voting rights who deserve credit? Are those individuals celebrated or recognized in your communities? If so, how? If not, why?

7. Many foot soldiers of the civil rights movement became martyrs to the cause of Black freedom, including people like James Reeb, Viola Liuzzo, and Jimmie Lee Jackson, who was killed by a state trooper in Marion, Alabama, in 1965.

What is the role of mortal sacrifice in the struggle for human rights and Black freedom? How should we memorialize and remember those who died and continue to die for the expansion of civil and human rights in the US?

In 2010 Jimmie Lee Jackson’s murderer pled guilty to the crime, forty-five years after Jackson’s killing. What is the societal value of pursuing justice even after many years have passed?

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8. Selma is most remembered through images of “Bloody Sunday,” a violent confrontation between marchers and state troopers on the Edmund Pettus Bridge on Sunday, March 7, 1965. May explains that Americans were not immediately aware of what occurred on the bridge that Sunday because footage of the violence had to be driven to Montgomery, flown to New York City, and processed before broadcast. The footage aired that night on CBS, NBC, and ABC, where it famously interrupted ABC’s Sunday night movie, *Judgement at Nuremburg*, shocking viewers with fifteen minutes of images of state troopers on horseback beating protestors with clubs and tear gas.

How did the development of television journalism and nightly news impact Americans’ understanding of the civil rights movement and “Bloody Sunday” in particular? How does this early moment in television history compare to the contemporary social media phenomenon of documenting and sharing images of police brutality and killings of Black men and women?

9. How did the Southern states’ history of sedition during the US Civil War impact key provisions of the Voting Rights Act of 1965? What kinds of activities to prohibit or restrict the Black vote in the South led ultimately to passage of the VRA? Has systemic voting discrimination ended in the US? If so, are there other, less systemic forms of voter suppression at work in the modern era?
10. Following passage of the Voting Rights Act, the once solidly and reliably Democratic South gradually became solidly Republican. Why did this shift happen? And why do you think it hadn’t happened before the passage of the VRA?
11. In the final two chapters of *Bending Toward Justice*, May focuses on the renewal of the Voting Rights Act in 1970, 1975, 1982, 1992, and 2006. May argues that by 1992 for Republicans, “extending the Voting Rights Act had become a struggle between the party’s pragmatists and its ideologues” (227). What changed between 1992 and 2013?
12. What is your understanding of the provision of the Voting Rights Act that required preclearance from the federal government for any changes to voting laws? Is there a relationship between the 2013 Supreme Court decision that

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struck down the preclearance requirement and the rise of voter identification laws? If so, what is that relationship? What are the benefits and drawbacks of requiring voters to show a federally recognized form of identification in order to vote?

13. How do you think history will remember voting rights' struggles fifty years from now?