The Voting Rights Act of 1965 (S. 1564/H.R.6400)

Lesson: The Voting Rights Act of 1965

Grade Level: Middle School +

Time: 40 Minutes, One Class Period

Objectives: Students will be able to discuss the 1965 Voting Rights Act with more background knowledge and insight, including the following aspects:

- details of how the democratic process is used to pass legislative acts
- details of U.S. Congress and differences between the House of Representatives and the Senate
- details of the role key individuals played leading up to as well as during the passage of the Voting Rights Act through individual character cards

Materials and Preparation: This lesson is meant to be read out loud together as a group. Teachers may read the lesson’s narrative with individual students contributing as their assigned character comes into play. The class will work together to learn and recreate the legislative consideration and passing of the 1965 Voting Rights Act.

Copy for each student:

- A role. When necessary, roles that also contain direct quotes may be divided between two students with one student reading the biography and the other reading the quote. Roles that may be divided in this way include: Hale Boggs, John Doar, Lyndon B. Johnson, Martin Luther King Jr.

24 Character Cards:

<table>
<thead>
<tr>
<th>Character</th>
<th>Role</th>
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<tbody>
<tr>
<td>Hale Boggs</td>
<td>Robert F. Kennedy</td>
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<tr>
<td>Emanuel Celler</td>
<td>Ted Kennedy</td>
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<tr>
<td>Everett Dirksen</td>
<td>Martin Luther King Jr.</td>
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<td>John Doar</td>
<td>John Lewis</td>
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<td>James Eastland</td>
<td>Russel Long</td>
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<td>Allen J. Ellender</td>
<td>Mike Mansfield</td>
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<td>Sam Ervin</td>
<td>John McCormack</td>
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<td>Gerald Ford</td>
<td>William McCulloch</td>
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<td>Richard Goodwin</td>
<td>Rosa Parks</td>
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<tr>
<td>Hubert Humphrey</td>
<td>Howard W. Smith</td>
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<tr>
<td>Lyndon B. Johnson</td>
<td>Strom Thurmond</td>
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<tr>
<td>Nicholas Katzenbach</td>
<td>William M. Tuck</td>
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*Note that the text in quotations indicates actual words of the character. Additionally, some quotes have been abridged and some excerpts from different parts of the same speech have been combined.

*Teachers, we would love your feedback after using this lesson. Please submit your reflections, student comments, modifications, questions and more to: [CLICK THIS LINK TO PROVIDE FEEDBACK](#)
Narration (read by teacher):
Case by case litigation had so far proven ineffective at combating resistance to widespread voter discrimination in the United States. A Voting Rights Act, if passed by Congress, would help ensure the protection of every citizen’s right to vote.

1. **Nicholas Katzenbach (January 17, 1922 – May 8, 2012)**
   I was born in Philadelphia, Pennsylvania. I was an American lawyer who served as the U.S. Attorney General under the administration of President Johnson. As U.S. Attorney General, I was head of the United States Department of Justice and was the chief law enforcement officer of the federal government of the United States. Under direction from President Johnson, I worked closely with Democratic Senate Majority Leader, Mike Mansfield and Republican Senate Minority Leader, Everett Dirksen to draft the initial language of the Voting Rights Bill before it was introduced to Congress.

2. **Richard N. Goodwin (December 7, 1931 – May 20, 2018)**
   I was born in Boston, Massachusetts. I served as a political speechwriter for President John F. Kennedy then Lyndon B. Johnson, as well as Senator Robert F. Kennedy. I was Johnson’s favorite speechwriter and was well acquainted with his particular speaking preferences and speaking style. President Johnson specifically requested me to write his 1965 address to the joint Congress and the nation on the proposed Voting Rights Bill.

   After receiving an initial speech draft on March 15th, I worked tirelessly on the speech all day to make it ready for that evening’s 9pm meeting in the House Chamber where President Johnson planned to address Congress, as well as the nation on national television. I understood how important it was. If I failed to thoroughly and effectively articulate the goals and importance of this proposed Voting Rights Bill, there was a chance Congress would choose not to support it and it would not be passed. For inspiration while writing this speech, I pulled from examples of President Johnson’s youth, when he taught minority students in Texas. I felt this speech was an opportunity for me to strike back against discrimination… “I could that is, if my craft was indeed equal to my passion.”

3. **President Lyndon B. Johnson (August 27, 1908- January 22, 1973) (D-TX)**
   I was born near Stonewall, Texas. I first witnessed some of the difficulties faced by minorities in our country when I was a teacher in the 1920s. Many of my students were Hispanic with English as their second language. I was a congressman in the House of Representatives then the Senate, before becoming the 37th Vice President and then the 36th President of the United States, following the assassination of John F. Kennedy. While I was in office as president, I worked with Civil Rights leader Martin Luther King Jr. to help secure voting rights for African Americans. I had the difficult task of helping to create and pass effective legislation to protect voting rights. I am also remembered for
the powerful speech I delivered to congress and the nation ahead of the Voting Rights Bill on March 15, 1965.

“I speak tonight for the dignity of man and the destiny of democracy… There is no cause for self-satisfaction in the long denial of equal rights of millions of Americans. But there is cause for hope and for faith in our democracy in what is happening here tonight… Our mission is at once the oldest and the most basic of this country: to right wrong, to do justice, to serve man… So I ask you to join me in working long hours–nights and weekends, if necessary–to pass this bill…”

Narration:
The stage had been set; President Johnson had delivered a powerful speech meant to rouse Congress into action. The approval of the proposed Voting Rights Bill was far from guaranteed. Before it could be signed into law it would have to pass through and gain approval from both chambers of Congress. The Voting Rights Bill was first introduced to the Senate on March 17th, 1965, as S. 1564.

4. **Senator James Eastland (November 28, 1904 – February 19, 1986) (D-MS)**
   I was born in Doddsville, Mississippi and am sometimes referred to as “Big Jim”. I was a U.S. Democratic Senator for 36 years. I believed in segregation and was a strong opponent to civil rights legislation while I was in Congress. I was chairman of the Senate Judiciary Committee, where the Voting Rights Bill was first considered by the Senate. I have historically voted against civil rights bills, and I have no intention of voting in favor of this one. My intention is to prevent this bill from making it out of the Senate Judiciary Committee so that it will not even have a chance to be considered by the full Senate. I will try to stop it by filibuster debate, if necessary.

5. **Senate Majority Leader Mike Mansfield (March 16, 1903 – October 5, 2001) (D-MT)**
   I was born in New York City, New York but grew up in Great Falls, Montana. I was the Senate Majority Leader when the Democrats had control of the Senate during the 1965 Voting Rights Bill legislation. Before the bill was introduced to Congress, I worked with U.S. Attorney General Nicholas Katzenbach and Senate Minority Leader Everett Dirksen to draft the bill’s initial language. When it was time to officially introduce it, Senator Dirksen and I sponsored the Voting Rights bill in the Senate. I anticipated some southern senators, like James Eastland, would oppose this bill and would try to kill it in the Senate Judiciary Committee thus preventing it from even making it to the full Senate for vote. To help protect the bill from being killed in the Senate Judiciary Committee, I proposed a formal motion (parliamentary procedure) requiring the Senate Judiciary Committee to report the bill out of committee by April 9th. This approved motion would guard the bill against any filibusters that attempted to kill it.

   I was born in Boston, Massachusetts. I was a U.S. Senator for 46 years and the younger brother of both President John F. Kennedy and U.S. Attorney General and Senator Robert F. Kennedy. As part of the Senate’s Judiciary Committee in 1965, the first Committee to review the Voting Rights Bill, I made an amendment to the bill to abolish poll taxes. This was a bold move that some feared would seem too extreme because some states that had not demonstrated much voter discrimination, like Vermont, still imposed poll taxes. Therefore, some feared this poll tax amendment was too radical and even unconstitutional and would cause the entire bill to be struck down. Despite early concerns, I garnered support and my amendment abolishing poll taxes passed by a vote of 9 to 4 in the Senate’s Judiciary Committee.


   I was born in Brookline, Massachusetts. My brother was Senator Ted Kennedy from Massachusetts who was strongly opposed to poll taxes and put forth the amendment to abolish all poll taxes in the Voting Rights Bill. I voted in favor of Ted’s amendment but did not speak in favor of it. I was working on my own amendment for the Voting Rights Bill. One that would help enfranchise 300,000 potential voters. Individuals who were ethnic minorities in New York and did not speak or write English, but had received an eighth-grade education at a non-English speaking school. If passed, it would give them the right to vote. My amendment passed by a vote of forty-eight to nineteen.

8. **Senate Minority Leader Everett Dirksen (January 4, 1896 – September 7, 1969) (R-IL)**

   I was born in Pekin, Illinois. I was a lifelong Republican and I helped write and pass the Civil Rights Act of 1964. In 1965, as the Senate Minority Leader, I sponsored the Voting Rights Bill in the Senate along with Senate Majority Leader, Mike Mansfield. I was also a friend and close political ally of President Lyndon Johnson. While I wanted the Voting Rights Bill to pass, I was worried Senator Ted Kennedy’s proposed amendment to abolish poll taxes would make this bill seem too radical and even unconstitutional to many of the other Congressmen. I was therefore against the abolishment of poll taxes because I thought that could cause the entire bill to fail! Once the Voting Rights Bill cleared the initial hurdle of the Senate Judiciary Committee and was taken up by the full Senate on April 22, I was the first to speak in its favor!

   “Additional legislation is needed if the unequivocal mandate of the Constitution’s 15 Amendment…is to be enforced and made effective and...if the declaration of independence is to be made truly meaningful.”


   I was born in Wallace, South Dakota. I was Vice President of the United States under Lyndon Johnson from 1965-1969. I urged Congress to come to compromise regarding
the divisive poll tax amendment in the 1965 Voting Rights Bill. Even though I had
previously fought against poll taxes, I now rallied against the amendment to abolish
them in the 1965 Voting Rights Bill; not because I wanted poll taxes but because I
wanted to support the president who feared, along with others, that abolishing poll
taxes would be seen as too radical and was a potential threat to the overall passage of
the Voting Rights Bill.

10. **Senator Sam Ervin (September 27, 1896 – April 23, 1985) (D-NC)**

I was born in Morganton, North Carolina and served as a U.S. Senator from 1954 to
1974. I was a graduate of Harvard Law School and I handled much of the legal argument
made against the Voting Rights Bill while it was being debated before the full Senate. I
argued the Voting Rights Bill was unconstitutional because it unfairly targeted certain
states with restrictions and punishment without judicial trial. I also considered it a
direct violation of the Constitution for Congress to try and take away each state’s
individual right to supervise and administer voting as they saw fit for their respective
state. Lastly, I felt this Voting Rights Bill gave too much power to the federal government,
especially the attorney general. I was determined to put a stop to the Voting Rights Bill
in the full Senate.


I was born in Shreveport, Louisiana and was the son of former Louisiana Governor then
U.S. Senator, Huey P. Long, and former U.S. Senator, Rose McConnell Long. I was chosen
to be the Senate Democratic Assistant Majority Leader or “Whip” in 1965. As Senate
Majority Whip, I acted as the assistant floor leader helping to ensure all of the
democratic senators voted in line with the party’s leadership goals. Like my father, Huey
P. Long, who had repealed Louisiana poll taxes, I voted to outlaw poll taxes in 1965. I
recognized discrimination in the south and I expressed a desire for improvement;
however, I ultimately voted against the Voting Rights Bill of 1965 in part because I felt it
unfairly targeted everyone for the crimes of the few with its all-encompassing nature.
Although I voted against it, I declined to take part in any proposed filibuster attempting
to stop it and urged my colleagues to vote for cloture.

12. **Strom Thurmond (December 5, 1902 – June 26, 2003) (R-SC)**

I was born in Edgefield, South Carolina and served as Governor of South Carolina from
1947 to 1951. Then, I served for 48 years as a U.S. Senator. I was a member of the
Democratic Party until 1964, when I crossed over to the Republican Party for the
remainder of my legislative career. I made the argument to the full Senate during its
consideration of the Voting Rights Bill that the bill itself was unconstitutional due to the
fact it deprived individual states of the right to establish their own voting qualifications
and because its special provisions unfairly singled out certain jurisdictions.
Narration:
When the vote for the Kennedy Poll Tax Amendment happened in the Senate on May 12th it failed by a margin of just 4 votes, forty-five to forty-nine.

I was born in Montegut, Louisiana. Along with my colleague Senator Eastland, I believed in segregation and was a strong opponent to civil rights legislation while I was in Congress. I had planned to join Senator Eastland in killing this bill. I wanted to “talk against it as long as God gives me breath”. I considered this bill a violation of the Declaration of Independence, Constitution, and Bill Of Rights. I would have preferred a filibuster to kill this bill after it made it to the full Senate; however, on May 25th the Senate voted 70 to 30, three votes over the required 2/3 majority vote needed, to invoke cloture on this bill. Cloture effectively prevented the possibility of a filibuster by limiting debate and forcing a vote. Each Senator would be given the right to speak for one hour after cloture was invoked and a final vote on the bill would be scheduled for the next day.

Narration:
The Voting Rights Bill, S.R. 1564, was passed by the full Senate on May 26th with 78 in favor of and 19 opposed. Attention would now be turned to the other chamber of Congress, the House of Representatives, where a clean copy of the original bill was introduced as H.R. 6400.

I was born in New York City, New York. As the democratic Chair of the House Judiciary Committee, I introduced the Voting Rights Bill to the House. The House Judiciary Committee was the first committee in the House of Representatives to consider the Voting Rights Bill and we would decide if it would continue toward the full House of Representatives. I, along with my colleagues, worked to expand the Voting Rights Bill to not just penalize officials who interfered with a citizen’s right to vote, but also any ordinary person. We wanted to make it so that anyone who interfered with a citizen’s right to vote could be faced with a $5000 fine or five years in prison, or both. On March 18th, I requested that Dr. Martin Luther King come to Washington, DC, to testify in support of the Voting Rights Bill before Congress. However, King felt he needed to stay with the marchers that were traveling from Selma to Montgomery, where he planned to give a speech at the end of the march at Alabama’s state capitol.

15. Howard W. Smith (February 2, 1883 – October 3, 1976) (D-VA)
I was born in Broad Run, Virginia. I was chair of the House Rules Committee in 1965 when it considered the Voting Rights Bill. The House Rules Committee is an important committee that controls the time of floor debate on a bill and limits the amount of amendments that can be made to a bill. The Rules Committee determines whether a bill
will be a “closed rule”, prohibiting amendments on a bill or only allowing members of the committee reporting on a bill to make changes, or “open rule”, permitting amendments within the time allotted to the bill. By refusing to grant a rule, the House Rules Committee can delay the consideration of a bill. I was known for delaying civil rights bills until they expired, and I intended to do the same with this Voting Rights Bill.

I was born in Boston, Massachusetts. As Speaker of the House, I am second in line to the Presidency of the United States after the Vice President. I am head of the majority power party in the House of Representatives, where it is my job to lead and keep order. In 1965, I endorsed a ban on poll taxes for the Voting Rights Bill. My endorsement made it likely the House would approve this provision. While this was considered good news for some in favor of the Voting Rights Bill, it made others in favor of the bill nervous due to fear the whole bill could now be thrown out as “unconstitutional”.

17. William McCulloch (November 24, 1901 – February 22, 1980) (R-OH)
I was born in Holmesville, Ohio. I had supported the 1957, 1960, and 1964 Civil Rights Acts. I, along with several others, believed the Voting Rights Bill to have been hastily put together, vague, discriminatory, and even inconsistent. In an attempt to defeat the Voting Rights Bill and create a replacement that compensated for its perceived weaknesses, I introduced an alternate bill, H.R. 7896. H.R. 7896 banned literacy tests for those citizens able to prove a 6th grade education and would allow the attorney general to appoint federal registrars to a jurisdiction after receiving 25 complaints of discrimination. The Johnson Administration viewed this bill as a serious threat to the passing of the Voting Rights Bill. This bill was co-sponsored by House Minority Leader, Gerald Ford.

18. Gerald Ford July 14, 1913 – December 26, 2006) (R-MI)
I was born in Omaha, Nebraska. I became a Michigan congressman, then eventually the 38th United States President, after President Nixon’s resignation in 1974. I was the Republican House Minority Leader, therefore the highest-ranking official of the minority Republican Party, in 1965. I co-sponsored H.R. 7896 along with Congressman McCulloch. H.R. 7896 was considered a less strict alternative to the Voting Rights Bill and as such it was considered a threat to the passage of the Voting Rights Bill. Many who felt the Voting Rights Bill was too radical, and even unconstitutional, supported H.R. 7896 as a suitable alternative. That was until a certain comment was made by Congressman Tuck.

I was born in Halifax County, Virginia. I was Governor of Virginia from 1946-1950 and a U.S. Congressman from 1953-1969. I opposed most major items of civil rights legislation during the 1950s and 1960s, including the Voting Rights Bill. In fact, a public comment I
made stating I preferred H.R. 7896 because the Voting Rights Bill would more effectively guarantee African Americans the right to vote ended up alienating many of H.R. 7896's supporters. Without meaning to, I inadvertently helped kill opposition to the Voting Rights Bill I was so strongly against.

I was born in New Orleans, Louisiana. I was the Democratic House Majority Whip so I acted as the assistant floor leader and helped ensure all of the democratic votes were in line with the party’s leadership goals. The House Majority Whip is the third-ranking member of the party, behind the Speaker of The House and the House Majority Leader. At first, I was planning to vote for the Voting Rights Bill but not speak publicly in favor of it; however, this changed when I heard colleagues making claims there were no problems of voter discrimination in the state of Louisiana. Upon hearing this horribly false information, I felt obliged to also speak. A short time after my speech, which received a standing ovation, the House passed the Voting Rights Bill 333 to 85 on July 9th.

“I wish I could stand here as a man who loves his state, born and reared in the South…and say there has not been discrimination…but unfortunately it is not so…Can we say there is no discrimination? Can we honestly say that from our hearts?...I shall support this bill because I believe the fundamental right to vote must be a part of this great experiment in human progress under freedom which America is.”

Narration:
The Voting Rights Bill had now made it independently through both chambers of Congress. Now a Conference Committee containing congressmen from both the Senate and the House of Representatives would be formed to work out the differences in the two versions of the bill to create just one. The most divisive issue for the two chambers remained the poll tax amendment which had failed in the Senate but passed in the House of Representatives.

21. Reverend Martin Luther King Jr. (January 15, 1929-April 4, 1968)
I was born Michael King Jr. in Atlanta, Georgia. My father changed both of our names to Martin Luther in honor of the former German Martin Luther. On March 18th, I received a telegram from Congressman Emmanuel Celler asking me to testify in support of the Voting Rights Bill before the House Judiciary Committee. I had to decline this request because I was needed at the Selma to Montgomery march where I would go on to deliver an important speech at the Alabama state capitol. Then four months later, Attorney General Nicholas Katzenbach asked me to help inspire the House and Senate to come to an agreement on the Voting Rights Bill. After Attorney General Katzenbach read a letter from me on July 29th the Conference Committee came together and reported the act out of committee.
“While I would have preferred that the bill eliminate the poll tax... once and for all, it does contain an express declaration by Congress that the poll tax abridges and denies the right to vote... I am confident that the poll tax provision of the bill—with rigorous action by the Attorney General—will operate finally to bury this iniquitous device.”

**Narration:**
After the Conference Committee Reported the bill out of Committee, the House approved the final version of the bill on August 3rd. The Senate approved the final version of the bill on August 4th. Then, on August 6th President Johnson signed the act into law.

22. **John Lewis (February 21, 1940 – July 17, 2020)**
I was born in Pike County, Alabama. I was inspired by Martin Luther King and other civil rights activists. In 1963, I became chairman of the Student Nonviolent Coordinating Committee (SNCC). We practiced non-violence in our protests for racial equality. I was one of the main organizers for the Civil Rights March on Washington in 1963. I was also present at the Edmund Pettus Bridge on what came to be known to history as “Bloody Sunday”, when policemen on horseback harassed and beat unarmed civilians protesting civil rights. Because I had become such an important figure to the nationwide Civil Rights Movement, I was invited to the Voting Rights Act Ceremony after President Lyndon Johnson signed the Voting Rights Act into law on August, 6th 1965.

23. **Rosa Parks (February 4, 1913 – October 24, 2005)**
I was born in Montgomery, Alabama. On Thursday, December 1, 1955, I was commuting home from a long day of work at the Montgomery Fair department store when I refused to give up my bus seat. I was in the “colored” section of the bus but the “White” section had filled-up and there was a White male passenger. I was arrested for refusing to give up my seat to this man. My resistance and arrest helped inspire the African American community to boycott the Montgomery bus system for over a year. I was one of the civil rights leaders invited to the Voting Rights Act Ceremony after President Lyndon Johnson signed the Voting Rights Act into law on August, 6th 1965.

24. **John Doar (December 3, 1921-November 11, 2014)**
I was born in New Richmond, Wisconsin. I was a Republican lawyer who became the U.S. Assistant Attorney General for Civil Rights in the 1960s. As a U.S. Assistant Attorney General, I was a chief law enforcement officer for the federal government of the United States. I led the federal effort to protect and enforce Civil Rights in the South during the 1960s.
In 2012, President Barack Obama awarded me with the Presidential Medal of Freedom. During the ceremony, the president thanked me for having paved the way for the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

“I always felt that, through it all, there was a really strong, forward, positive, constructive accomplishment by the American people during that period, if you consider that during the period from 1954 to 1965, this country broke through the caste system. Now, there's no other civilization that's ever been about to do that, peacefully, without a revolution. And this the American people accomplished through the democratic constitutional processes of the law.”

Narration conclusion:
While the Voting Rights Act of 1965 did not eliminate poll taxes, it brought to the forefront issues such as immediately testing the constitutionality of the poll tax wherever it was still being used; states would no longer be able to easily get away with using poll taxes as a method to disenfranchise.

The United States Congress exercised its authority under the 15th Amendment when it enacted the 1965 Voting Rights Act. “The Voting Rights Bill had forced many politicians to rethink their principles and allegiances—and would have the same effect on many more...”
Voting Rights Act 1965 Timeline:

March 15\textsuperscript{th}- President Johnson delivers speech to joint session of Congress

March 17\textsuperscript{th}- Introduced to Senate Judiciary Committee as S. 1564

March 19\textsuperscript{th}- Introduced to House Judiciary Subcommittee as H.R.6400

April 22\textsuperscript{nd}- Introduced to full Senate

May 12\textsuperscript{th}- Senator Ted Kennedy’s amendment fails in the full Senate

May 26th- Initial Voting Rights Bill passed in the Senate

June 24\textsuperscript{th}- Introduced to the House Rules Committee

July 6\textsuperscript{th}- Introduced to the full House of Representatives

July 9\textsuperscript{th}- Initial Voting Rights Bill passed in the House

July 29\textsuperscript{th}- The conference committee reports the act out of committee (after U.S. Attorney General Katzenbach read out loud a letter issuing a declaration made by Dr. King)

August 3\textsuperscript{rd}- Final passage from the House

August 4\textsuperscript{th}- Final passage from the Senate

August 6\textsuperscript{th}- President Johnson signs the Act into law

Vocabulary to review: cloture, disenfranchise, enfranchise, filibuster, litigation

Critical Thinking Questions for students:

1. Why did some fear the Voting Rights Bill could be considered “unconstitutional”?

2. What are some of the responsibilities of the Judiciary Committee? What about the Rules Committee?

3. Who is the Speaker of the House? What are their responsibilities?

4. Who is the Senate Majority Leader? Who is the Senate Minority Leader? What are their responsibilities?

5. Why is it difficult for a bill to become a law? Describe the process.
Endnotes:


