

The 1975 Voting Rights Act: the history, impact on Latinos and beyond.

Sofia Casillas

In Partial Fulfillment of the degree of Bachelor of Arts in Political Science with Honors

Professor Luis Fraga

I. Abstract

This paper explores the legislative politics of the 1975 expansion of the Voting Rights Act. I seek to answer the question of how the 1975 VRA was legislated by examining different institutions' involvement, and the historical context, employing relevant theoretical frameworks, and conducting in-depth case studies. The aim of this paper is not only to examine the act as a whole but the actors behind the scenes. From the black caucus to the Latino caucus to the white southern senators filibustering the bill, each actor plays an intricate role in the dance for the passage of the 1975 VRA and the inclusion of language minorities.

I start by defining legislative politics in the context of this thesis moving to the historical context and background, discussing the theoretical framework. From the theoretical, I move into examining the role of different actors culminating in the case and data analysis to show the impact of the 1975 act and expansion of section 5. Using *Semisovereign People* by Elmer Eric Schattschneider and “Historical Institutionalism” by Katherine Thelen and “Ideas Interests, and institutions” Hugh Hecló as my main theoretical framework I establish a precedent for the understanding of the aforementioned actors. Using the lens of the historical institutional theory of path dependence I will analyze cases specifically White verse Register and interview conducted with key players in the passage of the 1975 Voting Rights Act. All of this is to help close the gap that exists in current scholarship about the actors and the institutions surrounding them. By the end of this thesis the reader will be able to have a better understanding of struggle in getting this act as well as the role and motivation of actors and institutions in passing this act.

II. Introduction

The monumental piece of legislation, the Voting Rights Act of 1965, began to fix the Jim Crow era's wrongs in suppressing the democratic voice of many Americans. The extension of the Voting Rights Act in 1975 opened equal voting rights to a new subset of the population, language minorities. Critical to the success of the act was Section 5. Section 5 was enacted to freeze changes in election practices or procedures in covered jurisdictions until new procedures have been determined, either after administrative review by the Attorney General or by a three-judge panel in DC.¹ The purpose aimed to ensure that the new voting or election procedures of the covered jurisdictions had neither discriminatory purpose nor effect. Section 5 began as a temporary 5-year measure with covered states gaining coverage under a formula in section 4. "The first element in the formula was that the state or political subdivision of the state maintained on November 1, 1964, a "test or device," restricting the opportunity to register and vote. The second element of the formula would be satisfied if the Director of the Census determined that less than 50 percent of citizens of voting age were registered to vote on November 1, 1964, or that less than 50 citizens of persons of voting age voted in the presidential election of November 1964."² The hallmark of the 1975 VRA was the inclusion of language minorities in this formula which yielded new states and counties, most notably Texas which was previously excluded from the 1965 iterations. The new covered jurisdictions for language minorities mainly applied to Mexican-Americans in the southwest and other Latinos, but also included Asian Americans and many Native Americans. These states covered by this provision are Alaska, Arizona, and Texas. In California, the counties of Kings, Monterey and Yuba were also covered. In Florida Collier County, Hardee County, Hendry County, Hillsborough County

¹ "Civil Rights Division | About Section 5 Of The Voting Rights Act," August 6, 2015. <https://www.justice.gov/crt/about-section-5-voting-rights-act>.

² "Civil Rights Division | About Section 5 Of The Voting Rights Act," August 6, 2015. <https://www.justice.gov/crt/about-section-5-voting-rights-act>.

and Monroe County were covered. Finally, in New York: Bronx County and Kings County were covered. With the power of Section 5 suddenly boom.

This thesis embarks on a journey through the legislative landscape of the 1975 Voting Rights Act expansion. Using a historical institutional lens, this thesis examines the different role of legislators and their interactions with Latino community leaders and pressure groups (coalitions), drawing from the historical context, interviews and case studies. I seek to unravel the layers of legislative politics that contributed to this significant chapter in American civil rights history. The story of the VRA's expansion is not merely a historical account but a testament to the ongoing struggle for equitable political representation.

III. Historical Context and Background

The story of the 1975 Voting Rights Act (VRA) expansion is deeply rooted in the historical fabric of American democracy, marked by both triumphs and challenges. The 1975 Voting Rights Act opened up voting opportunities for language minorities; however, the road to achieving full enfranchisement spans American History. The Founding Fathers viewed voting as a privilege, not a universal right. In their time, economic barriers existed in voting such as owning land. Over time these economic qualifications diminished to grant suffrage to all white men regardless of class. After the Civil War, the Civil War amendments passed with the Fourteenth Amendment and Fifteenth Amendment. The Fourteenth Amendment established the equal protection clause writing “representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State”³ which ensured the power of African Americans votes because previously representation in

³ National Archives. “The Constitution: Amendments 11-27,” November 4, 2015. <https://www.archives.gov/founding-docs/amendments-11-27>.

Congress for African Americans was dictated by the three-fifth clause. In addition, the Fifteenth Amendment granted voting rights to all men, regardless of color. The Fifteenth Amendment states, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.”⁴ This amendment worked with thousands of newly freed black men flocking to the polls and consequently gaining positions in political offices. This continued through the time known as Reconstruction or the United States government military’s oversight over administrative and governmental matters. With the Hays Compromise of 1877, the political flourishing awarded to the black population ceased to exist.⁵ Soon a new order emerged focusing on stifling the black vote. Jim Crow laws arrived along with grandfather clauses, literacy tests, and poll taxes. Voting was legal in all but practice for non-whites.⁶ For Latinos, the story remained the same. They were subjected to literacy tests and poll taxes, but in addition to that those in power used more covert practices such as at-large elections and vote dilution through annexing more white areas to balance out the Latino city vote. Bexar County, and especially the city of San Antonio, actively employed these tactics. In the United States, although the law allowed everyone to vote on paper, in practice, only those in power could actually vote because those in power either diluted the vote like in San Antonio when the city would annex whiter suburbs to dilute the vote or disenfranchise voters in the case of poll taxes or literacy tests.

Many activists tried over the years to gain access to the ballot however the Civil Rights Movement of the 1950s and 1960s propelled voting to the forefront along with other civil rights issues. In the wake of the 1964 Civil Rights Act, civil rights activists and Americans turned their

⁴ National Archives. “The Constitution: Amendments 11-27,” November 4, 2015. <https://www.archives.gov/founding-docs/amendments-11-27>.

⁵ Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York: Basic Books, 2009).

⁶ Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States* (New York: Basic Books, 2009).

eyes to voting. Selma served as the final push in recognition of the need for voting rights. In a peaceful march, to register Black voters in the South, protesters marched the 54-mile route from Selma to the state capital of Montgomery where they were confronted with deadly violence from local authorities and white vigilante groups. As Americans watched the violence unfold on their televisions, many began to realize the extent of discrimination in the country and the need for change. Enacted in 1965, the original Voting Rights Act was a monumental response to the pervasive discriminatory practices in voting that plagued the Southern states. The primary objectives of the Act were clear: to obliterate barriers impeding exercising the fundamental democratic right to vote, especially for African American citizens. The VRA achieved this by outlawing discriminatory measures such as literacy tests and establishing federal oversight for jurisdictions with a history of voter suppression. Section 203 of the VRA states "Whenever any State or political subdivision [covered by the section] provides registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots."⁷ This served as a catch-all for all states under the Voting Rights. Arguably the most important part of the 1965 VRA was the federal oversight afforded by it. Federal oversight, paramount in its role, manifested through Section 5, requiring jurisdictions with histories of discrimination to submit any changes in their election or voting procedures to a three-judge panel or to the Attorney General. The VRA was signed with fixed timelines dictating its life. The first instance came in 1970 which quickly passed. 1975 served as the more contentious iteration with Section 5 coming up for renewal and a new minority group seeking to gain voter enfranchisement.⁸ The 1965 Voting Rights Act (VRA) significantly influenced the African

⁷ Section 203 "Civil Rights Division | Language Minority Citizens," August 6, 2015. <https://www.justice.gov/crt/language-minority-citizens>.

⁸ Fraga, Luis Ricardo. "The Origins of the 1975 Expansion of the Voting Rights Act: Linking Language, Race, and Political Influence." *US Latina & Latino Oral History Journal* 1 (2017): 8. <https://doi.org/10.7560/OHJ102>.

American community, leading to a dramatic decrease in the disparity between white and black voter registration rates. From a nearly 30 percentage point gap in the early 1960s, this difference narrowed to just 8 percentage points within a decade.⁹ This increase in African-American civic participation and representation reflects the effectiveness of these provisions. The federal oversight ensured that no measure would be implemented to take these rights away from this community again.

The socio-political landscape of the early 1970s was marked by a multitude of factors that propelled the need for a reexamination of the VRA. The Civil Rights Movement of the 1960s had succeeded in dismantling overt barriers to voting, yet subtler forms of disenfranchisement persisted. The Vietnam War called into question the discrimination of the United States. The Chicano movement sprang up across the country. In Philadelphia, Chicago, and New York Puerto Ricans called for an expanding of their rights while Mexican-Americans in the southwest particularly in rural farm areas did the same.¹⁰ The call for an expanded VRA stemmed from the acknowledgment that the fight for equal voting rights was far from over. Public opinion was evolving, and there was a growing recognition that the protection of voting rights should extend beyond the Black community to encompass other minority groups facing similar challenges, including Latino populations.¹¹

In this climate of change and reevaluation, the decision to expand the VRA in 1975 was a response to the evolving nature of discriminatory practices and a commitment to fostering a more inclusive democracy. The legislative maneuvers of that year were not merely amendments but a

⁹ “The Voting Rights Act Explained | Brennan Center for Justice,” June 21, 2023. <https://www.brennancenter.org/our-work/research-reports/voting-rights-act-explained>.

¹⁰ Library of Congress, Washington, D.C. 20540 USA. “The Chicano Civil Rights Movement.” Accessed March 20, 2024. <https://www.loc.gov/item/ihas.200197398/>.

¹¹ Fraga, Luis Ricardo. “The Origins of the 1975 Expansion of the Voting Rights Act: Linking Language, Race, and Political Influence.” *US Latina & Latino Oral History Journal* 1 (2017): 9. <https://doi.org/10.7560/OHJ102>.

strategic adaptation to the shifting tides of social and political consciousness. The case of the Latino vote, primarily Mexican-Americans, was not as straightforward as Black voting rights. Mexican Americans faced poll taxes and literacy tests, but vote dilution served as the primary mechanism of voter suppression. Cities such as Dallas and San Antonio annexed neighboring cities or suburbs to create white bubbles or to offset the voting power of the Mexican-Americans.¹² In addition, political machines such as the Good Government League controlled the cities gaining their political power through at large elections. Patricia Villarreal, a politically engaged Mexican-American in San Antonio at the time, describes her experience trying to make the Latino vote count, “that meant that the numbers it took to win an election just kept getting more and more diluted. I mean no matter how large the Mexican-American population would become it was constantly being deluded because you had to vote County Wide so for city council for school districts for all of that it was just you know a tremendous problem and the antipathy toward.”¹³ People were worn down by their vote counting less than a white.

In addition to vote dilution was the appearance of Mexicans in the American public. There has been a long-complicated history of Mexicans in the United States. Many Mexicans found themselves supplanted in the US as the border they knew to be Mexico transformed to be the United States under the Treaty of Guadalupe Hidalgo. The Treaty of Guadalupe Hidalgo promised Mexicans full United States citizenship, but authorities of US either never fulfilled this promise or gradually stripped it away from Mexicans over time.¹⁴ At the time of the Texas Republic, many wealthy Mexicans were placed on equal footing with their wealthy white counterparts. Over time, wealthy Mexicans regardless of their whiteness began to be stripped of

¹² Fraga, Luis Ricardo. “The Origins of the 1975 Expansion of the Voting Rights Act: Linking Language, Race, and Political Influence.” *US Latina & Latino Oral History Journal* 1 (2017): 8. <https://doi.org/10.7560/OHJ102>.

¹³ Villarreal, Patricia "Patricia Villarreal 1050." Interview by Maggie Rivas-Rodriguez. YouTube video, 127:00. May 4, 2017. https://www.youtube.com/watch?v=L_IPBS_Rf3s

¹⁴ Library of Congress, Washington, D.C. 20540 USA. “The Chicano Civil Rights Movement.” Accessed March 20, 2024. <https://www.loc.gov/item/ihas.200197398/>.

their land and wealth and placed on the same level. Mexicans soon endured unequal treatment and a lessening under the law placing them only a small step above the enslaved black population. In the pursuit of their civil rights, Mexican-Americans worked to reclaim their “whiteness”.¹⁵ In *Mendez V. Westminster (1946)* the attorney argued that “Mexicans were members of the white race.” This “whiteness” helped integrate Mexican kids into California schools. The *Mendez V. Westminster (1946)* case parallels *Brown v. Board of Topeka* which served as a monumental case in the civil rights movement. However, while the civil rights movements of Mexican-Americans and Blacks seemed to parallel one another a disconnect still existed between the two groups. As a staff member of the House Judiciary Committee, Patricia Villarreal addressed this divide between the two groups as a challenge to the bill saying “One of the reasons as we went forward and that I was trying to put together the hearings to address was just like Mexican Americans face similar issues in many respects, but they face different issues as well.”¹⁶ This divide would set up a hurdle in the passage of the 1975 Voting Rights Act.

Recognizing the issues a foot a new interest group funded by the Ford Foundation took up the mantle of voting rights. This group funded by the Ford Foundation, the Mexican-American Legal Defense and Education Fund (MALDEF), was founded in 1968 with the mission to protect and defend the rights of all Latinos living in the United States and the constitutional rights of all Americans.¹⁷ MALDEF garnered a particular interest in Latino voting rights. In 1971, MALDEF and other groups decided to challenge electoral districts in Texas that diluted the Mexican American vote by creating supersized white-majority mega-districts with

¹⁵ Haney-López, Ian. *White by Law : the Legal Construction of Race*. Revised and updated 10th anniversary edition.. New York: New York University Press, 2006.

¹⁶ Villarreal, 2017

¹⁷ Johnd. “MALDEF Successfully Pushed to Expand the Voting Rights Act to Language Minorities.” MALDEF (blog), March 19, 2020.

<https://www.maldef.org/2020/03/maldef-successfully-pushed-to-expand-the-voting-rights-act-to-language-minorities/>.

several elected representatives. MALDEF, along with George Korbel, argued *White v. Register* (1973) the landmark that focused on vote dilution in San Antonio.¹⁸ The Court ruled that Texas' urban voting district in Bexar County, which covered more than 1,000 square miles and included nearly one million people, was unconstitutional because it diluted the Mexican-American vote and diluted representation in the Texas House of Representatives.¹⁹ This case set in motion the momentum that would propel MALDEF and their allies to Washington. In 1974, MALDEF's Washington D.C. Counsel, Al I. Perez, decided to seek changes to the VRA after learning from a friend at the U.S. Commission on Civil Rights that, despite receiving considerable testimony about voting rights violations against Mexican Americans, the commission refused to support amending the Act²⁰. The amendment to the act was in dire need. While testifying in front of Congress then MALDEF president and general counsel, Vilma S. Martinez recounted the story of Uvalde County, Texas.²¹ Election officials ran out of registration cards and application cards when Latino voters asked for them routinely, and if a voter did not speak English they were out of luck because election judges refused to help them. Martinez emphasized how this was an issue in all of Texas. The Latinos' only way to the ballot box was only through private litigation. The history plays an integral role in the passage of the 1975 VRA. The history and the movement of actors behind the scenes led to a switch from a sluggish Congress to one enthusiastic for change.

¹⁸ White v. Register: MALDEF Case Helped Kill Off Mega-Voter Districts That Suppressed the Mexican American Vote.” *MALDEF* (blog), December 26, 2018. <https://www.maldef.org/2018/12/white-v-register-maldef-case-helped-kill-off-mega-voter-districts-that-suppressed-the-mexican-american-vote/>.

¹⁹ White v. Register, 412 U.S. 755 (1973)

²⁰ johnd. “MALDEF Successfully Pushed to Expand the Voting Rights Act to Language Minorities.” *MALDEF* (blog), March 19, 2020. <https://www.maldef.org/2020/03/maldef-successfully-pushed-to-expand-the-voting-rights-act-to-language-minorities/>.

²¹ johnd. “MALDEF Successfully Pushed to Expand the Voting Rights Act to Language Minorities.” *MALDEF* (blog), March 19, 2020. <https://www.maldef.org/2020/03/maldef-successfully-pushed-to-expand-the-voting-rights-act-to-language-minorities/>.

IV. Theoretical Framework

Understanding the legislative dynamics that led to the expansion of the 1975 Voting Rights Act (VRA) necessitates a robust theoretical framework that can unravel the complexities inherent in the process. In this endeavor, three distinct theories — Schattschneider's Conflict Theory, historical institutionalism as articulated by Thelen, and Heclo's Ideas Interests, and institutions — serve as analytical lenses, shedding light on the intricate interplay of political forces and institutional dynamics.

Schattschneider's Conflict Theory

Schattschneider's Conflict Theory lays the foundation for comprehending the power struggles within a democracy. Schattschneider believes that to make your interest in politics work one must shift the needle to push the majority to one's side. Central to this theory is the concept of "scope of conflict," which posits that political outcomes are determined not only by the issues raised but also by the scope of the conflict itself. Schattschneider argues that political power is not evenly distributed and that the ability to influence the political agenda is a key determinant of political success.²²

To facilitate this initial push within the "scope of conflict" one must first look at the behind-the-scenes or as Schattschneider defines them, "private conflicts." "Private conflicts are taken into the public arena precisely because someone wants to make certain that the power ratio among the private interests most immediately involved shall not prevail."²³ This was crucial to Latino's involvement in the 1975 Voting Rights Act because Latinos were trying to expand the scope of conflict. They had to shift the line, so they became part of the collation that passed the

²² Elmer Eric Schattschneider, *The Semi-Sovereign People: A Realist's View of Democracy in America* (Hinsdale, IL: Dryden Press, 1960)

²³ Elmer Eric Schattschneider, *The Semi-Sovereign People: A Realist's View of Democracy in America* (Hinsdale, IL: Dryden Press, 1960), 38

1965 Act. To contextualize Schattschneider's Conflict Theory in the frame of reference of the 1975 Voting Rights Act pressure groups, specifically MALDEF, served as the private interest. To expand Latino voting rights MALDEF and other interests had to show the majority how this was a relevant issue. The expansion of the VRA was not merely a response to a specific set of issues but a strategic redefinition of the scope of the conflict surrounding voting rights. The actors involved, from advocacy groups to legislators, engaged in maneuvers to widen the sphere of political debate. The expansion, therefore, reflects a conscious effort to shift the focus of conflict from the concerns of a specific minority group to a broader, more inclusive public agenda.

One of the main ways to force this shift according to Schattschneider is “The attempt to control the scope of conflict has a bearing on federal-state-local relations.”²⁴ One either localizes the issue or forces the issue on the national scale. The main pressure group, MALDEF, moved the scope of conflict from San Antonio to a national scale to move the act forward. By working through Barbara Jordan and other sympathetic senators groups forced what seemed like isolated social issues onto the main stage showing the web linking them all. Conversely, this theory also applies to the Southern Democratic senators who opposed the 1975 Voting Rights Act. They used defensive tactics such as parliamentary procedure to delay a vote.

Thelen's Historical Institutionalism

Additionally, applying Thelen's concept of historical institutionalism to the evolution of the Voting Rights Act illuminates how the foundational decisions of the original legislation created a legacy that profoundly influenced the debates and strategies employed in its expansion in 1975. This underscores how past policy informs current policy. Historic institutionalism

²⁴ Elmer Eric Schattschneider, *The Semi-Sovereign People: A Realist's View of Democracy in America* (Hinsdale, IL: Dryden Press, 1960), 9

emphasizes how decisions made in the past set parameters, or path dependence, for future decisions.²⁵ It sets constraints or parameters for the new policy. Thelen's historical institutionalism contributes a temporal dimension to the theoretical framework, emphasizing how past decisions and institutional structures become entrenched and shape contemporary political outcomes. This shaping of policy comes in the form of path dependency. Thelen argues that institutions are path-dependent, meaning that decisions and developments at critical junctures in history set institutions on trajectories that are difficult to alter. Once an institution chooses a path and becomes “locked in” all other actors surrounding said institution fall in line to accommodate this new path.²⁶

In the case of the VRA, past decisions regarding civil rights legislation and voting rights laid the groundwork for the 1975 expansion. The original VRA, as an institutional framework, not only addressed immediate issues but also set in motion a trajectory that influenced subsequent legislative actions. Historical institutionalism, therefore, invites an exploration of how decisions made in the past, particularly those surrounding the original VRA, established a context that informed the strategies and debates surrounding its expansion in 1975.

Hecló's Framework

Hugh Helco's article follows ideas, interests, and institutions. Ideas are seen as shaping political outcomes, with Hecló arguing that they are as important as material interests. Interests are the pivotal point in Hecló's understanding. Interests refer to the material or tangible benefits that individuals or groups seek to gain or protect through the political process. Finally, institutions in this context are understood through the idea of politics. They determine how

²⁵ Thelen, Kathleen. “HISTORICAL INSTITUTIONALISM IN COMPARATIVE POLITICS.” *Annual Review of Political Science* 2, no. Volume 2, 1999 (June 1, 1999):. <https://doi.org/10.1146/annurev.polisci.2.1.369>.

²⁶ Thelen, Kathleen. “HISTORICAL INSTITUTIONALISM IN COMPARATIVE POLITICS.” *Annual Review of Political Science* 2, no. Volume 2, 1999 (June 1, 1999): 385. <https://doi.org/10.1146/annurev.polisci.2.1.369>.

decisions are made, who gets to make them, and how various interests and ideas are balanced or prioritized.

Heclo's framework suggests that understanding political outcomes requires looking beyond the surface of immediate interests and considering the deeper influence of ideas and the structuring role of institutions.²⁷ This approach helps explain why policies sometimes change dramatically in response to shifts in dominant ideas or why certain interest groups are more successful in some institutional contexts than in others. To get to institutions one must begin with interest or ideas or in some cases both. For ideas that coincide with interest, institutionalization is when the ideas and interest transform into policy becoming a new institutional relationship that becomes permanent. Starts with an idea then interest or they merge which then becomes institutionalization. Still, you are not successful until those interests are pushed to be institutionalized which means you can put a coalition together. This coalition building is known as 'institutional arrangements.' Heclo defines "Institutional arrangements are then themselves choices to be made by rational self-interest of individuals pursuing their ends."²⁸ These institutional arrangements can be seen through interest groups that propelled the passage of the 1975 Voting Rights Act. Originally the Black caucus was apprehensive about supporting voting rights for language minorities as they feared the stripping away of their voting rights; however, through Barbara Jordan, the caucus was then persuaded had dramatically moved to push this idea for the need of an expansion of the act to include language minorities.

In synthesizing Schattschneider's Conflict Theory, Thelen's Historical Institutionalism, and Heclo's "Idea, Interests, and Institutions", this theoretical framework provides a

²⁷ Heclo, Hugh. "Ideas, Interests, and Institutions." In *Orchestrating the Instruments of Power: A Critical Examination of the U.S. National Security System*, edited by Derek S. Reveron, 366-381. University of Nebraska Press, 2015

²⁸ Heclo, Hugh. "Ideas, Interests, and Institutions." In *Orchestrating the Instruments of Power: A Critical Examination of the U.S. National Security System*, edited by Derek S. Reveron, 376. University of Nebraska Press, 2015

comprehensive lens through which to examine the legislative intricacies surrounding the expansion of the VRA in 1975. The interplay of conflict dynamics, institutional legacies, and policy complexities illuminates the strategic decisions and power struggles that unfolded within the hallowed halls of Congress during this pivotal moment in civil rights history.

V. Hypothesis

The passage of the Voting Rights Act (VRA) of 1975 predominantly unfolded within the institutional frameworks of political governance, emphasizing the legislative process over working through the courts. The institutional political approach to the enactment of the 1975 VRA highlights the critical role played by formal political institutions and pressure groups in the legislative process, demonstrating the capacity of these institutions to facilitate significant legal and societal transformations without the direct intervention of the courts. I expect to find three things in this thesis. First I expect institutions to play a larger role in the passage of the 1975 Voting Rights Act. Secondly, after the bill's passage Texas will see the most court cases because they were not previously covered. Finally, I expect the cases brought to the courts will mostly be from school districts and cities.

As previously mentioned in the theory section, institutions play an integral role in the passage of the 1975 Voting Rights Act. Unlike the 1965 Voting Rights Act which was motivated in part by peaceful protests and demonstrations, no massive social movement accompanied the passage of the 1975 Voting Rights Act. Rather, the activists who sought its passage navigated through backdoor channels to gain institutional support. These institutional measures fall under two sets of theories: E.E. Schattschneider's Conflict Theory and "Hugh Hechlo's Ideas Interests, and Institutions". E.E. Schattschneider's Conflict Theory focuses on shifting the scope of conflict. This scope of conflict is seen most clearly through the interview of Patricia Villarreal

who worked as an aide on the House Judiciary Committee. She along with two lawyers on the committee, Janet and Art Wolf, sought to shift the scope of conflict of Latino voting rights to “language minorities” in order to garner support for the bill²⁹. Put in the words of “Hugh Hecló’s Ideas Interests, and Institutions, the idea of “language minorities” merged with the interest of Latino leaders for voting rights to institutionalize Section 5 and the 1975 Voting Rights Act as a whole.

This shift was critical for two reasons. First, by looking at language minorities you allowed a great threshold for understanding voter dilution. Ms. Villarreal said of her justification, “based on total voting in the state...[it is] easier to justify trigger which is that voting's under 50 percent while you have a significant minority group in the state then you have to assume that something being done to suppress that vote.”³⁰ Patricia Villarreal argued and noted that in the 1970s before 1975 the voting turnout in Texas was over 50 percent which in turn along with the actions of Texas led leaders to push for this bill.³¹ Because of the paradox of high voting, but vote dilution the proponents of the bill crafted their argument in a way to properly demonstrate the magnitude of loss. The city-wide districts were legal, but their dilution disenfranchised in a way that kept the white southern vote in power. By redefining the narrative of voting Secondly, the institutions on the outside needed a shift to push the black coalition to vote for the bill. Originally the 1975 Voting Rights Act addition of language minorities was seen as a threat to the black vote and as a result, was not supported by black members of Congress. The idea then had to show how this decision was not a threat as blacks and Latinos were in many ways one and facing similar circumstances. The scope of conflict moved from a single-ethnic issue to a multi-racial-ethnic issue.

²⁹ Villarreal, 2017

³⁰ Villarreal, 2017

³¹ Villarreal, 2017

Importantly, this shift could only have occurred with Congresswoman Barbara Jordan of Texas. She facilitated not only the negotiations to deliver the bill to the house floor but also helped shift the perspective of Congress.³² On the outside, MALDEF namely their president, Vilma L. Martinez, and activists like Modesto Rodriguez fought to change Congress' perspective through lobbying. In one of his speeches to Congress Rodriguez called upon Congress, "for the protection of our voting rights we are now relying on congress and more specifically on this subcommittee to act."³³ To move forward institutions focused on legislation. The only court case of note, *White versus Register*, moved the idea of vote dilution to the mainstream however no other court case managed to bring the issue of Latino vote suppression to the forefront. Since the tactics of states, most notably Texas, were legal there were little the courts could do until the extension of Section 5 to primarily Latino states and counties. In tandem with E.E. Schattschneider's Conflict Theory and "Hugh Hecllo's Ideas Interests, and Institutions" along with the historical accounts it is clear that the institutional line of politics, especially the legislative process in getting the 1975 VRA passed, existed through the facilitation of institutions and not so much through the courts.

My other two hypotheses focus on after the act's passage. I expect that Texas will face an onslaught of cases because, under the previous iteration of section 5, they were not covered. I anticipate that not only language minorities will file cases for Texas, but also the substantial African American population. For the third point, I expect the cases to be filed on behalf of smaller cases. I believe that this falls in line with E.E. Schattschneider's Conflict Theory. The activists and attorneys will attempt to localize this issue by shifting the scope of conflict from the

³² Mullen, Michael. Interview by the author. September 2023

³³ johnd. "MALDEF Successfully Pushed to Expand the Voting Rights Act to Language Minorities." *MALDEF* (blog), March 19, 2020. <https://www.maldef.org/2020/03/maldef-successfully-pushed-to-expand-the-voting-rights-act-to-language-minorities/>.

national scale to bring it back to a local level. Professor Charlie Cotrell noted “[The Department of] Justice did contend that San Antonio had diluted the voting strength of its “minority” population by annexing territory containing a larger percentage of Anglos than Mexican Americans, and in doing so, subjected its form of government to a test of representative government found in federal statutes, court decisions, and administrative rules.”³⁴ Cities like San Antonio are commonly annexed to strengthen the white vote in the city, so I contend that all the cases will focus on this originally and then continue to fight similar cases as cities and school boards get creative. Throughout the rest of this thesis, I will try to answer these questions.

VI. Role of Different Actors

The passage of the 1975 Voting Rights Act was a pivotal moment shaped by the relentless efforts and strategic battles between proponents and opponents, highlighting the critical role of both individual determination and institutional power in enacting transformative policy. Both proponents and opponents of the bill sought to move the needle in terms of E.E. Schattschneider's theory. Specifically, these actors sought to move the needle on the scope of Conflict by either nationalizing it or localizing it to achieve their end goals. Each set of actors deployed unique sets of tactics to do so. The actors fall on two sides within two-time frames. I will focus on both. First, I will examine the actors seeking the expansion of the 1975 VRA to include language minorities. Then I will examine the key actors in the House and the Senate and their roles in the passage or blockage of bills once they move to the floor of each chamber. By dissecting these two critical phases, I aim to highlight the nuanced strategies that propelled the

³⁴ Cotrell, Charles L., and R. Michael Stevens. “The 1975 Voting Rights Act and San Antonio, Texas: Toward A Federal Guarantee of a Republican Form of Local Government.” *Publius* 8, no. 1 (1978): 79–99. <https://doi.org/10.1093/oxfordjournals.pubjof.a038487>.

1975 Voting Rights Act into law, offering insights into the complex mechanisms of American legislative politics.

In this section I will highlight three key actors George Korbel, Patricia Villarreal, and Michael Mullen. George Korbel was the lead attorney on *White v Regester* who worked primarily in Texas and tried voting rights cases throughout his career. Patricia Villarreal served on the judiciary committee as an aide. Michael Mullen served as council to Senator Hart (D-MI). I conducted interviews with George Korbel and Michael Mullen alongside Professor Luis Fraga.³⁵

No analysis of actors would be complete without an examination of *White v Regester* (1973). The case established the Latino struggle on the same plane as the African-American Struggle for voting rights albeit in a subtler manner. In *White v Regester* (1973) the U.S. Supreme Court ruled that Texas's urban voting district in Bexar County, which covered more than 1,000 square miles and included nearly one million people, was unconstitutional because it diluted the Mexican American vote, which was concentrated in the Westside of San Antonio, and reduced Latino representation in the Texas House of Representatives.³⁶ The power of *White v. Regester* laid in how it brought more attention to the barriers that Latinos also faced in exercising their right to vote. For the first time, the Mexican American struggle for voting rights was affirmed by the courts³⁷. By showing how the groups both faced oppression at the ballot box the notion that Latinos deserved the right to vote opened the idea that Mexican-Americans and Latinos as a whole could be covered under the Voting Rights Act as well. In the meantime, the

³⁵ I would like to give a special "Thank You" to Michael Mullen for not only his candor but also his help to find additional sources. Without him this thesis would not be possible.

³⁶ *White v. Regester*, 412 U.S. 755 (1973)

³⁷ "White v. Regester: MALDEF Case Helped Kill Off Mega-Voter Districts That Suppressed the Mexican American Vote." *MALDEF* (blog), December 26, 2018. <https://www.maldef.org/2018/12/white-v-regester-maldef-case-helped-kill-off-mega-voter-districts-that-suppressed-the-mexican-american-vote/>.

power of cases existed in the movement from at-large elections to single-member elections. Lead attorney, George Korbel describes the outcome of the case as the adoption of the single-member districts the attorneys had drawn. “It was clear to me at that point that the most important part of this litigation was not the lawyering but the drawing of the districts.”³⁸ This insight underscores not just the legal prowess required to navigate such challenges, but also the crucial importance of the technical and political aspects of district mapping in influencing legislative outcomes. The proof pattern established in *White v. Regester* would go on to be the fact pattern for the rest of at-large cases as argued by Korble.³⁹ In an interview, Korbel describes the proof pattern for litigation which focuses on vote dilution. The Supreme Court “set down the proof pattern for litigation and literally almost literally all of the redistricting cases for quite a while.”⁴⁰ This precedent in the words of George Korbel helped in the passage of the 1975 Voting Rights Act. In the framework of Thelen’s “Historical Institutionalism” *White v. Register* served as a critical juncture. This juncture created opportunities for actors to push for institutional changes that aligned with the broader movement for civil rights. In the wake of *White v. Regester* (1973) a movement for Latino voting rights moved forward.

A key player not only in *White v. Regester*, but also the greater Latino Voting Rights movement in general, the Mexican American Legal Defense and Education Fund (MALDEF) used the moment and its resources to push Latino Voting Rights to the forefront of discussion. In line with E.E. Schattschneider's Conflict Theory which states that to force an issue to be understood one must either nationalize a conflict or localize it, MALDEF looked to nationalize the issue after achieving success at the local level. Al I. Perez, MALDEF’s Washington D.C.

³⁸ Korble, George. Interview by the author. October 27, 2023

³⁹ Korble, George "George J. Korbel 978." Interview by Vinicio Sinta. YouTube video, 74:00. March 29, 2014. <https://www.youtube.com/watch?v=UkSH4XgX9bM>

⁴⁰ Korble, George 2023

Counsel, decided to launch a campaign for Latino voting rights after hearing of Congress' indifference towards the plight of Latino voters especially in Texas. Contracting pro bono attorneys David Tatel and Thomas Reston of Hogan & Hartson, a Washington, D.C. law firm. Al Perez formulated a legal, legislative, media, and community outreach strategy of proposed amendments to the VRA's preclearance provisions. These provisions included areas, of Texas, California, New Mexico, and Arizona, with significant numbers of certain language minorities.⁴¹ Thomas Reston describes his role as follows, "I was working for MALDEF in an attempt to break the deal that the blacks had made with the Nixon administration and to get Texas and California, New Mexico and Arizona covered under the Voting Rights Act."⁴² Other central figures include Vilma S. Martinez, then MALDEF president, and Patricia Villarreal, a staffer on the House Judiciary Committee. Martinez served through coalition building through MALDEF. When the time came to promote the bill, Martinez testified in front of Congress explaining the grave inequalities that existed that could only be remedied through private litigation. She described the private litigation approach to voting rights "It would be like attempting to empty the sea with a sand pail," thus imploring Congress to act.⁴³ Villarreal grew up in a politically active family and even more active Mexican-American community in San Antonio. Villarreal noted how many elections were county wide which ensure no Mexican Americans could get elected to congress.⁴⁴ In tandem with understandings from her childhood as well as inequalities

⁴¹ johnd. "MALDEF Successfully Pushed to Expand the Voting Rights Act to Language Minorities." *MALDEF* (blog), March 19, 2020. <https://www.maldef.org/2020/03/maldef-successfully-pushed-to-expand-the-voting-rights-act-to-language-minorities/>.

⁴² Kennedy, Charles Stuart, and Thomas B Reston. Interview with Thomas B. Reston. 2010. Manuscript/Mixed Material. <https://www.loc.gov/item/mfdipbib001631/>.

⁴³ johnd. "MALDEF Successfully Pushed to Expand the Voting Rights Act to Language Minorities." *MALDEF* (blog), March 19, 2020. <https://www.maldef.org/2020/03/maldef-successfully-pushed-to-expand-the-voting-rights-act-to-language-minorities/>.

⁴⁴Villarreal, 2017

in voting during her time working for the Raza Unida Party, Villarreal advocated in her position for the passage of the bill by compiling most of the work.⁴⁵ Villarreal along with her colleagues Art Wolf and Janet contributed to the passage of the bill by arranging the testimonies to be heard by the House. These testimonies were put together by Al Kaufman and MALDEF⁴⁶. With their lead witness, Modest Rodriguez, speaking on his experience running for office and the scare tactics used against him. Modest Rodriguez played a key role. He spoke specifically about his experience in Pearsall, Texas. Pearsall was a majority-white town that actively discriminated against Rodriguez's ability to run for office. After his successful testimony, and the subsequent passage of the 1975 VRA Rodriguez faced repercussions by a near-fatal beating which resulted in the justice department going to Pearsall to investigate⁴⁷. Rodriguez recovered but never fully however his contributions made a lasting impact.

On the opposite side of the debate existed the black caucus. Certain civil rights leaders such as Jesse Jackson were in favor of extending the VRA across the country, but most notably many black leaders in Congress as well as Clarence Mitchell of the NAACP were opposed. Mitchell's opposition was especially damning as he was often described as the 101st senator meaning he had sway over members of Congress especially in black leadership. In a memo from Dick Cheney to Donald Rumsfeld on February 15, 1975, Cheney urges Rumsfeld to push President Ford to sign the VRA to cover the entire country including the South. Cheney notes the opposition specifically from Mitchell, "[is] fearful that trying to extend it to the entire country will lead to some kind of major battle on the Hill and risk the complete demise of the Act altogether."⁴⁸ Cheney then notes his feelings toward the matter saying Mitchell is "overly

⁴⁵ Villarreal, 2017

⁴⁶ Villarreal, 2017

⁴⁷ "Pearsall Beating Case: Federal Lawyers Are Ordered Out," San Antonio Express, June 24, 1975.

⁴⁸ Cheney, Dick. Memorandum for Don Rumsfeld, "Recommendation on Extension of the Voting Rights Act." February 15, 1975. Richard B. Cheney Files, Box 13, Folder "Voting Rights Act Extension," Gerald R. Ford Presidential Library.

concerned” and the president should move forward with signing the bill.⁴⁹ In a letter from Donald Rumsfeld about a memo from Attorney General Saxbe Rumsfeld notes the clear omission of extending the act nationwide. Rumsfeld deduced that this comes from NAACP Clarence Mitchell as “Clarence Mitchell, on the other hand, asks that you only support a simple extension of the Voting Rights Act– no doubt because he is a savvy enough politician to realize that the entire bill, the symbolic flagship of the civil rights legislative victories, might not be renewed at all if it sought to cover the entire Nation.”⁵⁰ This further highlights reasons for excluding Latinos. There were pervasive fears that expanding to other groups would diminish the voting enfranchisement of African Americans that they had so long and so hard fought for. While Mitchell might have been one of the most forceful voices in the room it is important to note that other African Americans pushed for its passage and would come around to support the bill. President Ford was in favor of a swift passage of the extension of the Voting Rights Act, as his administration sought to improve relations between the African-American community and the U.S. Government.⁵¹ However, despite the President’s support, there was still resistance.

The only opposition in the House of Representatives came not only from the black caucus but also from a Mexican-American congressman from San Antonio Henry B. Gonzales. Gonzales did everything in his power to curtail the act namely by voting against every procedural motion.⁵² Korble described how Gonzales threatened him for his work on the act

⁴⁹ Cheney, Dick. Memorandum for Don Rumsfeld, "Recommendation on Extension of the Voting Rights Act." February 15, 1975. Richard B. Cheney Files, Box 13, Folder "Voting Rights Act Extension," Gerald R. Ford Presidential Library.

⁵⁰ Cheney, Dick. Memorandum for Don Rumsfeld, "Recommendation on Extension of the Voting Rights Act." February 15, 1975. Richard B. Cheney Files, Box 13, Folder "Voting Rights Act Extension," Gerald R. Ford Presidential Library.

⁵¹ Archives, US National. "Legacy of the Voting Rights Act – Expansions of the 1970s." The Reagan Library Education Blog (blog), April 19, 2022. <https://reagan.blogs.archives.gov/2022/04/19/legacy-of-the-voting-rights-act-expansions-of-the-1970s/>.

⁵² Korble, 2023

calling him a “liar” and a “mendacious fabricator”. This was not the first time Gonzales opposed activists in the circle. He would also go after MALDEF and their 501c3 status for what he described as “meddling.”⁵³ Eventually, the democratic congressman from New Braunfels, Bob Krueger, stood up for Latino voting rights as he recounted his upbringing as the son of German immigrants who could not speak English.⁵⁴ In telling his story he helped his colleagues in Congress understand the language issue facing them in greater context. While Krueger, played an important role, the main actor and chief advocate of the bill was Congresswoman Barbara Jordan.

Barbara Jordan served not only in the primary discussion acting as a bridge between the black and Latino communities, but also as a sponsor of the bill when it left the committee and moved to the house floor. As the congresswoman from Houston, Jordan knew the struggle of voting rights as a black woman but also understood the struggles of her Latino constituents trying to reach the ballot box. Jordan was the first African-American woman ever elected to Congress and was one of the first African-Americans elected to a position of leadership in the House serving on the House Judiciary Committee and delivering key remarks during the Watergate impeachment trials. She came from a diverse district which allowed her to create interactive networks of support as well as coalitions which showed as she said “I am not so hard that I cannot bend as long as my basic principles are intact.”⁵⁵ This resolution to her principles and her constitutions showed in her fierce defense of the 1975 VRA when many of her other black colleagues or colleagues from Texas refused to acknowledge the bill. In a speech on the floor, Jordan implored her colleagues to act noting “One need only look to the Department of

⁵³Korble, 2023

⁵⁴ Korble, 2023

⁵⁵ “JORDAN, Barbara Charline | US House of Representatives: History, Art & Archives.” Accessed March 25, 2024. [https://history.house.gov/People/Listing/J/JORDAN,-Barbara-Charline-\(J000266\)/](https://history.house.gov/People/Listing/J/JORDAN,-Barbara-Charline-(J000266)/).

Justice's own record. The department objected to 30 discriminatory voting practices proposed to be implemented last year by state and local officials. The department entered 27 objections in 1973, 32 in 1972, and 50 objections in 1971..."⁵⁶ As the chief advocate, Congresswoman Jordan besought her colleagues to look beyond the blatant discriminatory practices and towards the subtleties employed by the South. Jordan's influence eventually allowed the bill to move out of the House Judiciary Committee onto the floor and eventually to the Senate. The Voting Rights Act, or as it was known on the floor H.R.6219, would face greater challenges in the Senate.

The key players in the Senate fell not along party lines, but rather geographic lines. Key supporters included Senator Hart (D-MI) along with Senator Kennedy (D-MA) both democrats supported by Senator Mathias (R-MD), a Liberal Republican. Senator Hart played an active role in the passage of the 1975 VRA.⁵⁷ Senator Hart had been the floor manager of the 1965 Voting Rights Act. Subsequently, at the time Senator Hart was serving as temporary chairman of the Senate Judiciary Committee since Senator Eastland (D-MS) a conservative Senator from Mississippi had fallen and broken some ribs.⁵⁸ This unfortunate accident aided the liberal wing in the movement of the house bill as it was not stopped in committee with Senator Hart acting as a driving force to keep the momentum of the house bill.

Conversely, the southern coalition against them included Senator Thurmond, Senator Ervin, Senator Allen, and Senator Helm. The senator group contained mainly blue dog Democrats, but also a few new Republicans. I argue the most important actor from these sessions was Senator Byrd (D-WV) who started staunchly opposed to the passage of the bill but eventually used his leadership position in the Democratic Party to pave the way for the passage

⁵⁶"Congress Clears Voting Rights Act Extension." In CQ Almanac 1975, Vol. 31. CQ Almanac Online Edition. Washington, D.C., United States: Congressional Quarterly, 1976. <http://library.cqpress.com/cqalmanac/cqal75-1214971>.

⁵⁷ Mullen 2023

⁵⁸ Mullen 2023

of the bill. The coalition against the passage of the bill used many tactics to delay the passage of H.R.6219. H.R.6219 reached the Senate in late July which meant it needed to pass with expediency before the August recess or the bill along with all of its momentum would die. If the bill died all voting rights progress would die along with it as the 1965 act expired on August 6, 1975. Sponsors of the bill feared that its opponents would attempt to filibuster a conference report right up to the adjournment, as they had attempted to filibuster the bill itself, and thus wished to avoid a House-Senate conference all together.”⁵⁹ For this reason, the coalition formed with its unlikely ally served an extra purpose.

Senator James Allen (D-AL) led the crusade against the bill. He along with Jesse A Helms (R-NC) attempted to push the bill into the void on July 16 by attempting to delay considerations for the bill by calling up a series of resolutions (S Res 209- S Res 213) declaring the disputed New Hampshire Senate seat vacant. They argued that as a result of the vacancy the bill could not come to the floor for consideration.⁶⁰ The Senate eventually voted to move past this resolution. Allen and Helms then tried to delay the bill by pushing the gas and conservation bill up instead as it was expected to have a lengthy floor debate. When that failed Allen and Helms then moved to implement more parliamentary procedures to stop the bill once and for all.⁶¹

Senator Byrd (D-WV) was originally opposed to the bill; however, he had aspirations to move up in democratic leadership.⁶² During the time of the 1975, he served as the Democratic

⁵⁹ “Congress Clears Voting Rights Act Extension.” In CQ Almanac 1975, Vol. 31. CQ Almanac Online Edition. Washington, D.C., United States: Congressional Quarterly, 1976.
<http://library.cqpress.com/cqalmanac/cqal75-1214971>.

⁶⁰ “Congress Clears Voting Rights Act Extension.” In CQ Almanac 1975, Vol. 31. CQ Almanac Online Edition. Washington, D.C., United States: Congressional Quarterly, 1976.
<http://library.cqpress.com/cqalmanac/cqal75-1214971>.

⁶¹ “Congress Clears Voting Rights Act Extension.” In CQ Almanac 1975, Vol. 31. CQ Almanac Online Edition. Washington, D.C., United States: Congressional Quarterly, 1976.
<http://library.cqpress.com/cqalmanac/cqal75-1214971>.

⁶² Mullen 2023

whip. He could sense the tides turning towards a more liberal Democratic Party and as a result, Byrd flipped sides and shut down Allen and Helms's parliamentary procedure.⁶³ Byrd filed a cloture petition to cut off debate on the motion to consider. “With Byrd in control of the floor, the Senate then recessed. It reconvened the following day in a rare Saturday session. The Saturday session was necessary to ensure the cloture motion could be voted on July 21.”⁶⁴ July 22 focused on two amendments which were quickly tabled. When the Senate reconvened on the 23 Senator Mansfield motioned to invoke cloture on the bill. It was quickly shut down “That vote was 76-20, 16 more than the 60 votes needed to limit debate. Eleven Republicans and nine southern Democrats opposed cloture”⁶⁵ The last amendment added was the Byrd amendment which extended the act for seven years over ten years. The Senate July 24 passed HR 6219, 77-12, after making one major and one minor amendment. President Ford signed the amendments into law on August 6, 1975.

The passage of the 1975 VRA served as a landmark decision that was met with swift movement toward the courts. The passage of the 1975 Voting Rights Act serves as a testament to the resilience of the human spirit and the capacity for collective action to effectuate meaningful change. The alliance between African American leaders, Latino activists, and sympathetic legislators, despite significant opposition, showcases the transformative power of ideas and interests when harnessed toward a common goal. Most importantly, the 1975 Voting Rights Act created the term language minority which encompassed many Latino jurisdictions. As a result, many Latino jurisdictions were now covered under section 5 which required covered areas to

⁶³ Mullen 2023

⁶⁴ “Congress Clears Voting Rights Act Extension.” In CQ Almanac 1975, Vol. 31. CQ Almanac Online Edition. Washington, D.C., United States: Congressional Quarterly, 1976. <http://library.cqpress.com/cqalmanac/cqal75-1214971>.

⁶⁵ “Congress Clears Voting Rights Act Extension.” In CQ Almanac 1975, Vol. 31. CQ Almanac Online Edition. Washington, D.C., United States: Congressional Quarterly, 1976. <http://library.cqpress.com/cqalmanac/cqal75-1214971>. (Vote 310, p. 46-S)

submit their changes in voting or electoral processes to the justice department or a three-judge panel in DC. The legislative politics moved the bill forward. The courts were not the primary factor in the passage of the bill however, once the tool of section 5 was unlocked the courts became a powerful tool in equalizing voting rights. In the following section, I will analyze the impact of section 5 cases on these jurisdictions as well as their frequency.

VII. Case Studies and Data Analysis

The 1975 Voting Rights Act expanded coverage to include new states and several counties, under section 5⁶⁶ The hallmark of the extension of the 1975 was the inclusion of language minorities and their subsequent coverage under section 5. Up until this point I have focused primarily on the history, as well as actors, surrounding and leading up to the passage of the act. To fully understand the impact of the 1975 VRA and its benefit I focus on court cases after 1975. The research I conducted alongside Professor Luis Fraga over the past three years focused primarily on the court cases after implementing the 1975 VRA and the subsequent expansion of section 5 to include language minorities from this research I draw my case analysis. I created my list of cases from the research database LexisNexis and refined the cases based on the criteria of formerly covered jurisdictions under the 1965 Voting Rights Act and the 1975 extension of the Voting Rights Act.

In my research, I have found 234 cases and 239 voting determination letters all after 1975. I then refined my data to simply cases to jurisdictions that fall under the new section 5 expansion. Under this new criteria, I found 93 cases and 239 voting determination letters. Voting

⁶⁶ These states were Alaska, Arizona, and Texas. In California the counties of Kings, Monterey and Yuba were covered. In Florida Collier County, Hardee County, Hendry County, Hillsborough County and Monroe County were covered. Finally, in New York: Bronx County and Kings County were covered.

determination letters were a result of the policy of section 5 that required covered jurisdictions to gain preclearance from the Justice Department to make a change in their voting policy or procedure. The DOJ had four strategies in assessing submissions (1) rely upon the information provided by the covered jurisdiction and included within its original submission; (2) rely upon the information provided by African Americans and language minorities in their assessment of proposed changes; (3) secure information through independent research; or (4) secure additional information from the submitting jurisdiction through the issuance of more information requests (MIR).⁶⁷ From these assessments, the Justice Department would either accept or reject the proposed change based on the information given and if they felt that the jurisdiction followed the Voting Rights Act in terms of uplifting minority voting. It is important to note that some of these voting determination letters were resolved through separate court cases, and I will note these examples, but generally, they were separate entities. Through case analysis, Department of Justice letters, and interviews conducted with key actors in these cases, I will show the impacts of section 5 and the overall impact of the 1975 Voting Rights Act.

The power of section 5 could be seen and felt immediately. Suddenly a new tool was available to attorneys to combat years of covert voting discrimination. As attorney Rolando Rios notes the changes were immediate. In a city such as San Antonio that had boxed Latinos out with at-large elections and annexations, “[They] were able to force them to go to single-member districts and overnight we ended up with four or five Latinos school board members or, City Council members.” Rios played a central role in litigating many of these voting rights cases, especially in Texas. He litigated 5 Supreme Court cases and 217 district court cases.⁶⁸ His career

⁶⁷ Guidelines for jurisdictions submitting changes to the DOJ are located at : http://www.usdoj.gov/crt/voting/sec_5/guidelines.htm

⁶⁸Rios, Rolando. “Cases Litigated by Rolando L. Rios & Associates, PLLC.”Law Offices of Rolando L. Rios (blog) [.https://www.rolandorioslaw.com/about1](https://www.rolandorioslaw.com/about1)

spanned from the expansion of section 5 to the end of section 5 in 2013. Conversely, when the act first past the court began to flood with cases, especially in Texas which had been previously left out. One attorney, Jose Garza, describes the triumph of 1975 VRA's expansion of section 5 as "You know, they couldn't, they couldn't hold us. Back after that."⁶⁹ The court truly could not hold them back as attorneys marched into court to change past precedent.

As a result of the passage of the 1975 VRA language minorities, which included Mexican-Americans, opened a new side of the law. Of those cases, 234, 5 were litigated by MALDEF and 5 by Rolando Rios which are directly related to Latinos. Central to these cases in Texas in particular were Rolando Rios and MALDEF.⁷⁰

After the 1975 VRA, we can trace a steady increase in cases in what I categorize as the first wave of court cases in these newly covered section 5 jurisdictions. Attorney Jose Garza an attorney at Laredo Legal Aid in 1978 and MALDEF in 1979 said of his time legislating these court cases that it was "Very successful in the beginning for all of us, and I think the state of Texas was in shock that we're winning all these cases...feelings that you had is the transformation that we would see immediately."⁷¹ The attorneys were successful indeed especially in Texas which had 32 cases between 1975-1982 as seen in Figure 8. In terms of voting determination letters, Texas had almost triple with 98 letters between 1975 and 1982. The majority of the letters from the U.S. Attorney General forced Texas the state, its counties, or its townships to redo their voting policy following the guidelines of the VRA. Starting in 1982 we begin to see a trend of cases not returning the judgement we would have hoped. Cases continued in Texas but not to the extent previously seen. This pattern continues not only in Texas, but other

⁶⁹ Garza, Jose. Interview by the author. November 3, 2023

⁷⁰ Rios, Rolando. "Cases Litigated by Rolando L. Rios & Associates, PLLC." Law Offices of Rolando L. Rios (blog) <https://www.rolandorioslaw.com/about1>

⁷¹ Garza 2023

covered states. Arizona followed this pattern with 17 of its 21 DOJ letters taking place between 1980-1995 and 4 out of their 8 cases taking place in the same period. The jurisdictions mainly covered in this time were city at 30% and then school board 22.2% as seen in figure 2. Jose Garza offers insight into this phenomenon saying

“To be part of this effort, because so there's different components, right, there's there's the. . . We were winning everything at the very beginning, right? I mean, later on it became harder and harder and the cases would take a toll on it. On you as the as the law morphed into, these are really difficult cases and sometimes you're going to win. But most often you're going to. From the early force. I mean, we won every case we filed in 1979.”⁷²

This is especially apparent when tracking the type of preclearance. 64 out of the 234 cases were reapportionment or redistricting. Starting in the late 1980s and early 1990s redistricting cases suddenly failed to return a judgment in favor of the minority group. That is not to say it never happened, but it was far more sparse in the interim.

The second wave of cases falls between 1986 and 1998. During this time Texas adjudicated 14 cases and received 86 letters as seen in figure 8. Figure 8 also shows, Arizona had 2 cases and 8 out of their 10 total Justice Department letters. Some cases of note from this era include *United States v. Arizona (1994)* which states “United States District Court for the District of Arizona Elections for newly established judgeship were enjoined because they were not precleared under § 5 of the Voting Rights Act of 1965 and had the potential of causing discrimination or retrogression with respect to minorities.”⁷³ another case. During this time states accounted for most of the cases with 45% with cities in second place at 19% as shown in

⁷² Garza 2023

⁷³ *United States v. Arizona*, 1994 U.S. Dist. LEXIS 17606 (1994)

figure 2. This shift means that the issue of voting became resolved as the local-level opponents tried to push the issue to the grand scale of the state.

The final wave takes place from 2002 to 2012. Notably during this time was the 2006 extension of the VRA which extended the VRA For 25 Years. During this time, the cases were mostly from State 45% and city 25% as shown in figure 3. State remained similar from the previous wave where we see an uptick in city. This is unsurprising as states began to test the limits of voting rights, in particular Texas. As shown in figure 8, Texas had 20 cases most notably *Texas v. Holder (2012)* which introduced voter ID laws to Texas. “Preclearance was not warranted of change in voting procedure in Texas to require photo ID since many minority voters lacked photo ID, burdens in obtaining ID would weigh most Preclearance was not warranted of change in voting procedure in Texas to require photo ID since many minority voters lacked photo ID, burdens in obtaining ID would weigh most heavily on racial minorities who were disproportionately likely to live in poverty, and thus change would likely lead to retrogression in voting position of racial minorities.”⁷⁴ A slew of similar cases popped up like in Arizona in 2009 in *Vallejo v. City of Tucson (2009)* in which a Latino veteran was denied the ability to vote because of lacking proper ID. These efforts would come to a halt after *Shelby v. Holder (2013)*.

⁷⁴ *Texas v. Holder*, 888 F. Supp. 2d 113, 144–45 (D.D.C. 2012)

Figure 1: First Wave Types of Jurisdiction

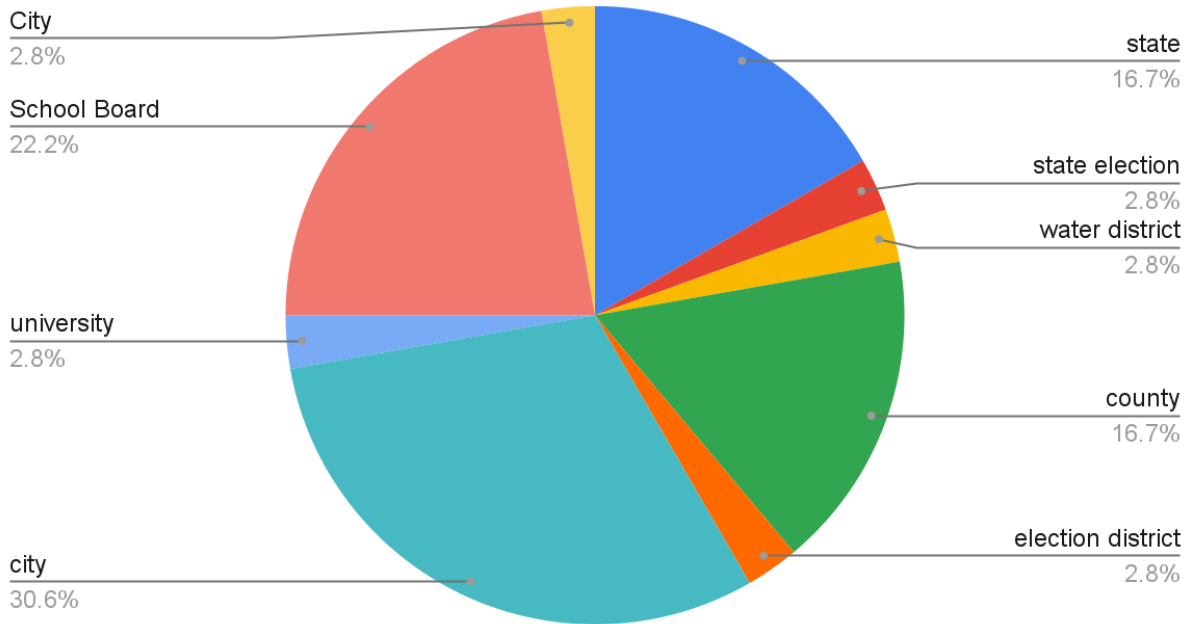


Figure 2: Second Wave Types of Jurisdiction

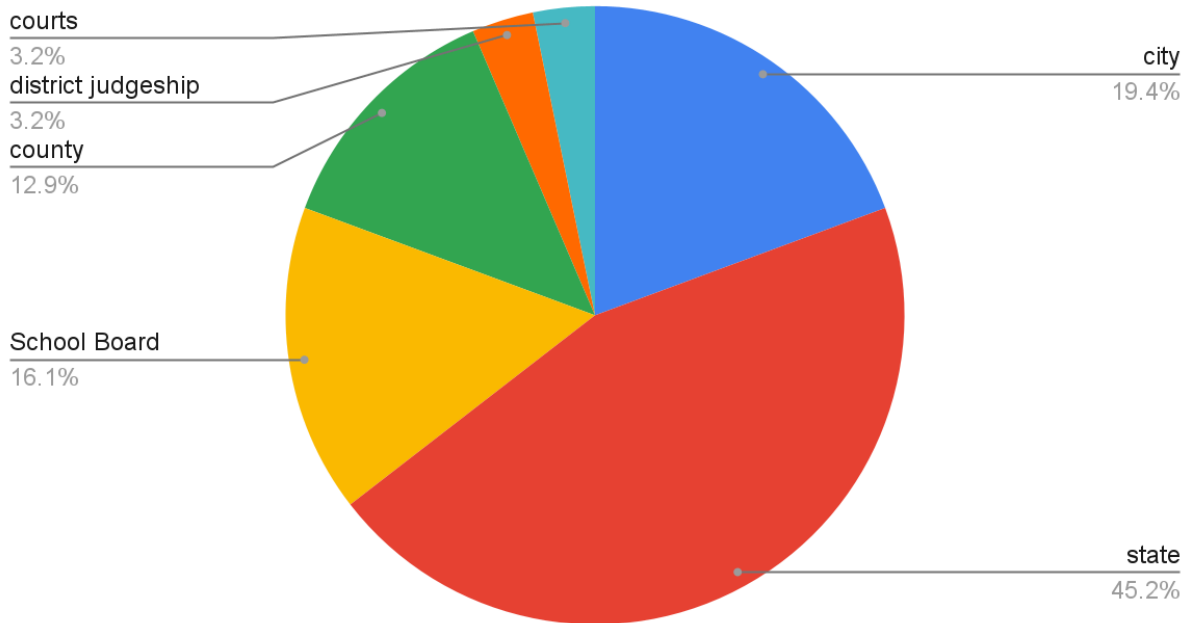
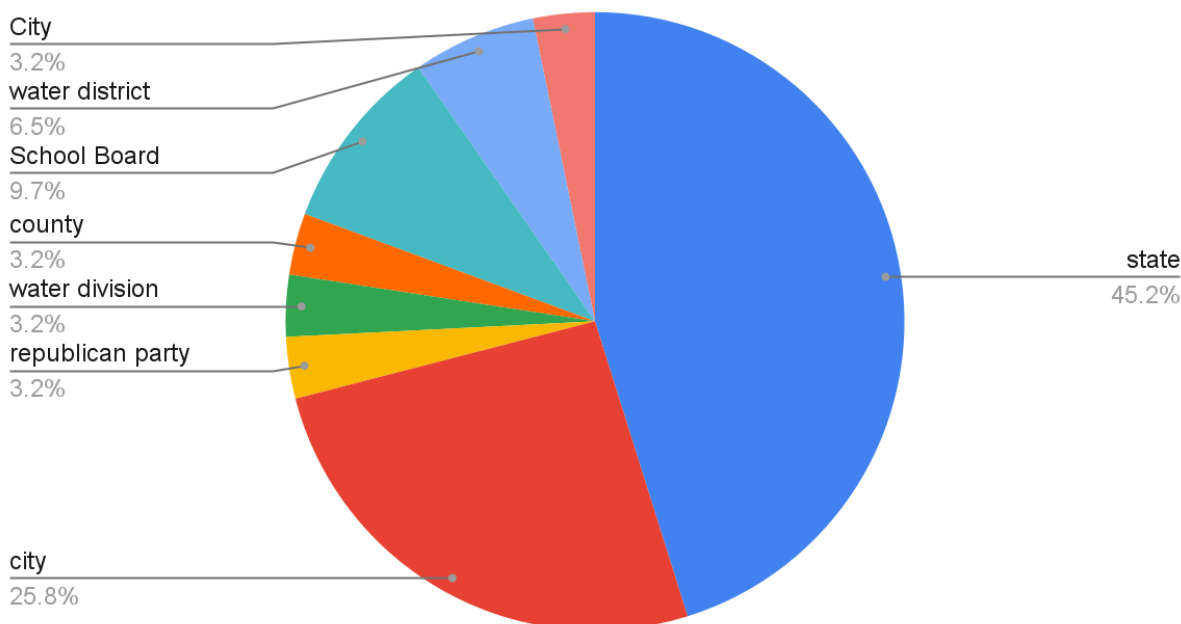


Figure 3: Third Wave Types of Jurisdiction



An important subsection of note is bilingual cases and DOJ letters. These cases specifically sought to rectify voting materials that were only in English. Jurisdictions were required to have voting materials in another language if 5% of that population had that language as their primary language. Nine DOJ letters pertain to this and 4 court cases. Two of the court cases come from California, one from Colorado, and one from Hawaii. The letters have five from Texas, two from Arizona, and two from California. Interestingly, all the cases in Arizona deal with Navajo. *Reich v. Larson* was an interesting case out of California that instead of the DOJ went to the district court. The case found that the candidate's action asserting that the bilingual assistance provision of the Voting Rights Act of 1965 violated his constitutional rights under could not proceed where filed because the Act placed original jurisdiction in the District of Columbia district court. These court cases took place from 1978 at the earliest to 1988 at the

latest. As for the letters they span from 1976 to 2010. These were not as numerous as redistricting or other types of cases, but their impact could be felt.

What this data tells us is that in the first wave, the expansion of section 5 was able to focus on a more localized scale focusing on school boards and cities. My research shows that this is primarily from at-large elections switching to single-member districts. The frequency of cases increases in the second wave but goes on a grander scale moving towards state only. It is also in this wave that we see the majority of the bilingual cases. The third wave was mainly from states. However, unlike the previous wave, the states were more empowered and tried to either have their jurisdictions test out or in the case of *Texas v. Holder* add voter ID laws. States began to get testy with the Voting Rights Act. The data is undeniable in the fact that under this section people were helped, and the vote was empowered.

VIII. Discussion (analytical summary)

On June 25, 2013, the United States Supreme Court held that it is unconstitutional to use the coverage formula in Section 4(b) of the Voting Rights Act to determine which jurisdictions are subject to the preclearance requirement of Section 5 of the Voting Rights Act, *Shelby County v. Holder*, 133 S. Ct. 2612 (2013). The Supreme Court did not rule on whether section 5 was unconstitutional, but rather on the formula it used to cover jurisdictions. The effect of the Shelby County decision is that the jurisdictions identified by the coverage formula in Section 4(b) no longer need to seek preclearance for the new voting changes unless a separate court order covers them entered under Section 3(c) of the Voting Rights Act. Chief Justice Roberts famously wrote in his majority opinion “Nearly 50 years later, they are still in effect; indeed, they have been made more stringent, and are now scheduled to last until 2031. There is no denying, however,

that the conditions that originally justified these measures no longer characterize voting in the covered jurisdictions” The reasoning provided by Justice Roberts was allowed only by the conditions in section 5 that fostered it. Once the conditions were taken away voting rights failed.

This shift in voter turnout dynamics, juxtaposed with the Supreme Court's decision, set the stage for states to reevaluate and adjust their voting regulations, some of which led to increased restrictions and raised questions about the accessibility of the voting process. Since that time, Census Bureau data indicate that African-American voter turnout has come to exceed white voter turnout in five of the six States [Alabama, Georgia, Louisiana, Mississippi, and South Carolina]originally covered by §5, with a gap in the sixth State of less than one half of one percent [Virginia]. This was true in 2012 however the voting record quickly took a turn for the worse. According to the Brennan Center for Justice, “between 2012 and 2020, the white-Black turnout gap grew between 9.2 and 20.9 percentage points across five of the six states originally covered by Section 5 of the Voting Rights Act.”⁷⁵ White-black turnout was not the only thing to lag, “Latino voter turnout has lagged behind white voter turnout for the last 24 years in every state where those rates are measurable.”⁷⁶ The main state for Latino voter turnout failing has been Texas

Amidst this backdrop of regulatory changes and the observed shifts in voter turnout, the actions of states like Texas, which implemented stringent voter ID laws, underscore the practical implications of the Supreme Court's decision on the ground, affecting the very fabric of electoral participation. After the overturning of Section 5, Texas immediately swooped in with restrictive

⁷⁵ “Racial Turnout Gap Grew in Jurisdictions Previously Covered by the Voting Rights Act | Brennan Center for Justice,” March 2, 2024.

<https://www.brennancenter.org/our-work/research-reports/racial-turnout-gap-grew-jurisdictions-previously-covered-voting-rights>.

⁷⁶ “Racial Turnout Gap Grew in Jurisdictions Previously Covered by the Voting Rights Act | Brennan Center for Justice,” March 2, 2024.

<https://www.brennancenter.org/our-work/research-reports/racial-turnout-gap-grew-jurisdictions-previously-covered-voting-rights>.

voter ID laws. There are seven forms of ID allowed that are required to be presented when one votes. They are Texas Driver License issued by the Texas Department of Public Safety (DPS), Texas Election Identification Certificate issued by DPS, Texas Personal Identification Card issued by DPS, Texas Handgun License issued by DPS, United States Military Identification Card containing the person's photograph, United States Citizenship Certificate containing the person's photograph, or United States Passport (book or card).⁷⁷ Texas is not the only state to pass this. 38 states have passed laws related to voter ID and 17 states have passed stricter ID laws since 2020.⁷⁸ This is more likely to impact non-white citizens as non-white citizens are “3.7 times more likely to be without an unexpired license or state ID card than white adult citizens.”⁷⁹

As we observe the evolving landscape of voter ID laws across the United States, it becomes clear that the balance between securing elections and ensuring universal access to the ballot is a delicate one. The aftermath of the Shelby County decision has not only reshaped the regulatory framework governing voting rights but has also ignited a nationwide debate on the true cost of these changes. One thing is certain we must sure up the ability to vote again. *Shelby v. Holder* hurt the ability to vote fairly in this country. It is up to us to remedy it.

IX. Conclusion

This thesis emphasized the transformative impact of the 1975 Voting Rights Act expansion on American democracy and then highlighting the continuous effort to uphold and

⁷⁷ “Vote Texas.” Accessed March 21, 2024. <https://www.votetexas.gov/mobile/id-faqs.htm>.

⁷⁸ Democracy Docket. “New Research Ahead of 2024 Confirms Voter ID Laws Impact Millions,” February 14, 2024. <https://www.democracymillions.com/opinion/new-research-ahead-of-2024-confirms-voter-id-laws-impact-millions/>.

⁷⁹ Democracy Docket. “New Research Ahead of 2024 Confirms Voter ID Laws Impact Millions,” February 14, 2024. <https://www.democracymillions.com/opinion/new-research-ahead-of-2024-confirms-voter-id-laws-impact-millions/>.

further voter rights through the courts. I sought to answer the question of how the roles of legislators, interactions with Latino community leaders, and pressure groups, employing a historical institutional lens to examine the politics behind this significant civil rights milestone. I found that in line with my theoretical framework following Schattschneider's Conflict Theory, historical institutionalism as articulated by Thelen, and Hecló's Ideas Interests, and institutions the institutions that drove the change were able to do so by one forcing the issue on to the national scale and two by creating coalitions of support to ensure its passage. I then explored the role of different actors in the passage of the 1975 Voting Rights Act in line with the theoretical framework. I highlighted key figures such as Barbara Jordan, Rolando Rios, and organizations like MALDEF in advocating for the expansion, as well as opposition from within the Black caucus and other political figures. Finally, I looked at the impact of the 1975 VRA especially through analyzing empirical data court cases and DOJ letters post-1975 expansion, showcasing the tangible impacts of the legislation on voting rights protection for language minorities. I also discuss the initial successes, challenges encountered over time, and the importance of bilingual voting materials ending with a discussion of *Shelby v. Holder (2013)* which essentially ended section 5 of the VRA. I conclude from this that in order to impact voting rights in a net positive direction the United States Congress will need a massive legislative effort to reestablish these rights and cement the right to vote once and for all.

After assessing the rise and fall of section 5 as well as of the impact of section 5 on language minorities we must look to the future of voting rights in America. In 2021, Congress tried to repair some of the damage from *Shelby v. Holder (2013)* by passing The John R. Lewis Voting Rights Advancement Act (H.R. 14, S. 4). Key provisions of this act include preclearance by reestablishing the formula to have covered jurisdictions plus a myriad of other covered

changes such as creating at-large districts in places with sufficiently large minority populations or changing jurisdiction boundaries to remove minorities from the jurisdiction in places with sufficiently large minority populations.⁸⁰ Unfortunately, this bill failed in the senate. So there are three channels for voting rights. First, the courts continue on the same restrictionist path like in *Shelby* as well as *Brnovich v. DNC (2021)*. As the demographic of the court is unlikely to change I foresee this policy issue shifting to the executive branch. As this is an election year the two following cases pertain to the two candidates. If President Biden wins reelection, he could direct the Department of Justice to oversee and adjudicate more cases pertaining to voting rights putting pressure on states to uphold the right to vote. If President Trump wins the right to vote could be severely restricted especially in the wake of his claims of voter fraud in 2020. Republican states would follow trends of voter ID laws and becoming more restrictionist which would conversely disenfranchise voters of color. We must fight to uphold and bolster voting laws as without the right to vote we truly are not a democracy.

⁸⁰ Rep. Sewell, Terri A. [D-AL-7. "H.R.4 - 117th Congress (2021-2022): John R. Lewis Voting Rights Advancement Act of 2021." Legislation, September 14, 2021. 2021-08-17. <https://www.congress.gov/bill/117th-congress/house-bill/4>.

X. Appendix

Figure 4: Map of 1975 Cases: new section 5

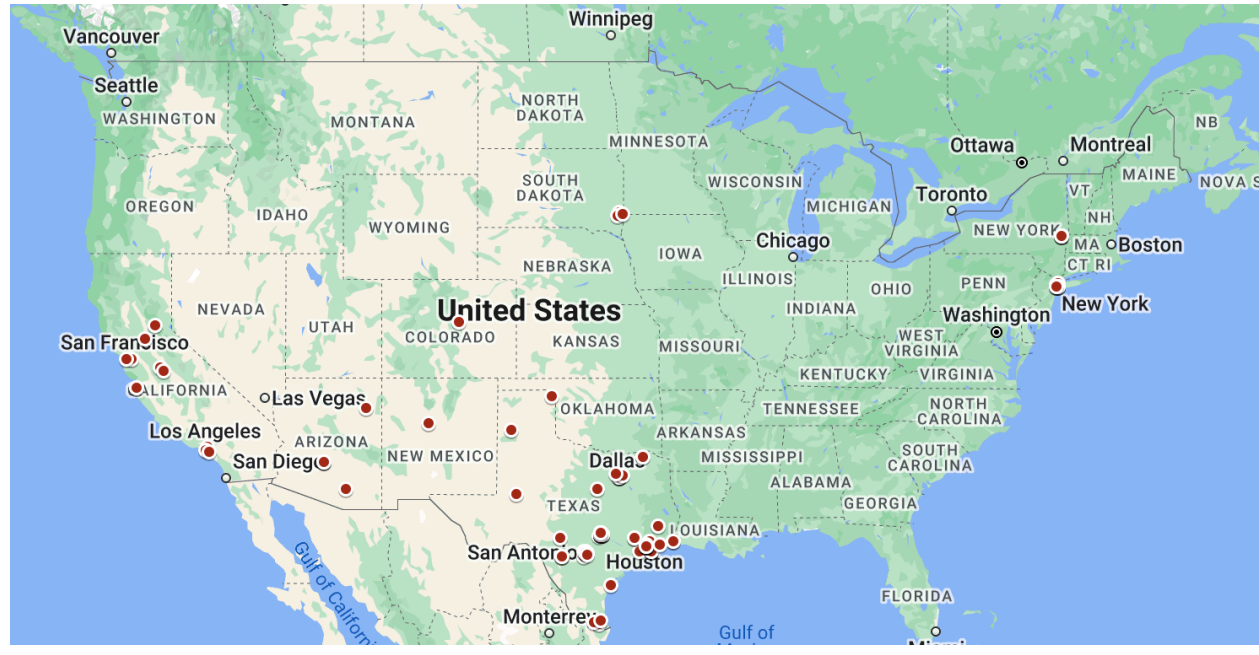


Figure 5: Section 5 1975 Expanded Jurisdictions Cases By Year

| Year | Total |
|------|-------|
| 1975 | 3 |
| 1976 | 3 |
| 1977 | 3 |
| 1978 | 8 |
| 1979 | 6 |
| 1980 | 5 |

| | |
|------|---|
| 1981 | 0 |
| 1982 | 2 |
| 1983 | 3 |
| 1984 | 1 |
| 1985 | 1 |
| 1986 | 4 |
| 1987 | 0 |
| 1988 | 2 |
| 1989 | 0 |
| 1990 | 3 |
| 1991 | 0 |
| 1992 | 4 |
| 1993 | 1 |
| 1994 | 2 |
| 1995 | 1 |
| 1996 | 3 |
| 1997 | 4 |
| 1998 | 2 |
| 1999 | 1 |
| 2000 | 1 |
| 2001 | 0 |
| 2002 | 4 |
| 2003 | 2 |
| 2004 | 1 |
| 2005 | 1 |
| 2006 | 4 |
| 2007 | 0 |
| 2008 | 5 |
| 2009 | 5 |
| 2010 | 0 |

| | |
|------|----|
| 2011 | 4 |
| 2012 | 3 |
| 2013 | 1 |
| | 93 |

Figure 6: Section 5 1975 Expanded Jurisdictions Cases By State

| State | Total |
|--------------|-------|
| Arizona | 6 |
| California | 11 |
| Colorado | 1 |
| Hawaii | 1 |
| New Mexico | 1 |
| New York | 13 |
| Texas | 62 |
| South Dakota | 3 |

Figure 6: Section 5 1975 Expanded Jurisdictions Cases By Jurisdiction

| Jurisdiction | Total |
|-----------------|-------|
| state | 35 |
| city | 27 |
| school board | 15 |
| county | 12 |
| water district | 4 |
| university | 1 |
| Political Party | 1 |

| | |
|-----------|---|
| Judgeship | 1 |
|-----------|---|

Figure 8: Section 5 1975 Expanded Jurisdictions Cases Overview

| Year | State | Jurisdiction | Type of Change | Outcome |
|------|------------|-------------------|--------------------------|-------------|
| 1975 | Arizona | state | election procedure | favorable |
| 1975 | New York | state election | reapportionment | unfavorable |
| 1975 | Texas | water district | | unfavorable |
| 1976 | New Mexico | county | coverage | favorable |
| 1976 | New York | county | election procedure | unfavorable |
| 1976 | Texas | election district | redistricting | favorable |
| 1977 | New York | state | reapportionment | unfavorable |
| 1977 | Texas | city | Preclearance | favorable |
| 1977 | Texas | university | discriminatory procedure | unfavorable |
| 1978 | California | state | good faith | favorable |
| 1978 | Hawaii | state | bilingual | unfavorable |
| 1978 | Texas | county | reapportionment | unfavorable |
| 1978 | Texas | school board | | unfavorable |
| 1978 | Texas | school board | preclearance | favorable |

| | | | | |
|------|----------|--------------|----------------------|-------------|
| 1978 | Texas | school board | at large | favorable |
| 1978 | Texas | city | single member | favorable |
| 1978 | Texas | City | reapportionment | favorable |
| 1979 | Texas | city | injunction | favorable |
| 1979 | Texas | city | injunction | unfavorable |
| 1979 | Texas | city | preclearance | favorable |
| 1979 | Texas | city | injunction | favorable |
| 1979 | Texas | school board | rehearing | favorable |
| 1979 | Texas | city | at large | unfavorable |
| 1980 | Texas | county | injunction | unfavorable |
| 1980 | Texas | school board | election violation | favorable |
| 1980 | Texas | city | annexation | unfavorable |
| 1980 | Texas | school board | constitutional right | unfavorable |
| 1980 | Texas | school board | at large | favorable |
| 1981 | New York | county | reapportionment | unfavorable |
| 1981 | Texas | county | proposed plan | favorable |
| 1981 | Texas | city | redistricting | favorable |
| 1981 | Texas | city | annexation | favorable |
| 1981 | Texas | city | redistricting | favorable |

| | | | | |
|------|------------|-----------------------|-----------------|-------------|
| 1982 | Texas | state | reapportionment | favorable |
| 1982 | Texas | city | electoral plan | favorable |
| 1983 | California | county | bilingual | favorable |
| 1983 | Texas | city | voting system | unfavorable |
| 1983 | Texas | state | reapportionment | unfavorable |
| 1984 | Texas | school board | electoral plan | unfavorable |
| 1985 | California | state | electoral plan | Unfavorable |
| 1986 | California | city | bilingual | Unfavorable |
| 1986 | Texas | city | electoral plan | unfavorable |
| 1986 | Texas | state | injunction | favorable |
| 1986 | Texas | school board | at large | favorable |
| 1988 | Colorado | state | injunction | unfavorable |
| 1988 | Texas | city | at large | favorable |
| 1990 | California | county | vote dilution | favorable |
| 1990 | Texas | district judgeship | electoral plan | unfavorable |
| 1990 | Texas | state | vote dilution | unfavorable |
| 1992 | California | county | redistricting | favorable |
| 1992 | New York | state | redistricting | favorable |

| | | | | |
|------|--------------|--------------|--------------------|-------------|
| 1992 | Texas | state | reapportionment | favorable |
| 1992 | Texas | state | redistricting | favorable |
| 1993 | California | city | redistricting | |
| 1994 | Arizona | state | redistricting | favorable |
| 1994 | New York | state | redistricting | favorable |
| 1995 | Arizona | state | redistricting | favorable |
| 1996 | New York | school board | election plan | favorable |
| 1996 | New York | school board | discrimination | unfavorable |
| 1996 | Texas | school board | at large | favorable |
| 1997 | New York | state | redistricting | favorable |
| 1997 | New York | state | redistricting | favorable |
| 1997 | New York | city | redistricting | unfavorable |
| 1997 | Texas | state | election plan | favorable |
| 1998 | Texas | city | annexation | unfavorable |
| 1998 | Texas | county | payment | unfavorable |
| 1999 | California | county | election procedure | unfavorable |
| 2000 | Texas | county | vote purging | favorable |
| 2002 | Arizona | state | redistricting | Unfavorable |
| 2002 | South Dakota | state | redistricting | unfavorable |

| | | | | |
|------|--------------|------------------|--------------------|-------------|
| 2002 | Texas | city | annexation | unfavorable |
| 2002 | Texas | Republican Party | voting procedure | favorable |
| 2003 | Texas | water division | election procedure | unfavorable |
| 2003 | Texas | state | voting procedure | favorable |
| 2004 | Arizona | state | redistricting | Unfavorable |
| 2005 | South Dakota | state | reapportionment | unfavorable |
| 2006 | New York | state | prison | unfavorable |
| 2006 | Texas | school board | redistricting | favorable |
| 2006 | Texas | water district | injunction | favorable |
| 2006 | Texas | state | redistricting | favorable |
| 2008 | California | city | voting procedure | unfavorable |
| 2008 | New York | city | injunction | unfavorable |
| 2008 | Texas | city | voting procedure | favorable |
| 2008 | Texas | school board | voting procedure | unfavorable |
| 2008 | Texas | city | VRA protection | unfavorable |
| 2009 | Arizona | city | voter ID | Unfavorable |
| 2009 | South Dakota | state | voter purging | favorable |
| 2009 | Texas | school board | election procedure | unfavorable |

| | | | | |
|------|------------|----------------|-----------------------|-------------|
| 2009 | Texas | city | redistricting | unfavorable |
| 2009 | Texas | state | election procedure | unfavorable |
| 2011 | California | water district | preclearance | favorable |
| 2011 | Texas | state | redistricting | unfavorable |
| 2011 | Texas | state | apportionment | unfavorable |
| 2011 | Texas | state | redistricting | unfavorable |
| 2012 | California | state | redistricting | favorable |
| 2012 | Texas | state | preclearance/voter ID | unfavorable |
| 2012 | Texas | city | at large | favorable |
| 2013 | Texas | state | single member | unfavorable |

Bibliography

- Archives, US National. "Legacy of the Voting Rights Act – Expansions of the 1970s." The Reagan Library Education Blog (blog), April 19, 2022.
<https://reagan.blogs.archives.gov/2022/04/19/legacy-of-the-voting-rights-act-expansions-of-the-1970s/>.
- Civil Rights Division. "About Section 5 of the Voting Rights Act." August 6, 2015.
<https://www.justice.gov/crt/about-section-5-voting-rights-act>.
- Cheney, Dick. Memorandum for Don Rumsfeld, "Recommendation on Extension of the Voting Rights Act." February 15, 1975. Richard B. Cheney Files, Box 13, Folder "Voting Rights Act Extension," Gerald R. Ford Presidential Library.
- Congress Clears Voting Rights Act Extension." In CQ Almanac 1975, Vol. 31. CQ Almanac Online Edition. Washington, D.C., United States: Congressional Quarterly, 1976.
- Cotrell, Charles L., and R. Michael Stevens. "The 1975 Voting Rights Act and San Antonio, Texas: Toward A Federal Guarantee of a Republican Form of Local Government." *Publius* 8, no. 1 (1978): 79–99. <https://doi.org/10.1093/oxfordjournals.pubjof.a038487>.
- Democracy Docket. "New Research Ahead of 2024 Confirms Voter ID Laws Impact Millions," February 14, 2024.
<https://www.democracymodel.com/opinion/new-research-ahead-of-2024-confirms-voter-id-laws-impact-millions/>.
- Fraga, Luis Ricardo. "The Origins of the 1975 Expansion of the Voting Rights Act: Linking Language, Race, and Political Influence." **US Latina & Latino Oral History Journal** 1 (2017): 8. <https://doi.org/10.7560/OHJ102>.
- Garza, Jose. Interview by the author. November 3, 2023
- Haney-López, Ian. **White by Law : The Legal Construction of Race.** Revised and updated 10th anniversary edition. New York: New York University Press, 2006.
- Hecl, Hugh. "Ideas, Interests, and Institutions." In *Orchestrating the Instruments of Power: A Critical Examination of the U.S. National Security System*, edited by Derek S. Reveron, 366-381. University of Nebraska Press, 2015
- "JORDAN, Barbara Charline | US House of Representatives: History, Art & Archives." Accessed March 25, 2024.
[https://history.house.gov/People/Listing/J/JORDAN,-Barbara-Charline-\(J000266\)/](https://history.house.gov/People/Listing/J/JORDAN,-Barbara-Charline-(J000266)/).
- Kennedy, Charles Stuart, and Thomas B Reston. Interview with Thomas B. Reston. 2010. Manuscript/Mixed Material. <https://www.loc.gov/item/mfdipbib001631/>.
- Keyssar, Alexander. **The Right to Vote: The Contested History of Democracy in the United States.** New York: Basic Books, 2009.
- Korble, George. Interview by the author. October 27, 2023

- Korble, George "George J. Korbel 978." Interview by Vinicio Sinta. YouTube video, 74:00. March 29, 2014. <https://www.youtube.com/watch?v=UkSH4XgX9bM>
- Library of Congress. "The Chicano Civil Rights Movement." Accessed March 20, 2024. <https://www.loc.gov/item/ihas.200197398/>.
- MALDEF. "MALDEF Successfully Pushed to Expand the Voting Rights Act to Language Minorities." MALDEF (blog), March 19, 2020. <https://www.maldef.org/2020/03/maldef-successfully-pushed-to-expand-the-voting-rights-act-to-language-minorities/>.
- Mullen, Michael. Interview by the author. September 2023
- National Archives. "The Constitution: Amendments 11-27." November 4, 2015. <https://www.archives.gov/founding-docs/amendments-11-27>.
- "Pearsall Beating Case: Federal Lawyers Are Ordered Out," San Antonio Express, June 24, 1975.
- "Racial Turnout Gap Grew in Jurisdictions Previously Covered by the Voting Rights Act | Brennan Center for Justice," March 2, 2024. <https://www.brennancenter.org/our-work/research-reports/racial-turnout-gap-grew-jurisdictions-previously-covered-voting-rights>.
- Rep. Sewell, Terri A. [D-AL-7. "H.R.4 - 117th Congress (2021-2022): John R. Lewis Voting Rights Advancement Act of 2021." Legislation, September 14, 2021. 2021-08-17. <https://www.congress.gov/bill/117th-congress/house-bill/4>.
- Rios, Rolando. "Cases Litigated by Rolando L. Rios & Associates, PLLC." Law Offices of Rolando L. Rios (blog) <https://www.rolandorioslaw.com/about1>
- Section 203 "Civil Rights Division | Language Minority Citizens," August 6, 2015. <https://www.justice.gov/crt/language-minority-citizens>.
- Schattschneider, Elmer Eric. *The Semi-Sovereign People: A Realist's View of Democracy in America.* Hinsdale, IL: Dryden Press, 1960.
- Shelby County v. Holder, 570 U.S. 529 (2013)
- Thelen, Kathleen. "Historical Institutionalism in Comparative Politics." *Annual Review of Political Science* 2, no. Volume 2 (June 1, 1999): <https://doi.org/10.1146/annurev.polisci.2.1.369>.
- Texas v. Holder, 888 F. Supp. 2d 113, 144–45 (D.D.C. 2012)
- Villarreal, Patricia. "Patricia Villarreal 1050." Interview by Maggie Rivas-Rodriguez. YouTube video, 127:00. May 4, 2017. https://www.youtube.com/watch?v=L_IPBS_Rf3s.
- United States v. Arizona, 1994 U.S. Dist. LEXIS 17606 (1994)
- "Vote Texas." Accessed March 21, 2024. <https://www.votetexas.gov/mobile/id-faqs.htm>.
- White v. Regester, 412 U.S. 755 (1973).
- White v. Regester: MALDEF Case Helped Kill Off Mega-Voter Districts That Suppressed the Mexican American Vote." MALDEF (blog), December 26, 2018. <https://www.maldef.org/2018/12/white-v-regester-maldef-case-helped-kill-off-mega-voter-districts-that-suppressed-the-mexican-american-vote/>.

