

HISTORY This Week 321: Reconstruction IV: Voting Rights at Last Episode Transcript

NOTE: This transcript may contain errors.

Sally Helm: Previously on Reconstruction.

As Reconstruction loses steam, a pernicious narrative takes hold. The fiction that the Confederacy fought for the noble "lost cause" of states' rights.

Christy Coleman: The lost cause said the South didn't go to war to keep their slaves. Short answer. And it was a lie.

Sally Helm: And a hundred years after the Civil War ends, too many Black Americans still don't have the rights that people like Frederick Douglass had been asking for.

Hasan Jeffries: He's like freedom means nothing unless African Americans have the right to vote.

Sally Helm: HISTORY This Week. May 26, 1965. I'm Sally Helm.

The Senate session opens with a nod to the cruelty of the world. It comes from the Senate chaplain, who offers a prayer. He says all the men in this room are "standing in the midst of swift social currents and lurking evil forces whose hideous cruelty stabs our anguished sympathies."

The bill up for debate today is about those "swift social currents." That hideous cruelty. A bill "to enforce the 15th amendment to the Constitution of the United States." The Voting Rights Act.

The 15th amendment was *supposed* to guarantee voting rights to all men, regardless of race. But many Black voters face unfair obstacles at the polls, especially in the South. They have to pay poll taxes, which burden them disproportionately. They're sometimes kept from voting by mob violence, and police violence. One county in Mississippi has five thousand five hundred and sixty-one Black residents... and none are registered to vote. A massive protest movement has been marching against these injustices. Demanding that the Constitutional right to vote be upheld... for all.

That's why this bill is on the table today. A bill to enforce a Constitutional amendment that already exists. That was ratified way back in 1870.

Florida Senator Spessard Holland makes a speech this morning about the 1870s. He says he's the son of a Confederate veteran. The grandson of two. And he calls Reconstruction, which was meant to right the wrongs of slavery, a "horrible experience." He quotes a newspaper column that says, when "the voting rights bill becomes law, a federal dictatorship will begin." It's the echo of a cry that went up from the South during Reconstruction: Enough with the demands for change. Let's all just move on.

But the people arguing for the Voting Rights Act say: Look around! Everyone who fought in the Civil War is dead...and every American STILL doesn't have the right to vote. It is past time to finish what Reconstruction started.

Today: the 1960s have been called the Second Reconstruction. Another brief window of opportunity to re-make the nation "with malice toward none ... and firmness in the right." How did the forces that opposed the first Reconstruction come roaring back during the second? And would this time be different?

[AD BREAK]

Sally Helm: It's 1955, ten years before the U.S. Senate will say "yes" or "no" to the Voting Rights Act. And in 1955, the Senate is kind of a dusty, cobwebby organization. Some of the legislators have been hanging around those halls for 30 years. And if there is a physical manifestation of the Senate's vibe, it is the Democratic cloakroom. A place, just outside the chambers, where the lawmakers conduct their backroom negotiations.

Robert Caro: It hadn't been painted in some time. Along the walls were leather couches, some that looked worse for wear.

Sally Helm: That is journalist and author Robert Caro. He's spent the past forty plus years researching the life of Lyndon B. Johnson—a Texan Senator who, in 1955, is Senate Majority leader. Johnson spends a lot of time in the cloakroom.

Robert Caro: That room revolved around him.

Sally Helm: He's an imposing figure. Six feet, four inches tall.

Robert Caro: His head was actually massive for his body.

Sally Helm: He has a Southern twang—though, when he's negotiating with Northerners, his accent gets more clipped. He is a master politician.

Robert Caro: He had this habitual gesture. He would put one arm around your shoulder. With the other hand, he would grab your lapel. And he'd lean into your face to persuade you of something.

Sally Helm: And if that Senator tried to pull away from him?

Robert Caro: What Johnson used to do is stick a finger through the buttonhole in their lapel so the guy couldn't leave without pulling his jacket off.

Sally Helm: *(laughs)* Wow. That is, that is quite a trick.

But in 1955, Johnson is confronting a big problem. He's gonna need all his best tricks.

It has been ninety years since the end of the Civil War. And Congress has not passed a single Civil Rights Bill since Reconstruction. Not to limit segregation, outlaw the poll tax, prevent lynching. An immovable core of Southern Senators simply will not let it happen.

Robert Caro: There's no getting around them. And they're not going to let a civil rights bill get passed. The Senate is the South's revenge for Gettysburg.

Sally Helm: The Battle of Gettysburg may have secured the Union victory back in 1863, but in 1955, Southern Senators are calling the shots. Including Lyndon Johnson. Up to this point, he has voted against every single civil rights bill that came his way.

But outside the dusty Senate cloakroom, things are changing. The Supreme Court has just issued a momentous decision. *Brown v. Board of Education*. Ruling that school segregation—“separate but equal”—is unconstitutional.

This could mean a massive change in the way that Black people and white people in the United States live together. In both the South and the North—to be clear, segregation and discrimination are not just Southern problems.

There are lots of powerful people who do not want this change to happen. One of them is South Carolina Senator Strom Thurmond.

Robert Greene II: Thurmond is becoming known as one of the most ardent defenders of segregation in the U.S. Senate.

Sally Helm: That's Claflin University professor Robert Greene II. He told us, a few years earlier, Thurmond had run under a new political party using a Confederate Flag as its symbol. A Party called the Dixiecrats, or State's Rights Democratic Party.

Robert Greene II: To say that we have a right to determine how race should be codified in our own states and if that meant segregation, then so be it.

Sally Helm: State's rights, Confederate flags: it's the Lost Cause argument that followed the Civil War, dressed in new clothes. And in 1956, Thurmond sets out to organize his Southern Democratic colleagues to oppose the *Brown v. Board of Education* decision.

Thurmond is pretty new to Congress. So, he turns to a very established Southern colleague: Senator Harry Byrd of Virginia. “Old Harry,” as other Senators call him. Old Harry does not support integration. So, in 1956, he and Thurmond put together a statement. The Southern Manifesto.

Robert Greene II: Where they're laying out their opposition to any civil rights legislation, opposition to *Brown v. Board*, and saying that the south will speak with one voice.

Sally Helm: At least, the anti-Civil Rights south. As it's represented in the Senate. But at this same time, 1956, something big is happening down in Alabama.

Getty Archival: ... Blacks in Montgomery continue to boycott the buses, week after week, month after month...

Sally Helm: There's a boycott going on, to pressure leaders to strike down segregation on city buses. It's led by a young minister. A relative unknown.

Getty Archival: ...focuses national attention on its leader. A 27-year-old Baptist minister, Martin Luther King, Jr.

King Archival: For several weeks now, we the... (Fade out)

Sally Helm: Lyndon Johnson sees what's happening in Alabama. And he is a savvy politician.

Robert Greene II: He's aware the Democratic party sooner or later is going to have to take a forceful stance on civil rights. They need the Black vote in the north and the west to help them in critical Senate elections and the presidential election as well.

Sally Helm: And it just so happens that Johnson himself is planning to run for president in 1960. So, when he hears about this Manifesto circulating, he hangs back.

To Caro's mind, this is not pure political calculation. Johnson is a complicated figure. And, though his voting record hasn't reflected it so far, he did have personal sympathies toward civil rights. He'd been a teacher near the US-Mexico border to help pay his way through college. And he'd grown close to those kids.

Robert Caro: Johnson says, you know, 'I swore that if I ever had the power, I'd helped them one day. And now I have the power. And I mean to use it.'

Sally Helm: In the end, Byrd, Thurmond, and 99 other Southern legislators sign the Southern Manifesto. But Lyndon Johnson doesn't.

He doesn't condemn it, either. He tries to maintain his political maneuvering room. Because he has set his sights on the impossible. He wants to be the one, after eighty-plus years, to finally push a civil rights bill through Congress.

Robert Caro: Studying the career of Lyndon Johnson you say, this is in a way the very height of political power. It seems absolutely impossible to get a civil rights bill through. So, to watch Johnson try, is for me fascinating.

Sally Helm: In the spring and summer of 1957, Johnson is trying to crack the nut that is this civil rights bill. And that previously unknown minister, Martin Luther King, Jr. has taken his movement beyond the buses in Montgomery. The movement won *that* fight: the Supreme Court has ruled that segregation on public buses is illegal. And now King is talking about what he sees as one of the biggest issues holding back Black Americans: the right to vote.

Remember, that right is already supposed to exist. But:

Clarence Lusane: In many instances in the south, Black people were basically prevented from voting.

Sally Helm: Howard University professor Clarence Lusane has researched this subject professionally. And he's heard stories from his grandmother, who worked at the Alabama polls.

Clarence Lusane: She was one of literally, probably a few hundred people out of tens of thousands in her area who could actually vote.

Sally Helm: At the time, there are lots of barriers to voting. In Louisiana, voting clerks can ask things like, who pays for the mail carrier? and turn away any Black voter who doesn't get the right answer. In Mississippi, Black voters might have to answer the almost philosophical question, "how many bubbles in a bar of soap?" And so maybe it's no wonder that only about five percent of adult Black Mississippians are on the voter rolls.

In May of 1957, King addresses a crowd on the steps of the Lincoln memorial for a speech that announces his big demand.

MLK Archival: *Give us the ballot.*

Sally Helm: Voting rights. He's saying, let Black voters elect our representatives. They'd be pretty different from the people who are in there now. They'd be:

MLK Archival: *Men who will not sign a Southern Manifesto because of their devotion to the manifesto of justice.*

Clarence Lusane: Voting is seen as really the way to bring about some changes.

Sally Helm: Those are changes that the Southern Democrats do not want to see.

Which means, if you're Lyndon Johnson, it's going to be hard to get them to support your Civil Rights bill.

As he sees it, getting northern liberals on his side won't be so hard. He can make them happy if he's able to pass something—anything—even if it's symbolic. At least it'll be the first civil rights bill since Reconstruction.

Robert Caro told us, to the Southern conservative Democrats, Johnson says:

Robert Caro: You know, if you don't let a little voting rights bill go through, the northerners are going to take enough of a majority in the next election to really put a bill that you don't want against segregation in social places and restaurants and movies, et cetera.

Sally Helm: He's saying: let's give them a slice of bread, not the whole loaf. The civil rights bill working its way through Congress would create a Commission to track discriminatory voting practices, and it would give the federal government power to get involved to fix things. But it wouldn't do anything as radical as outlawing segregation.

And then, to really sweeten the deal for Southern legislators, Johnson shaves that slice down to a crumb. He proposes an amendment. One that guarantees that any violations of the bill will be decided by local juries. In the deep south, those juries are much less likely to convict.

Northern liberals don't want this jury amendment. They see that it'll gut the bill. And Southerners are worried about bringing it to a vote. Convincing both sides to get behind it takes a whole lot of cloakroom activity.

Along one wall of the cloakroom was a line of telephone booths. Johnson would call his secretary over:

Robert Caro: And he'd say line 'em up for me. And she would put three or four or five senators, all waiting for his call.

Sally Helm: With one phone receiver in each hand, Johnson listens as the Senators talk.

Robert Caro: And what you hear from Johnson is mhm, mhm and then you can almost see it click in his mind. This is what the guy really wants. This is what he's afraid will happen to him. And he plays on that.

Sally Helm: He's able to find just the right thing to say, the right compromise to offer, to get someone on his side.

Robert Caro: It's a gift, but it's a gift that's more than a gift. It's a talent, but it's more than a talent. The right word is genius.

Sally Helm: Just after midnight, on August 2nd, all of Johnson's maneuvering pays off. His jury amendment passes. Jackie Robinson, the famed Black baseball player, telegrams the White House, voicing the concerns of many civil rights supporters: "We disagree that half a loaf is better than none."

But with the jury amendment in place, the House approves the civil rights bill. The next day, it's just up to the Senate. Johnson has enough votes from his Democratic colleagues locked in before debate opens that day. But there's a holdout. Strom Thurmond. Who decides to try to stop the bill, by himself, with a filibuster.

Robert Greene II: To actually hold up a bill in Congress, you have to stay on the floor of the Senate or the House, and you have to keep speaking and speaking and speaking,

Sally Helm: Robert Greene II again.

Robert Greene II: You can't leave, you can't ask for a break. So, he has to have food brought to him. Drink brought to him. And of course, I think folks listening to this are probably wondering, well, how do you go to the bathroom? Well, he had a bottle brought to him for that purpose too. He could not leave the floor of the Senate.

Sally Helm: He's reading aloud the voting rights laws of each state, in alphabetical order. Then he moves onto the Declaration of Independence. Then the Bill of Rights.

Robert Greene II: So, he's making arguments about individual liberties. He's making arguments about state's rights. He's combining these two arguments to say that really Jim Crow segregation was designed to help both races.

Sally Helm: It's relentless. He speaks for over 24 hours—the longest filibuster in U.S. history.

But Thurmond can talk all he wants. Lyndon Johnson has the votes.

On August 29, the bill finally passes. It's a huge victory for Johnson. Proof that the right person can get southern Senators to compromise. But:

Robert Caro: A lot of civil rights leaders at the time thought it was a tragedy that he weakened the bill to get it through. Johnson said, 'once we pass it, we can always go back and fix it.'

Sally Helm: The day he hears the bill has passed; Dr. Martin Luther King puts his thoughts to paper. "I have come to the conclusion that the present bill is far better than no bill at all. Inadequate legislation supported by mass action can accomplish more than adequate legislation which remains unenforced."

And over the next few years, mass action will be the foundation of Dr. King's work.

It's 1963. Almost six years have passed since Johnson pushed that civil rights bill through Congress. He's now in the West Wing—vice president to John F. Kennedy. He was chosen partly because he's a Southerner, to balance out the ticket. Not unlike Andrew Johnson, a century before.

The Kennedy-Johnson administration has not passed a single civil rights bill. So, King makes a move. He targets Birmingham, Alabama as the place for his next mass action.

Archival: *Well Birmingham is a symbol of hardcore resistance to integration.*

Sally Helm: The city's public safety commissioner, Bull Connor, is a committed segregationist. Willing to use violence to maintain the status quo.

Archival: *Commissioner Connor has said repeatedly that he'll never back down...*

Sally Helm: Lerone A. Martin, director of Stanford's Martin Luther King Jr. Research and Education Institute, said that the way King sees it, that violence is everywhere in America. A lot of people just don't like to think about it.

Lerone Martin: What King sees his mobilization doing is dramatizing something that America has lived with but loves to ignore.

Sally Helm: King decides let's show up peacefully in Birmingham. Demand that our rights be respected. And make sure that the cameras are watching. The response?

Lerone Martin: Siccing dogs on them. Children being sprayed.

Archival: *City police were carrying out their pledge to fill their jails to capacity if necessary.*

Lerone Martin: King is able to use media to fill the nightly news with these images, so that all of America can see the type of day-to-day violence of white supremacy.

Sally Helm: This campaign works. Two months after King himself is arrested in Birmingham, President Kennedy proposes a new civil rights bill. One that would end segregation in public spaces and ban discrimination of all kinds. He says the events in Birmingham are too much to ignore. Congress needs to act.

Progress. But then, just a *few hours* later... backlash. Civil rights leader Medgar Evers is shot and killed in Mississippi.

The civil rights bill faces immediate pushback in Congress. Including from—yes—Strom Thurmond, who says the government has no business getting involved in private establishments. Other Senators pile onto that argument. Months after Kennedy's speech, the bill is still frozen in place. And then:

Getty Archival: *A dark page in the annals of America has been written to the crack of an assassin's bullet...*

Sally Helm: President Kennedy is shot and killed. Now, it's up to Lyndon Johnson to decide what he wants to do about this civil rights bill. Does he side with Thurmond, a fellow Southern Democrat? Or King, the national leader of the Civil Rights Movement? And as he weighs his options, before he's even moved into the White House, Lyndon Johnson makes a pivotal phone call...

(MIDROLL)

Sally Helm: November 1963.

Robert Caro: President Kennedy has been assassinated in Dallas.

Sally Helm: Here's Robert Caro.

Robert Caro: And they all fly back together on the plane, the coffin and Lyndon Johnson.

Sally Helm: Three days after Johnson returns to Washington as president of the United States, he gets on the phone with Dr. Martin Luther King, Jr. The call was recorded.

Johnson Archival: *I won't tell you how grateful I am and how worthy I'm going to try to be of all your hopes.*

King Archival: *Well, thank you very much. I'm so happy to hear that (fade)*

Sally Helm: King takes the opportunity to plant an idea.

King Archival: *I think one of the great tributes that we can pay in memory of President Kennedy is to try to enact some of the great progressive policies that he sought to initiate.*

Johnson Archival: *Well, I'm going to support them all, and you can count on that... (fade out)*

Sally Helm: This idea lingers with Johnson. He's drafting his first presidential address.

Robert Caro: He isn't even in the oval office yet. He's working out of his house.

Sally Helm: Johnson's upstairs at his home in Spring Valley, in the D.C. suburbs. His speechwriters are downstairs, at a kitchen table, working on this congressional address.

Robert Caro: And Johnson comes down in a bathrobe and he says something like 'how are we doing?' And what they say to him is, 'listen, the only thing we're really all agreed on is don't make a pitch for civil rights.'

Sally Helm: Kennedy's bill is sitting in limbo. Johnson's speechwriters tell him:

Robert Caro: It's a noble cause, but it's a lost cause. Don't fight for it. Johnson says to them, well, what the hell is the presidency for then?

Sally Helm: When Johnson addresses the Senate on November 27, back on the floor he knows so well, he takes his cue not from his speechwriters, but from Dr. King.

Johnson Archival: *No memorial oration or eulogy could more eloquently honor President Kennedy's memory than the earliest possible passage of the civil rights bill for which he fought so long...*

Sally Helm: It's the top of his agenda. A tribute to Kennedy, just like King suggested. And Caro told us, to get it passed, Johnson has to turn to that long-serving Virginia Senator, Harry Byrd. The one who helped Thurmond with his Southern Manifesto. "Old Harry."

Here is where Johnson's political savvy is about to pay off.

Back when he'd first joined the Senate, as a brash, loud-talking Texan, Harry Byrd hadn't much liked him. But Johnson knew even way back then, in the late 1940s, that he couldn't afford to be on Byrd's bad side. The Virginia Senator was too powerful. Someday, Johnson would need Byrd to help him out. And so, Johnson had formed a relationship with Byrd at a key moment back in 1952.

Byrd's daughter had suddenly died. And Johnson was one of the only Senators to show up at the funeral. Which was 73 miles out of town. In the pouring rain.

Robert Caro: And Johnson says, 'you know, we were standing on one side of the open grave when they lowered the coffin in. And Harry Byrd was standing directly across from us. And he looked up for a minute and he saw me, and he looked back down and then he looked up at me again for a long time. I don't know exactly what that look meant, but it meant a lot.'

Sally Helm: Flash forward to 1963. Johnson is about to call on that goodwill at one of the most important moments of his political life.

Byrd, at this time, is chairman of the Finance Committee. And he's holding up a tax bill. Which might sound unrelated to civil rights—but it's not. Byrd wants the Senate to drop the civil rights bill. Or at least dramatically weaken it. So, he's using the tax bill as leverage. The Senate can't move on to civil rights as long as Byrd's tax bill is on the table. And if the tax bill doesn't pass, it could plunge the country into a recession. Byrd is refusing to let it come to a vote unless the civil rights bill is gutted.

So, Lyndon Johnson invites Harry Byrd to the White House. Over a lunch of potato soup—a Byrd favorite—Johnson makes an offer. He says, listen, what if I cut down the federal budget for you? Byrd is an economic conservative, and this is one of his biggest goals. So, he says, okay: if you do that, I'll stop holding the tax bill hostage.

But it's still not clear that the tax bill will pass—and remember, the tax bill *must* pass so the Senate can move on to the civil rights bill. Johnson needs to convince three swing votes to go his way. So, he does what he does best. He tells his secretary:

Robert Caro: Line 'em up for me.

Archival: *I have Senator Hartke...*

Sally Helm: Each call takes mere minutes. He uses flattery:

Archival: *You get in there and get in that meeting and take this leadership. I know you can win if you fight for it.*

Sally Helm: He appeals to reason. Saying, *look at the bigger picture here.*

Archival: *They're going to be judging us whether we can pass the tax bill or not and whether we got prosperity.*

Sally Helm: He's not afraid to strongarm a little:

Johnson Archival: *Can't you go with us on this excise thing and let us get a bill? Goddammit. You, you need to vote with me once in a while. Just one time.*

Ribicoff Archival: *Well, look, I made a commit- Mr. President, let me say this...*

Sally Helm: This last Senator is a holdout. He says, I can't change my vote. It'll look bad to my constituents.

Robert Caro: And Johnson says to him, 'you save my face today. I'll save your face tomorrow.'

Ribicoff Archival: *Let me see how I can work it out.*

Johnson Archival: *Well, you just work it out, now don't say how, I don't give a damn about the details.*

Sally Helm: That Senator changes his vote. So do the other two.

Archival: *I'll try it. All right. Do it. I will. All right. Bye bye.*

Sally Helm: Johnson has done it.

Robert Caro: He changes the vote in something like 11 minutes, these three calls.

Sally Helm: So now he calls up Harry Byrd, who still has to be the one to call the committee meeting to vote on this. Johnson pleads with the man who's had a soft spot for him ever since he stood beside him at his daughter's grave: "Help me, Harry." Byrd does. He calls the vote at the right moment. And he even casts his own vote in favor of the bill.

Robert Caro: He calls Johnson's office. They can't get him on the phone. So Harry Byrd says to his secretary, basically 'we had the vote. It's nine to eight, the way Lyndon wants it.'

Byrd Archival: *My vote was the one that carried it his way.*

Secretary Archival: *Oh, wonderful...*

Robert Caro: And he's so proud of himself. You know, it's an old man.

Sally Helm: With the tax bill out of the way, the Senate stage is set to take up Kennedy's civil rights bill. And after lots of phone calls, promises, threats, a little lapel-holding... Johnson gets the votes.

Robert Caro: There are a lot of reasons that the '64 act went through, but a key reason is Harry Byrd would do things for Lyndon Johnson that he wouldn't do for anyone else.

Sally Helm: The 1964 Civil Rights Act is a landmark victory for the movement. After Johnson signs it, in July 1964, he hands his pens to the people standing beside him. Including Dr. Martin Luther King.

Getty archival: *Integration leader Martin Luther King receives his pen, a gift he said he would cherish...*

Sally Helm: 1964 is also an election year. This bill is passed just four months before Johnson will be on the ballot—for the first time at the top of the ticket. And with the bill, he is making a momentous pledge. I am a Civil Rights candidate. The *Democrats* are now the party of Civil Rights.

That September, Martin Luther King makes his only public presidential endorsement. He vows to launch “an all-out effort” for Lyndon Johnson. And against his opponent, Republican Barry Goldwater.

Here’s Robert Greene II:

Robert Greene II: **What Goldwater and other conservative Republicans are arguing, within the party now, is that they're struggling to win national elections because they're basically writing off the entire South.**

Sally Helm: The South had been solidly Democratic since the Civil War. But with Johnson and other Democrats now supporting civil rights, Goldwater sees an opportunity. He votes against the 1964 Civil Rights Act, rejecting it as an act of government overreach.

Senator Strom Thurmond absorbs this new reality...and switches to the Republican Party. Which gives permission to other Southerners, who have been voting Democrat forever, to reevaluate.

Robert Greene II: **Once Thurmond makes this party switch, you start to see many white southerners becoming more and more comfortable with the Republican party.**

Sally Helm: Johnson wins in a historic landslide. But for the changing Republican party, the 1964 election is a sign of things to come.

Robert Greene II: **It's the first time since Reconstruction that Republicans win deep south states like Georgia and South Carolina.**

Sally Helm: The south is no longer a solidly Democratic region. Johnson's 1964 Civil Rights Bill has set off a major realignment in American politics.

But Johnson is going back to the White House, victorious. And Dr. King now turns his attention back to the issue that he has been raising for years. An issue that still has not been addressed, even by the vast 1964 Civil Rights Act. The right to vote. Stripping away poll taxes and literacy tests. Ensuring equal access to the ballot.

King goes to Johnson, his ally, and says, where is this bill? Lerone Martin told us; Johnson tells King:

Lerone Martin: ‘Look, I just got through the civil rights bill. Voting rights is just going to have to wait. So, Martin, I need you to slow down. I’ll do it, but not now.’ And of course, for King, I mean, being told not now or to wait almost always means never.

Sally Helm: So, King turns once again to mass action. In a place where the voting issue is front and center. Selma, Alabama. African Americans there make up the majority of the population, but only 1% of eligible Black voters are on the voting rolls.

Lerone Martin: African Americans were experiencing voter intimidation, violence, being beaten, many had lost their job for standing in line to register to vote.

Sally Helm: On Sunday, March 7, a group of marchers sets off across a bridge named for a Confederate general: the Edmund Pettus bridge. Robert Caro described what happens next.

Robert Caro: You see these state troopers with bullwhips riding their horses into the crowd of peaceful protesters.

Sally Helm: The attacks are horrific. ABC News interrupts its evening program to broadcast the footage. Protests explode across the nation. Including outside the Johnson White House.

Robert Caro: You can hear their chants where he’s having dinner with his wife and daughters and outside, they’re chanting LBJ, just you wait, see what happens in ‘68.

Sally Helm: Johnson listens. And decides to address a joint session of Congress.

On the drive to the Capitol, he sits in the back seat of his motorcade, going over his speech.

Robert Caro: With a reading light over his shoulder. Facing him are three of his speechwriters, but he doesn’t talk. He’s concentrating on the speech.

Sally Helm: That night, Johnson stands up in Congress and says:

Johnson Archival: *A century has passed, more than a hundred years since the Negro was freed. And he is not fully freed tonight.*

Robert Caro: The anthem of the civil rights movement was we shall overcome. And Johnson says it’s not just they who must overcome.

Johnson Archival: *But really, it’s all of us who must overcome the crippling legacy of bigotry and injustice. And we shall overcome.*

Robert Caro: Martin Luther King is sitting in the living room of one of his supporters. And all his aides said they had never seen Martin Luther King cry. When Lyndon Johnson says, ‘we shall overcome,’ Martin Luther King starts to cry.

Sally Helm: Johnson says he's going to send a Voting Rights bill to Congress. And a few days later, King leads some 3600 marchers on that same route from Selma to Montgomery. This time, President Johnson has sent Army and National Guard forces to protect them. They march right across the Edmund Pettus bridge. Down Jefferson Davis highway. And four days later, they end their march in the city where Davis himself was once inaugurated president of the Confederacy. It's there that King addresses a crowd of nearly 50,000 and says the words that have since been quoted countless times: "the arc of the moral universe is long, but it bends toward justice."

With the nation's eyes on Selma, King has done it. Proven that we need a voting rights act—*now*. And five months later, the Voting Rights Act of 1965 is signed into law.

It builds on what came before it. It enforces the 15th amendment, which was passed as part of the first Reconstruction. It makes use of the 1957 Civil Rights Act, which set up a Commission on Civil Rights to measure voting violations. That's a key part of this new law. And it has a huge impact. By the end of 1965, a quarter of a million new Black voters are registered. All over the country.

This victory is held up as the pinnacle of the Second Reconstruction. But law professor Wilfred Codrington III told us, it's not the end of the story.

Wilfred Codrington III: Reconstruction tends to be two steps forward, and the period after Reconstruction seems to be a step back, maybe a step and a half. So that's the lost cause after the first one, right? That's Jim Crow after the first one.

Sally Helm: Not because the laws passed during those times weren't good laws.

Wilfred Codrington III: We get these awesome provisions, protecting equality and citizenship, and outlawing slavery, and enforcing the right to vote. That's all words. And you still need a willing and able government to safeguard it. Not all Americans were ready for racial equality.

Sally Helm: The backlash to the Voting Rights Act of 1965 does eventually come. It takes the form of new, insidious methods of voter disenfranchisement. The Voting Rights Act itself has been pared back in recent years by the Supreme Court. Stripped of a provision requiring states with a history of disenfranchisement to get federal approval of new voting laws before enforcing them.

And so, the pattern continues. Progress. Backlash. Regroup and push for progress *again*.

Wilfred Codrington III: It's never going to be perfect. The point of this is that we want to move towards a more perfect knowing that it is elusive. We need to just continue this fight to ensure that everybody can participate as broadly as possible. And we should always be chasing that target. We should all be pushing towards that more perfect union.

CREDITS:

Sally Helm: Thanks for listening to History This Week. For more moments throughout history that are also worth watching, check your local TV listings to find out what's on the History Channel today.

The “Reconstruction” miniseries was reported and produced by Julia Press. Julia is in the booth with me one last time to thank the people who helped us put it together.

Julia Press: Hi Sally! Thank you to you and to everyone else who supported this miniseries. It was story edited by Mary Knauf and Jim O’Grady and sound designed by Brian Flood.

Sally Helm: Our senior producer is Ben Dickstein. HISTORY This Week is also produced by Julie Magruder, Morgan Givens, and me, Sally Helm.

Julia Press: Our associate producer is Emma Fredericks. Our supervising producer is McCamey Lynn and our executive producer is Jessie Katz.

Sally Helm: We want to give a very special thanks to all of the guests who you heard from on today’s episode.

Robert Caro: author of *The Years of Lyndon Johnson* series.

“We better get started because I know the master of the senate audiobook is TK hours long!”

Julia Press: Wilfred Codrington III: assistant professor of law at Brooklyn Law School, fellow at the Brennan Center for Justice, and co-author of *The People’s Constitution: 200 Years, 27 Amendments, and the Promise of a More Perfect Union*.

Sally Helm: Robert Greene II: assistant professor of history at Claflin University, and co-editor of *Invisible No More: The African American Experience at the University of South Carolina*.

Julia Press: Clarence Lusane: professor and former Chairman of Howard University’s Department of Political Science, and author of *The Black History of the White House*.

Sally Helm: And Lerone A. Martin: The Martin Luther King, Jr., Centennial professor in religious studies and Director of the Martin Luther King, Jr. Research and Education Institute at Stanford University.

Julia Press: You can find links to their work, along with other sources that we consulted, and suggested further reading on our website: History.com/RECONSTRUCTION.

I also want to thank Edward Ayers, David Blight, Heather Cox Richardson, Adam Domby, Joseph Lowndes, William Sturkey and Zebulon Miletsky, and all the other experts who I spoke to on background for this series!

Sally Helm: And thanks to you, Julia, for making those many calls. And thank you to all the many people who helped us in putting this episode together.

Listeners, we would love to hear from you about this series or anything else. Send us an email at our email address, HistoryThisWeek@History.com, or you can leave us a voicemail: 212-351-0410.

Julia Press: Thank you again, for listening to this miniseries. We’ll be back next week with a regular episode of History This Week.

Sally Helm: See you then.

