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### Editors' Introduction: Exploratory Issues on Section 4 of the U.S. Voting Rights Act of 1965


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# Editors' Introduction: Exploratory Issues on Section 4 of the U.S. Voting Rights Act of 1965

## **Cover Page Footnote**

Sarita McCoy Gregory (Guest Editor) Kennesaw State University

**Editors' Introduction**

# **Exploratory Issues on Section 4 of the U.S. Voting Rights Act of 1965**

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**T**he *Ralph Bunche Journal of Public Affairs* is devoting this special issue to the 2013 Supreme Court's adjudication on Section IV of the Voting Rights Act of 1965. The *Journal* hopes that the four articles focusing on this topic will deepen our understanding of the legal, political, and public policy implications of the Court's ruling. Our overarching expectation is that the opinions and findings presented in these articles are not only going to generate additional studies, but they will influence citizens to demand new legislation to obviate the potential negative consequences of this judicial decision on African Americans and other similarly situated individuals or disfavored groups, however defined.

The opening article, "The Winding Journey to Justice: An Analysis of the Voting Rights Act on Disenfranchisement Populations and Its Impact in the State of Georgia," authored by Kristie Roberts-Lewis and LaKerri Mack examines the impact of minority participation in the State of Georgia after the Voting Rights Act (VRA) and how it juxtaposes with Supreme Court decision to remove suddenly Section 4 of the VRA. Using historical analysis and data from Georgia, both Roberts-Lewis and Mack demonstrate that the Supreme Court's ruling to strike Section 4 of the VRA will negatively continue to affect the minorities in Georgia and other Southern states. They conclude that this problem is compounded with the recent photo identification requirements, which is highly likely to affect poor citizens regardless of race and thus limiting the political representation of African Americans and other disadvantaged individuals.

In the second article, "Antidiscrimination versus Nondiscrimination: Competing Perspectives on the Voting Rights Act," David Blanding uses two competing analytical approaches and racially disaggregated longitudinal data on African American voter registration, turnout, office holding from 1964 to 2012 to explain the distinctive elements of the antidiscrimination and nondiscrimination paradigms as it pertains to their perceptual arguments on the VRA. He concludes that while the VRA has been instrumental in integrating African Americans into the political sphere in the United States, it has not accomplished the expected outcomes of full integration devoid of racial discrimination. Thus, the effectiveness of the VRA will depend on how well antidiscrimination observers

*Ewoh and Gregory*

and nondiscrimination adherents accept mutually-palatable or politically agreeable solutions to deal with the issue of voter disenfranchisement, political inequity, and social equity in the country.

The third article, “Shelby County v. Holder: Nullification, Racial Entitlement, and the Civil Rights Counterrevolution,” authored by Albert Samuels uses a qualitative case study approach to argue that nullification is the norm and not an exception when it comes to the treatment of African Americans in the United States. While Samuels encourages the U.S. Congress to amend the VRA by incorporating recent data into a new coverage formula that voids the Supreme Court’s ruling, he cautions that the likelihood of achieving this policy solution is a daunting task due to the current political gridlock in Washington. He concludes that eradicating the nullification doctrine to ensure a multiracial democracy imbued with equal opportunity for all is a necessary course of action in sustaining the nation’s experiment in democracy.

In the fourth article, “Redistributing Power in Mississippi: The Reversal of Section 4 of the Voting Rights Act,” Gloria Billingsley and Sylvester Murray reverberate the sentiments raised in Samuels’ analysis and underscore the fact that the apex court’s decision in *Shelby County v. Holder* could potentially open up a flood gate for other voting malpractices in certain jurisdictions, which may diffuse the voting power of African Americans, and thus create more unsurmountable problems in Mississippi and other Southern states. Using measures of voter discrimination indicators as delineated by the National Commission on the VRA, Billingsley and Murray contend that Mississippi’s consistent voting rights violations seems to be a good reason for the retention of Section 4 preclearance requirements. Obviously, while legal remedies might be deployed to push states that violate VRA provisions, the time and cost of such measures tend to discourage such options. Therefore, they conclude that actionable remedies from the U.S. Congress are desirable to sustain and nurture “gains” in political power by African Americans in Mississippi and other similarly situated jurisdictions in the Southern United States.

While the final article in this special issue has nothing to do with the VRA, Wyatt Brown explores how studying the intersectionality of race and gender could modify scholars interpretations of criminal behavior in the fifth article, “An Intersectional Approach to Criminology Theory: Incorporating the Intersectionality of Race and Gender into Agnew’s General Strain Theory.” Using a general strain theory, the analysis demonstrates that exposure to stress can be differentiated by race and gender if structurally defined. Conversely, the response to strain can be measured by self-control, social bond and/or learned behavior. Since each of these three determinants affects individual experience, how each reaction is established may help to explain away a subsequent outcome such as crime. In view of the multifaceted relationships among these factors, the author concludes by encouraging future studies to factor unique individual differences within the framework of intersectional relationship between race and gender including intersectionality theories.

In closing, we would like to thank our editorial board members, reviewers, and staff for their willingness to serve the *Journal*. We also extend our thanks to all the contributors in this volume for considering *RBJPA* as an outlet for their research.