

Alabama Election Map “Redistricting”: The Erosion of Voting Rights for African Americans

Alabama legislature seeks to defy a ruling by a federal district court by requesting a stay from the United States Supreme Court

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A series of politically motivated legal efforts by the Republican-dominated state legislature in Alabama are designed to maintain limited electoral power for African Americans.

State authorities have been ordered to redraw a congressional district map which would provide African Americans with the opportunity to elect two candidates of their choice to send to the House of Representatives in Washington, D.C.

A federal court rejected an appeal by Alabama Secretary of State Wes Allen to maintain the existing map which disenfranchises African Americans. At present, there is only one Congressperson of African descent representing Alabama on Capitol Hill.

There are 1.3 million African Americans living in the state of Alabama, constituting 26% of the population. Of that number, 37% live in poverty in comparison to only 15% of whites residing in the state.

The Allen v. Milligan case could result in a landmark decision by the Supreme Court rendering even further damage to the effectiveness of the Voting Rights Act of 1965. By failing to carry out the orders of the federal district court, the State of Alabama should be held accountable for refusing to implement a mapping plan which upholds the intent of the ruling.

However, Allen has filed an emergency appeal to the Supreme Court to stay the federal district decision believing that the conservative majority would vote in favor of the Republican political establishment in Alabama. A decade ago, in 2013, the enforcement provisions of the Voting Rights Act were struck down in the infamous Shelby v. Holder decision which also originated in Alabama.

This challenge to the full voting rights of African Americans extends to several states across the U.S. State legislative bodies have passed bills which restrict the ability to vote and run for political office. The movement led by conservative political action committees well-funded by corporate interests are attempting to reverse the legal gains of the Civil Rights Movement during the post-World War II period.

[In an article published](#) on September 20 by the Alabama Political Reporter, the renewed round of legal challenges is placed into context:

“On Tuesday (Sept. 19), attorneys representing the Milligan plaintiffs in the Allen v. Milligan suit filed a response to the U.S. Supreme Court asking the court to deny Alabama’s emergency request for a stay that was filed last week with the high court. Two weeks ago, a federal district court ruled that Alabama’s 2023 congressional map passed by the legislature in July failed to create a ‘remedy’ to the previous map’s dilution of Black voting power. Secretary of State Wes Allen on behalf of the state filed an appeal to stay that decision but the district court refused the stay prompting Allen to make an emergency request to the Supreme Court to freeze the decision.”

Behind the Campaigns to End Effective Voting Rights for African Americans

Another important aspect of the open defiance of the Voting Rights Act, Section 2, is that these campaigns are being supported by wealthy elements within U.S. society. Investigative journalism done by the Alabama Political Reporter traces the Alabama politicians seeking to defy the order of the federal district court to a right-wing political operative named Leonard Leo.

These campaigns are specifically geared towards obliterating the Voting Rights Act which was passed at the height of the Civil Rights Movement in 1965. The last battleground of the struggle to pass voting rights legislation unfolded in Selma and Montgomery, Alabama.

People were fired from jobs, driven off their land, beaten, jailed and murdered by segregationists simply because they sought to overturn the Jim Crow system in the southern U.S. Leading up to the intervention of the administration of President Lyndon B. Johnson in March 1965, three people were murdered by police and the Ku Klux Klan: Jimmy Lee Jackson, Rev. James Reeb and Viola Liuzzo.

[According to the Alabama Political Reporter](#) resulting from their research:

“APR has now identified connections between Alabama officials who led the 2023 redistricting process — which disregarded the U.S. Supreme Court’s order — with far-right power broker Leonard Leo’s dark money network, described this past week by Politico as ‘a billion-dollar force that has helped remake the judiciary and overturn longstanding legal precedents on abortion, affirmative action and many other issues.’ APR’s reporting shows the extent to which Alabama’s calculation to defy the Supreme Court was made not simply by state legislators in Alabama but has been driven by nationally connected political operatives at the center of the well-documented right-wing effort to reshape the composition and jurisprudence of the Supreme Court and to overturn the remaining key protections established by the 1965 Voting Rights Act.”

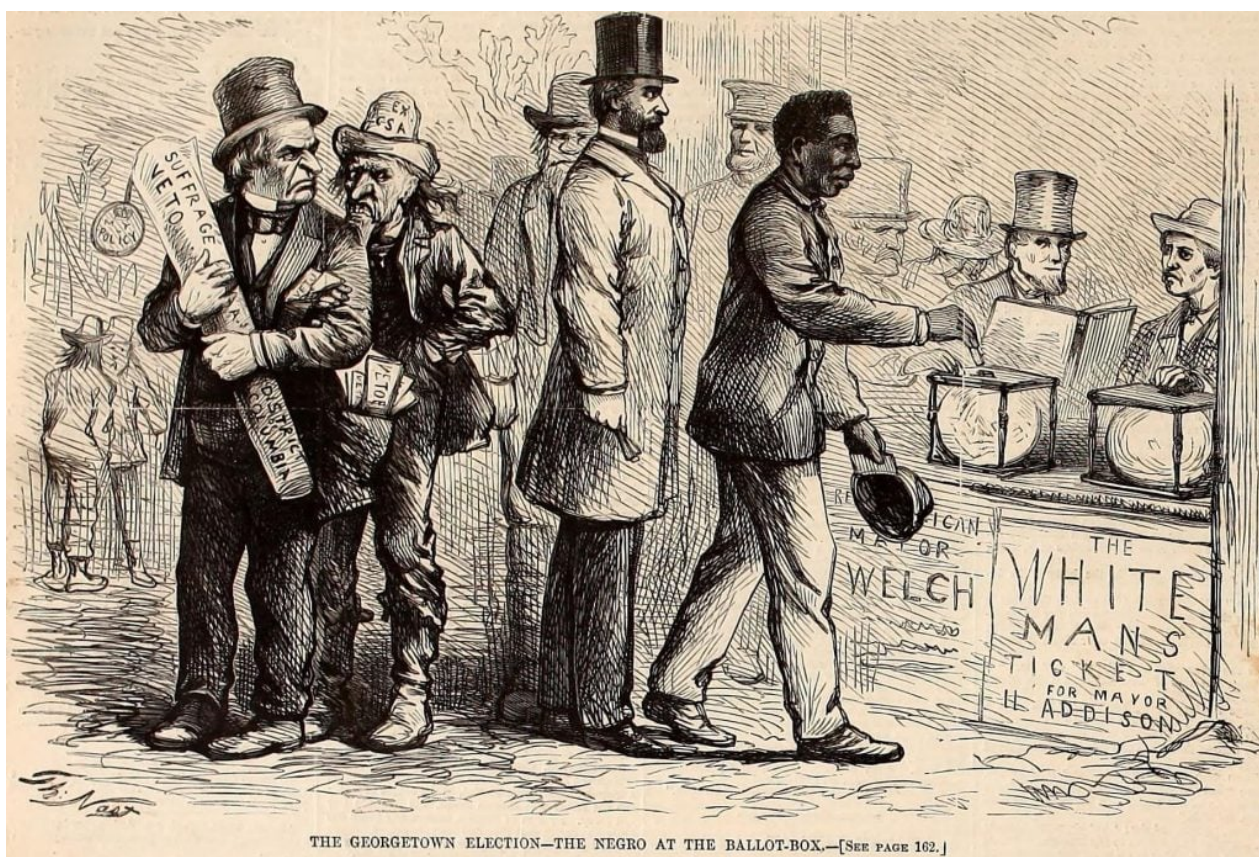
There is the targeting by the Alabama officials of Supreme Court Justice Brett Kavanaugh who is known for his extremely conservative views of race and civil rights. Kavanaugh voted

in a recent Supreme Court ruling to ban affirmative action in higher education.

Within the briefs submitted by the attorneys for the Alabama Secretary of State, there is reference to the Supreme Court decision where Harvard and Duke University had their affirmative action and diversity program deemed in violation of the 14th Amendment to the Constitution. Ironically, the 14th Amendment was specifically drafted to ensure full citizenship rights for African Americans in the aftermath of the Civil War. Today, the conservative legal advocates are once again effectively nullifying the 14th Amendment by turning its purpose upside down, arguing that equal opportunity and protections under the law also apply to those committed to restricting freedoms and reimposing legal inequality.

[APR also went on to emphasize:](#)

“[T]here now appears to be a significant connection between Alabama’s post-Milligan map redrawing process, Leo’s powerful national dark money network, and Kavanaugh. The tangled web of previously unreported ties centers around Marshall, Alabama Solicitor General Edmond LaCour — dubbed ‘the architect behind Alabama’s voting rights defiance’ — and the D.C.-area law firm Consovoy McCarthy, the firm founded by William Consovoy, a now-deceased former clerk to Justice Clarence Thomas who represented Shelby County in *Shelby County v. Holder*. In *Shelby County*, the Supreme Court invalidated Section 4 of the Voting Rights Act and its vital preclearance provision, which protected against unilateral state changes to voting rights and maps in states that had a documented history of racial bias in administering elections in order to disenfranchise Black voters.”



African American voter suppression in 1867 graphic

These claims of a concerted plan to repress the political involvement of African Americans in Alabama warrant further investigation by the U.S. Justice Department. The defeat of former

President Donald Trump in the 2020 elections was contingent upon the mass participation of African Americans, Latin Americans, women, and other historically oppressed and marginalized groups.

With national elections scheduled for 2024, a myriad of laws which have been put into effect in various states could prove critical in the outcome of the race for the White House, Congress as well as state and local offices. These legal measures compliment the often-violent tactics used by the right-wing and racist organizations in the U.S.

National Implications of the Allen v. Milligan Case

These legal struggles over voting rights are not occurring within a political vacuum. Similar challenges to universal suffrage are taking place in Louisiana, Georgia, Florida, Texas, among other states.

In Louisiana, civil and voting rights organizations brought suit against the state legislature for drafting a congressional district map which limits the potential of electing an African American congressional representative to one district. Due to the litigation, the implementation of the redistricting map remains blocked.

As in Alabama, Louisiana Republican officials are appealing to the Supreme Court in the anticipation of garnering a ruling which provides a legal cover for their blatantly segregationist policies. The Supreme Court has informed the Republican officials in Louisiana that their case would be paused pending a hearing on the emergency appeal filed by the Alabama Secretary of State in Allen v. Milligan.

This fierce resistance to voting rights in the U.S. exposes the fact that there are tens of millions of people, largely within the white community, who fundamentally oppose the granting of equal representation to African Americans. Consequently, activists within the African American community and their allies must look beyond the courts in developing tactics and strategies aimed at the complete acquisition of freedom and social justice.

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