

The Civil Rights Project



Proyecto Derechos Civiles

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The Civil Rights Project Praises Today's Supreme Court Voting Rights Decision

The Supreme Court today rejected the effort of the state of Alabama to kill the remaining major section of the Voting Rights Act, which had been previously severely weakened in a succession of Supreme Court decisions. In its 5-4 decision in *Allen v. Milligan*, the Court strongly upheld Section 2 of the Voting Rights Act and rejected the state's argument that its Congressional districting plan that denied reasonable representation of the state's large Black electorate could be defended, and that the Voting Rights law should be interpreted in a "colorblind" manner ignoring the long history of voter suppression in the state and the obvious racial effect of the districting decisions. The Court upheld the careful factual decisions of the lower federal court and its own relevant precedents. The decision recognized the power of Congress to apply the voting rights guarantees in the Fifteenth Amendment and showed the great importance of bipartisan civil rights law in upholding the legislation sponsored by Sen. Bob Dole, supported by both parties, 85-8, in the Senate, and signed by President Reagan in 1982, which said that the law required courts to consider the effect as well as the intent of state decisions affecting election rights. The decision affirmed the importance of considering the context and history of these decisions.

This decision does not strengthen voting rights, but it honors precedent and preserves Sec. 2 of the law. Most important, the Court has rejected a widely feared decision to eviscerate the remaining force of the law. The decision recognizes the need to consider the consequences of clear patterns of official action that harm communities of color and the context in which those decisions have long been made. The Civil Rights Project hails this reaffirmation of voting rights law and expresses the hope that these principles will be applied to other arenas of civil rights law. The importance of Congressional action underlines the need for Congress to take action on the voting rights legislation passed by the House in the last Congress but never acted upon by the Senate. It would be very healthy for our democracy to move beyond current divisions to restore the bipartisan recognition of the elemental importance of voting that had been so important in previous renewals and clarifications of voting rights.

-Gary Orfield
CRP Co-founder, Co-director