Reproductive Justice powered by young people in the South, Midwest, and California.

UNITE FOR REPRODUCTIVE & GENDER EQUITY

Consequences of Weakening the VRA & Redistricting

The Voting Rights Act (VRA) is a landmark federal civil rights law signed by President Lyndon Johnson on August 6, 1965. It was passed in response to decades of poll taxes, literacy tests, and violence used to suppress Black voter registration across the South, brought to a head by the attack on peaceful marchers crossing the Edmund Pettus Bridge in Selma, Alabama on March 7, 1965.[1]

The VRA:

- **Banned discriminatory voting practices nationwide (Section 2):** a permanent, still-standing prohibition on any voting rule that denies or abridges the right to vote based on race.
- **Created "preclearance" (Section 5):** states and localities with a history of voting discrimination had to get federal approval before changing any voting rule, so a discriminatory change could be blocked before it ever took effect, instead of being challenged in court after the fact.
- **Suspended literacy tests nationwide** and sent federal examiners directly into the most resistant jurisdictions to register voters and observe elections.

What was the impact of the VRA?

In Alabama, Black voter registration rose from approximately 1% in the late 1940s to 51% in 1966.[17] In Georgia, it rose from 19% to 47% over the same period.[17]

How has the Supreme Court of the United States (SCOTUS) weakened the VRA since then?

The VRA has faced a slow, steady legal assault for decades. While a few cases strengthened the VRA, recent attacks and Court decisions have had a devastating impact.

Cases Strengthening the VRA:

In 1980, *City of Rome v. United States* reinforced preclearance, ruling federal officials could block a discriminatory voting change just by showing it harmed voters of color, without having to prove anyone intended it.[3] By 1986, *Thornburg v. Gingles* set a strict three-part test for proving a map was drawn to silence voters of color, a test courts still use today.[4]

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Cases Weakening the VRA:

In the same year of *City of Rome v. United States,* 1980, *Mobile v. Bolden* made voting rights cases nearly impossible to win. It had to be proven that lawmakers meant to discriminate, not just that a rule caused harm, until Congress reversed this harm two years later, in 1982.[1,2] In 2019, *Rucho v. Common Cause* ruled that federal courts have no power to stop politicians from drawing maps to lock in their own power.[6] In 2021, *Brnovich v. Democratic National Committee* made it much harder to challenge discriminatory voting laws by requiring courts to weigh a checklist that treats even an unproven justification, like preventing fraud, as reason enough to uphold the rule.[2]

Ending Preclearance: *Shelby County v. Holder* (2023)

A 5-4 decision struck down the formula deciding which states needed federal preclearance, effectively ending it nationwide overnight. Within hours, Texas enacted a strict voter ID law that had been blocked for years, and Mississippi and Alabama followed within days. North Carolina passed a sweeping law cutting early voting soon after, and Georgia saw a wave of polling place closures. ***This was the moment federal oversight of discriminatory voting laws disappeared.***[2,5,16]

Eliminating Black Power at the Ballot Box: *Louisiana v. Callais* (2026)

In a 6-3 ruling issued April 2026, the Court required voters challenging a map as racially discriminatory to prove intentional discrimination rather than discriminatory results alone: the same standard *Mobile v. Bolden* set in 1980 that Congress explicitly rejected in 1982. Legal experts call it the most damaging ruling yet, warning it makes nearly every Section 2 redistricting challenge impossible to win.[7,8]

These rulings immediately reshaped how power gets distributed on the ground, through the maps state legislatures draw every decade.

The state level fallout

The weakening of federal VRA protections has forced communities across the US to challenge discriminatory maps in court after they've been enacted. Examples include:

- **Alabama:** Alabama's 2021 congressional map created only one majority-Black district, despite Black Alabamians making up about 27% of the state. Black voters challenged the map, and the Supreme Court found it violated Section 2, requiring Alabama to create a second opportunity district.[18] However, because *Louisiana v. Callais* changed the legal framework for these cases, Alabama's 2023 map (with only one majority-Black district) took effect for 2026.[19]

- **Georgia:** A federal court found Georgia's post-2020 maps weakened Black voters' ability to elect candidates of choice and ordered new maps. In 2026, the case was sent back for reconsideration under the Supreme Court's new Section 2 standard.[20]
- **Texas:** Texas's 2021 congressional and state legislative maps were challenged under Section 2 for weakening Black and Latino voting power. A federal court found Texas's 2021 maps diluted Black and Latino voting power under Section 2, but that ruling was later overturned.[21] More recently, a federal court blocked Texas's 2025 congressional map as a likely unconstitutional racial gerrymander, but the U.S. Supreme Court reversed that decision in 2026.[22]

URGE and the throughline for Reproductive Justice and Voting Rights:

Reproductive Justice requires political power, collective voice, and the ability to shape the conditions we live under. Redistricting and gerrymandering can determine whose voices are represented and whose are divided, diluted, or shut out. Understanding the VRA, redistricting, and gerrymandering means understanding how we protect the political power of young people and build a democracy where our voices are heard, our votes count, and our communities have the power to shape our futures.

[1] History Of Federal Voting Rights Laws. U.S. Department of Justice, Civil Rights Division https://www.justice.gov/crt/history-federal-voting-rights-laws

[2] Sullivan, Caroline. Ten Voting Rights Cases That Shaped History. Democracy Docket, March 22, 2022 https://www.democracydocket.com/analysis/ten-voting-rights-cases-that-shaped-history/

[3] *City of Rome v. United States,* 446 U.S. 156 (1980). Cornell Law School, Legal Information Institute. https://www.law.cornell.edu/supremecourt/text/446/156

[4] *Thornburg v. Gingles,* 478 U.S. 30 (1986). Cornell Law School, Legal Information Institute. https://www.law.cornell.edu/supremecourt/text/478/30

[5] How *Shelby County v. Holder* Broke Democracy. NAACP Legal Defense and Educational Fund. https://www.naacpldf.org/shelby-county-v-holder-impact/

[6] *Rucho v. Common Cause,* 588 U.S. 684 (2019). Cornell Law School, Legal Information Institute. https://law.cornell.edu/supremecourt/text/18-422

[7] Section 2 of the Voting Rights Act at the Supreme Court. Brennan Center for Justice, updated April 29, 2026. https://www.brennancenter.org/our-work/research-reports/section-2-voting-rights-act-supreme-court

[8] Congressional Redistricting: High Court Narrows Voting Rights Act in *Louisiana v. Callais.* Congressional Research Service via https://www.congress.gov/crs-product/LSB11431

[9] Redistricting and Census. National Conference of State Legislatures. https://www.ncsl.org/redistricting-and-census

[10] Gerrymandering Explained. Brennan Center for Justice. https://www.brennancenter.org/our-work/research-reports/gerrymandering-explained

[11] *Allen v. Milligan*: Supreme Court Holds That Alabama Redistricting Map Likely Violated Section 2. Congressional Research Service via https://www.congress.gov/crs-product/LSB11002

[12] Supreme Court Reinstates Republican-Favored Alabama Congressional Districts. NPR, June 2–3, 2026. https://www.npr.org/2026/06/02/nx-s1-5844744/supreme-court-alabama-congressional-districts

[13] Supreme Court Voting Rights Ruling Shakes Up Georgia Redistricting Fight. Courthouse News Service, August 2026. https://www.courthousenews.com/supreme-court-voting-rights-ruling-shakes-up-georgia-redistricting-fight/

[14] *LULAC v. Abbott* case background, 2021 Texas congressional and legislative maps. League of Women Voters. https://www.lwv.org/node/941274

[15] Supreme Court Reinstates Texas Congressional Map Previously Rejected Over Racial Gerrymandering. JURIST, April 2026. https://www.jurist.org/news/2026/04/supreme-court-reinstates-texas-congressional-map-previously-rejected-over-racial-gerrymandering/

[16] The Effects of *Shelby County v. Holder.* Brennan Center for Justice. https://www.brennancenter.org/our-work/research-reports/effects-shelby-county-v-holder

[17] Coleman, Kevin J. The Voting Rights Act of 1965: Background and Overview. Congressional Research Service, Library of Congress, 2015. https://crsreports.congress.gov/product/pdf/R/R43626

[18] What's Happening with Alabama's Redistricting Post-Milligan. League of Women Voters. Updated 2023. https://www.lwv.org/blog/whats-happening-alabamas-redistricting-post-milligan

[19] *Louisiana v. Callais. U.S. Supreme Court.* April 2026. https://www.supremecourt.gov/opinions/25pdf/24-109_new_jifl.pdf

[20] Federal Court Orders New Review of Georgia Voting Maps. FOX 5 Atlanta. Updated 2026. https://www.fox5atlanta.com/news/federal-court-orders-new-review-georgia-voting-maps

[21] How the Voting Rights Act Reshaped Texas' Electoral Maps. Texas Tribune. May 4, 2026. https://www.texastribune.org/2026/05/04/texas-section-2-voting-rights-act-supreme-court-voters-of-color-history/

[22] *Abbott v. League of United Latin American Citizens,* No. 25-845. U.S. Supreme Court. April 27, 2026. https://www.supremecourt.gov/DocketPDF/25/25-845/391583/20260113140906621_25-%20Jurisdictional%20Statement.pdf