

LOUISIANA V. CALLAIS EXPLAINER

On April 29, 2026, the U.S. Supreme Court executed a devastating blow to the Voting Rights Act and an outright attack on the fundamental freedoms of working people. The decision strips Black and Latino voters in Louisiana of having a fair say in their elected representatives, and will be used to further hollow out Americans' voting rights across the country.

The Rundown

WHAT WAS AT STAKE IN THIS CASE:

- The Voting Rights Act of 1965 (VRA) was passed to correct centuries of discrimination against Black Americans that prohibited them from participating in our democracy. It has been hailed as the "crown jewel" of civil rights activism and arose from bloody resistance, especially in the South (Selma to Montgomery [Alabama] March, Mississippi Burning and much more).
- The VRA was made up of several sections, including measures to ensure that every American can access the ballot box and that our

votes would be counted, to stop state legislatures from passing discriminatory laws, and to guarantee fair congressional representation of voters of color.

- Since the moment the VRA was passed, there has been a single-minded effort and strategy to destroy it. In 2013, in a case called Shelby County v. Holder, the Supreme Court killed a critical part of the law that required states with historic and ongoing discrimination against Black and Brown voters to "pre-clear" any new voting laws that wanted to pass. The decision rolled back decades of progress of holding states accountable for discrimination in voting laws.
- Once that provision was gone, discriminatory voting laws exploded across the country, and states have been attacking our voting rights with increasing frequency. The remaining parts of the VRA were one of the last and most important federal laws that protected our ability to have our votes counted and our voices heard.

WHAT HAPPENED:

- With a 6–3 decision, the majority of the Supreme Court gutted the last remaining leg of the VRA. They allowed states to create congressional district maps that lock out Black, Brown and Native Americans from fair representation by striking down a Louisiana law that was intended to ensure equal representation of Black and Brown voters in the state.
- The court has knocked down the most important and effective part of the law, allowing states to draw maps that result in discrimination and have the impact of dilluting—if not silencing—voters of colors' voices in Congress.
- This ruling came out of a blatant campaign to undermine civil rights law and policy and return the country to days before social progress required racial equality. As Justice Elena Kagan wrote in her dissent, "The Voting Rights Act is – or, now more accurately, was – one of the most consequential, efficacious, and amply justified exercises of federal legislative power in our Nation's history. It was born of the literal blood of Union soldiers and civil rights marchers."

WHAT COMES NEXT:

- Simply put, more states will be able to draw congressional districts that discriminate against voters of color. For example, when Texas redrew districts in 2025, it immediately resulted in the disenfranchisement of Black and Latino Hispanic voters, drew Black elected officials out of their seats, and initiated a race to redraw maps across the country.
- It will shut out opportunities to increase the number Black and Brown elected officials, preventing congressional representation that accurately reflects the districts and the communities who live there.
- The decision means it will be harder for working people to hold their elected officials accountable. When working people have a real voice at the ballot box, we can elect leaders who will protect our right to join a union, fight for fair wages, ensure safe workplaces, live free from discrimination and harassment, and retire in dignity. When politicians—backed by the Supreme Court—are able to undermine our voices, they can dismantle everything we've worked for and further consolidate power for the corporations, billionaires, and special interests at our expense.
- The ruling also will accelerate the gerrymandering race happening across the country, with many states rushing to redraw their districts before the 2026 midterm elections and certainly before the 2028 cycle. In the days since the decision, the Louisiana secretary of state already announced they will delay their House primaries, giving state lawmakers time to redraw the congressional maps.

THE ACTION:

- **Speak Out:** This decision is a call to action for the entire labor movement to speak out about the harm of the ruling and what it means for working people.
- **Advocate:** We will keep fighting for legislative reforms, including on the state and federal levels, to create a democracy where every worker's voice matters just as much as the wealthy and well-connected.

- **Mobilize:** We will mobilize on jobsites, at doors and in the streets from now until November to elect candidates who will stand up for working people and against these attacks on our freedoms.

OUR CALL:

- **Accountability:** We must elect leaders committed to our constitutional democratic tradition who will aggressively reassert Congress' constitutional authority and oversight responsibility.
- **Integrity:** We must elect leaders who protect elections from authoritarian overreach, to ensure that every eligible voter can access a ballot, and to ensure every vote counts and every community has a true opportunity to elect representatives of their choice.
- **Restoration:** We must elect leaders who commit to reversing this constitutional overreach by the Supreme Court and restore luster to civil rights law and policy.

Our government gets its power from the people—no politician or Supreme Court justice can erase that fact. No one understands that better than the labor movement. We will organize and mobilize to take that power back.

COALITION MESSAGING GUIDANCE:

- Messaging guidance from the civil rights community
- AFL-CIO statement
- Service Employees International Union statement
- LCLAA (English) (Spanish) statement
- UFCW statement
- LiUNA statement
- Leadership Conference on Civil and Human Rights statement
- American Civil Liberties Union statement
- NAACP Legal Defense Fund statement
- National Urban League emergency briefing
- Lawyers' Committee for Civil Rights Under Law statement
- Brennan Center for Justice statement
- Fair Fight Action and Black Voters Matter Fund statement

RESOURCES/ANALYSES/REPORTS:

- NAACP LDF Post-*Callais* Redistricting Map Tracker (ongoing)
- Research Collaborative: Voters see *Callais* ruling as a power grab (polling report)
- Democracy Docket Redistricting Legal Battle Tracker (ongoing)
- Fair Fight Action and Black Voters Matter Fund report (December 2025)
    - Federal impact report
    - State impact report

Additional Background and Legal Analysis

HISTORY OF THE VOTING RIGHTS ACT:

The Voting Rights Act was passed to protect Black voters and other voters of color from being shut out of the political process, entirely or by clever devices. One of the key tools of the VRA was Section 2, which allowed courts to strike down voting maps that left minority communities without a fair chance to elect candidates of their choice. For 40 years, since the *Thornburg v. Gingles* decision in 1986, the courts applied Section 2 by looking at the effect a map had on minority voters.

WHAT WAS REQUIRED TO PROVE A CASE BEFORE *CALLAIS*:

Under the previous standard, minority voters could challenge a voting map if three things were true: (1) the community was large and concentrated enough to form a majority in a district, (2) the community voted together as a group, and (3) the surrounding majority tended to vote against minority-preferred candidates. If all three requirements were satisfied and all the circumstances showed an unequal opportunity to elect preferred candidates, the map could be struck down. Proof of intentional discrimination was not required—in fact, Congress already rejected the court's previous attempt to impose an intent standard in its 1982 amendments. Instead, a map's *effect* was the standard.

WHAT *CALLAIS* CHANGES:

The Supreme Court's majority held that the prior framework drifted too far. The majority created new standards to require evidence pointing to a strong likelihood that the state intentionally discriminated based on race, moving away from the discriminatory effect standard.

Plaintiffs must now show that racial patterns in voting go beyond political party preference. In other words, the court decided that partisan gerrymandering that has a racially discriminatory effect should not be stopped by Section 2 because race and party affiliation are closely linked in many states.

Claims Before *Callais*	Claims After *Callais*
Did this map reduce minority voters' ability to elect their preferred candidate?	(1) Did the state draw this map because of race? (2) Did the state prove it wasn't just about politics?

BOTTOM LINE–REAL-WORLD IMPLICATIONS:

- **Democracy–Separation of Power Implications**
    - The Supreme Court is seizing power from Congress.

    - Here, the court makes decisions about the legitimacy of the Voting Rights Act, despite Congress reauthorizing and strengthening the act for decades on a bipartisan basis, most recently in 2006, with an extensive legislative record showing the ongoing need for the act's protections.
    - The conservative majority in the court is substituting its own judgment about racial progress for Congress' judgement, which courts are not supposed to do.
- **Political and Social Implications**
    - States now have broader authority to draw maps that favor one political party in the districting process, even if doing so disadvantages minority voters and communities.
    - This decision is a green light for states to redraw state and federal district lines, possibly for 2026 elections and almost certainly for 2028.
    - It is not yet clear how widespread mass redistricting will be in 2026 because many states have already started the primary election process.
    - However, some states, like Missouri, Tennessee and Florida, have late primaries (August) and for states with tight windows, they may or may not have the political will to ram new maps through before spring primary voting begins.
        - Louisiana: Hours after the ruling, the GOP-led state delayed congressional primaries, which were slated for May 16, to redraw maps. SCOTUS is weighing whether to accelerate finalizing the ruling to allow Louisiana to change its congressional map immediately.
        - Alabama, Georgia, Mississippi, Tennessee and South Carolina: GOP officials called for immediate redistricting hours after the ruling.
        - Illinois: Democratic leaders so far are not pursuing redistricting.
        - Maryland: Democrats rejected a redistricting bid earlier in April—that may still change.

- We may experience a historic drop in representation by Black members of Congress, similar to the post-Reconstruction backlash against growing Black representation in politics.
- Some analyses project redrawing would create up to 19 more GOP House seats and eliminate 191 state legislative seats held by majority-Black communities.
- While hyperpartisan conservative redistricting targets Black voters as a consequence, it also targets any reliably progressive and worker-focused voting district, which affects the ability of working families in favor of workers' rights and better lives to elect representatives who reflect their values.

- **Legal Implications**
  - This decision makes it nearly impossible to challenge voting maps under the Voting Rights Act of 1965, completing a decades-long effort to render the VRA ineffective.
  - Minority communities that are split across multiple districts ("cracked") will face a higher legal burden to challenge those maps in federal court.
  - The decision also narrows what kinds of evidence courts can consider, placing less weight on historical discrimination and more on present-day proof of intentional racial targeting.
    - It is no longer sufficient to show that a map harmed minority voters if a state can show that the maps were drawn for partisan purposes.
    - New plaintiffs will have to demonstrate that race was the driving force of a map with discriminatory effect, not politics.

CALLS TO ACTION/NEEDS:

- Accountability through politics: the labor movement needs to continue pushing forward ways to address racial inequity and inequality that are now left unaddressed by laws Congress passed and unguarded by the courts. Voting rights and redistricting will be active fights through 2028.

    - In 2026, it's hard to know how many states will redistrict before primaries.
    - But by 2028, unless there are fixes from Congress, the redistricting wave will be dramatic, putting majority–minority communities at severe disadvantage.
- Election protection should now include protecting against hyperpartisanship to the detriment of racial minorities.

OPEN QUESTIONS:

- *Callais* may call into question state-level voting rights acts, which have served as pathways to preventing voter discrimination when federal enforcement stops.
- Federal legislation like the Freedom to Vote Act and John Lewis Voting Rights Advancement Act will need to be revised, because they do not address the new deficits created by gutting Section 2.
- Redistricting commissions are a step forward, though imperfect vehicles for anti-discrimination efforts.
- Supreme Court reform.

SUPREME COURT ARGUMENTS	
Majority (6)	Minority (3)
MAJORITY: Conditions have changed substantially since 1965 and need to be updated to reflect today's realities, highlighting that: • Voter registration gaps have narrowed. • Political parties have shifted. • Advanced tech makes it easier for potential plaintiffs to prove intentional discrimination if it	DISSENT: The minority argues that Congress wrote Section 2 deliberately to *not* require proof and instead to require *effect* because intent was being disguised as race-neutrality while achieving a racialized effect. This decision essentially restores the standard that Congress rejected in

exists.	1982 when it expanded Section 2 to include voting practices that had discriminatory effect.
What Does 'Opportunity' Mean?	
MAJORITY: Equal opportunities means *any* opportunity by a voter to elect their preferred candidates, even if they end up with less electoral power. Barriers to opportunity cannot be remedied if the barrier is political, only if the barrier is intentionally created by a race-basis.	DISSENT: Opportunity is a real-world *outcome*. If minority communities in practice cannot elect candidates of their choice because of how maps are drawn, that is the kind of harm the law was designed to fix.
Does Section 2 Require Proof of Intent?	
MAJORITY: Yes, plaintiffs must evidence a "strong inference" of intentional racial discrimination. Congress can only make a Voting Rights Act to enforce purposeful/intentional discrimination under the 15th Amendment.	DISSENT: No, Congress amended the VRA to allow evidence of a discriminatory effect, rejecting a purpose/intentional-only requirement. The Supreme Court is undoing an act of Congress and revising an old standard that Congress rejected.
How Should Courts Handle the Overlap Between Race and Politics?	
MAJORITY: Because Black voters overwhelmingly vote Democratic and because partisan gerrymandering is legal, plaintiffs must prove maps are driven by race rather than party preference. If race and politics cannot be separated, maps that result in a discriminatory effect cannot be	DISSENT: Race and politics might be correlated but that is not by accident. It is the result of decades and generations of political and social history rooted in racial division. Using this correlation as a basis for defeating voting rights claims exacerbates the discriminatory effect.

stopped.	
On Social Progress	
MAJORITY: Racial progress since 1965 is far enough from Jim Crow that modern law can no longer justify the same level of intervention from the courts.	DISSENT: The dissent acknowledges progress *because* of the VRA and that progress is incomplete. Gutting these protections will act as a barrier to further progress. Congress is the institution to decide when the VRA is no longer needed, not the court.