



After “Devastating” Voting Rights Decision, State Attorneys General Vow To Keep Fighting

Authors: AG Studies Staff and Policy Fellows

Supreme Court Guts Key Voting Rights Law

Earlier this year, the Leadership Center for Attorney General Studies examined how state attorneys general were advancing the legal theories that could reshape the nation’s most historic voting rights law—the Voting Rights Act of 1965. The [publication](#) analyzed two high-stakes cases that risked making federal voting rights even weaker and harder to enforce, with grave implications for the future of fair representation in America.

One, *Turtle Mountain Band of Chippewa Indians v. Howe*, raised the possibility that private citizens could lose the ability to enforce Section 2 of the Voting Rights Act—the nation’s primary tool for challenging discriminatory voting practices. The other, *Louisiana v. Callais*, tested whether states may consider race when remedying electoral maps that dilute minority voting power and skew electoral representation.

We warned then that *Callais* threatened to deprive minority communities of their electoral influence and slash Black congressional representation on a scale not seen in recent history. At the time, the stakes were largely prospective. Today, they are [not](#).

In April 2026, the Supreme Court issued its long-awaited decision in *Callais*, holding that Louisiana’s congressional map, which included a second majority-Black district, constituted an [unconstitutional racial gerrymander](#). The state had created that district to fix a congressional map a federal court found likely diluted Black voting strength in violation of Section 2.

Civil rights [advocates](#) immediately condemned *Callais* for rewriting and [eviscerating](#) key voting rights protections—deeming it “one of the [most devastating voting rights rulings](#) in decades.” They stress that its [new framework](#), which requires proof of intentional discrimination, makes it extraordinarily difficult to remedy racial vote dilution while simultaneously allowing lawmakers to [justify any voting practice](#) by simply pointing to partisan objectives, regardless of its discriminatory effects.

The practical implications are profound. Georgia State Election Board member Sara Tindall Ghazal summarized the decision's effect, observing that the “federal Voting Rights Act now only guarantees the right to cast a ballot, not the right for those votes to have a meaningful impact.”

The consequences have been swift. Louisiana suspended congressional primary races after [voting had already begun](#) and several other [states](#) also moved to [revisit congressional maps](#) and alter [election timelines](#)—showing how the ruling has [disrupted election administration](#) in some areas of the country and intensified an already [escalating race](#) to redraw electoral boundaries ahead of the 2026 midterm election.

The rapid response from states illustrates how *Callais*' significance extends far beyond a single case. The decision now provides [new ammunition](#) for challenging race-conscious remedies and weakening crucial protections against vote dilution nationwide.

Less than three weeks later, the Supreme Court vacated the Eighth Circuit's decision in [Turtle Mountain](#) and sent it back for reconsideration in light of *Callais*. While the order voided the Eighth Circuit's ruling against private enforcement of Section 2, it left the underlying question unanswered. Rather than deciding whether private citizens—who have historically brought over 90 percent of Section 2 claims—may continue enforcing the law, the Court effectively postponed the issue for another day.

Together, these developments underline a growing conflict over what equal opportunity at the ballot box requires. Some state attorneys general believe that remedying discriminatory voting practices is essential to safeguarding every voter's right to have a meaningful voice in electing their representatives.

Others contend that, by considering race, such measures themselves violate constitutional guarantees of equal protection. The divide reflects a broader battle over whether laws designed to combat discrimination should remain powerful tools for advancing equality—or be recast as forms of discrimination themselves.

The controversial decision has elicited strong reactions from state attorneys general, mirroring the sharply opposing positions these chief legal officers advanced in litigation.

State Attorneys General Condemn Decision

After having co-led a coalition of 20 states in defending Section 2 protections, [New York Attorney General Letitia James](#) deplored the decision's “cruel blow to our democracy.” She pledged to keep fighting to “ensure that every American has the representation and resources they deserve,”

emphasizing the significant connection between voting rights and the tangible, daily struggles of everyday people.

“I know from experience that voting is the central mechanism by which Americans can address the affordability and quality-of-life issues they experience every day.”

[Washington Attorney General Nick Brown](#) also recognized the *Callais* decision for what it was—a gutting of a key cornerstone of civil rights progress in America.

“Passed after generations of delay, denial, and indignity, the 1965 Voting Rights Act was justice for oppressed and brutalized Americans who kept faith in their country’s promise. Today, the Supreme Court has disregarded that sacrifice, dismissed the truth, and revoked the law’s promise to future generations.”

[Massachusetts Attorney General Andrea Joy Campbell](#) followed suit, condemning *Callais* as a betrayal of freedom, fairness, and the courageous, historic efforts of Black Americans.

“Today’s decision by the Supreme Court is a direct assault on the hard-fought rights and freedoms earned by generations of people of color and a major step backward for fair representation in our democracy.”

[California Attorney General Rob Bonta](#) called the decision “deeply disappointing” and reaffirmed his conviction, shared by the coalition of state attorneys general that defended Section 2 protections, that every voter has a right to fair representation.

“My fellow attorneys general and I strongly opposed the weakening of Section 2, and we continue to believe in the importance of fair representation.”

Callais does not directly govern [state voting rights laws](#)—which legislatures around the country are [increasingly](#) debating and adopting—but opponents have already begun invoking its reasoning

to [challenge](#) them. [Maryland Attorney General Anthony G. Brown](#) highlighted the urgency of the state's recently enacted voting rights law and reaffirmed his commitment to defending it.

“Maryland did not wait for Washington to act. We built our own backstop. Today’s ruling makes that law more important than ever. The right to vote is the foundation of everything we are as a democracy. I will not stop fighting to defend it.”

Others Celebrate *Callais*

Even as some attorneys general denounce *Callais* and vow to defend Americans’ right to elect their representatives, others celebrate the defanging of Section 2 as a victory.

[Louisiana Attorney General Liz Murrill](#), whose office ultimately urged the Supreme Court to invalidate the remedial map at issue, expressed satisfaction with the Court’s decision to severely limit the circumstances under which race may be used to remedy discriminatory voting practices.

“It is gratifying that the Supreme Court has finally vindicated our original position and, in doing so, clarified that only under very narrow circumstances—where there is proof of intentional discrimination—may race be used as a remedy under Section 2.”

[Alabama Attorney General Steve Marshall](#) similarly praised the ruling and reinforced the Court’s argument that gains in eliminating racial discrimination in voting make the use of race-conscious remedies in present-day times harder to justify. Legal experts have criticized that reasoning as inherently flawed and [self-defeating](#).

“Alabama has been fighting this battle for many years, and today the Supreme Court confirmed our long-held argument that States must not use race, either to help or to harm particular voters, when drawing voting districts. The Court rightly acknowledged that the South has made extraordinary progress, and that laws designed for a different era do not reflect the present reality.”

But Attorney General Marshall did not stop at celebrating the decision. He quickly filed an emergency appeal seeking to revive a [previously blocked congressional map](#). The Supreme

Court [granted the appeal](#), finding that the lower court, which had inferred intentional discrimination, failed to heed the presumption that the legislature acted in good faith when drawing the map at issue.

Attorney General Reactions Reflect Deep Division

The stark contrast in reactions to *Callais* reflects a profound ideological splintering over what [equal opportunity](#) requires across core facets of American life, including the ballot box. That divide has only intensified since the Supreme Court crippled the enforcement framework for the Voting Rights Act in 2013, fueling a widespread [resurgence in voting restrictions](#).

Some states have responded by [strengthening protections](#). Others have [embraced legal theories](#) that treat efforts to prevent or remedy racial discrimination as discriminatory themselves. In *Callais*, the Supreme Court essentially [reaffirmed that questionable logic](#)—turning the constitutional principle of [equal protection](#) on its head.

But the voting rights movement is not fundamentally about some abstract philosophical ideal. It is about who has political power to shape decisions affecting housing, healthcare, education, public safety, economic opportunity, and countless other aspects of daily life.

As Attorney General James observed, voting remains the central mechanism through which Americans influence the issues that directly affect their lives and communities.

Voting Rights Advocates Push Forward

Callais may have dramatically narrowed one of the Voting Rights Act's most important remaining protections, but the battle over equal rights and fair representation is far from over.

Voting rights advocates, civil rights organizations, and state officials across the country are already working to [identify a path forward](#).

One proposed solution is federal legislation [banning partisan gerrymandering](#). If enacted and upheld, such a law could prevent states from using partisan motives as a shield for maps that diminish minority voting strength.

While state attorneys general cannot enact legislation, *Callais* demonstrates that the positions they take and the legal arguments they advance can shape the future of representation for millions of Americans. Whether and to what extent voting rights protections can be rebuilt in the wake of the Court's destructive ruling may depend, in no small part, on the choices these state officials make in the years ahead.

Some state attorneys general will continue advancing legal theories that narrow protections against voting discrimination, making it easier for government officials to dilute voting power, undermine fair representation, and entrench political advantage.

Others remain determined to ensure that voters retain the power to choose their representatives—not the other way around.

The Leadership Center for Attorney General Studies is a non-partisan organization dedicated to educating the public about the important role state attorneys general play in addressing pressing issues, enforcing laws, and bringing about change.