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Transformation -- ENFORCEMENT OF THE VOTING RIGHTS ACT OF 1965 -- The Johnson Administration and the Early Years -- The Nixon Administration and the Seventies -- The Reagan Administration- Conflict Masks a Transformation -- THE TECHNOLOGICAL REVOLUTION -- CONCLUSION -- NOTES -- 3 Bureaucratic Culture of the Voting Section -- FORGING A PATH -- PERSONNEL IN THE CIVIL RIGHTS DIVISION -- Political Appointees -- The Professionals -- REGULATORY FRAMEWORK -- HUNKERING DOWN IN THE CIVIL RIGHTS DIVISION -- CONCLUSION -- NOTES -- 4 The Department's New Interpretation of the Voting Rights Act -- TRADITIONAL AND MODERN APPROACHES IN THE SUPREME COURT -- NUDGING THE COURT DOWN A PROGRESSIVE PATH -- THE SECTION TWO RESULTS TEST, GINGLES, AND INCORPORATION -- A NEW INTERPRETATION OF DISCRIMINATORY PURPOSE -- PURPOSE AS POLICY-OBJECTION LETTERS -- CARRYING THE FIGHT TO THE COURTS -- CONCLUSION -- NOTES -- 5 External Influences on the Department's Decision Making -- ORGANIZED INTERESTS IN THE VOTING RIGHTS ARENA -- CIVIL RIGHTS INTEREST GROUPS -- THE REPUBLICAN PARTY AS VOTING RIGHTS ADVOCATE -- THE STATES -- CONCLUSION -- NOTES -- 6 From Compromised Compliance to Conquered Provinces -- NORTH CAROLINA -- GEORGIA -- LOUISIANA -- CONCLUSION -- NOTES -- 7 Processes and Products of Voting Rights Act Enforcement -- PROCESSES OF THE DEPARTMENT'S ENFORCEMENT -- PRODUCTS OF THE DEPARTMENT'S ENFORCEMENT -- Federalism -- Effect on Representation -- Damage to the Department -- TOWARD A RESTORATION -- NOTES -- Afterword -- NOTES -- Selected Bibliography -- CASE LAW -- REFERENCES -- Index -- About the Author.

Sommario/riassunto

During the early 1990s the Department of Justice used its Voting Rights Act power to object to racially unfair redistricting laws to force states to maximize minority congressional districts. The results were dramatic: Congressional Black Caucus membership swelled from 25 to 38 and nine new Hispanic congresspersons were sworn in. Only three years later, the maximization strategy lay in ruins. The courts forced many of the new minority districts to be redrawn and the judiciary reserved especially harsh criticism for the Department. Cunningham examines and analyzes how the Department came to adopt the maximization strategy. He explores the bureaucratic culture of the Division's Voting Section, its history, and the interaction of its progressive career staff with more conservative political appointees. The Division works amidst a vibrant interest group environment, with civil rights advocates, the state, and political parties eager for influence. Cunningham shows how that influence contest was won by the civil rights groups, how their preferred interpretations of fair redistricting and discriminatory purpose were adopted by the Division, and how their chosen districting models were forced upon states by the Division. He examines the effect the Department has had on federalism, representation, and its own impaired credibility with the judiciary. Finally, he suggests how the Division might resurrect its damaged reputation for balanced enforcement. An important study for scholars, students, and public policy makers involved with civil rights, public administration, and public law.
