

Preface

In 2002, *A Century of Controversy: Constitutional Reform in Alabama* was published to reflect on the problematic history of Alabama's Constitution. From its inception, the 1901 Constitution was a document that sought to codify white supremacy (Jackson, 2002). It created a system where election rules were actively tilted toward the affluent while disenfranchising Black voters and poor whites (Webb, 2002). The collection illustrated how Alabama's tax code is overwhelmingly dependent on sales tax revenue and extremely regressive. The over-reliance on sales tax revenue, which are highly variable from year to year, puts Alabama's institutions into crisis mode whenever the national economy slows, making service delivery unpredictable (Williams, 2002). Alabama competes with other states and nations for businesses and investments. The tax structure, which is embedded in the constitution, makes raising revenue for education, roads, bridges, and telecommunications difficult - all of which are important to industries that are looking to relocate. Ultimately, the 1901 Constitution undermines Alabama's future and its ability to remain competitive in a global economic environment.

In addition, the 1901 Constitution violates the values of democracy and self-determination at the local level (Sumners, 2002). The 1901 Constitution limits the ability of local jurisdictions to address the unique issues facing their communities and has created long-lasting governance problems for Alabama. Bailey Thomson (2002) optimistically argued that through education and collective action, citizens can band together to improve the state. His book cites that incremental steps have been taken to reform Alabama's constitution in small but meaningful ways (e.g., Schaefer, 2002) and that there are options for improvement within the current framework (Walthall, 2002).

Never Gonna Change builds on that optimism, with the idea that bringing attention to problems can motivate people to improve upon the status quo. In Chapter 1, Short, Aгаudo, and Collins offer insight into how policy change can happen in places resistant to change - the only caveat is that many things have to fall into place for that change to occur. In Chapter 2, historian Bruce Porter makes a case that the Alabama Constitution was designed to underserve poor communities and Black Alabamians, and it continues to do so. Professor Susan Pace Hamill then delves into the elusiveness of tax reform in Alabama. Alabama's tax policy is regressive, where the poor pay a greater proportion of their income to taxes than the affluent. She takes the reader on her journey as an advocate for reform in Alabama and offers a sobering assessment of the future of the state's governance. *Never Gonna Change* also has Professor Brandon Blankenship bring to light the cruel and violent state of Alabama prisons and how the Constitution enables the violence there. He also proposes reforms to make for a more just and effective carceral system. Finally, I make the case that the 1901 Framers created a government that undermines democracy, stifles governance, and encourages voters to disengage. The 1901 Framers aimed to prop up white supremacy and to keep

themselves in power. In Alabama, that strategy has created a culture that is distrustful of government and even more distrustful of politicians and officeholders. That cynicism keeps the 1901 Constitution thriving and in place despite its 2022 recompilation.

Alabamians feel that state government officials do not care about their opinions (Horn, 2019, p. 21). They feel as if they have no say in state government (Horn, 2019, p. 22). This raises a question: how might a modern and efficient constitution enable politicians to further alienate voters and residents? That is the challenge of reform. That is the challenge of trying to rid the state of a document that enshrined white supremacy at the cost of democracy. It has so tainted the waters of reform that people do not trust to exchange it for a meaningfully representative and democratic framework for how government should operate.

Change can happen. In 2022, Alabama voters overwhelmingly passed a recompilation of the 1901 Constitution, which removed its racist text and reorganized it. But the spirit of the 1901 Constitution continues in the recompilation. When Bailey Thomson's *A Century of Controversy* was published in 2002, there were 706 amendments to the Alabama Constitution. Prior to the 2022 recompilation, there were 977 amendments. The recompilation reorganized those amendments, moving them into the main articles that they amended and sorted the local amendments by county, municipality, and topic (Cason, 2022). It continues to be the longest constitution in the United States. It is still overly statutory. It is not a framework for government. The cumbersome nature of the document is a national embarrassment. It does not have to be this way. Thomson hoped that an informed electorate would choose the path seeking equity, justice, and fairness. He called upon civil society and community stocks of social capital to accomplish this change. This collection is a step toward that end.

This book was inspired by Bailey Thomson's (2002) work. Derek Malone, the Dean of Olin Library at Rollins College, and Jennifer Pate, Director of OpenEd at Texas A&M, both formerly at the University of North Alabama, encouraged me and supported the development of this project under the UNA OER Press @ Collier Library. *Never Gonna Change* also benefitted from the peer review work and feedback of my colleagues: Chris Purser, Tim Collins, Matt Schoenbachler, Justin Joseph, Katie Owens-Murphy, Lynne Reiff, Quinn Gordon, Jim Day (University of Montevallo), Patrick Tate, and Kayla Bohannon. Brucie Porter, Brandon Blankenship, and Rebecca Short also served as peer reviewers. Finally, I am thankful to Donnalee Blankenship, who provided the cover art and illustrations at the start of each chapter of this book.

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