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Professors, Students, and Civil Rights Group Seek Preliminary Injunction in Lawsuit Challenging Alabama’s Discriminatory Censorship Law, SB 129

Today, the [Legal Defense Fund \(LDF\)](#) and [ACLU of Alabama](#) filed a preliminary injunction on behalf of a group of Alabama educators, students, and the Alabama State Conference of the NAACP, asking a District Court in Alabama to immediately halt implementation of a harmful censorship law that limits certain discussions about race and sex-based inequalities. In their motion, the plaintiffs argue that the law, Alabama Senate Bill 129 (SB129), has imposed severe viewpoint restrictions on professors and students in public Alabama universities, including classroom discussions and university programs, since it took effect in October 2024. The plaintiffs further argue that it is difficult—if not impossible—to ascertain what exactly is or is not prohibited by SB129 due its vague and confusing language, which further chills their speech.

[SB129](#) places significant limitations on the ability of public university professors to teach, and students to learn and engage in, disfavored topics and viewpoints that elected politicians in the Alabama Legislature unilaterally labeled “divisive concepts” and “DEI,” including certain topics concerning race, racism, sexism, homophobia, structural inequality, and social justice. Since SB129 went into effect, certain teachings and discussions have been censored by university administrators, students have faced discriminatory restrictions on university funding student programs, and students organizations have lost access to inclusive spaces on campus that had welcomed Black and LGBTQIA students for years.

“Alabama’s students and educators are entitled to receive quality, accurate, and comprehensive education that respects their right to exist safely, with dignity, and free from discrimination. Because SB129 continues to pose a significant threat to Alabama public university students and educators, the Court must act swiftly to stem the harm that has already occurred,” said **Antonio Ingram, LDF Senior Counsel**. “SB129 is flatly at odds with the true interests of Alabamians and the rights to free speech and due process enshrined in our Constitution. We urge the Court to immediately halt the enforcement of this discriminatory law and prevent any further harms to students of color and LGBTQIA students attending public colleges and universities through the state.”

"Justice demands urgency," said **Alison Mollman, ACLU of Alabama Legal Director**. "Students and professors in our state have dealt with this unconstitutional law for several months and deserve to learn in a classroom that is free of censorship and racial discrimination."

The [lawsuit](#), which was filed in the U.S. District Court for Northern Alabama on Jan. 14, 2025, claims that the legislation violates the First and Fourteenth Amendments of the U.S. Constitution by restricting viewpoints disfavored by legislators with no expertise in higher education and by failing to provide sufficient clarity as to what precisely is prohibited under the new law.

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Founded in 1940, the [Legal Defense Fund \(LDF\)](#) is the nation's first civil rights law organization. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights.

Founded in 1965, [The American Civil Liberties Union \(ACLU\) of Alabama](#) is freedom's watchdog; we work in the courts, legislatures, and communities to defend the civil liberties and civil rights guaranteed to us by the Constitution and the Bill of Rights. We are anchored in Alabama's history of oppression and progress. At our core, we believe in equity and justice in Alabama. Our organization's foundation and North Star is informed by our presence in the birthplace of the Civil Rights Movement. The very space where community organizing changed this nation and crafted a more equitable & inclusive democracy.