

SHAW v. RENO (1993)

The decision that used the Equal Protection Clause to mandate strict scrutiny for redistricting on the basis of race.

KEY TERMS

Equal Protection Clause

The clause within the 14th Amendment that guarantees all citizens equal protection under the law

Gerrymandering

The practice of manipulating the boundaries of legislative districts to provide an advantage to one political party or group

Majority-Minority Area

A jurisdiction in which one or more racial minorities constitute the majority of that area's population

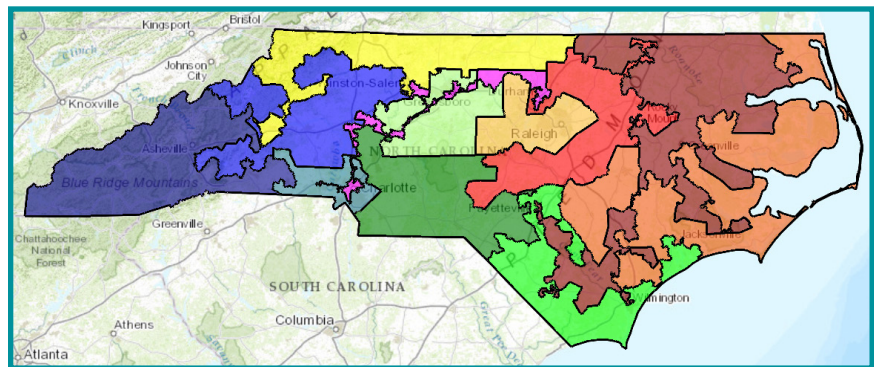
SUBSEQUENT CASE

Miller v. Johnson (1995)—declared that a gerrymandered district in Georgia (very similar to the one in North Carolina) was unconstitutional because it was predominantly race-based.

FACTS OF THE CASE

After the 1990 Census, the state of North Carolina submitted a redistricting map to the Department of Justice that contained one majority-minority black district. Attorney General Janet Reno instructed North Carolina to revise its map to add a second majority-minority district in order to comply with 1982 amendments to the 1965 Voting Rights Act. The 12th district of North Carolina's new proposal was extremely long and oddly shaped, thinly stretching through various parts of the state to connect areas with large black populations.

In 1991, a group of white voters led by Ruth Shaw challenged the proposed redistricting, arguing that the way in which the map was drawn violated the Equal Protection Clause of the 14th Amendment and amounted to legislative gerrymandering.



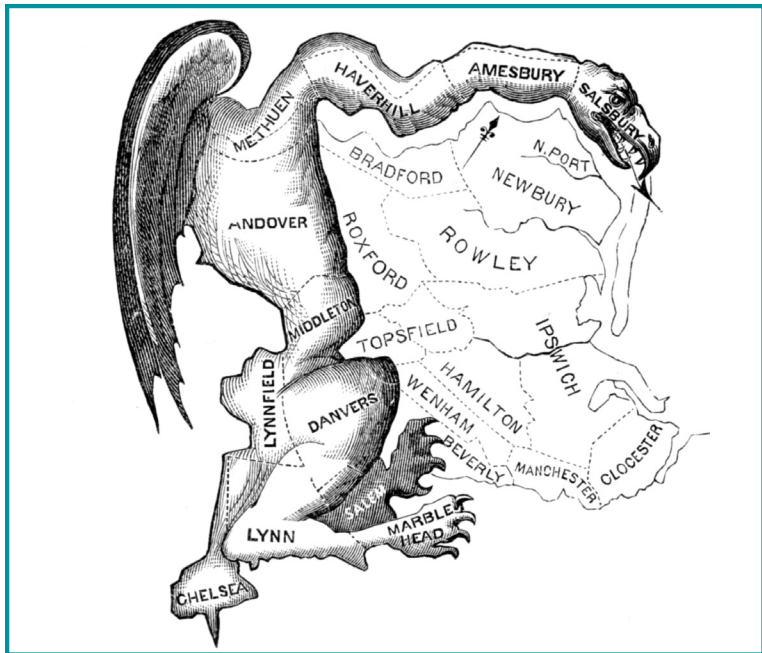
North Carolina's Congressional Districts, 1993–1998 (12th District in pink)

NOTES

THE DECISION

In a 5-4 opinion, the Supreme Court ruled that the shape of the proposed district in North Carolina was bizarre enough that it could not be explained as anything other than an attempt to separate voters along racial lines. In the majority decision, Justice Sandra Day O'Connor noted that while redistricting may take race into account and must not violate the Voting Rights Act, race cannot be the primary consideration when a jurisdiction redraws legislative district lines.

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"The Gerry-Mander." Political cartoon from 1812 depicting Massachusetts district designed to favor Democratic-Republican Party candidates over Federalists

IMPACT

The decision in *Shaw v. Reno* led to nationwide changes after the 2000 Census. The case established that any legislative redistricting must be strictly scrutinized and that any laws related to racially motivated redistricting must be held to narrow standards and compelling government interests.

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