SUPREME COURT OF THE UNITED STATES

No. 92–357

RUTH O. SHAW, ET AL., APPELLANTS *v.* JANET RENO, ATTORNEY GENERAL, ET AL.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA

[June 28, 1993]

JUSTICE BLACKMUN, dissenting.

I join JUSTICE WHITE's dissenting opinion. I did not join Part IV of his opinion in *United Jewish Organizations* v. *Carey*, 430 U. S. 144 (1977), because I felt that its "additional argument," *id.*, at 165, was not necessary to decide that case. I nevertheless agree that the conscious use of race in redistricting does not violate the Equal Protection Clause unless the effect of the redistricting plan is to deny a particular group equal access to the political process or to minimize its voting strength unduly. See, *e.g.*, *Chapman* v. *Meier*, 420 U. S. 1, 17 (1975); *White* v. *Regester*, 412 U. S. 755, 765–766 (1973). It is particularly ironic that the case in which today's majority chooses to abandon settled law and to recognize for the first time this "analytically distinct" constitutional claim, *ante*, at 21, is a challenge by white voters to the plan under which North Carolina has sent black representatives to Congress for the first time since Reconstruction. I dissent.