

Justices concurring specially: Scalia, Thomas, O'Connor, Souter, Breyer, Rehnquist, C.J.

911. *Romer v. Evans*, 517 U.S. 620 (1996).

Amendment 2 to the Colorado Constitution, which prohibits all legislative, executive, or judicial action at any level of state or local government if that action is designed to protect homosexuals, violates the Equal Protection Clause of the Fourteenth Amendment. The amendment, adopted by statewide referendum in 1992, does not bear a rational relationship to a legitimate governmental purpose.

Justices concurring: Kennedy, Stevens, O'Connor, Souter, Ginsburg, Breyer
Justices dissenting: Scalia, Thomas, Rehnquist, C.J.

912. *Shaw v. Hunt*, 517 U.S. 899 (1996).

North Carolina's congressional districting law, containing the racially gerrymandered 12th Congressional District as well as another majority-black district, violates the Equal Protection Clause because, under strict scrutiny applicable to racial classifications, creation of District 12 was not narrowly tailored to serve a compelling state interest. Creation of District 12 was not necessary to comply with either section 2 or section 5 of the Voting Rights Act, and the lower court found that the redistricting plan was not actually aimed at ameliorating past discrimination.

Justices concurring: Rehnquist, C.J., O'Connor, Scalia, Kennedy, Thomas
Justices dissenting: Stevens, Ginsburg, Souter, Breyer

913. *Bush v. Vera*, 517 U.S. 952 (1996).

Three congressional districts created by Texas law constitute racial gerrymanders that are unconstitutional under the Equal Protection Clause. The district court correctly held that race predominated over legitimate districting considerations, including incumbency, and consequently strict scrutiny applies. None of the three districts is narrowly tailored to serve a compelling state interest.

Justices concurring: O'Connor, Kennedy, Rehnquist, C.J.
Justices concurring specially: O'Connor, Kennedy, Thomas, Scalia
Justices dissenting: Stevens, Ginsburg, Breyer, Souter

914. *United States v. Virginia*, 518 U.S. 515 (1996).

Virginia's exclusion of women from the educational opportunities provided by Virginia Military Institute denies to women the equal protection of the laws. A state must demonstrate "exceedingly persuasive justification" for gender discrimination, and Virginia has failed to do so in this case.

Justices concurring: Ginsburg, Stevens, O'Connor, Kennedy, Souter, Breyer