

ANALYSIS

How Supreme Court Rulings on Redistricting Have Undermined Voters of Color

Far from calling balls and strikes, the Roberts Court's record shows a pattern of altering fundamental rules for our system of elections.



Kareem Crayton

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[Voting & Elections](#)

Chief Justice John Roberts famously said the U.S. Supreme Court's role is "[calling balls and strikes](#) [\[link-1\]](#)," suggesting a narrow mandate of doing just enough to enforce constitutional rules. But in redistricting cases, the court's conservative supermajority has gone further, wielding its power in

ways that have entrenched decidedly partisan outcomes, largely at the expense of voters of color. This troubling pattern has been evident in recent rulings, and we may see more of it this term.

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Last month, the Roberts Court [upheld Texas' redrawn maps](#) [\[link-5\]](#) despite evidence that the Republican legislature diluted Latino and Black voting power. And in a case to be decided this term, [Louisiana v. Callais](#) [\[link-6\]](#), the justices are considering whether to strike down Section 2 of the Voting Rights Act, a critical protection against discriminatory maps. Eliminating the federal law that outlaws policies and practices whose effects discriminate against voters of color could undo four decades of civil rights enforcement.

A court that only calls balls and strikes might show restraint in a

case like this. But this court's tendency is quite different.

Perhaps the most prominent voting rights decision in the Roberts Court record is its 2013 ruling in [Shelby County v. Holder](#) [\[link-7\]](#). This decision ended the practice of “preclearance,” effectively dismantling another key part of the Voting Rights Act that required federal approval for voting changes in places with a history of racial discrimination. [More than half](#) [\[link-8\]](#) the changes blocked under this system have involved election maps.

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Links

link-1: "calling balls and strikes" <https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/nomination-process/chief-justice-roberts-statement-nomination-process>

link-2: Redistricting <https://www.brennancenter.org/topics/voting-elections/redistricting>

link-3: Supreme Court Cases </taxonomy/term/66>

link-4: The Benchmark </taxonomy/term/73>

link-5: upheld Texas' redrawn maps <https://www.ms.now/deadline-white-house/deadline-legal-blog/texas-redistricting-supreme-court-gerrymander>

link-6: Louisiana v. Callais <https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/24-109.html>

link-7: Shelby County v. Holder <https://www.brennancenter.org/sites/default/files/2023-07/shelby-county-v-holder-case.pdf?inline=1>

link-8: More than half <https://www.journals.uchicago.edu/doi/10.1086/739960>

link-9: Read the full article at MS NOW >> <https://www.ms.now/opinion/supreme-court-redistricting-rulings-voting-rights>