

Title: Baker v. Carr

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Source: *Encyclopedia of Civil Rights in America*. Ed. David Bradley and Shelley Fisher Fishkin. Vol. 1. Armonk, NY: Sharpe Reference, 1998. p91.

Document Type: Topic overview

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1962: Landmark U.S. SUPREME COURT ruling that began federal court involvement in reapportionment disputes that affected citizen VOTING RIGHTS.

When the Tennessee legislature enacted an apportionment statute in 1901, it adopted a scheme that reapportioned the state's legislative districts based on fixed percentages of the population in counties. Despite great population growth in Tennessee after that year, the state's legislative districts continued to be apportioned according to the formula set out in 1901. By the 1960's that formula was still allocating only single representatives to some large counties, while awarding multiple representatives to other counties that had not grown in population.

Charles Baker, the chairman of a local legislative body, lived in a large congressional district that still had only one representative, although it bore a heavy share of state taxes. Baker brought suit on behalf of other voters similarly situated against Joe Carr, Tennessee's secretary of state, claiming that the old state apportionment statute deprived him of his EQUAL PROTECTION rights under the U.S. CONSTITUTION.

Since Justice Felix Frankfurter's majority opinion in its *Colegrove v. Green* decision in 1946, the Supreme Court had equated deciding redistricting cases with entering a "political thicket" that COURTS should avoid. The Court's sour view of state reapportionment effectively thwarted litigation efforts in federal courts to challenge unfair redistribution of legislative representation in states until Baker's case reach it in 1962. After sixteen years, Justice William J. Brennan, Jr., nullified the "political thicket" doctrine by asserting that reapportionment cases were not political questions, but rights questions if they involved threats to citizens' equal protection rights. By a 6-2 vote the Court found that Tennessee's reapportionment statute violated Baker's constitutional right to have his vote weigh equally. Two years later, in REYNOLDS V. SIMS, the Court extended its involvement to rule directly on reapportionment.

—Angelyque P. Campbell

Source Citation

Campbell, Angelyque P. "Baker v. Carr." *Encyclopedia of Civil Rights in America*. Ed. David Bradley and Shelley Fisher Fishkin. Vol. 1. Armonk, NY: Sharpe Reference, 1998. 91. *Gale Virtual Reference Library*. Web. 24 Aug. 2010.

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Gale Document Number: GALE|CX3459600067