

SUPREME COURT OF THE UNITED STATES

City of Mobile v. Bolden

446 U.S. 55 (1980) · No. No. 77-1844 · Decided April 22, 1980

SUMMARY

The Supreme Court considered whether Mobile, Alabama's at-large municipal election system violated § 2 of the Voting Rights Act, the Fourteenth Amendment, or the Fifteenth Amendment by diluting the voting strength of Black voters. The Court held that § 2, as then understood, added nothing to the Fifteenth Amendment claim and that a racially discriminatory purpose was required to establish a constitutional violation. It reversed the judgment upholding relief that would have replaced the commission system with a mayor-and-council system elected from single-member districts.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Justice Stewart; Chief Justice Burger; Justice Blackmun; Justice Brennan; Justice Marshall; Justice Powell; Justice Rehnquist; Justice Stevens; Justice White
JURISDICTION	Federal
DECIDED	April 22, 1980
DOCKET	No. 77-1844
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from a judgment of the United States Court of Appeals for the Fifth Circuit affirming a federal district court judgment that Mobile's at-large municipal election system violated the Fourteenth and Fifteenth Amendments and ordering replacement of the commission form of government with a mayor-council system using single-member districts.
STANDARD OF REVIEW	Review of the constitutional conclusions drawn from the district court's findings concerning discriminatory purpose and vote dilution; the Supreme Court held that the evidence was legally insufficient to establish purposeful discrimination.
PRECEDENTIAL VALUE	Supreme Court plurality decision; the judgment and controlling constitutional principles are precedential, while some reasoning did not command a majority.

PARTIES

City of Mobile, Alabama, Incumbent Mobile City Commissioners v. Bolden, Class of Negro citizens of Mobile

TOPICS

voting rights election law equal protection fourteenth amendment municipal law

PRACTICE AREAS

constitutional law election law voting rights civil rights municipal law

QUESTIONS PRESENTED

1. Whether Mobile's at-large municipal election system violated § 2 of the Voting Rights Act of 1965.
2. Whether Mobile's at-large election system violated the Fifteenth Amendment by purposefully denying or abridging Negro citizens' right to vote on account of race.
3. Whether Mobile's at-large election system violated the Equal Protection Clause of the Fourteenth Amendment through purposeful racial vote dilution.
4. Whether the Constitution requires proportional representation or protects a racial or political group from electoral defeat merely because it has not elected candidates in proportion to its population.

HOLDINGS

1. Section 2, as then understood by the Court, did no more than restate the prohibition contained in the Fifteenth Amendment and therefore added nothing to appellees' claim; the Court assumed without deciding that a private right of action existed.
2. A facially racially neutral electoral system violates the Fifteenth Amendment only when racially discriminatory purpose is shown; because Mobile Negroes were permitted to register and vote without hindrance and the evidence did not establish purposeful denial or abridgment of the vote, the at-large system did not violate the Fifteenth Amendment.
3. An at-large or multimember electoral system is not unconstitutional per se. A Fourteenth Amendment violation requires proof that the system was conceived or operated as a purposeful device to minimize or cancel the voting strength of a racial or ethnic minority. The evidence in this case was insufficient to prove that purpose.
4. The Equal Protection Clause does not require proportional representation and does not protect a racial or political group from electoral defeat merely because it has not elected representatives in proportion to its population.

KEY QUOTATIONS

"The Fifteenth Amendment does not entail the right to have Negro candidates elected, and neither Smith v. Allwright nor Terry v. Adams contains any implication to the contrary." (64-65)

“The Equal Protection Clause of the Fourteenth Amendment does not require proportional representation as an imperative of political organization.” (76-77)

“But this right to equal participation in the electoral process does not protect any “political group,” however defined, from electoral defeat.” (77-78)

FACTUAL BACKGROUND

Mobile had used a three-member City Commission elected at large since 1911. The commission jointly exercised the city's legislative, executive, and administrative powers, and no Negro had been elected to the commission despite Negro citizens comprising a substantial portion of the electorate. The district court found racial bloc voting, historical discrimination, official unresponsiveness, and other circumstances bearing on minority political participation, but also found that Negroes registered, voted, and could run for office without official hindrance.

PROCEDURAL HISTORY

The appellees brought a class action in the United States District Court for the Southern District of Alabama challenging Mobile's at-large election system under § 2 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments. After a bench trial, the district court found a constitutional violation and ordered the commission form of government replaced. The Fifth Circuit affirmed, and the Supreme Court reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The judgment of the Court of Appeals was reversed and the case was remanded for further proceedings.

CASES CITED

- Spector Motor Service, Inc. v. McLaughlin, 323 U.S. 101 (1945)
- Ashwander v. TVA, 297 U.S. 288 (1936)
- Ex parte Yarbrough, 110 U.S. 651 (1884)
- Guinn v. United States, 238 U.S. 347 (1915)
- Gomillion v. Lightfoot, 364 U.S. 339 (1960)
- Wright v. Rockefeller, 376 U.S. 52 (1964)
- Smith v. Allwright, 321 U.S. 649 (1944)
- Terry v. Adams, 345 U.S. 461 (1953)
- White v. Regester, 412 U.S. 755 (1973)
- Whitcomb v. Chavis, 403 U.S. 124 (1971)
- Fortson v. Dorsey, 379 U.S. 433 (1965)

- Burns v. Richardson, 384 U.S. 73 (1966)
- Washington v. Davis, 426 U.S. 229 (1976)
- Arlington Heights v. Metropolitan Housing Development Corp., 429 U.S. 252 (1977)
- Reynolds v. Sims, 377 U.S. 533 (1964)
- United Jewish Organizations v. Carey, 430 U.S. 144 (1977)
- Minor v. Happersett, 21 Wall. 162 (1875)
- San Antonio Independent School District v. Rodriguez, 411 U.S. 1 (1973)
- Swann v. Board of Education, 402 U.S. 1 (1971)

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