

SUPREME COURT OF THE UNITED STATES

Whitcomb v. Chavis

403 U.S. 124 (1971) · No. No. 92 · Decided June 7, 1971

SUMMARY

The Supreme Court considered whether Indiana's use of a multimember legislative district for Marion County violated the Equal Protection Clause by diluting the voting strength of Black and economically disadvantaged voters. The Court held that multimember districts are not per se unconstitutional and that the plaintiffs had not shown that the district operated to minimize or cancel out the voting strength of a racial or political group. The Court also rejected the theory that multimember districts inherently overrepresent their voters compared with voters in single-member districts.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Justice White; Chief Justice Burger; Justice Black; Justice Blackmun; Justice Douglas; Justice Harlan; Justice Brennan; Justice Marshall; Justice Stewart
JURISDICTION	Federal
DECIDED	June 7, 1971
DOCKET	No. 92
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Indiana voters challenged Indiana statutes establishing large, at-large, multi-member legislative districts, principally Marion County's districting scheme, under the Equal Protection Clause. A three-judge federal district court held the Marion County scheme unconstitutional, ordered statewide reapportionment, adopted an interim redistricting plan, and enjoined elections under the existing statutes. The Governor appealed, and the Supreme Court noted probable jurisdiction.
STANDARD OF REVIEW	The Court reviewed the constitutional validity of the apportionment statutes and the District Court's factual and remedial determinations under the Equal Protection Clause. It required challengers to prove from the evidentiary record that the multi-member district operated to minimize or cancel out the voting strength of racial or political elements.

PRECEDENTIAL VALUE	Binding Supreme Court precedent
PARTIES	Whitcomb, Governor of Indiana v. Chavis et al.

TOPICS

voting rights redistricting election law equal protection fourteenth amendment

PRACTICE AREAS

constitutional law election law voting rights redistricting civil rights

QUESTIONS PRESENTED

1. Whether the appeal remained justiciable after Indiana enacted new apportionment legislation abolishing multi-member districts.
2. Whether Marion County's large, at-large multi-member legislative district violated the Equal Protection Clause by minimizing or canceling out the voting strength of Black and poor residents of the Center Township ghetto.
3. Whether multi-member districts are constitutionally invalid because they allegedly give their voters greater voting power or more effective legislative representation than voters in single-member districts.
4. Whether the District Court properly ordered statewide redistricting in light of population disparities among Indiana legislative districts.
5. Whether the District Court's remedy improperly invalidated all Indiana multi-member districts and intruded too broadly into state apportionment policy.

HOLDINGS

1. The controversy was not moot because the validity of the prior apportionment scheme and the District Court's retained jurisdiction presented continuing issues capable of affecting the parties and the validity of future apportionment arrangements.
2. Multi-member districts are not per se unconstitutional merely because they elect several legislators at large or because voters supporting losing candidates do not obtain legislative seats of their own.
3. The plaintiffs did not prove that Marion County's multi-member district invidiously diluted or canceled out the voting strength of Black residents of the Center Township ghetto in violation of the Fourteenth Amendment.
4. The District Court properly ordered statewide redistricting because the evidence established population disparities among Indiana's legislative districts that exceeded constitutionally permissible limits.
5. The District Court exceeded its remedial authority by invalidating all Indiana multi-member districts and broadly displacing state apportionment policy without sufficient constitutional or equitable grounds.

KEY QUOTATIONS

“But we have insisted that the challenger carry the burden of proving that multi-member districts unconstitutionally operate to dilute or cancel the voting strength of racial or political elements.” (142-144)

“As our system has it, one candidate wins, the others lose.” (153)

“The short of it is that we are unprepared to hold that district-based elections decided by plurality vote are unconstitutional in either single- or multi-member districts simply because the supporters of losing candidates have no legislative seats assigned to them.” (160)

“The remedial powers of an equity court must be adequate to the task, but they are not unlimited.” (161)

FACTUAL BACKGROUND

Indiana's legislative apportionment statutes made Marion County a large multi-member district electing eight senators and fifteen representatives at large. Plaintiffs alleged that predominantly Black and poor residents of the Center Township ghetto had distinctive interests and that the at-large system, combined with party control and bloc voting, diluted their ability to elect legislators responsive to those interests. The District Court found racial and socioeconomic disparities in legislative residence and representation, but the Supreme Court concluded that the record did not establish purposeful racial discrimination, exclusion from political participation, or that the alleged underrepresentation resulted from anything other than losing elections.

PROCEDURAL HISTORY

The three-judge District Court for the Southern District of Indiana held that Marion County's multi-member districts diluted the voting strength of an identifiable racial minority and violated equal protection. It also found statewide population disparities requiring statewide redistricting and adopted a plan based on 1960 census figures. While the appeal was pending, Indiana enacted new legislation providing for single-member districts, but the Supreme Court held the controversy was not moot, reversed the District Court's judgment, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The judgment of the three-judge District Court was reversed, and the case was remanded for further proceedings consistent with the Supreme Court's opinion. The Court did not pass on the details of the District Court's plan because the plan would in any event require revision based on the 1970 census figures.

CASES CITED

- Gray v. Sanders, 372 U.S. 368 (1963)
- Reynolds v. Sims, 377 U.S. 533 (1964)
- Lucas v. Colorado General Assembly, 377 U.S. 713 (1964)
- Fortson v. Dorsey, 379 U.S. 433 (1965)

- Burns v. Richardson, 384 U.S. 73 (1966)
- Kilgarlin v. Hill, 386 U.S. 120 (1967)
- Burnette v. Davis, 382 U.S. 42 (1965)
- Harrison v. Schaefer, 383 U.S. 269 (1966)
- Kirkpatrick v. Preisler, 394 U.S. 526 (1969)
- Wells v. Rockefeller, 394 U.S. 542 (1969)
- Swann v. Adams, 385 U.S. 440 (1967)
- Sims v. Baggett, 247 F. Supp. 96 (M.D. Ala. 1965)
- Smith v. Paris, 257 F. Supp. 901 (M.D. Ala. 1966), aff'd, 386 F.2d 979 (5th Cir. 1967)
- Gomillion v. Lightfoot, 364 U.S. 339 (1960)
- Allen v. State Board of Elections, 393 U.S. 544 (1969)
- Baker v. Carr, 369 U.S. 186 (1962)
- Maryland Committee for Fair Representation v. Tawes, 377 U.S. 656 (1964)
- Gunn v. University Committee, 399 U.S. 383 (1970)
- Dusch v. Davis, 387 U.S. 112 (1967)
- Wright v. Rockefeller, 376 U.S. 52 (1964)
- Abate v. Mundt, 403 U.S. 182 (1971)
- Gordon v. Lance, 403 U.S. 1 (1971)

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