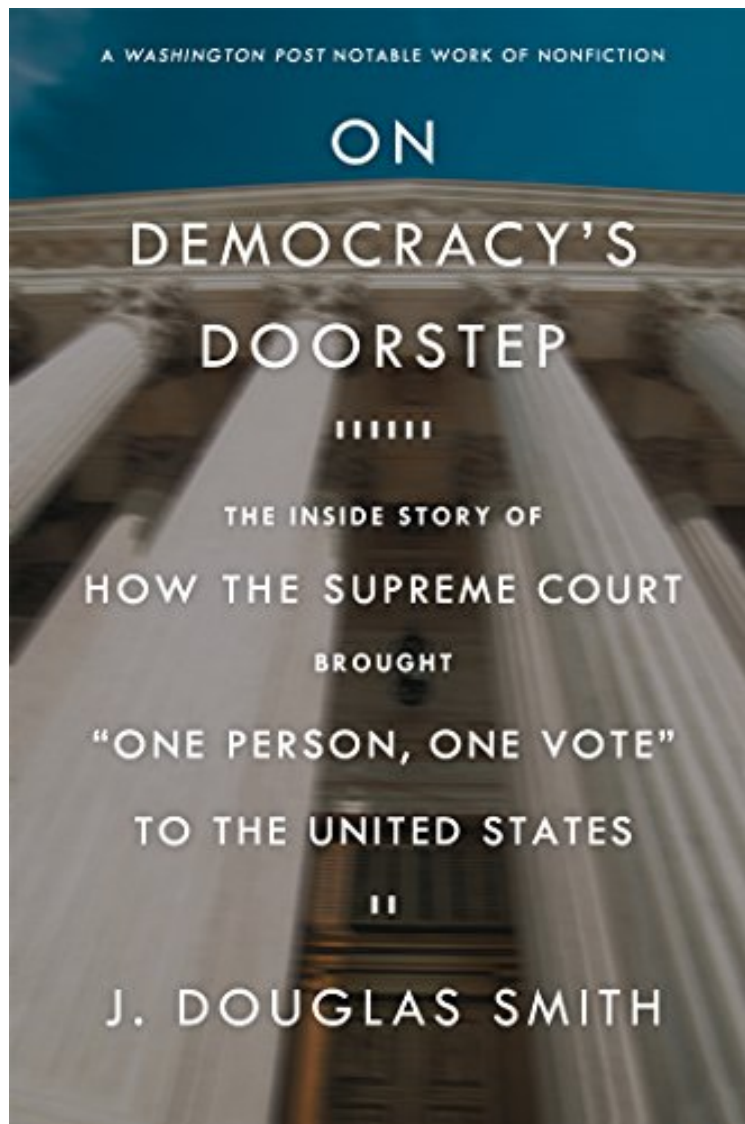


(Free download) On Democracy's Doorstep: The Inside Story of How the Supreme Court Brought "One Person, One Vote" to the United States

## On Democracy's Doorstep: The Inside Story of How the Supreme Court Brought "One Person, One Vote" to the United States

*J. Douglas Smith*

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**J. Douglas Smith : On Democracy's Doorstep: The Inside Story of How the Supreme Court Brought "One Person, One Vote" to the United States** before purchasing it in order to gage whether or not it would be worth my time, and all praised On Democracy's Doorstep: The Inside Story of How the Supreme Court Brought "One Person, One Vote" to the United States:

0 of 0 people found the following review helpful. A Superb Account  
By Alan E. Johnson  
This book provides an excellent account, amply corroborated by primary sources cited in the notes, of the long struggle for reapportionment of U.S. House of Representatives districts and state legislatures on the basis of "one person one vote." In a series of decisions from 1962 to 1965, the U.S. Supreme Court held that apportionment issues were not merely "political questions" beyond the reach of the federal courts, that state governments were required to devise electoral districts for the U.S. House of Representatives that were roughly equal in population, and that state legislative districts (including both houses of a bicameral legislature) had to be drawn so that each district comprised an approximately equal number of people as every other district. These decisions abolished the long-time practice of federal and state legislative districts in which people in urban or metropolitan areas were grossly underrepresented in the U.S. House of Representatives and in state legislatures. After these decisions were issued, the Senate Republican Minority Leader, Everett Dirksen of Illinois, led a years-long effort to obtain a constitutional amendment that would overrule some or all of their holdings. He worked on both of the alternative prongs of the amendment procedure in Article V of the U.S. Constitution: attempting to obtain adoption in the Congress (requiring a two-thirds majority of each house) of such a constitutional amendment to be submitted for ratification by three-fourths of the states, and, alternatively, to have the legislatures of two-thirds of the states request a federal constitutional convention in order to overrule the reapportionment decisions. Senator Dirksen was unsuccessful on both counts, though he almost succeeded in obtaining the approvals of two-thirds of the states for a new federal constitutional convention. The latter prospect horrified many people in both parties, because it was not clear whether a constitutional convention could be limited to one issue; liberal Democrats and some Republicans expressed concern that such a convention might repeal important provisions of the Bill of Rights, as least as those first ten amendments to the Constitution had been construed and applied by the contemporary Supreme Court led by Chief Justice Earl Warren. In the Epilogue of his book, the author discusses the results of these epic Supreme Court cases. The reapportionments did cause state legislatures to pay more attention to the needs of urban residents. However, even as the reapportionment battles were being waged, people were moving from urban to suburban communities that usually had little interest in the problems of the cities. These suburbs often voted Republican rather than Democrat, contrary to the expectations of many politicians and media commentators. One of the reasons for the failure of Senator Dirksen's proposed constitutional amendments is that members of his own party came to realize that they might find a strong political base in the growing suburban communities. Moreover, the legal success of reapportionment has resulted in political forces turning to different methods to ensure the political success of special interests. This book was first published in 2014. The author observes (page 283) that "after June 1964, both political parties, no longer able to gain an advantage simply by designing districts made up of wildly divergent numbers of people, came to rely on gerrymandering more than they had before. After the 1970 census and every ten years thereafter, legislators across the nation turned to gerrymandering with gusto. In October 2012, the Atlantic referred to gerrymandering as 'the dark art and modern science of making democracy a lot less democratic.' I might add that the Supreme Court will soon be addressing the issue of partisan gerrymandering in a case it will decide in the term ending June 30, 2018: *Gill v. Whitford*, U.S. Supreme Court Docket No. 16-1161. It would not be surprising if the Supreme Court looked to the history of the reapportionment cases for guidance, especially on the issue of the applicability of the "political question" doctrine the threshold justiciability question that has heretofore prevented the Court from becoming involved with partisan (as distinguished from racial) gerrymandering cases and that similarly delayed consideration by the Court of apportionment cases before its decision in *Baker v. Carr*, 369 U.S. 186 (1962). The author of this book also notes (page 284) that "the Courts historic embrace of one person, one vote comports uneasily with fears that its more recent actions may have enabled 'one dollar, one vote' to become a more accurate description of American democracy. Today, corporate interests and anti-tax groups continue to push a probusiness, anti-labor agenda of low taxes, limited government spending, and minimal regulation. The Chamber of Commerce, once Dirksen's primary ally, has led the way as business groups, freed from spending limits by the 2010 Supreme Court decision in *Citizens United v. Federal Election Commission*, now spend tens of millions of dollars per election cycle in an effort to influence public policy." The author concludes the book with the observation (page 290) that Chief Justice Warren "understood all too well that the journey remained unfinished and that the struggle to affirm and reaffirm the rights of individuals to a truly equal voice in a representative system of government must go on."

0 of 0 people found the following review helpful. Fascinating subject  
By Anne Schwartz  
Perhaps others will find this story dry and uninteresting, but I found it fascinating. Growing up at that time, I had no idea of this important fight going on around me. And of course the JFK assassination obscured other things. This is an important issue, and I am so pleased to have learned all about it.

2 of 2 people found the following review helpful. A REAL EYE-OPENER TO THE POLITICS OF THE U.S.  
By Robin Leigh Morgan  
I received a copy of this book through a giveaway on GoodReads and the following is my honest opinion. In high school history had always been my best subject with about a 93 average, from the 10th to the 12th grade. The depth and breadth of the information author, J. Douglas Smith, has covered in his book is extraordinary when compared to what I'd been taught. One would think given the democracy we reportedly live in; one person one, one vote has always been the way part of the democratic process. On Democracy's Doorstep proves the contrary had actually existed prior to the Supreme

Court decisions which corrected this situation. The politics used by both parties, the Democrats and the Republicans, to maintain the levels of apportionment they've enjoyed for decades; as well as the gerrymandering of districts even within the same party to keep a particular individual in office would be deemed by those unfamiliar to the Game of Politics to be unbelievable. To read about the details described by the author concerning the shenanigans pulled by both parties to keep their status quo is a real eye-opener to the uninitiated common citizen of the United States. I'm therefore giving Mr. Smith my thanks and 5 STARS for opening the door and removing the veil of secrecy to the issue of one person, one vote for all those who read his book.

Winner of the Henry Adams Prize from the Society for History in the Federal Government  
A Washington Post Notable Work of Nonfiction  
A Slate Best Book of 2014  
The inside story of the Supreme Court decisions that brought true democracy to the United States  
As chief justice of the U.S. Supreme Court, Earl Warren is most often remembered for landmark rulings in favor of desegregation and the rights of the accused. But Warren himself identified a lesser known group of cases—*Baker v. Carr*, *Reynolds v. Sims*, and their companions—as his most important work. J. Douglas Smith's *On Democracy's Doorstep* masterfully recounts the tumultuous and often overlooked events that established the principle of "one person, one vote" in the United States. Before the Warren Court acted, American democracy was in poor order. As citizens migrated to urban areas, legislative boundaries remained the same, giving rural lawmakers from sparsely populated districts disproportionate political power—a power they often used on behalf of influential business interests. Smith shows how activists ranging from city boosters in Tennessee to the League of Women Voters worked to end malapportionment, incurring the wrath of chambers of commerce and southern segregationists as they did so. Despite a conspiracy of legislative inaction and a 1946 Supreme Court decision that instructed the judiciary not to enter the "political thicket," advocates did not lose hope. As Smith shows, they skillfully used the Fourteenth Amendment's Equal Protection Clause to argue for radical judicial intervention. Smith vividly depicts the unfolding drama as Attorney General Robert F. Kennedy pressed for change, Solicitor General Archibald Cox cautiously held back, young clerks pushed the justices toward ever-bolder reform, and the powerful Senate Minority Leader Everett Dirksen obsessively sought to reverse the judicial revolution that had upended state governments from California to Virginia. Today, following the Court's recent controversial decisions on voting rights and campaign finance, the battles described in *On Democracy's Doorstep* have increasing relevance. With erudition and verve, Smith illuminates this neglected episode of American political history and confronts its profound consequences.

'One man, one vote' is the bedrock of American democracy, yet it was not always that way. J. Douglas Smith's *On Democracy's Doorstep* is the scintillating account of how that doctrine became the law of the land during the 1960s. This is not only a great work of historical scholarship, but a page-turner as well. With Smith's unparalleled knowledge of history in the making, we are led on a constitutional odyssey: to the strategy sessions of Robert Kennedy's Justice Department, the inner deliberations of Earl Warren's Supreme Court, and the clash of legal titans in their oral arguments before the Court. Smith describes as never before the network of young and idealistic lawyers around the United States who championed the cause of reapportionment as a vital bulwark of democracy. My father, Theodore Sachs, was one of them, and Smith brilliantly describes the passions, ideas, and drama of the great constitutional battle that I witnessed as a young boy. This is the definitive account of one of the epochal decisions of the US Supreme Court, one that Chief Justice Earl Warren himself regarded as the most vital of his era. Jeffrey D. Sachs, Director of the Earth Institute at Columbia University  
Smith's impressive research recaptures an otherwise unremembered chapter in U.S. history . . . *On Democracy's Doorstep* recounts a triumphant story of constitutional reform that dramatically advanced the promise of democracy. David Garrow, *The Washington Post*  
Smith is an accessible and knowledgeable storyteller . . . [He] provides a fascinating, behind-the-scenes look at how the Supreme Court came to decide the cases that came to shape our political system . . . there is much to enjoy in *On Democracy's Doorstep's* detailed accounting of the creation of the principle of 'one person, one vote.' Jessica Levinson, *Los Angeles Times*  
One person, one vote' lies at the heart of democracy. J. Douglas Smith tells the gripping story of how the U.S. Supreme Court boldly acted in the 1960s to bring that ideal closer to reality. And he unearths the first stirrings of backlash that augured today's polarized politics. A fascinating blend of political, legal, and social history. Michael Waldman, President, Brennan Center for Justice at NYU School of Law, and author of *The Second Amendment: A Biography*  
A topic as important and serious as voting deserves an important and serious book. This is it. J. Douglas Smith has done a masterful job of untangling the reapportionment thicket. Julian Bond, former chairman of the NAACP and Distinguished Adjunct Professor, American University  
Over the course of our country's history, our ability to live up to our founders' vision has been tested time and time again. J. Douglas Smith tells the story of the people who met one of the most critical of these tests. This is the story of citizens, elected leaders, activists, lawyers, and judges who, over time, developed a deeper understanding of what true self-governance means. It's a story that reminds us that our key founding principle—that in a democracy, everybody counts—is worth fighting for. And that it must be protected with constant vigilance. Maggie Hassan, Governor of New Hampshire  
*J. Douglas Smith's On Democracy's Doorstep* is the definitive legal whodunit about the creation of the 'one person, one vote' standard. Smith reminds us—now when it's vitally

important to recall it--that the doctrine was neither obvious nor certain, and that a colorful, interconnected crew of country lawyers, litigation experts, journalists, and justices toiled for years to bring it into existence. Dahlia Lithwick, Supreme Court correspondent, SlateToday, the principle of one person, one vote' is fundamental to democracy--but it wasn't always so. On Democracy's Doorstep tells how the Supreme Court decided to enter the political thicket and create the modern law of democracy, and how a proposed constitutional amendment almost reversed the Court. In today's era of partisan gerrymandering and the overturning of the Voting Rights Act, this book could not be more timely and relevant. Noah Feldman, Professor, Harvard Law School, and author of Scorpions: The Battles and Triumphs of FDR's Great Supreme Court JusticesOn Democracy's Doorstep is a superb account of the Supreme Court's critical one person, one vote' decision. It is thoroughly researched and beautifully written. Everyone who cares about American democracy will want to read this book. Gary May, Professor of History, University of Delaware, and author of Bending Toward Justice: The Voting Rights Act and the Transformation of American DemocracyOn Democracy's Doorstep is the compelling story of how a president and a Supreme Court rescued American democracy a half century ago--a vitally important book for our democracy's new age of crisis. John Fabian Witt, Professor, Yale Law School, and author of Lincoln's Code: The Laws of War in American HistoryA fascinating account of a crucial yet little-known chapter in American history, On Democracy's Doorstep is a meticulously reported, thoughtfully written inside story of the momentous legal doctrine that profoundly shaped American politics. Ari Berman, author of Herding Donkeys: The Fight to Rebuild the Democratic Party and Reshape American Politics[On Democracy's Doorstep] is invaluable for anyone who wishes to understand the court, especially those who aren't familiar with legal jargon . . . Smith gives us the knowledge that imparts the power to change and, more importantly, the hope that it can succeed. Kirkus (starred review)As historian Smith ably demonstrates, beginning in the late 19th century, malapportionment--the uneven representation of constituents by lawmakers--became the most serious threat to political equality . . . Smith takes a novel angle and writes with a light touch. Publishers WeeklyAbout the AuthorJ. Douglas Smith is the author of Managing White Supremacy: Race, Politics, and Citizenship in Jim Crow Virginia, which received the 2003 Library of Virginia Literary Award in Nonfiction. He is the director of humanities at the Colburn Music Conservatory and lives in Los Angeles with his wife and two children.