Dear:

Thanks much for your note on the Supreme Court decision in the various representation cases which were pending on the Court Docket.

The minute I saw the impact of this decision on virtually every state of the Union, it occurred to me that the situation called for a constitutional amendment, and I am of the opinion that it would not be too difficult to initiate such an amendment, have it approved by the appropriate committee and sent to the Senate Floor for discussion and approval.

Since the Court ignores every criterion except that of population and gives no weight whatsoever to any argument dealing with the balancing of rural and metropolitan areas, we have virtually no choice except to take the constitutional amendment route if this problem is to be durably solved.

I have already talked to some of my staff members and we intend to initiate action on this matter as quickly as possible.

I am glad you wrote me about this and do hope there is a very substantial segment of our people who fully understand the implications and the impact of the Court's decision.

Sincerely,

Everett McKinley Dirksen
United States Senate

REAPPORTIONMENT

October, 1961

Dear:

Under our system of government it is the function of the Supreme Court to interpret the existing language of the Constitution and apply it to particular cases. It is the function of the Congress to represent the wishes of the people of this country in devising the basic policies by which the government will be carried on. It is the function of the President to execute those policies. Therefore, it is not necessary to debate whether the Supreme Court was right or wrong in its ruling on re-apportionment. The only question is whether the result of that ruling gives us the kind of state government which the people of this country want. It is my feeling that this is an issue which should be presented to the people by giving them an opportunity to vote on a constitutional amendment. Under our form of government the power must always rest with the people to change the basic constitution which governs our form of government.

Until this issue is decided by the country as a whole, it is my belief there should be a breathing period. For that reason I oppose taking any drastic steps at this time. Once the people have spoken with respect to a constitutional amendment however, then, of course, all the states should comply.

With every good wish,

Everett McKinley Dirksen