

# WESBERRY v. SANDERS

Petitioner: Sanders

Respondent: Wesberry

Decided By: [Warren Court \(1962-1965\)](#)

Opinion: [376 U.S. 1 \(1964\)](#)

## Facts of the Case

James P. Wesberry, Jr. filed a suit against the Governor of Georgia, Carl E. Sanders, protesting the state's apportionment scheme. The Fifth Congressional District, of which Wesberry was a member, had a population two to three times larger than some of the other districts in the state. Wesberry claimed this system diluted his right to vote compared to other Georgia residents.

## Question

Did Georgia's congressional districts violate the Fourteenth Amendment or deprive citizens of the full benefit of their right to vote?

Conclusion

**Decision:** 6 votes for Wesberry, 3 vote(s) against

**Legal provision:** Article 1, Section 2, Paragraph 1: Composition of the House of Representatives

The Court held that Georgia's apportionment scheme grossly discriminated against voters in the Fifth Congressional District. Because a single congressman had to represent two to three times as many people as were represented by congressmen in other districts, the Georgia statute contracted the value of some votes and expanded the value of others. The Court recognized that "no right is more precious" than that of having a voice in elections and held that "[t]o say that a vote is worth more in one district than in another would not only run counter to our fundamental ideas of democratic government, it would cast aside the principle of a House of Representatives elected 'by the People. . .'