

Redistricting, Originalists and Democracy

Regarding your editorial "Justice Ginsburg Goes Originalist" (April 5): In deferring to the state in the Texas reapportionment case, the Supreme Court got the decision right. But the incoherence of the concurring dicta spells more trouble. The Supreme Court botched the issue of legislative apportionment in *Baker v. Carr* (1962) when it tiptoed by the "justiciability" issue, thereby asserting power it specifically didn't have.

Through jurisprudence by a jingle (one man, one vote) instead of wise statecraft, the justices then destroyed the historic role of state senates to be "the saucer in which we pour hot legislative coffee to cool" as described by any number of commentators. Historically, the a state's "lower" house, based on population, focused on the opportunities of the future while the more insular senates stored up the hard-earned lessons of the past. Legislation that survived such a balanced review was likely to be better law.

The *Baker v. Carr* ruling not only destroyed the deliberative value of senates, it disenfranchised rural voters throughout the country and brought disaster to most state fiscs.

Great politics, lousy statecraft.

LARRY STIRLING
Superior Court Judge (Ret.)
San Diego

Justice Ruth Bader Ginsburg's view that the population at large is the critical basis for representation, not merely the number of eligible voters,

goes back to an older conception, the doctrine of virtual representation, in which those nominally unable to cast a vote nevertheless had their interests represented in the legislature. This was a concept that the founders rejected at the time of the revolution because it seemed to sanctify oligarchy. But it acquires a new and bolder life under modern democratic conditions. The Constitution is a living document and not a mere fossil.

ALBION M. URDANK
Los Angeles

My state doesn't tolerate sanctuary cities or counties as California, Illinois and Colorado do. So our state gets disenfranchised on congressional representation through this disparate impact every 10 years. Tell the honorable justice this process should be left to the states—as per the Constitution.

TIM DOLAN
St. Peters, Mo.

Workers Vote for Politicians Who Drive U.S. Jobs Away

Regarding the letters of April 1 "Trade, Sans Manufactures to Sell, Hurts U.S.": I agree that it's a shame that so much of our manufacturing has moved out of the U.S.

All businesses, and especially small companies and manufacturers, in this country have been under siege for decades. I am the owner of a small manufacturing company and speak from firsthand experience.