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Ending Gerrymandering

Every ten years, after the census is completed, states have to redraw the boundaries of their political districts based on changes in population. Congressional and State Legislative districts have to have approximately the same number of citizens, but there are no official rules on how the districts should be drawn. As a result, political leaders in control of each state often try to redraw the legislative boundaries in a manner that increases the representation of their party and minimizes the representation of the other party.

This process is called Gerrymandering. It was originally named after Massachusetts Governor Elbridge Gerry, who created oddly shaped political districts to benefit his party. Since one of the districts looked like a salamander, local newspapers termed the process the Gerrymander.

Gerrymandering is the intentional manipulation of voting districts for the advantage of a political, racial, ethnic, or interest group. The most common form is Partisan Gerrymandering. Typically, this is done when the party in control of a state manipulates the drawing of legislative districts to give it an unfair advantage. For example, the dominant party could pack as many members of the opposing party into a small number of districts, so that party would then be in the minority in most of the other districts. It could also crack apart a natural district, such as a city, to dilute the political power of its residents.

For example, if a state had 10 Congressional districts and a 50/50 split between the two parties, logic would indicate that each party would have 5 seats. However, if the party in control manipulated the district maps so that in one district 90% of the voters were members of the other party, it could then win all of the remaining seats. This obviously would disenfranchise the members of the other party who were packed into one district.

While this is a theoretical example, there are many real examples of political Gerrymandering to benefit the party in control at the time of the legislative redistricting.

- In 2012 in Pennsylvania, the Republican-controlled legislature concentrated the state's Democrats into a small number of districts. While the Democrats won 51% of the popular vote for Congress, they only won 5 out of 18 Congressional seats. In the State Legislature, the Democrats won 54% of the vote, but only 45% of the seats.
- In 2014, Republicans in North Carolina won 53% of the votes, but 77% of the Congressional districts, because the Republican-controlled legislature packed a majority of the Democrats into three Congressional districts.

- In Michigan in 2016, there was a 50/50 split between the parties in the popular vote, but Republicans won 63 seats to 47 for the Democrats, because of the way they drew the legislative maps.
- In Maryland, a Democratic-controlled state, districts were gerrymandered so that in 2016, Republicans received 37% of the vote, but only 1 of 8 Congressional seats.
- In 2016, the Republicans received 1% more votes than the Democrats for the U.S. House of Representatives. However, because of Gerrymandering, they won 241 seats, compared to 194 for the Democrats.

In the current political climate, most of the Gerrymandering is pro-Republican, because the Republicans controlled a majority of the states when the maps were drawn. However, if the positions had been reversed, the Democrats would likely have gerrymandered to their advantage, as they did in Maryland. This is not a partisan issue. Rather, it is a question of whether political leaders should be able to draw boundaries that disenfranchise voters.

Status of Gerrymandering by State:

A Princeton Gerrymandering project provides more detailed explanations and allows one to use mathematical algorithms to evaluate Gerrymandering by state: <http://gerrymander.princeton.edu>. The worst states were Ohio and Florida. Almost as bad were Wisconsin, North Carolina, California, New York, Texas, New Jersey and Delaware. Of these states, there have been US constitutional challenges in North Carolina and Wisconsin, as well as Maryland.

Argument in favor of Gerrymandering

A rationale for gerrymandering can be that grouping like interest groups into a district ensures representation of their point of view. For example, at one time states tried to draw districts to ensure minority representation. However, this argument is not a defense for wholesale gerrymandering of districts to protect one party or the other.

Argument against Gerrymandering

The argument against Gerrymandering is very simple. It deprives citizens of equal rights. It is no longer one-man-one-vote. It is a game played by political leaders to promote the interests of their own party against that of the voters.

People In Power Like To Stay In Power

No matter the justification, most political leaders do not want to change Gerrymandering. Party leaders that control their states like to ensure their party's dominance. Ending Gerrymandering is not in their self-interest. The Supreme Court has considered some of the issues of Gerrymandering. In several cases, it has made rulings against Gerrymandering for racial purposes. However, to date, the Court has avoided major decisions on partisan Gerrymandering, regarding this issue as a matter of states' rights. At this time, there are several new cases in front

of the Supreme Court arguing that partisan Gerrymandering violates the concept of one-man-one-vote, but there is no way of knowing how the Court will rule on these cases.

Significant Change is Now Coming

While politicians will not eliminate Gerrymandering and the Supreme Court has so far been quiet, significant change is now occurring.

- California and New York have enacted legislation supporting nonpartisan redistricting.
- In 2018, the Supreme Court of Pennsylvania overturned the state's gerrymandered districts. As a result, Pennsylvania went from 13 Republicans and 5 Democrats in 2016 to 9 Republicans and 9 Democrats in 2018, a balance reflecting the will of the voters.
- In November 2018, Michigan, a state with a roughly 50/50 split between Republicans and Democrats, passed a ballot proposal to have districts drawn by independent commissions of 4 Democrats, 4 Republicans, and 5 Independents. The proposal was approved by more than 61% of all voters.
- In May 2018, the Ohio legislature, with bipartisan support for a Republican-led initiative, voted to have a better balance in the redistricting likely to result from the 2020 census. In November, it passed an anti-gerrymandering ballot initiative, which garnered 75% of the vote, indicating that there is significant bipartisan support for ending Gerrymandering.
- In Colorado, 71.4% of all voters supported a similar constitutional amendment.
- Missouri, another red state that elected a Republican Senator (defeating a Democratic incumbent) and 6 of 8 Republicans to Congress, also approved an independent commission for redistricting, with over 62% of the vote. This shows there is bipartisan support for ending Gerrymandering.
- Utah, a pure red state, passed a similar ballot initiative.

These votes demonstrate that voters are awakening to the fact that political leaders are playing games with their government. Many of these ballot initiatives were supported by grass roots initiatives that collected almost 1 million signatures. While more Democrats voted for these ballot initiatives and constitutional amendments, a large percentage of Republicans also supported them.

The handwriting is now on the wall for politicians. People want fair elections. People want one-man-one-vote. People do not want political bosses drawing lines in the middle of a street to keep their friends in office. When the census of 2020 is counted, political leaders will be on notice. They can either end Gerrymandering or face ballot initiatives and constitutional amendments that will.

Reform Elections Now considers this trend to be one of the most significant we have seen. If grass roots movements in Michigan, Ohio, Missouri, Utah, and Colorado can eliminate Gerrymandering, we believe similar grass roots movements can be implemented in other states.

References:

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