



Ending Gerrymandering A Much-Needed Step- But Not as Easy as It Looks

After every ten-year census, states have to redraw the boundaries of their political districts based on changes in population. Districts have to have approximately the same number of citizens, but there are no official rules on how they should be drawn. As a result, political leaders in control of each state often try to draw 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 is the manipulation of voting districts for the advantage of a political, racial, ethnic, or interest group. It was named after Massachusetts Governor Elbridge Gerry, who created oddly shaped political districts, one of which looked like a salamander. Newspapers termed it the Gerry-Mander.

Gerrymandering is one of the most serious problems in our political system. It leads to:

- An imbalance between the popular vote and the number of candidates elected from each party.
- Noncompetitive elections
- Polarized political leaders and parties
- Minimization of turnover among elected officials
- Elimination of moderates and bipartisan candidates
- Enhancement of party control
- Low voter turnout
- Separation of people by race, ethnicity, and class
- Elimination of the concept of one-person-one-vote.

Before understanding how to fix problems created by gerrymandering, it is necessary to understand gerrymandering itself.

Impact of Gerrymandering

Logic would indicate that if both parties received the same number of votes, they would win about the same number of seats. However, with gerrymandering, this is not the case. Members of the controlling party pack members of the other into a small number of districts, so that the other party wins a few elections by landslides but loses a majority of the seats, resulting in an imbalance between votes and representation.

- In 2012 in Pennsylvania, Democrats won 51% of the Congressional vote, but only 5 out of 18 seats. In the State Legislature, Democrats won 54% of the vote, but only 45% of the seats.
- In 2014 in North Carolina, Republicans won 53% of the votes, but 77% of the Congressional seats.

- In 2016 in Michigan, each party received 50% of the votes, but Republicans won 63 seats in the legislature while Democrats won 47.
- In 2018 in Wisconsin, Democrats won the popular vote for the State Assembly 53% to 44.5%, yet Republicans won almost 2/3 of the seats (63 to 36).
- In 2016 in Maryland, a Democratic controlled state, Republicans received 37% of the vote, but only 1 of 8 Congressional seats.

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. Gerrymandering is not a partisan issue. It is a question of whether political leaders should be able to draw boundaries that disenfranchise voters.

Forms of Gerrymandering

Gerrymandering refers to the practice of drawing electoral lines to favor one political party, individual, or constituency over another. There are four primary types of Gerrymandering:

1. **Geographic Gerrymandering**—the process by people of the same political persuasion or ethnic background choose to live together in a way that creates extensive concentration.
2. **Racial Gerrymandering**- the process of districting in ways that assist or detract from the representation of a particular racial or ethnic group.
3. **Partisan Gerrymandering**- the process of districting to benefit the party in control over the other.
4. **Incumbent Gerrymandering**- the process by which the party in control draws maps to eliminate protect an incumbent or defeat a challenger it does not like.

In all these forms, Gerrymandering leads to landslide elections, limited political competition, strong polarization between the parties, an imbalance enabling a party with a minority of the votes to win a majority of the seats, control of the electoral system by politicians instead of voters, and elimination of the concept of one-person-one-vote.

In the ideal world, ending Gerrymandering should lead to a government in which elections were fairer and more competitive. Unfortunately, this is not an ideal world, and limiting gerrymandering is a complicated subject, where solutions are not as easy as they seem.

Gerrymandering Reality Check

While gerrymandering should be restricted, there are several clear underlying facts:

- **Geographic Gerrymandering** creates huge imbalances in the current political system, largely because Democrats and minorities live in urban areas where drawing boundaries to create competitive elections is difficult.
 - Candidates in urban areas often win in landslides, creating a situation where their party receives more votes but fewer seats.
- The problem is exacerbated because of **Racial Gerrymandering** brought about by the Voting Rights Act of 1965 that helped create “majority minority” districts.

- To assure that these districts are “majority minority,” minorities are gerrymandered in, putting them at a disadvantage in neighboring districts.
- **Partisan Gerrymandering** further exacerbates the problem as the party in power draws districts to maximize its power and minimize that of the other party.
- Gerrymandering is also increased by the rules that have been adopted for drawing districts.
 - By drawing districts around geographic subdivisions, such as cities, and communities of interest, gerrymandering tends to promote landslide elections.

Given this reality, what can be done to promote a more equitable balance between popular votes and electoral seats and votes?

1. Geographic Gerrymandering is a reality. Democrats and minorities are not going to move from cities to rural areas. In all likelihood, the Democrats will continue to win more popular votes than seats in various legislatures.
2. “Majority-Minority” districts mandated by The Civil Rights Act of 1965 can be modified so that they districts do not all become landslides.
3. Political gerrymandering can be minimized, leading to more competitive elections.
4. Political restrictions on voting can also be reduced, allowing all citizens the same access to voting.
5. The rules of drawing districts can also be modified to create more competitive elections and less polarization.

Even if all these steps are taken, some geographic gerrymandering will remain. However, the goal of reform should be to eliminate political influence and create as fair a system as possible.

Democrats Are at a Disadvantage in the U.S. Political System

Most people recognize that Democrats are at a disadvantage in the Senate and the Electoral College because of the way the Federal system is structured. However, fewer recognize that Democrats are also at a disadvantage in the House of Representative and State Assemblies because of geography and race.

The House of Representatives is supposed to be designed around one-person-one-vote, but in most cases, Democrats fare much better in the popular vote than they do in representation.

- **In 1996 & 2012, Democrats received more votes than Republicans, but Republicans won a majority of the seats.**
- In 2016, Republicans had 1.4 million more votes and won 47 more seats.
- In 2018, Democrats had almost 10 million more votes and only 37 more seats.

Democrats get more votes and less seats than Republicans because they win their elections by larger margins.

- **In the last 4 Congressional elections, the average Democratic winner received 265,606 while the average Republican winner received 232,208 votes.**

State Results Coincide with National Results

In many states, such as Florida, Michigan, Illinois, Ohio, North Carolina, Pennsylvania, and Texas, the victory margins for Democrats were much higher than the victory margins for Republicans.

Winning Margins in 2018 Congressional Elections		
State	Democrats	Republicans
Florida	81.8%	61.0%
Michigan	64.1%	56.1%
Illinois	71.2%	58.0%
Ohio	71.2%	59.1%
North Carolina	71.7%	59.5%
Pennsylvania	69.4%	59.5%
Texas	72.0%	61.3%

Democrats are at a greater Disadvantage in State Assembly Elections

The same patterns are even more slanted when looking at legislative races in individual states. In the races shown below, **Democrats won the popular vote, but Republicans won a majority of the seats.**

	Votes		Seats	
	Republicans	Democrats	Republicans	Democrats
Michigan	1,935,174	2,128,281	58	52
Wisconsin	1,103,505	1,306,878	63	36
Pennsylvania	2,075,093	2,568,968	110	93
North Carolina	1,779,584	1,866,432	65	55

Democrats Win Landslide Elections

The problem for Democrats is that they win a large number of landslide elections distorting the difference between popular votes and seats. Landslide elections are those in which the winning party receives more than 80% of the popular vote or the losing party receives less than 20%. In the 2018 Congressional elections,

- **23 Democrats ran unopposed, compared to 2 Republicans.**
- **53 Democrats won landslide victories, compared to 5 Republicans.**

The Biggest Causes of the Democratic Disadvantage are Geographic and Racial.

Democrats often live tightly packed in cities, while Republicans and Independents are more geographically dispersed.

- Most of the landslide victories for the Democrats occurred in major cities such as N.Y, Los Angeles, Chicago, Detroit, Houston, Dallas, Atlanta, Miami, New Orleans, and others.
- In New York City, excluding Staten Island, the average Democrat received 91.3% of the votes.
- According to the Brookings Institute, Democrats won the “urban core” by 40% margins.

Minorities (most of whom are Democrats) are concentrated in major cities.

Of the 19 largest cities based on the population in 2014, only three had a majority white population. Many large cities, such as Los Angeles, Houston, San Antonio, Dallas, and San Jose were less than 30% white. El Paso was 14.6% white, while Detroit was only 10.2% white.

City	State	Population (2014) ▼	Whites	Minorities	Largest racial group
New York	New York	8,491,079	32.3%	67.7%	Whites
Los Angeles	California	3,928,827	28.5%	71.5%	Hispanics
Chicago	Illinois	2,722,407	31.8%	68.2%	Whites
Houston	Texas	2,240,796	24.6%	75.4%	Hispanics
Philadelphia	Pennsylvania	1,560,297	35.7%	64.3%	Blacks
Phoenix	Arizona	1,537,045	44.9%	55.1%	Whites
San Antonio	Texas	1,436,723	25.3%	74.7%	Hispanics
San Diego	California	1,381,083	43.1%	56.9%	Whites
Dallas	Texas	1,281,031	29.2%	70.8%	Hispanics
San Jose	California	1,015,796	26.7%	73.3%	Asians
Austin	Texas	912,798	48.6%	51.4%	Whites
Jacksonville	Florida	853,376	53.0%	47.0%	Whites
San Francisco	California	852,469	40.8%	59.2%	Whites
Indianapolis	Indiana	851,353	56.9%	43.1%	Whites
Columbus	Ohio	836,293	57.5%	42.5%	Whites
Fort Worth	Texas	812,553	39.9%	60.1%	Whites
Charlotte	North Carolina	809,974	42.9%	57.1%	Whites
Detroit	Michigan	680,281	10.2%	89.8%	Blacks
El Paso	Texas	679,024	14.6%	85.4%	Hispanics

According to the Pew Research Center, 90% of Blacks, 69% of Hispanics, and 77% of Asian Americans supported Democratic candidates in 2018. Given minority majorities in major cities and the large minority support for Democratic candidates, it should be no surprise that Democrats carry major cities by very large margins.

Three Issues that Increase Gerrymandering and Polarization

There is nothing that can be done as to where people chose to live. The problem is that the urban concentration of Democratic voters is made much worse by:

1. The rules of Districting
2. The Voting Rights Act of 1965, and
3. The actions of the Republican Party.

Rules for Creating Political Districts Help Perpetuate Geographic Gerrymandering, Polarization, and Landslide Victories

Rules for Creating Political Districts:

The current rules for creating political districts encourage contribute to landslide victories for Democrats and the imbalance between the popular vote and the number of seats. According to the National Conference of State Legislatures, the primary rules for creating political districts include:

- **Compactness:** Having the minimum distance between all the parts of a constituency.
- **Contiguity:** All parts of a district being connected at some point with the rest of the district.
- **Preservation of counties and other political subdivisions:** Districts should conform with political boundaries.
- **Preservation of communities of interest:** Areas where residents have common political interests that do not necessarily coincide with the boundaries of a political subdivision.
- **Preservation of cores of prior districts:** Maintaining districts as previously drawn.

Rules for Districting All Work Against the Democrats

- **Compactness**
 - Democrats are packed into cities.
- **Contiguity**
 - Democrats tend to live in closer proximity to each other than do Republicans.
- **Preservation of Counties and Other Political Subdivisions**
 - Large cities all have to have their own districts, resulting in huge Democratic majorities.
- **Preservation of Communities of Interest**
 - Protecting minority representation, further disadvantaging Democrats.
- **Preservation of Prior Districts**
 - Making change more difficult.

By using city and county boundaries as well as communities of interest, districting rules exaggerate population imbalances.

Given the imbalances created by these rules, why do we still utilize them?

Most People, no matter the Party, are comfortable with these rules

Most voters are conceptually against gerrymandering. They think districts should be fairly drawn and believe in one-person-one-vote, but most people also like being in compact and contiguous districts.

- People like having a “local” Congressperson and an election district in their “community.”
 - People in N.Y. City do not want to share an election district with someone from Elmira.

The problem is that packing Democrats into urban districts results in landslide elections and polarization.

The Voting Rights Act of 1965 Contributes to Landslide Elections

The Voting Rights Act of 1965 sought to ensure minority representation by creating “majority minority” districts. Before the Voting Rights Act, there were very few minority districts. In every decade since 1972, the number of minority representatives has increased substantially. In 2018, there were 94, close to the percentage of minorities in the population as a whole.

Year	Blacks	Hispanics	Total
1962	4	4	8
1972	11	6	17
1982	18	9	27
1992	28	15	43
2002	39	21	60
2012	45	29	74
2018	52	42	94

The voting rights act has succeeded in accomplishing its goal of increasing minority representation. However, many currently ask whether the creation of “majority-minority” districts actually reduces the power of minorities and injures their interest.

2018 Congressional Elections and Race

An analysis of the results of the 2018 Congressional Elections reflects the extent to which minorities have been packed into a small number of districts where they have been able to win elections, but also where their influence may be diminished. With “majority minority” districts, minorities tend to win elections by very large margins. In 2018,

- **36 of the 57 landslide elections were won by minorities.**
- **18 of the 23 Democrats uncontested elections also were won by minorities.**
- **Among the members of the Black and Hispanic caucuses, who ran from “majority minority” districts, most won with over 70% of the vote.**

The Problems with Majority Minority Districts

Gerrymandering into “majority minority” districts has increased minority representation but has also had negative side effects.

- With landslide victories, elections are highly polarized.
 - By packing minorities into a small number of districts, all districts become more racially homogeneous, leading to increased polarization.

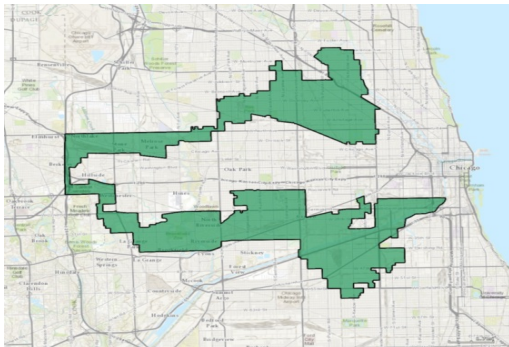
- With minorities packed into “majority minority” districts, neighboring districts have fewer minorities. This leads to a situation in which Democrats win the popular vote, but Republicans win the majority of the seats, because they win more elections by smaller margins.
- Minority interests may be injured because most are packed into a few concentrated districts. While minority representatives work for their constituents, representatives in neighboring districts may not have the same incentives, because they have limited minority representation.

Before moving to political gerrymandering, it would be useful to look at a few gerrymandered “majority minority” districts.

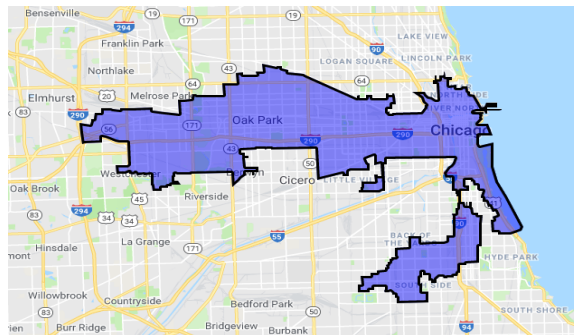
Illinois #4

Illinois #4, commonly called the “earmuff” district because of its unique shape, was created to provide a Hispanic district near Chicago. In some places, the district is no more than one city block wide. Illinois #7 is a Black district that fits with #4 like a hand in a glove. In 2018, Democrats won these two districts with 86.6% and 87.6% of the vote respectively.

Illinois #4



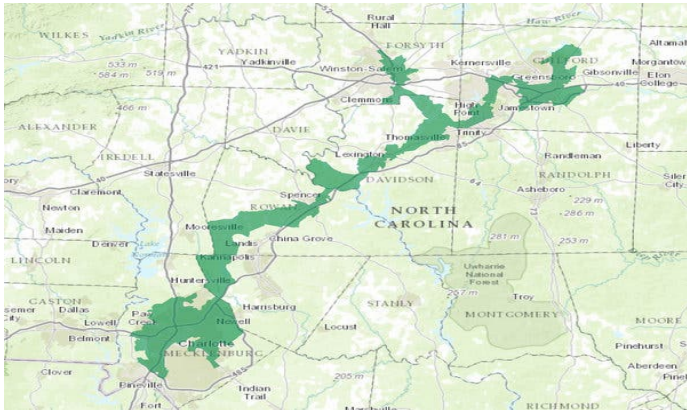
Illinois #7



North Carolina

Racial gerrymandering reached its extreme in North Carolina with NC #12. Stretching from Gastonia to Durham along I-85, NC #12 was at times no wider than a highway lane, prompting one legislator to remark, “If you drove down the interstate with both doors open, you’d kill most of the people in the district.” The question is, does a “majority minority” district like this benefit minorities or actually reduce their influence? In 2016, the Supreme Court forced this district to be redrawn.

North Carolina #2



Alabama #7

It is reasonable to ask, whether there are better ways to protect minorities but still make the elections more balanced. Alabama provides a good example.

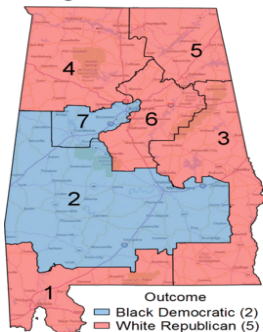
Alabama is a solidly red state. In the 2018 Congressional election, the Republicans won 57% of the vote. In 6 of the 7 Congressional districts, the Democrats best showing was 38.9%, yet in the 7th, the Democratic candidate received 100% of the vote.

Below, there are three maps. The map on the right reflects the hypothetical gerrymandering that occurred before the passage of the Voting Rights Act of 1965 when Republicans spread out minorities, so they had no representation.

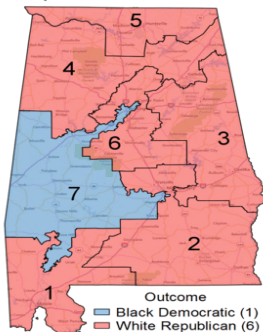
The map in the middle reflects the current districting. District #7, which was created in 1990 in response to the Voting Rights Act, has three long tentacles, grabbing cities like Birmingham, Montgomery, Tuscaloosa, and Selma. The district was created in 1990 in response to the Civil Rights Act of 1965.

The map on the left reflects what could happen if district #7 was un-gerrymandered. The Democrats might be able to win a second seat. The risk, however, is that the districts could be drawn in a way where they lost both seats and ended up with no representation.

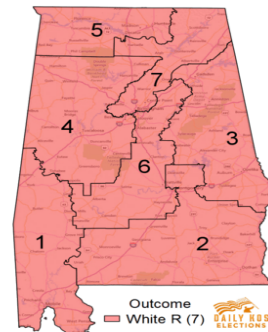
Hypothetical Nonpartisan Map with 2 Voting Rights Districts



Alabama's Republican-Drawn Congressional Map with 1 VRA District



Hypothetical GOP Gerrymander Without the VRA



In Alabama, as in many other states, the “majority minority” district was drawn in response to the Voting Rights Act of 1965, but it has been maintained for reasons of Partisan Gerrymandering. This is not to say that the Voting Rights Act of 1965 should be repealed. Rather it is an observation that by creating “majority minority” districts, minorities may actually be somewhat worse off.

Partisan Gerrymandering

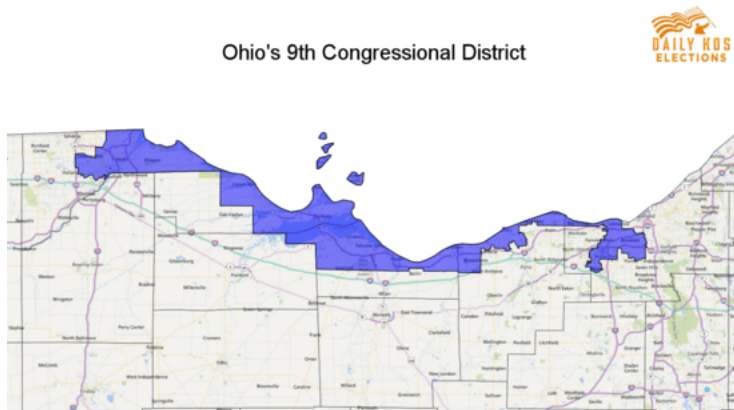
While some gerrymandering is caused by geography and some is caused by race, Partisan Gerrymandering is one form of gerrymandering that is relatively easy to fix.

- **Partisan Gerrymandering is the process by which one party gerrymanders the other for political advantage.**

In some cases, as in Alabama, it is difficult to exactly identify which aspects are partisan, which are geographic, and which are the results of the Voting Rights Act. However, most analysis would indicate that Partisan Gerrymandering plays a critical role in the drawing of districts.

Ohio- The Snake by the Lake

The Republicans created **The Snake by The Lake**, a district that snakes along the shore of Lake Erie. As Lake Erie rises, water could interfere with the contiguous nature of the district. The goal of the Republicans in creating this district was to retire Dennis Kucinich, a Congressman from Cleveland. They drew the district so that it included two Democratic incumbents, who lived more than 100 miles apart. Because a majority of the district was on the western side, the Congressperson from Toledo, Marcie Kaptur, won the primary, and the Republicans succeeded in deciding which Democratic incumbent should be retired.

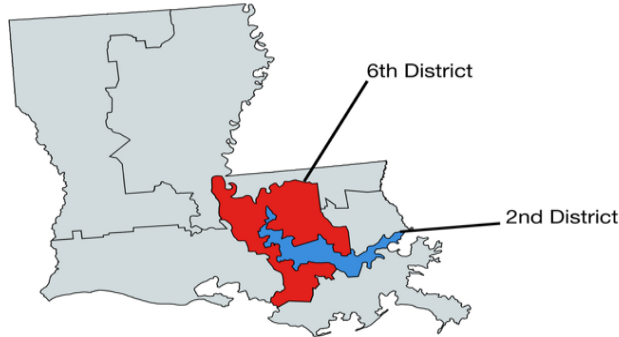


Louisiana

The Republicans also used their map drawing skills in Louisiana for political gerrymandering. Louisiana #2 was a largely minority district centered in New Orleans. After the 2010 census, the Republicans realized the growth of the minority population could enable Democrats to win another district. Rather than risk losing, they crammed Black Democratic areas around Baton Rouge into District #2, while

removing some primarily white areas in the suburbs of New Orleans. As a result, while 5 of the 6 districts in Louisiana went Republican, Democrats won #2 without Republican opposition.

Louisiana #2 and #6



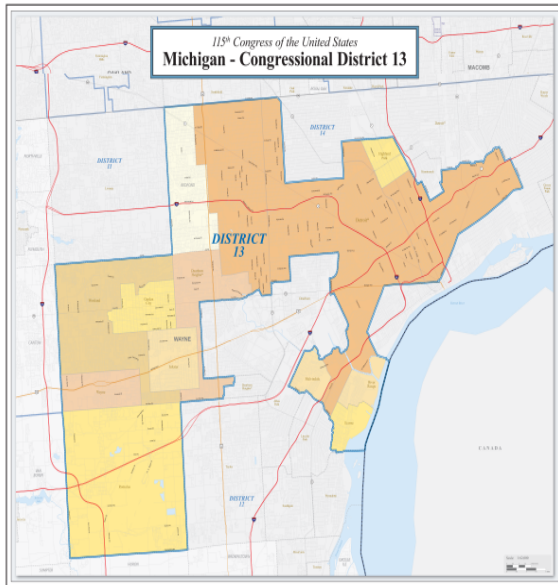
Michigan Gerrymandering

In Michigan in 2016, Democrats had slightly more popular votes, but Republicans won 9 of 14 seats in Congress. In 2018, Democrats won the popular vote by a large margin, but both parties ended up with 7 Congressional seats, because Democrats won 2 seats by landslides.

	2018 Congressional Elections-Michigan		
1	43.7	56.3	R
2	43	55.5	R
3	43.9	54.4	R
4	37.4	62.6	R
5	59.5	35.9	D
6	45.7	50.2	R
7	46.2	53.8	R
8	50.6	46.8	D
9	59.7	36.8	D
10	35	60.8	R
11	51.8	45.2	D
12	68.1	28.9	D
13	84.2	0	D
14	80.9	17.3	D
Total Votes	2,175,003	1,847,480	
Average Victory	65.0	56.2	

Republicans packed Democrats into #13 and #14 This enabled them to win a neighboring district.

Michigan #13



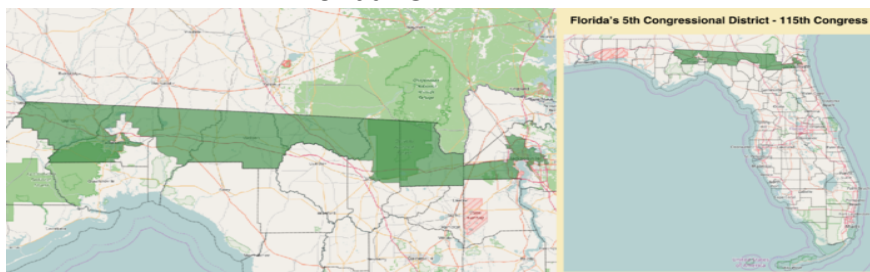
Michigan #14



Florida

The issue with “majority minority” districts is far more complicated than it would first appear, as the experience with Florida’s 5th district demonstrates.

Florida #5



Florida #5 is a “majority minority” district that stretches from Jacksonville to Tallahassee.

Democrats brought a case to the Florida Circuit Court. In 2014, the court ruled that this district along with the neighboring 10th district had been drawn to favor the Republican party by packing Black Democratic voters into District #5. The court instructed the Florida State Legislature to redraw the maps.

Then came the opposition. It did not come from the Republicans. Rather it came from the Democrats. Corrine Brown, who was then the representative in the 5th District, blasted the judge’s ruling as “seriously flawed.” She said, “We will go all the way to the United States Supreme Court, dealing with making sure African Americans are not disenfranchised.” The Chairwoman of the Congressional Black Caucus, Marica Fudge, sent a protest letter to the Chairman of the Democratic Congressional Campaign Committee, complaining about the party’s support for the lawsuit.

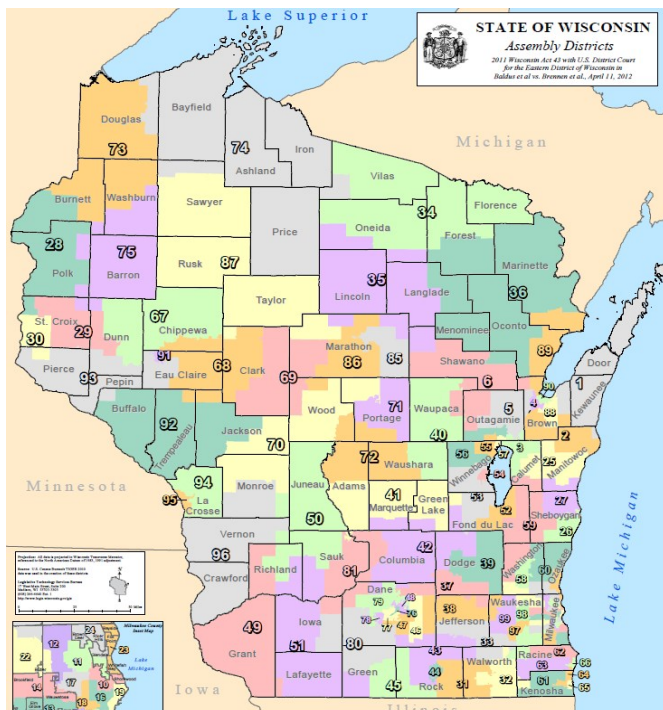
Unfortunately, despite the protests from Corrine Brown, Florida #5 was redistricted, and Brown lost in a subsequent primary. She was later convicted of 18 counts of corruption and sentenced to 5 years in prison, proving gerrymandering was not her greatest problem.

The irony was that both Republicans and minority Democrats were content with these badly gerrymandered districts. This is one of the reasons why fixing some of the problems with gerrymandering is more complicated than it would first appear.

Wisconsin- Gerrymandering Run-Amok

The map of Wisconsin’s Assembly districts looks relatively equitable. Most districts are relatively square in shape. There are no snakes by the lake or earmuffs. Many districts are by county.

Wisconsin Assembly Districts



A map like this should theoretically result in “fair” electoral results, but

- **Wisconsin may very well have the most unfair election results of any state.**

In 2018, Democrats won 53.0% of the popular vote for the State Assembly compared to 44.5% for Republicans. They also won all of the state-wide offices.

Party	Votes	Percent
Republican	1,103,505	44.5%
Democrats	1,306,878	53.0%

With an 8.5% election margin, logic would suggest, the Democrats would have a large majority in the State Assembly. Yet

- **Democrats won only 36 seats compared to 63 for Republicans**

How could a party that was badly whipped in the popular vote end up with almost 2/3 of the seats?

Democrats had no Republican opposition in 31 of the 35 seats they won. Republicans had no opposition in only 6 districts.

Districts with No Competition from the Other Party	
Democrats	Republicans
31	6

Democrats won only two closely contested elections. Republicans won 31.

Districts Where the Winning Party Received Less than 60% of the Vote	
Democrats	Republicans
2	31

Here are the questions that voters should be asking:

- Should the party that won a large majority of the popular vote win barely 1/3 of the seats?
- Should districts be drawn so that 37 of 99 have candidates from only one major party?
- Is the party in control playing gerrymandering games to keep its legislative majority?
- Are the rules for districting, i.e. using cities and counties, serving the interests of the people?

No matter your party, it does not seem fair that the party trounced in the election should win almost 2/3 of the legislative seats. It is true that Democrats won the cities and Republicans won rural areas, but this type of result could only occur with the very deliberate drawing of election boundaries.

After the election, the Republican controlled legislature introduced bills to disqualify 234,000 residents from voting. You don't have to be a mathematician to calculate most of these residents were Democrats.

The lesson of Wisconsin is simple. Politicians can find simple ways of creating massive gerrymandering that subverts the will of its voters.

Virginia- It's not just the Republicans

The recent experience in Virginia demonstrates that Democrats can play the same gerrymandering games as Republicans.

For decades, Virginia Republicans gerrymandered to their advantage. In 2012, Republicans received 50.2% of the votes for Congress but won 8 of the 11 seats. Six of Virginia's cities are among the 50 with the highest percentage of Black population in the United States. Many of these cities were crammed into Congressional District #3 to create a "majority minority district.

In 2014, the Democrats challenged the gerrymandering. A Federal Court ruled the "*Individuals in the Third Congressional District whose constitutional rights have been injured by improper racial gerrymandering have suffered significant harm,*" and instructed the Commonwealth to redraw the maps to remove racial bias.

In 2019, Democrats won all branches of the Virginia government.

The irony is not that Republicans gerrymandered for decades, but rather what the Democrats did when they gained control of the Governorship and the Legislature.

In 2019, the Democrats campaigned on a platform of fixing gerrymandering by establishing an independent commission to draw district lines. Such an initiative had come close to passing the year before, because Republicans, suspecting they would lose control, decided to cooperate. Seventy percent of Virginia's voters supported such an independent commission.

Once the Democrats won, a funny thing occurred.

- The bill for an independent commission to draw election districts passed, but most Democrats opposed it. **Every Republican voted for it, but 45 of the 54 Democrats voted against it.**

Why did Democrats, who believed they had suffered from gerrymandering and campaigned for an independent commission, suddenly turn against this bill and vote No? There were three reasons.

- **Supreme Court**
 - The amendment left ultimate power in the hands of the State Supreme Court, still controlled by Republicans.
- **Payback**
 - Democrats thought they could get a better deal. When they were out of the majority, Democrats wanted an "independent commission" When they gained the majority, they wanted to use the power to benefit themselves and pay back the Republicans. Lest anyone doubt it, **this is about politics not about fairness or the optimal system.**
- **Race**
 - Many minority legislators did not want to lose their power. The Virginia Mercury stated, **"African American delegates characterized the plan's approval as a throwback to Virginia's history of suppressing black political power."**
 - Joseph Lindsay, a minority Representative from Norfolk and Virginia Beach, went so far as to call the measure "piss-poor:" on the floor of the Legislature.

The story in Virginia and other states is pretty simple.

- Political leaders like to gerrymander to benefit their party.
- Political leaders like to gerrymander to keep their jobs.
- **This is why the job of drawing political districts should not be in the hands of political leaders.**

Incumbent Gerrymandering

Many recognize racial and partisan gerrymandering as significant issues, but Incumbent Gerrymandering is another form of gerrymandering that is little discussed but very important.

There are two forms of incumbent gerrymandering:

- The party in control seeks to get rid of a highly visible member of the other party.
- The party in control seeks to protect one of its own against a strong potential challenger.

The first form of incumbent gerrymandering is represented by The Snake by the Lake district in Ohio, where Republicans decided to use the map to get rid of a visible member of the other party. As noted earlier, in 2010, Ohio lost two congressional districts. They decided to pit two Democratic incumbents, Dennis Kucinich and Marcie Kaptur, who lived 100 miles apart, against each other. The goal of the Republicans was to get rid of Kucinich, one of the more radical and visible Democrats.

They created a district that snaked along the shore of Lake Erie, with a majority of the people from Kaptur's former district that had been centered in Toledo. Given the geography of the district, it was reasonably clear that Kaptur would win the primary and Kucinich would be retired. Thus, the Republicans decided which Democrat they wanted in Congress and carved up the district to produce the results they wanted.

The second form of incumbent gerrymandering is represented by Hakeem Jeffries, whose house was moved from one district to another to prevent him from challenging an incumbent. Jeffries is currently Chairman of the House Democratic Caucus and the 4th leading Democrat in the House. However, earlier in his career, he did not have as many friends inside his own party.

- In 2000, Jeffries ran against Roger Green for the State Assembly in New York. Green had already served in the Assembly for 20 years. The primary was contentious. Green won, although Jeffries made a strong showing.
- Green did not want to campaign against Jeffries again. He did not like Jeffries and was worried he would not win.
- To accommodate Green, the Democratic leadership modified the boundaries of the district, moving the block on which Jeffries lived to another district.
- In June 2004, Roger Green pleaded guilty to petty larceny, paid a fine, and was given 3-years' probation. Jeffries was unable to run against Green, because he no longer lived in the district. In November 2004, Green won re-election.

The Democrats wanted to protect Roger Green, despite his legal difficulties, and did not want Hakeem Jeffries running against him, so they gerrymandered Jeffries out of the district by changing the map on a block-by-block basis.

The Snake by the Lake and the gerrymandering of Hakeem Jeffries are two examples of how the party in control can use its power of gerrymandering to undermine the will of the people and shape election results to suit their personal interest.

These examples demonstrate why the task of redistricting should be taken out of the hands of politicians and placed in the hands of independent commissions.

Gerrymandering is Bad for All Voters and Parties

Gerrymandering is bad for all voters, because it creates landslide districts and an imbalance between the popular and electoral vote.

- Landslide districts tend to result in elections of people who hew to the base of their party.
 - Without competition, they have no incentive to focus on the electorate as a whole.
- Landslide elections for one party provide safe districts for the other party.
 - This pushes those candidates towards their bases.

- With fewer competitive elections,
 - Party control is enhanced.
 - Good candidates are discouraged from running.
 - Turnover is minimized.
 - Politicians can focus on a narrow population base.
 - The concept of one-person-one-vote is nullified.

What can be done to fix Gerrymandering?

The Supreme Court Won't Do Anything- But the States Will-Change is Coming

In 2019, the Supreme Court said it would not touch gerrymandering, calling it a matter of state's rights. However, while the Supreme Court has passed on doing anything, significant things are happening in individual states.

Legislative Initiatives

- California and New York have enacted legislation supporting non-partisan redistricting.
- In November 2018, Michigan, 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 November 2018, Ohio passed an anti-gerrymandering ballot initiative, which garnered 75% of the vote, indicating that there is significant bi-partisan support for ending gerrymandering.
- In Colorado, 71.4% of all voters supported a similar constitutional amendment.
- Missouri, another red state also approved an independent commission for redistricting, with over 62% of the vote, showing bipartisan support for ending gerrymandering.
- Utah, a pure red state, passed a similar ballot initiative.

These votes demonstrate that voters and courts 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.

Reform Elections Now strongly supports independent commissions and urges all citizens to lobby for these commissions in their home states.

State Court Rulings

- 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 2019, a State Court in North Carolina, found that North Carolina's congressional districts violated the state constitution because they were drawn with gerrymanders designed to benefit Republicans and ruled that districts had to be redrawn.

These rulings show that while the Supreme Court will not do anything, state courts are taking action to fix the system. The handwriting is now on the wall for politicians. People want fair elections. They do not want political bosses drawing lines in the middle of a street to keep their friends in office.

- **Redrawing political districts, especially by independent commissions is a critical first step to solving the problem of gerrymandering.**

Fixing Gerrymandering

Fixing gerrymandering requires a number of different steps. Some these steps include:

- **Understanding the problem- and its potential solutions.**
 - People are against gerrymandering, but one of the biggest problems, the concentration of Democrats and minorities in major cities makes truly fair districting much more difficult. It is important to understand that no matter what politicians do, the system will probably still work against the Democrats. This is a major reason why actions should be taken to make the remainder of the system as fair as possible.
- **Establish Independent Commissions in all States to eliminate Gerrymandering**
 - Districts should not be drawn by politicians. No matter how well intentioned, they will tend to shape districts to benefit their own party. The only way to truly limit Gerrymandering is to establish independent commissions to draw district boundaries.
 - Studies have shown that independent commissions draw boundaries in a much fairer and less partisan manner. The result of these boundaries is more competitive elections, less polarization, and a representation level that more closely follows the popular vote.
 - **Independent commissions can and should be established in every state. Politicians should not be drawing boundaries to protect themselves.**
- **Rethink the Voting Rights Act of 1965.**
 - The Voting Rights Act of 1965 has led to a dramatic increase in minority representation. Democrats supported it for excellent reasons, but now it this act may be working against minorities, and polarizing politics. Many minority candidates do not need 100% protected districts. Further, by gerrymandering minorities into a small number of districts, minorities may be losing the support of politicians in neighboring districts who do not have a minority constituency.
 - The problem here is that the minority representatives have to be convinced that they will gain, not lose, by these changes.
- **Rethink the way Congressional districts are created.**
 - Is the system of drawing districts that are compact and follow city and county lines really the best way?
 - In New York, 93% of all voters, excluding Staten Island, voted Democratic. This means consistent landslide elections, no competition, and low voting turnout.

- In Wisconsin, where districts were drawn around cities and counties, 37 of 99 elections had candidates from only one of the major parties.
 - There may be a benefit to having homogenous districts, but this benefit may be more than offset by landslide elections.
 - **Would competitive election districts serve the country better than homogeneous election districts?**
- **Establish national rules for voter registration and easier access to voting.**
 - With all of the complex issues surrounding gerrymandering, we need to find a way to make registration easier, if not automatic, and make access to voting easier.
 - The parties in control of each state are already rigging the game with the way they draw districts. They do not need the added benefit of rigging the registration and voting rules.
- **Create More Competitive Elections by Implementing New Voting Systems Like Nonpartisan Primaries or Ranked Choice Voting**
 - Geographic, racial, and partisan gerrymandering has created a system where a large percentage of the elections are noncompetitive. If we are to lessen polarization in a country of geographic and racial concentration, we need to think about how to create more competitive elections. Nonpartisan Primaries and Ranked Choice Voting are two alternatives that will create more competition and lead to the election of more moderate candidates.
- **Consider the creation of Multi-member election districts**
 - A multi-member election district is one that elects multiple candidates. Instead of 10 districts each electing one candidate, one district would elect 10 candidates. Such a system should lead to more moderate candidates being elected and less geographic and racial concentration. Unfortunately, the law says that all members of Congress must be elected from single-member districts. However, multi-member districts could work in individual states.

Conclusion

Gerrymandering is one of the most serious problems in our political system. It leads to:

- An imbalance between the popular vote and the number of candidates elected from each party.
- Noncompetitive elections
- Polarized political leaders and parties
- Minimization of turnover among elected officials
- Elimination of moderates and bipartisan candidates
- Enhancement of party control
- Low voter turnout
- Separation of people by race, ethnicity, and class
- Elimination of the concept of one-person-one-vote.

Each of type of gerrymandering has to be handled differently.

Geographic Gerrymandering

- The only real solution is to consider different ways of districting, creating competitive districts instead of merely utilizing geography, and using different forms of voting, such as Ranked Choice Voting or Nonpartisan primaries to create competitive elections.

Racial Gerrymandering

- The only real solution to racial gerrymandering is education. Minority representatives have to be convinced that they have more to gain than to lose by modifying the concept of “majority minority districts.

Partisan Gerrymandering

- Fixing Partisan Gerrymandering offers the greatest opportunity for change.
- Politicians have proven they cannot be trusted to draw election districts.
- Independent commissions should be established to take the drawing of election districts out of the hands of politicians.

Incumbent Gerrymandering

- Independent commissions will also remove the danger of incumbent gerrymandering.

Gerrymandering is poisoning our political system. Although not all of it is the fault of politicians, we need to take steps to make the election process fairer and to make representation align more closely with the popular vote.

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