Gerrymandering: Crash Course Government and Politics #37

Crash Course: U.S. Government and Politics
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Hi, I'm Craig and this is Crash Course Government and Politics and today I'm gonna talk about a topic in American politics that tends to drive people crazy! Ahhh! No it's not partisanship, or horse race journalism, or the state of political punditry, although we could easily do episodes on all three of those, and we might. Nope, today we're gonna look at the election districts and how they shape electoral outcomes, and that means - you guessed it - we're gonna talk about Gerrymandering.

Clone: Thank goodness, Gerrymandering is a blight on our American election system. It completely thwarts the will of the majority, and it's responsible for our lopsided house of representatives.

Second Clone: Not so fast my left-wing sore loser friend! Gerrymandering is not nearly as responsible for the 2014 republican congress as the fact that people like you self-segregated the urban enclaves of socialism.

Craig: Alright calm down, clones. Gerrymandering is a little more nuanced than that. Let's talk it out.

(Intro)

Congressional Apportionment - how many representatives each state gets - is super exciting! Even though it only changes every 10 years. Since the number of representatives each state gets is based on population, it's important to know how many people are in each state. That's one reason, at least in the constitution, that we have a census every 10 years. The most populous state, California, has the largest number of representatives - 53 - and the least populous states have only one. Sorry Alaska, Delaware, the Dakotas, Vermont, and Wyoming, and Montana, and the state of loneliness. One is the loneliest number.

In those sparsely populated states, figuring out the election district, which geographic area is represented by a congressman, is easy because there's only one district. This makes elections in these states effectively at large elections, like a state's choice for senator. Even though there are two senators from each state, they represent the entire state at large rather than only a part of it like representatives are supposed to do. The electoral college, the system through which Americans choose their president, are also a type of at large election.

The rest of the states are divided into what are called single member districts. This means that each election district chooses one representative. Now you might think it would be simple to divide a state into as many pieces as it has representatives, but why would you think that? Nothing is simple!

Districts are required to be equal - or almost equal - in population and in most states populations are not evenly distributed across the entire region. The notion that election districts must encompass equal population is the essence of the idea of one person, one vote - a principle that was cast into law by the 1962 supreme court decision in Baker vs Carr. It means that a person's vote counts equally no matter where they live, at least as far as the house of representatives goes. In the senate it doesn't actually work out because the resident of a small state like Delaware has the same number of senators - 2 - as a resident of California. To put it another way, in 2014 two senators represented 897,934 Delawareans and the same number of senators represented the approximately 38 million Californians. In the house, each representative is responsible for about seven to eight hundred thousand people, which is still a lot but much better than one senator for nineteen million Californians or thirteen million Texans.

The idea that people should be equally represented in congress shouldn't be controversial, and for the most part it's not. What is controversial is the way that minority groups are represented. One of the problems with single member districts is that they can make it easier to cut minority groups out of the political landscape. After all, if in a given state only 15% of the residents are minorities, it'll be more difficult for them to elect a member of their own group. Even under a plurality rule, unless that person can appeal to a large number of non-minority people. Congress and the supreme court have tried to remedy this problem by mandating that there be majority-minority districts, which is a confusing way of saying districts where the majority of voters are members of a minority group. This is a little like affirmative action in the realm of voting, and as you might have guessed, there is a fair amount of disagreement among people who think a lot about it. Although, I'd bet that number itself is a pretty small... minority.

This idea of majority-minority districts leads us into a really fun aspect of congressional districting - the way that the districts themselves are drawn, a process known as Gerrymandering after the 19th century political cartoon that depicted one particular Massachusetts district that looked like a reptile. Oh! There it is. Looks like a dragon or something. And we all know dragons are reptiles. The man responsible for this twisted district - the name of my band in high school - was Elbridge Gerry, hence the name Gerrymander. So districts have to be drawn in a way that they contain roughly equal populations, so why does it matter if they look convoluted or even somewhat ridiculous like this? Well, states don't just draw districts to make them look equal in population, they draw them to capture certain population characteristics so that one party has a greater chance of electing a member from a particular district. In the district pictured here, the Illinois 4th, Chicago has been carved up to capture a certain population - me. That's the district I live in. Usually district are drawn so that they can capture my vote, or a significant majority of one party or the other, virtually ensuring that a particular district will elect only a democrat or republican as the case may be.

You might have noticed that thin strip in the Illinois 4th's western edge connecting the upper half and the lower half. Look carefully and you'll see that it runs along the inter state, which I'm sure means that it has a huge population. Why do we do this? Because one of the requirements according to federal election law is that districts not only be roughly the same size in terms of population, but also they be contiguous, meaning that they can't be divided completely by other districts. This requirement results in some pretty weird configurations.

So who draws these cockamamie districts anyway? Well, they're done by state legislatures. Well, not legislatures themselves, but by people working at the behest of legislatures. If one party has a majority of the state legislature, say the democrats, they usually want to draw the districts so that Democrats have a better chance of winning, republicans do the same thing. This is why state legislature elections matter so much in census years. Whoever wins that year gets to re-draw the districts.

A couple of things to note here. First, there's no rule saying that states can't re-draw their districts whenever they want. Texas tried to do this in 2003 - not a census year - prompting its democrats to run away to Oklahoma for a spell. Second, it's possible for a state to hand the task over to a less biased expert district drawing person, or group, that might make districts more fair. Hand it over to me! I'll make 'em all look like little bunnies. But wait, you might ask yourself, what's wrong with this system and why do people think it's unfair? Let's go to the Thought Bubble.

So imagine a state that's 60% republican and 40% democrat, and has 5 electoral districts like this one. Let's call it Clonesylvania. You could draw districts so that there were 3 republican districts and 2

democratic ones, accurately reflecting the state's population, like this. Or you could re-draw it so there were 3 democratic districts and 2 republican districts, which would be an inaccurate reflection of the party composition of the state's population. Or you could simply draw the districts so you had 5 republican districts and zero democratic ones, like this. So you can see, especially in the second and third examples how Gerrymandering can result in districts that don't actually reflect the political makeup of a state at all.

By now you might be fuming at the injustice of state legislature's re-drawing districts to make sure that the opposing party has no chance of winning national congressional elections, and you may have read a number of articles blaming Gerrymandering for the composition of the current congress and for making congressional elections generally less competitive. There are a lot of people who feel the same way. But there's a counter argument that it's not the state legislatures that result in solidly republican or solidly democratic districts, but the fact that democratic voters tend to cluster in cities where they often outnumber republicans by a lot. So that states like Ohio, even though the number of democrats and republicans are pretty even with a slight edge going to democrats perhaps, they all tend to concentrate in urban areas around Cleveland and Columbus so that the overwhelming majority of the state's districts are won by republicans. Thanks Thought Bubble.

Congressional districting is fascinating and really really important for determining the composition of congress, but is also quite complicated, which as with most things, makes it difficult to understand. But unlike some other complicated issues concerning policy, Gerrymandering is one that's easy to criticize because the visual results are so striking and because it can result in numbers that just look unfair. This is probably why, come election time, you'll hear a lot about it. Now at least you'll have a better idea what those pundits are talking about and you'll be better equipped to making your own decision about the issue. Luckily for you, there's more and more data about this stuff every election and always more to learn. Thanks for watching, I'll see you next time.

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