

# Equal voting districts mean fairer elections across states

By Stateline.org, adapted by Newsela staff on 10.01.18

Word Count **636**

Level **500L**



Image 1. Wylecia Wiggs Harris, CEO of the League of Women Voters, speaks during a rally to call for an end to partisan gerrymandering in October 2017 at the Supreme Court in Washington, D.C. Photo by Leigh Vogel/Getty Images

*Editor's Note: This article was originally published in 2011, ahead of that year's congressional redistricting. Redistricting will next occur in the United States in 2022, following the completion of the census in 2020.*

In the United States, citizens over the age of 18 can vote. They can elect their leaders. They vote for presidents and senators. They can vote for lawmakers in the House of Representatives, too.

The House is part of Congress. It is made up of lawmakers from the 50 states. Each state is divided into areas called districts. And every district elects a lawmaker.

## Republicans Versus Democrats

Most U.S. lawmakers are from two main political groups. One group is the Republicans. The other is the Democrats. Both parties want to win elections. They want control over as as many districts as possible.

Every 10 years, states can redraw their districts. They can draw new lines between them. This is called redistricting. States redraw districts because of population changes. People may move in and out of towns and states. The number of people in a district can change.

District maps must follow a rule: All districts must have the same number of people. It is called the "one person, one vote" rule. That way, every person's vote counts the same. When lawmakers redraw districts, they must follow this rule.

### **Some Just Want To Win**

Sometimes, though, lawmakers change the districts unfairly. They ignore the rule. They redraw lines to make it easier for them to win.

This happened in the state of Georgia about 20 years ago. The Democrats were in charge. They changed the districts so they had a better chance of winning elections. This is called gerrymandering.

The Democrats drew large districts in suburbs. Voters there supported Republicans. They made smaller districts in cities. They also made smaller districts in the countryside. Voters in these places usually support Democrats.

The new map was better for the Democrats. Each district still elected just one lawmaker. In the big, crowded districts, each vote had less impact. Many people were casting a vote. They were still voting for just one lawmaker, though. In the smaller districts, voters had more power. There were fewer people voting for their lawmaker.

Splitting up the districts this way also allowed Democrats to create more Democratic-leaning districts, and fewer Republican districts. This meant more Democratic representatives in the House.

The Republicans were angry. They said the new districts broke the rule. The districts were all different sizes. Some had many people. Some had few. It was unfair.

### **One-Person, One-Vote Rule**

So the Republicans went to court. They asked a judge in Georgia to review the new districts. The court threw out the districts. The judge said they did not follow the one-person, one-vote rule.

Then the U.S. Supreme Court reviewed the decision. It is the highest court in the country. This court agreed with the Republicans, too. The new districts were not allowed.

### **A Need For Fairer Elections**

## **The Supreme Court & Redistricting**

### **Case: Baker v. Carr (1962)**

#### **The Facts:**

Charles Baker was a Republican from Tennessee. The state was supposed to redistrict every ten years, but did not. Baker sued Tennessee's Secretary of State, John Carr, arguing that the state's failure to redistrict hurt his political career.

#### **The Issues:**

Baker argues that failing to redistrict meant he was not receiving "equal protection of the law" as required by the 14th Amendment.

#### **Decision:**

Baker wins in a 6 - 2 decision.

#### **Reasoning:**

In previous situations, the Court intervened to correct constitutional violations in state affairs. The 14th Amendment issue raised by Baker deserved judicial evaluation.

#### **Holding:**

The redistricting of state legislative districts is not a political question, and thus is justiciable by the federal courts.

Why is it important for the Supreme Court to make decisions about gerrymandering? It affects how much control lawmakers have over their districts. The Supreme Court could decide to strictly limit population differences between districts. Then gerrymandering would be harder. This might lead to fairer elections.

Making sure districts have the same number of people is hard work. Small differences might be fine. States should be careful, though. They must have a good reason to redraw districts. And helping Democrats or Republicans win is not a good reason.

## The Supreme Court & Redistricting

### Case: Shaw v. Reno (1993)

#### The Facts:

After the 1990 census, North Carolina redrew its congressional districts. Only one of these districts was a "majority-minority" district, a district with more black voters than white voters. The US Department of Justice, led by Attorney General Janet Reno instructed the state to add another majority-minority district to improve representation of black voters.

#### The Issues:

The Justice Department believed another such district was needed in order to comply with recent amendments to the Voting Rights Act. After North Carolina created the second district, a group of white voters, led by Ruth O. Shaw, sued on the grounds that the district was an unconstitutional gerrymander that violated the equal protection clause of the Fourteenth Amendment.

#### Decision:

Shaw wins in a 5-4 decision.

#### Reasoning:

The shape of the proposed district was "so bizarre on its face that it is unexplainable on grounds other than race."

#### Holding:

Redistricting based on race must be held to a standard of strict scrutiny under the equal protection clause. Redistricting must be conscious of race to the extent that they must ensure compliance with the Voting Rights Act.

## Quiz

- 1 Why did Republicans get mad at Democrats in Georgia?
- (A) because Democrats won their case in a Georgia court
  - (B) because Democrats took their case to the Supreme Court
  - (C) because Democrats broke the rules about drawing districts
  - (D) because Democrats made smaller districts in the suburbs

- 2 What happened after the redistricting case in Georgia went to the Supreme Court?
- (A) The Supreme Court said Democrats won the case.
  - (B) The Supreme Court said Republicans won the case.
  - (C) The Supreme Court said both groups were wrong.
  - (D) The Supreme Court said both groups were right.

- 3 Read the selection below from the section "Some Just Want To Win."

*The new map was better for the Democrats. Each district still elected just one lawmaker. In the big, crowded districts, each vote had less impact. Many people were casting a vote. They were still voting for just one lawmaker, though. In the smaller districts, voters had more power. There were fewer people voting for their lawmaker.*

What is an "impact"?

- (A) an effect
- (B) a solution
- (C) a problem
- (D) an idea

- 4 Read the selection below from the section "Republicans Versus Democrats."

*Most U.S. lawmakers are from two main political groups. One group is the Republicans. The other is the Democrats. Both parties want to win elections. They want control over as as many districts as possible.*

What does the word "control" mean?

- (A) remote
- (B) fear
- (C) skill
- (D) power