

Gerrymandering is certainly not a new phenomenon. Politicians have sought political advantage in the redistricting process since the early days of the Republic. In fact, the term “gerrymander” comes from Massachusetts Governor Elbridge Gerry’s creation in 1812 of a legislative district that resembled a salamander.

Making GERRYMANDERING an Endangered Species

By Congressman Earl Blumenauer



Over the years, gerrymandering has been an imprecise and episodic practice that affected only a few districts every 10 years — hardly a threat to representative elections for the vast majority of Americans.

More recently, however, the advent of high-tech ways to identify and chart voter behavior literally block-by-block has elevated gerrymandering to a political art form and significantly raised the stakes both in Washington DC and our state capitals. As a result, the vast majority of congressional districts in the United States are no longer remotely competitive. During the 2002 elections, of the combined 126 congressional districts in California, Florida, Illinois, and New York — four of our five largest states — 122 of the races were effectively decided before any of the ballots were cast. Only one race in each of these states was in doubt. The national implications of this are staggering: absent death or indictment, we can already safely predict which party will win over 80 percent of the congressional elections in 2010.

As if this weren't damaging enough, gerrymandering has now been transformed from a once-in-a-decade affront to a continuous abuse of the redistricting process. No sooner had the 2002 elections concluded than Republicans embarked on an unprecedented effort to re-gerrymander both Texas and Colorado. A state court ruled the effort illegal in Colorado, but in Texas, the Republicans pulled out all stops with House Majority Leader Tom DeLay using federal law enforcement officers to track down Democratic state legislators who fled the state to prevent the legislation from passing. These tactics proved successful. The Republicans gained five congressional seats in the 2004 election, strengthening their control of the House. Inspired by this audacity, Republicans are now completing a similar strategy in Georgia, while Democrats are considering the same approach in New Mexico and Illinois.

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Both Parties are Guilty

This raises an important point. Although Republicans captured the most recent headlines and certainly pushed past limits, Democrats have the same instinct to gain political advantage. Where Democrats had the capacity, they quickly seized the advantage. In Maryland, they blatantly gerrymandered Republican moderate Congresswoman Connie Morella out of office in 2002. Where neither side has an overwhelming advantage, both parties protect incumbents. When Democrats had complete control of California in 2001, all incumbents, regardless of party, were given safe districts.

Sadly, it's not just would-be politicians who are losing. While some challengers may howl, voters should be screaming. Without the pressure of competitive races, incumbents have less incentive to cooperate. Consequently, both parties are increasingly ideological. Meanwhile, independent-minded candidates and moderate legislators, who represent the vast middle of the American political spectrum, become extinct. We lose skilled politicians who understand that for over 200 years the art of compromise has been essential to our nation's ability to meet complex challenges.

Political observers have noted the breakdown of the legislative process, the decline in civility, and the growing gap between America's problems and the issues which Congress chooses to address.

Alternatives to Gerrymandering

The good news is that the unprecedented publicity on gerrymandering since the 2000 census may provide the momentum to stop these abuses and promote alternatives. And there are better alternatives. The best example is Iowa, where an independent nonpartisan agency has long been responsible for redistricting. As a result, all five of Iowa's congressional districts were strongly contested in 2002 — the same number of competitive races as in California, Florida, Illinois, and New York combined.

There is now a window of opportunity to eliminate gerrymandering. The next 30 months are critical because they are sufficiently removed in time from both the 2010 census and the 2011 redistricting efforts based on the results of the census. It is easier for people to be objective about redistricting when their next election is not at stake. Acting now, we can address the abuses of gerrymandering and reverse the disturbing trends that are undermining Congress and our state legislatures.

It should not be that difficult to produce a wave of indignation at practices so at odds with American democratic values. I suggest a three-part solution:

- Engage the "term limits fervor" to address the real cause of legislative dysfunction.
- Encourage governors to make redistricting reform part of their legacy.
- **Harness the initiative** process to reform reapportionment.



Loren Harris, program officer, Ford Foundation

Bridging the Divide to Promote Active Citizenship

Where Are the Term Limits People When You Really Need Them?

The 1990s saw a political firestorm fueled by legitimate criticisms about an unresponsive Congress controlled by one party for 40 years. Shrewdly capturing the fervor of this sentiment, numerous Republican challengers in 1994 ran under the term limits banner as part of Newt Gingrich's "Contract with America," pledging to limit their congressional tenure. Once in office, however, the Republican majority lost its enthusiasm for the concept, failing to enact federal term limit legislation. Many of those who pledged to limit their tenure terms ultimately reneged, most famously George Nethercutt. After making term limits the central issue in his campaign to defeat House Speaker Tom Foley, he broke his term limit pledge twice before losing a race for the Senate.

Although these reformers correctly diagnosed a Congress out of touch with American voters, they unfortunately settled on the wrong cure. There is no evidence that a term-limited legislative body is any more responsive to the people. Instead of enhancing competition, term limits only generate more politicians.

Any problems resulting from lengthy legislative tenure, however, pale beside the abuses that result from gerrymandering. The biggest danger to representative democracy is a self-serving, insulated incumbent, regardless of tenure or party.

Capturing the outrage and energy that fueled the term limits movement could radically change the dynamic of the redistricting process. Appeals to a wide coalition of interests — genuine conservatives with fiscal concerns, libertarians, good governance advocates like the League of Women Voters — would broaden the discussion and generate plausible solutions. Hundreds of conservative and liberal talk show hosts and their legions of listeners are just waiting to be outraged at the unseemly protection for incumbents. With millions more across the political spectrum who are frustrated by the blatant manipulation of the reapportionment process, we could create our own political firestorm.

The Gubernatorial Legacy Project

Our nation's governors are in the best position to harness this discontent and fix the problem. They are the elected officials who must deal most directly with the consequences of a gerrymandered legislature. Elected by a statewide constituency, governors are personally accountable for the performance of the state and the administration of the budget, yet they are increasingly hampered by legislatures that are as insular, narrowly focused, and resistant to change as Congress. In New York, the shamelessly gerrymandered Republican Senate and Democratic House have guaranteed a permanent gridlock that stymied both former Governor Cuomo and current Governor Pataki.

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*Kay Maxwell, president,
board of directors, League of
Women Voters*

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Promote Active Citizenship



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The opportunity to eliminate gerrymandering presents governors with a ready-made issue of good government that has popular appeal. They are insulated from immediate political fallout, since the impacts will most likely fall not on them, but on those elected after they leave office.

Every governor and gubernatorial candidate for 2006 should work to reform the reapportionment process. Governor Schwarzenegger seized upon this issue in California; other governors have similar opportunities to create their own high-profile roles. In 2000, Arizona voters passed an initiative to create a redistricting commission independent from partisan control. The initiative is also Governor Schwarzenegger's strategy of choice in attacking the legislative gerrymandering in his state.

Back to the Future: A Populist Toolkit

Given the recent abuses of the initiative process — especially in California, Washington, and Oregon — some government purists cringe at this solution. Done correctly, an initiative would be an incredibly powerful force for reform. With leadership and publicity provided by governors and gubernatorial candidates, credible nonpartisan sponsors, such as retired judges, academics, and respected citizen activists, could design a model initiative. Their drafting process should include public forums to educate voters about problems created by gerrymandering and solicit a broad range of solutions. A careful vetting of the best proposals by legislative committees, the state's Attorney General, and election professionals would reduce the likelihood of unintended consequences. Such a populist, grassroots effort would not only identify effective solutions to gerrymandering, but could serve as a model for reforming the initiative process itself, long-overdue for correction in many states.

Even with a plausible scenario to eliminate gerrymandering, the question remains how to make it happen? How do we move beyond awareness of this most arcane of subjects to motivate citizens to act? Where are the resources to engage citizens who represent the public rather than the deep-pocketed special interests only concerned with perpetuating the status quo?

The Role of the Philanthropic Community

The philanthropic community is best positioned to play this vital role. America's foundations continually struggle to help meet the nation's environmental, educational, and social service needs, issues seldom addressed by a Congress increasingly insulated from these problems and the legitimate pressure to solve them. Addressing the consequences of gerrymandering presents an unprecedented opportunity for the philanthropic community, not only to help reform our electoral and legislative processes, but to enable government to be a better partner in solving problems that occupy so much of foundations' time and treasure.

Every community foundation ought to sponsor public information programs on the abuses caused by gerrymandering. Conferences, workshops, and lectures could engage the media, which has been episodic in its attention. (When engaged on this issue at all, the fourth estate tends to narrowly focus on the winners and losers of specific redistricting battles, rather than gerrymandering's long-term consequences.) This process would create, in turn, greater opportunities for sharing information, standardizing approaches, and developing resources to enable efficient and effective reforms. Partnerships with and grants to professional and civic groups, academic institutions, and the faith community can create coalitions to broaden the discussion and craft comprehensive solutions.

Gerrymandering's corrupt and self-serving abuses have run their course. Average citizens, government activists, and governors must renew their efforts to strip politicians of their insularity and bring broader public interests to center stage. It's hard to imagine an area of civic engagement that will have a more profound effect on democracy for decades to come than restoring balance and integrity to our legislative process.

Oregon's 3rd District first elected Earl Blumenauer to the U.S. Congress in 1996. Since his election, he has focused his efforts on making the federal government an effective partner in creating livable communities. He is the founder and co-chair of the House Livable Communities Task Force and serves on the committees of International Relations and Transportation and Infrastructure.



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