THE ELECTION EXPERIENCE
DISCUSSION SERIES WILL BEGIN SHORTLY
University of Wisconsin Parkside Presents
DISCUSSION SERIES

WEEK 4 - SEPTEMBER 30, 2020
INTRODUCTION BY:
Dr. Christopher Hudspeth
UPCOMING EVENTS

TUESDAY, OCTOBER 6

ELECTION EXPERIENCE: The Peoples’ Map
6:00PM | Virtual
The Peoples’ Map Task Force to address the increasing concerns throughout the state regarding potential partisan gerrymandering. Panel Participants are Dale Schultz and Tim Cullen, former members of the Wisconsin State Senate.

WEDNESDAY, OCTOBER 7

ELECTION EXPERIENCE: Public Monuments and the Legacy of Racism
12:00PM | Virtual

VICE PRESIDENTIAL DEBATE
8 PM | Virtual through Discord
Join us along with sponsors AASCU & ADP for a virtual debate watch party.

Register for Events at: www.uwp.edu/eeevents
Gerrymandering in Wisconsin: Role of Geography in Election Outcomes

Dr. Kenny French
Outline

I. Introduction
II. History of Districting
III. Gerrymandering
   a. Origin
   b. Tactics
   c. Examples
IV. Wisconsin’s Case
   a. Background
   b. Gill v Whitford
   c. Current Debate
IV. Solutions?
V. Discussion

Map Source: Washington Post
I. Introduction

- Political boundaries can change over time

- A common political fight is over the drawing of districts

- Geography can be used to favor one political party over others

Map Source: Detroit Metro Times
II. History of Districting

a. Purpose of Districting

- Equal representation in government is based on population numbers

- Main reason of the U.S. Census (every 10 years)

- +/- Legislative Seats

- States can re-draw their legislative boundaries after each Census
II. History of Districting

b. Role of Geographic Information Systems (GIS)

- **GIS** is a computer system that analyzes and displays geographic data

- Cartographers have been instrumental in drawing legislative boundaries

Image Source: UWP CSSPS
III. Gerrymandering

a. Origin

- Gerrymandering is the deliberate distortion of boundaries for political purposes (Shelley et al., 1996: 159)

- Named after Massachusetts Gov. Elbridge Gerry (approved 1812 districting bill to ensure Republican majority)
III. Gerrymandering

b. Tactics

- **Packing** involves concentrating a group’s electoral strength so as to dilute their political power

- **Cracking** involves dispersing a group’s electoral strength to dilute their political power

- There is also **Skimping** and **Plumping**

All definitions by Grofman and Cervas, 2020: 14
III. Gerrymandering

b. Tactics

Gerrymandering, explained

Three different ways to divide 50 people into five districts

1. Perfect representation
   - 60% blue, 40% red
   - 3 blue districts, 2 red districts
   - BLUE WINS

2. Compact, but unfair
   - 5 blue districts, 0 red districts
   - BLUE WINS

3. Neither compact nor fair
   - 2 blue districts, 3 red districts
   - RED WINS

Image Source: Washington Post
III. Gerrymandering

c. Examples

North Carolina’s 12th District (1990s)

Fig. 2 12th Congressional District of North Carolina, 1993. (Source: http://law.onecle.com, 2007)

Map Source: Weichelt and Webster, 2019: 12
III. Gerrymandering

c. Examples

- *Shaw v Reno (1993)*, North Carolina voters challenged the 170-mile-long African American majority-minority district

- Supreme Court ruled in favor of the plaintiffs: North Carolina’s 12th district is a clear example of racial gerrymandering (Weichelt and Webster, 2019)
III. Gerrymandering

c. Examples

- Racial Gerrymandering vs. Partisan Gerrymandering

- Gerrymandering has be done by all political parties
  (Democrats, Republicans, Whigs, & Federalists)
III. Gerrymandering

c. Examples

- Partisan Gerrymandering:

  “Usually the voters get to pick the politicians. In redistricting, the politicians get to pick the voters.”
  --Thomas Hofeller, 2000 (Vox, 2019)

- Hofeller’s redistricting map efforts in North Carolina (2018):
  Democrats only won three of 13 seats
IV. Wisconsin’s Case

a. Background

- Wisconsin Constitution, Article 4, Section 4 requires districts to be contiguous and compact (Weichelt and Webster, 2019: 16)

- Wisconsin’s legislative boundaries were to be re-drawn in 2011 after the 2010 U.S. Census

- Republican political power in the State and passed Act 43
IV. Wisconsin’s Case

a. Background

- 2018: Gov. Scott Walker (R) lost the election with 49% of vote, yet Republicans won 63 of the 99 Assembly seats (Wisconsin State Journal, June 28, 2019)

- Research “found robust evidence that the district maps are highly gerrymandered and that this gerrymandering likely altered the partisan make up of the Wisconsin General Assembly” (Herschlag, Ravier, and Mattingly, 2017)
IV. Wisconsin’s Case

a. Background

- Synopsis video of Wisconsin’s Case:

  “Testing the limits of partisan gerrymandering”
  (PBS, 2017)

- Notice the geography and GIS!
IV. Wisconsin’s Case

Redrawn due to “Cracking” the Latinx vote. (Weichelt and Webster, 2019: 17)
IV. Wisconsin’s Case

b. Gill v Whitford

- This court case is about Partisan Gerrymandering

- Supreme Court deciding on:
  * Does it violate previous rulings? (Vieth v Jubelirer, 2004)
  * Can partisan gerrymandering claims be heard?

(Weichelt and Webster, 2019)
IV. Wisconsin’s Case

b. Gill v Whitford

- 2015: Professor William Whitford sued State Election Board (chaired by Beverly Gill)

- 2016:
  * U.S. District Courts struck down the redistricting maps
  * Rationale: maps unfairly maximized Republican advantages in Assembly seats

- Case was appealed to the Supreme Court
IV. Wisconsin’s Case

b. Gill v Whitford

- 2018 Unanimous Ruling (9-0): Remanded back to the lower courts

  * Plaintiffs failed to demonstrate personal harm (majority opinion by Chief Justice Roberts)

  * Left for another day: theory of harm tied to partisan gerrymandering (Concurrence opinion by Justice Kagan)
IV. Wisconsin’s Case

b. *Gill v Whitford*

- 2019: Maryland and North Carolina gerrymandering cases

- Ruling (5-4):
  * Federal courts do not have the power to decide cases related to partisan gerrymandering
  
  * “[P]artisan gerrymandering claims present political questions beyond the reach of the federal courts”

  –Chief Justice Roberts, June 28th, 2019
IV. Wisconsin’s Case

c. Current Debate

- What happens after the 2020 U.S. Census?

- People’s Maps Commission
  * Gov. Tony Evers Executive Order on Jan. 27, 2020
  * No politicians or lobbyists

- Kenosha Referendum: Should WI legislature create a nonpartisan procedure to prepare all district maps…
IV. Solutions?

- Call on Geographers, Political Scientists, Mathematicians, etc.

- Gerrymandering Solutions:

  * Bi-partisan Districting
  * Nonpartisan Districting (States often use commissions)
  * Iowa: nonpartisan legislative staff create the new districts and there is an “up” or “down” vote
V. Discussion

First: Thank you UW-Parkside Peeps!

Second: Any questions or comments?
Sources


