

# Partisan Gerrymandering as a Threat to Multiracial Democracy

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# Shaw v. Reno and the Constitutional Problem of Racial Gerrymandering

- + “In some exceptional cases, a reapportionment plan may be so highly irregular that, on its face, it rationally cannot be understood as anything other than an effort to “segregate ... voters” on the basis of race



# Shaw v. Reno and the Democratic Harms from Racial Gerrymandering

- + (1) "A reapportionment plan that includes in one district individuals who belong to the same race, but who are otherwise widely separated by geographical and political boundaries, and who have little in common with one another but the color of their skin, bears an uncomfortable resemblance to political apartheid."
- + (2) "[Racial gerrymandering] reinforces the perception that members of the same racial group think alike, share the same political interests, and will prefer the same candidates at the poll."
- + (3) "By perpetuating such notions, a racial gerrymander may exacerbate the very patterns of racial bloc voting that majority-minority districting is sometimes said to counteract."

# Shaw v. Reno and the Democratic Harms from Racial Gerrymandering

- + (4) “When a district obviously is created to effectuate the perceived common interests of one racial group, elected officials are more likely to believe that their primary obligation is to represent only the members of that group, rather than their constituency as a whole. This is altogether antithetical to our system of representative democracy.”



# Minority racial gerrymandering and democratic harms? Are they real?

- +Lacks empirical support
- +Divorced from rational political behavior – minorities are minorities and do not have majority control over the political institutions; they therefore have no choice but to engage in racial coalitional politics at the legislative level
- +Democratic benefits from minority racial gerrymandering therefore far outweigh any potential democratic harms

# The real democratic threat: partisan gerrymandering as white racial gerrymandering

## + The racial homogeneity of the Republican Party

- + Pew Research Center (2018): 83 percent of Republican voters are white (as compared with 60 percent of the U.S. population)
- + Current Congress: 91.4 percent of Republicans in the House of Representatives are white
- + In districts where at least three quarters of residents are non-Hispanic White, 82 percent most recently elected a Republican representative (2018) (Craig Helmstetter, APM Research Lab)
  - + Contrast – 83 percent of the nation's most diverse districts voted a Democrat into the House of Representatives (Craig Helmstetter, APM Research Lab).

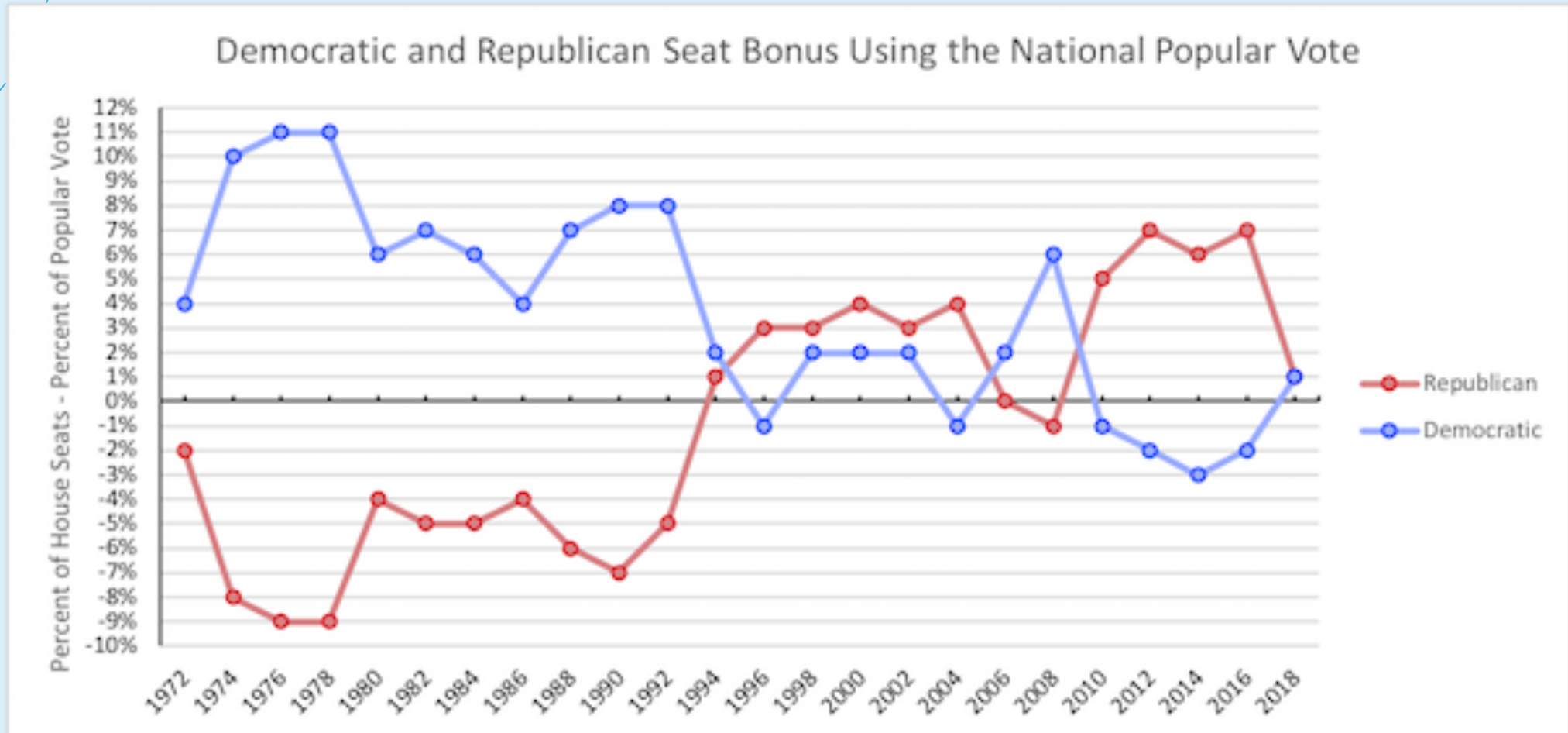


The real democratic threat: partisan gerrymandering as  
white racial gerrymandering

+REDMAP – Republican partisan gerrymandering strategy for  
2010 involved drawing the maximum number of majority white  
districts for partisan advantage



# REDMAP Success



# REDMAP and racial representation

- + In 2014, 95 percent of House Republicans were elected from majority-white congressional districts
- + Racial Impact
  - + Tea Party and Donald Trump – a Republican focus on securing white voter support through dog whistle and fog horn racial politics
  - + Rational political behavior for white Republican representatives to believe that their primary obligation is to represent only the members of that group, rather than their constituency as a whole since whites are the majority of voters and representatives and can exercise majority control over the political institutions
  - + Democratic harms therefore outweigh any democratic benefits from partisan gerrymandering as white racial gerrymandering

# The compounding threat to multiracial democracy: the rise of white identity politics

## + Ashley Jardina – White Identity Politics (2019):

- + “Whites high on racial solidarity comprise approximately 20-40 percent of the white population.”
- + Most of these whites reject white supremacy and racism
- + Instead, “they are primarily concerned with their in-group and desire to protect its status.”
- + The rise of white racial identity is driven by changes in the racial landscape of the United States as whites make up a declining percentage of the American population



# The compounding threat to multiracial democracy: the rise of white identity politics

- + The activation and encouragement of white racial identity and solidarity by Republicans who stand to benefit politically
- + White racial solidarity perceives minority democratic gains as a threat to white racial status and will therefore be inclined to support white representatives seeking to represent white interests at the expense of minorities
- + White racial solidarity + white racial gerrymandering (Republican partisan gerrymandering) = threat to the multiracial project

# White racial gerrymandering (Republican partisan gerrymandering) and the threat to the multiracial project

- + “When a district obviously is created to effectuate the perceived common interests of one racial group, elected officials are more likely to believe that their primary obligation is to represent only the members of that group, rather than their constituency as a whole. This is altogether antithetical to our system of representative democracy.” Shaw v. Reno