Drawing Lines in the Sand

Redistricting Commissions in the United States

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Spring 2014
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Abstract

Political processes determine policy possibilities. When political tensions arise, we rely on stable processes to create credible results. The process of redistricting congressional seats is a notoriously political one that has an impact on larger policy issues. In fall 2013, many blamed the government shutdown on a lack of competitive elections caused by gerrymandering. The argument was that because House representatives did not face competition across party lines in their Congressional districts, they had no incentive to make a bipartisan agreement and held with party rhetoric.

The phenomenon of gerrymandering has existed since 1812 when Elbridge Gerry, governor of Massachusetts, tried to redraw a district to favor the Democratic-Republicans over the Federalists. Since then, laws have been made to restrict the extent to which gerrymandering can happen. One can no longer perform racial gerrymandering and every district now has to have the same number of people. Yet it is still legal to gerrymander for political purposes and it is still done today largely through state legislatures.

This paper will examine the benefits of competitive elections and the results of efforts to diminish political gerrymandering. Several states have adopted redistricting commissions to reduce gerrymandering. Specifically, Iowa set up a redistricting process in 1981 that allows no political influence. As every redistricting commission is different, several will be compared to reveal seven key commission attributes that increase the competitiveness of elections.
Introduction

Political processes determine policy possibilities. At a time when partisanship is almost at its highest level in United States history, sound processes are needed to provide legitimate results to partisan disputes. In elections, fair rules lead to outcomes the people can trust. Even if one does not agree with the outcome of an election, he probably will go along with the results without revolt because he trusts the process: the majority has spoken. If a candidate wins outside the scope of a fair election, the process does not guarantee his legitimacy. It should then be a policy goal to create and maintain processes that grant legitimacy to results that we might not agree with.

During the 2013 Government Shutdown, President Barack Obama made the following statement: “A big chunk of the Republican Party right now is – are in gerrymandered districts where there’s no competition and those folks are much worried about a tea party challenger than they are about a general election where they’ve got to compete against a Democrat or go after independent votes. And in that environment, it’s a lot harder for them to compromise.”1 Such a quote from the President of the United States of America gives one a taste for the power attributed to political gerrymandering and its potential effects.

Gerrymandering is the act of redrawing district lines to give a particular group a greater ability to win an election. The phenomenon of gerrymandering has existed since 1812 when Elbridge Gerry, governor of Massachusetts, tried to redraw a district to politically favor the Democratic-Republicans over the Federalists. Since then, laws have been made to restrict the extent to which gerrymandering can happen. One can no longer perform racial gerrymandering

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and every district now has to have the same number of people. Yet it is still legal to gerrymander for political purposes and it is still done today largely through state legislatures.

The foundation for a representative democracy is that citizens can hold their representatives accountable. Elections are one of the primary ways citizens do this. The concept of gerrymandering itself undermines the agency of citizens as it allows politicians to pick which citizens will be holding them accountable. As Charles S. Bullock describes in his book, titled *Redistricting: The Most Political Activity in America*, “districting plans determine what interests in society will be best positioned to determine policy outputs.”\(^2\) In the end, such a system results in voters losing influence to pick who will represent them.

This paper will examine the benefits of competitive elections and the results of efforts to diminish political gerrymandering. Several states have adopted redistricting commissions to reduce gerrymandering. Every state that has a redistricting commission uses it differently. This paper will look at several of them and determine seven key attributes of redistricting commissions that facilitate competitive elections.

**Background**

To provide relevant background information for this paper, this section will discuss how the redistricting process is normally carried out, the rules of redistricting, the technology used to carried out, and the various tactics one might use to gerrymander.

The process begins with reapportionment. Every ten years, the seats in the House of Representatives are redistributed in the reapportionment process. Reapportionment is conducted

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based off the new census results that are released each decade. If a state increases in population significantly over a decade, it may gain a seat in the House of Representatives and if a state grows relatively more slowly, it may lose a seat. This is done to ensure that every member in the House of Representatives represents roughly the same number of citizens.

The concept of Reapportionment manifested itself through the judicial history of redistricting. The rules surrounding the redistricting process have undergone much change since 1962 since the Supreme Court decision in *Baker v. Carr*. In that court case, the Equal Protection clause of the constitution was used to decide that groups could not delay redistricting and allow states to be mal-apportioned. The *Baker* decision was important because it set a precedent for using the Equal Protection clause. This was used to establish the “one person, one vote” criterion that is the basis for reapportionment in cases like “*Wesberry v. Sanders* for congressional districts, *Reynolds v. Sims* (1964) for state legislative seats, and *Avery v. Midland County* (1968) for general purpose local governments.”

Soon after these court cases, population deviations between districts reduced dramatically. This meant that representative equality would be more important than other redistricting concerns. Making sure that each person’s vote had the same worth counted more than making sure counties and cities were not broken up by the redistricting process. The Supreme Court has made it clear that states “should aim for zero deviation in congressional plans,” by favoring maps with smaller deviations between districts in court challenges.

After reapportionment, each state carries out the redistricting process. But not every state does this the same way. In thirty-seven states, the “the legislature has primary responsibility for

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3 Brookings 8
4 Bullock ch.2
designing the districts, and in thirty-nine states with multiple districts the legislature draws the state’s congressional districts.”\(^5\) In these systems, the people already in power get to decide who will be in each district for the next ten years.

Redistricting for Congressional elections and state legislatures is primarily driven by the states. As long as a state legislature looks like it will meet its deadlines, “federal courts will not interfere with the state legislature’s efforts.”\(^6\)

Advancements in the technology used to redistrict have narrowed the acceptable range of population deviations. Geographic Information System (GIS) software is used to “draw numerous alternative plans in quick succession.”\(^7\) This has vastly eased the effort and time involved in drawing maps for larger cities and has allowed map drawers to be more creative with the information that they are given.

There are a variety of redistricting tactics. As described by Bullock, one tactic is to “\textit{crack} the opposition by dividing a population” that would be able to elect its preference if left undivided.\(^8\) Another technique is to \textit{pack}. The goal of this tactic is to limit the influence of the opposition but putting as many of its supporters into as few districts as possible. The third tactic is to \textit{stack} a district by putting “the minority party or ethnic group as part of a much larger district that elects multiple legislators.”\(^9\) This tactic is for proportional election systems.\(^10\) The

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\(^{5}\) Bullock Ch.1  
\(^{6}\) Bullock Ch.1  
\(^{7}\) Bullock Ch.2  
\(^{8}\) Bullock Ch.1  
\(^{9}\) Bullock Ch.1  
\(^{10}\) A solution that is often offered for gerrymandering is adopting a proportional system electoral system as an alternative to the current “winner take all” rules which allow a party that represents 100% of a district to gain office with support from 51% of the voting population. “Winner take all” rules are derided because they increase the potential gains from gerrymandering. As described by Bullock in chapter one of his book, such a Proportional system, as used in Netherlands, is one where each party receives “a share of seats proportional to its share of the votes so that the ratio of seats to votes so that the ratio of seats to votes approximates 1:1.” Currently, instituting
fourth technique, *incumbency gerrymandering*, is to force incumbents of the same party to compete against one another. This usually results in at least one incumbent being disconnected from the majority of his previous constituency.\textsuperscript{11}

**The Impact of Gerrymandering**

Disagreement about the impact of gerrymandering makes the issue difficult to navigate. As shown in the introduction of this paper, President Obama considers it the direct cause of the 2013 government shutdown. Meanwhile, others think Gerrymandering’s impacts are largely negligible. This section of the paper will explore the impacts of gerrymandering and establish why it is a problem demanding a solution.

Gerrymandering poses a threat to the ideals of democracy. Through gerrymandering, instead of voters picking their representatives, representatives pick who gets to vote for them. Votes are taken for granted and the agency is lost. From that standpoint, gerrymandering has a huge impact on the way a representative democracy works.

It is also important in policy analysis to look at the actual practical impact of gerrymandering. Although this is difficult without counterfactuals to show what the United States would look like without gerrymandering, studies have been conducted to measure it.

Figure 1 below is a map of the United States’ Congressional districts after the 2010 round of redistricting created by Fairvote.org, a non-partisan election reform group. The red districts are those that are safety Republican and the blue districts are those that are safety Democrat.

\textsuperscript{11} Bullock Ch.1

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a proportional electoral system would be illegal. As Mann describes on page 96 of his book, in 1967, Congress “passed a law requiring single-member congressional districts.” Further, moving to a system of proportional representation would systemically change many features of American democracy outside the scope of this paper. In addition, as shown through the gerrymandering tactics, there are still tactics applicable to proportional electoral systems.
From this map, one can observe the general truism that larger rural districts tend to be Republican while more tightly packed urban districts tend to be Democrat. The grey districts are competitive. From looking at the map, one can see that there are very few of these competitive districts. There are many states do not have any.

Figure 1: Competitive Districts in the United States

Graphs 1-3: Comparative Partisanship in Redistricting Plans

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13 Blake
Graphs 1-3 above lend context to Figure 1. Prior to the 2010 round of redistricting, there were 89 competitive districts where now there are only 74. Both parties gained more safe districts after this latest redistricting round. It makes sense that Republicans hold the majority of safe districts as they currently control the House of Representatives.\textsuperscript{14} Further context is added by the third graph showing countrywide partisanship to be 50/50 between Republicans and Democrats. Such a result means that if redistricting plans were truly representative of partisanship, the split in the other two graphs would be closer to 50/50 without the balanced districts. Overall, Figure 1 and Graphs 1-3 show that most districts are safely Democrat and Republican and that more are becoming so. Balanced districts becoming safe districts for either party, as the general decrease in balanced districts shows, are a sign that political gerrymandering is taking place.

On the state legislature level, Bullock cites a study conducted by Gelman and King on partisan gerrymandering. They found that “the difference in seats between a Democratic- and Republican-controlled redistricting plan is, on average, a substantial 4 percent of seats.”\textsuperscript{15} Over time, this adds up significantly. It is important to remember that current district maps are the result of a vast number of redistricting cycles.

Jonathan Ira Leib disagrees about the impacts of gerrymandering. In his dissertation titled \textit{Partisan Gerrymandering and Partisan Decline: Congressional Redistricting and Congressional Elections in Three States}, Leib analyzes partisan congressional redistricting efforts in Indiana, California, and New Jersey from 1948 to 1990. He argues, “Partisan gerrymandering has not

\textsuperscript{14} As this paper seeks to use modern examples of redistricting and gerrymandering, and because Republicans are in control of the House of Representatives, the majority of examples of gerrymandering in this paper will be Republican efforts. To be clear, the author of this paper does not believe that only Republicans are capable of gerrymandering or that they are the only ones who gerrymander.

\textsuperscript{15} Bullock Ch.5
He writes, “Partisan decline has meant that elections have become increasingly centered on the candidates themselves rather than their partisan labels, thus meaning that candidates of either party can win most district across the country given the right circumstances.” This would mean that no matter who is in a district, the virtues and faults of the candidates outweigh the importance of their political alignment.

Taking his conclusions for granted, Leib’s arguments support the idea that gerrymandering is a growing problem today because of rising partisanship. Graph 1 below displays party polarization from 1879-2013 using DW-NOMINATE data. As described in the Washington Post article titled “Polarization in Congress Has Risen Sharply. Where Is It Going Next?” by Christopher Hare, “DW-NOMINATE scores measure legislators’ liberal-conservative positions using their roll call voting records.”

**Graph 4: Party Polarization 1879-2013**

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17 Lieb 553
19 Hare
Graph 4 shows that partisanship in both the House and Senate has increased a great deal in recent years. In fact, the graph shows that the House of Representatives is more partisan than it has ever been. The writers of the Washington Post article conclude that “Congress is now more polarized than at any time since the end of Reconstruction.”

Further, one can look at Graph 1 and see the trend Leib was referencing. There was a relative decline in partisanship during the range of years he was looking at in comparison to Reconstruction. The fact that partisanship is increasing, combined with Leib’s analysis about gerrymandering, leads to the conclusion that partisan gerrymandering is more effective and dangerous now than it was previously. This makes intuitive sense because, as partisanship increases, the less willing Democrats are willing to vote for Republicans and vice-versa. This, in turn, means that the individual qualities of the candidate matter less and that people vote based on a candidate’s party affiliation. Voting primarily on party affiliation makes it easier for politicians to gerrymander because voting this way makes the electorate easily predictable.

Others argue that political gerrymandering is not an issue because of the ways that Americans group themselves. Alexandra Cardinale of Policy Mic writes, “The strongest argument against the existence of politically-conscious gerrymandering is that the country essentially gerrymanders itself. Including the one-district states like Vermont or Wyoming, countless districts have become politically predictable because Americans have sorted themselves geographically with people who are politically or culturally like-minded.”

While the self-sorting of Americans plays a role in the partisan makeup of each state, partisan gerrymandering absolutely exists and plays a role. For an example of this, one can look to Indiana. Indiana is traditionally thought of as a conservative state. Based on Graph 4 below,

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20 Hare
constructed from FairVote.org information, the districting in Indiana would support such a claim. 6 seats are safety Republican, 2 are safety Democrat, and 1 district, Indiana’s 2nd district, is competitive. Republicans stayed in power through 2010, so the balance of districts did not change between redistricting rounds.

*Graph 5: Indiana Congressional Seats After 2011*[^22]

![Graph 5](image)

Even Graph 4 for shows that the majority of Congressional seats in Indiana are safely Republican, Graph 5 below shows that this redistricting schema does not reflect Indiana’s statewide partisanship. According to Graph 5, statewide partisanship is split 53% to 47% between Republicans and Democrats. Therefore, if a redistricting plan were to accurately portray Indiana’s partisanship, there would be a closer balance in districts. These figures are evidence that significant gerrymandering has occurred in Indiana.

*Graph 6: Indiana Statewide Partisanship*[^23]

![Graph 6](image)

[^23]: “2011 Redistricting and 2012 Elections in Indiana.”
Indiana was chosen for this section because this state’s redistricting shows that gerrymandering exists and it can be subtle. Figure 2 below displays a map of Indiana’s Congressional Districts. A quick glance at this map would not make one think gerrymandering had occurred. There are no salamander shaped districts twisting their way through the state. Examples of gerrymandered districts that more obviously look like gerrymandering districts exist on other state maps. Indiana shows that gerrymandering need not look obvious to exist.

Figure 2: Indiana’s Post 2010 Congressional Districts

As has been shown in this section, gerrymandering exists and affects the United States’ electoral process. The major impact of gerrymandering is a loss of competitive elections. If a district is safety Republican or Democrat, competition from the other side vanishes immediately. Because of the benefits the United States electoral process grants incumbents in the first place, incumbents are even further insulated from competition. The idea of gerrymandering itself undermines the goals of representative democracy by allowing representatives to pick their voters. Further, the potential threat of gerrymandering is increased through increased

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partisanship, which is at its highest levels since Reconstruction. All of these facts lead to the conclusion that gerrymandering is a real problem that demands a solution.

**An Argument for Competition**

If one grants that gerrymandering is a problem worth solving, the solution for the problem depends on the qualities that one wants to maximize. As argued earlier, political gerrymandering results in incumbency protection and a decrease in competition. However, the question arises: are competitive elections necessarily a good thing?

To explore the impacts of competition, I conducted an econometric study on the impact competitiveness of elections on voter participation. The goal of this was to test the claims that noncompetitive elections disengage voters. The results of this study can be seen in Table 1 in Appendix 1. Details regarding the methodology for this study can also be found in Appendix 1 of this paper.

The variable I used for competiveness was “margin.” Margin represented the absolute difference in votes between the winning and losing candidates. The closer the election in the state was, the smaller the margin variable was. Overall, I found that there was a significant negative correlation between margin and voter turnout. This means that the closer or more competitive election was, the greater the voter turnout. This finding coincides with the idea that noncompetitive elections disengage the electorate while closer elections give the voter the impression that his vote is important.

Citizens who are more engaged and vote more often are good for the health of democracy. As shown, competitive elections correlate with higher voter turnout. Therefore,
policy solutions to political gerrymandering that increase competition will improve the health of elections in the United States and should be pursued.

Redistricting Commissions

Not every state leaves redistricting to state legislative bodies. Instead, some states give the power of redistricting to redistricting commissions. Redistricting Commissions are non-legislative bodies that perform redistricting. As of 2005, six states gave such commissions final control over redistricting: Arizona, Hawaii, Idaho, Montana, New Jersey, and Washington. Indiana is the only state in which a redistricting commission is used in case the legislative process does not get a redistricting plan approved by the courts.²⁵ Redistricting commissions are the primary reform solution for gerrymandering.

There is no national standard for redistricting commissions. They vary by state according to size, rules, method of appointing numbers, independence, amount of information they are allowed to use, and other criteria. The different rules that govern redistricting plans generate different results. Not all of these rules generate competitive elections. For this reason, it is not enough to recommend that states adopt a redistricting commission. Instead, by comparing different redistricting commissions, key attributes that generally correlate with competitive elections will be found.

In this section will examine the redistricting commissions in California, Iowa, and Indiana. These states have been chosen to represent very different types of commissions: California has the newest redistricting commission, Iowa has the most celebrated, and Indiana

has among the most passive. Comparing these three diverse commissions will reveal desirable
attributes for redistricting commissions.

Indiana

One might be surprised to learn that Indiana has a redistricting commission based on the
district map shown earlier. Indeed, Indiana does have a redistricting commission, but it is used.
According to Indiana state law, if congressional districts are not established at the first general
assembly following the census, “a five-member redistricting commission “shall be established”
within 30 days of the end of the regular legislative session.”26 In 2011, when House Democrats
walked out of the Indiana Statehouse to try to get House Republicans to back off on union and
public education bills, the commission almost went into effect. Representative Steve Stemler
said, “We’re entering into uncharted territory.”27

This redistricting commission would be made up of five members. The commission
would include “the Speaker of the House, the president pro term of the Senate, and the chairmen
of the Senate and House committees that oversee redistricting matters” alongside a fifth member
appointed by the governor.28 All five of these members would be politically connected and have a
stake in the results of the redistricting. Furthermore, the rules governing the commission make it
so that it will rarely be used. The commission’s unique power comes from the fact that the
governor is required by law to approve any plan that the commission develops. That aside, the
commission is designed to be partisan and not to challenge any power structure.

26 Hayden, Maureen. "Indiana House Walkout May Put Legislative Redistricting in Peril - Indiana Economic Digest -
27 Hayden
28 Hayden
California

California, having the newest redistricting commission, is an example of how hard it can be to institute such a commission. The film *Gerrymandering* follows Kathay Feng, the executive director of California Common Cause and her efforts to pass Proposition 11, which would give California its 14 person independent commission. This Proposition was opposed by incumbents in both parties, including the then Speaker of the House, Nancy Pelosi. Included in the film is an advertisement that spoke against Proposition 11 with the tag line “No on Prop 11: Too confusing, too complicated, and totally unfair.”\(^\text{29}\) The film focuses on the problems of gerrymandering and the struggles of instituting reform. It ends with Proposition 11 passing with 51% support. Since then, California’s districts were redrawn in April 2011 after the 2010 census.\(^\text{30}\)

California’s adoption of a redistricting commission was particularly dramatic because it previously utilized bipartisan gerrymandering. This system, using the same general tactics of partisan gerrymandering, “produces districts that are secure for one party or the other and discourages competition between the parties.”\(^\text{31}\) Parties like bipartisan redistricting because it guarantees a certain number of victories. This is a relatively common practice as it makes redistricting easier for partisans on both sides. In fact “most congressional districts (233) drawn to adjust for the 2000 Census were in bipartisan plans, up from 147 a decade earlier” with “California [accounting] for more than a fifth of these districts in bipartisan plans in 2002.”\(^\text{32}\) This quote shows that bipartisan gerrymandering is becoming more common, or, at least it was


\(^{30}\) "Gerrymandering."

\(^{31}\) Bullock Ch. 5

\(^{32}\) Bullock Ch. 5
when California was still engaging in it. While bipartisan gerrymandering reduces partisan conflict, it also intentionally reduces the competiveness of elections. Proposition 11 was advocated for and passed so that California may move away from this system.

The transition to a redistricting commission has led to an electoral environment that is more dangerous for incumbents. As described by Juliet Williams of the Sacramento Bee, “in the decade before the 2012 midterm congressional elections, only one of California’s 53 congressional seats changed party hands.”^33 In comparison, “at least five congressional districts are in play” for the 2014 elections.^34 Kim Alexander, president of the California Voter Foundation said that in 2012 “14 House incumbents were swept from office or opted against running.”^35 In addition to the independent commission, California has also adopted a “top-two primary system that allows members of the same party to advance to a general election.”^36 The net result of these changes is a much more competitive electoral environment.

The rules for California’s commission, as stated by the “Fact Sheet on Redistricting and the Citizens Redistricting Commission” on WeDrawTheLines.Ca.Gov are as follows. The California State Auditor’s office, as a non-partisan but knowledgeable entity, has the power to select the first eight members of the commission. The entire commission consists of 14 registered voters responsible for congressional and legislative redistricting. Five are Republican, five are Democrat, and four are not associated with either party. The commission is to maintain

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^34 Williams
^35 Williams
^36 Williams
transparency by holding public hearings on each of its plans. It also sends a report to the Secretary of State explaining how the commission made its decisions.37

Iowa

In Iowa’s unique system, politics are not even considered in the redistricting process. Iowa’s state code “provides that districts shall not be drawn to favor any political party, an incumbent legislator or member of Congress, or any other person or group, or for the purpose of augmenting or diluting the voting strength of a language or racial minority group.”38 Data concerning the “addresses of incumbents, the political affiliation of registered voters, previous election results, and demographic data, other than populations, not otherwise required by federal law are not to be considered or used in establishing districts.”39 Instead, maps are drawn according to four rules: population equality, contiguity, unity of counties and cities, and compactness.40 The last two of these rules are requirements Iowa has imposed on itself.

Further, the drawing of new maps is not carried out by the state legislature. Instead, the Legislature Services Agency (LSA), a “non-partisan legislative agency”41 performs this duty. Before the redistricting process itself begins, the LSA is charged with working with the Census Bureau in preparing population figures. By February 15 of any redistricting year ("each year ending in one"42), a five member Temporary Redistricting Advisory Commission (TRAC) must be assembled to guide the LSA on redistricting matters and to hold public hearings after the first

37 "Fact Sheet on Redistricting and the Citizens Redistricting Commission." Wedrawthelines.ca.gov. We Draw the Lines. Web. 9 May 2014.
38 Cook, Ed. "Legislative Guide To Redistricting in IOWA." Iowa Legislative Services Agency (2007). Web. 5 Apr. 2014. 11
39 Cook 13
40 Mann 102
41 Cook 20
42 Cook 13
plan has been submitted to the General Assembly. The Majority and Minority Floor Leaders of
the General Assembly select four of these members. The other four commission members select
the fifth member, the chairperson, via majority vote. This fifth member must be an eligible voter
in Iowa but cannot “hold a partisan political office or political party office” or be employed by or
a member of the United States Congress or the Iowa General Assembly. Overall, the
redistricting process is carried out by a non-partisan agency with the assistance of an independent
commission. This system was put in place in 1980 through unanimous vote in the state
legislature.

The LSA is to submit three plans to the legislature. These plans are put into practice by
majority vote in the legislature and being signed into law by the governor. The power of the LSA
is limited in that the legislature can make substantial changes to the LSA’s third proposed
redistricting map if the first two are rejected. One might be concerned that this check allows the
legislature to make any map it wants at the end of the process, but this has never yet occurred.

Graph 7-8: Partisan Balance of Iowa’s Previous Plan vs. Current Plan

The 2010 round of redistricting proved to be challenging in that Iowa lost a congressional seat.

Graphs 7 and 8 above, based on information from Fairvote.org, show the results of Iowa’s

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43 Cook 14
44 Mann 102
redistricting. As one can see from Graphs 7 and 8, a balanced district was lost in Iowa’s redistricting, meaning that the state became less competitive in 2010. Graph 9 below allows one to compare these results against Iowa’s statewide partisanship. Graph 9 reveals that Iowa is a very balanced state. If Iowa’s redistricting results reflected Graph 9, a Democratic district probably should have been dropped in 2010 instead of a balanced one. However, one must keep in mind that when redistricting took place, those redrawing the map did not know who was politically affiliated with each party.

*Graph 9: Iowa’s Statewide Partisanship*

This redistricting system often presents a challenge for incumbents. As described by Tracy Jan of the Boston Globe, Republican Congressman Tom Latham who has served in the House of Representatives for ten terms, found himself in trouble during Iowa’s 2010 round of redistricting. His district’s boundaries had moved in such a way that he would have to challenge another Republican Incumbent Steve King. In response, Latham moved 40 miles south to Iowa’s 3rd district to avoid this challenge. Latham won ultimately won against the incumbent Leonard Boswell, a Democrat who has served for 16 years. The election between the two was competitive: Latham won with 52% of the vote.  

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46 Jan
Despite the difficulties he faced because of Iowa’s redistricting system, Latham thinks it is ultimately beneficial for the state. He says, “The system in Iowa, while it isn’t always the greatest thing for the candidates themselves because it does cause competitive races throughout the state, at least forces everyone to actually communicate and to hear all points of view.”

Even Boswell, who lost the election, says the system “works pretty good. More states should do it.”

The merits of the Iowan system seem apparent in this election: it was competitive and the incumbent, Boswell, faced an actual challenge. Yet, it is important to note that another incumbent ultimately defeated Boswell. It is also important to note the limits of the Iowan system. Although politics may not be considered in the redistricting process, nothing about this process guarantees competitive elections or prevents incumbency advantages. In previous redistricting cycles, maps drawn by the LSA have led to large partisan gains. As Thomas Mann describes in his book, “in 1991 the democratically controlled legislature approved a plan that led to major Republican gains in the subsequent election.” This example proves that just because an independent body does the redistricting without any political information, the map may still have a partisan bent. It is unlikely that these Democrats intended for Republican gains, but because of their lack of information, it could have been easy to do so unintentionally.

Overall, Iowa’s system seems to have worked well since its implementation in 1981. Its recent 2010 redistricting process had to deal with the loss of a congressional seat and the LSA process managed it with little uproar. Other advantages include “timely completion of

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47 Jan
48 Jan
49 Mann 102
redistricting, no court challenges, mostly competitive seats, and no blatant incumbent or partisan
gerrymandering."^50

While Iowa’s system seems to be the most effective, the question is whether Iowa should be used as a model for other states. The argument against recommending Iowa’s model to other states is that Iowa is too unique. Iowa’s admirable goal of not breaking up cities and counties by districts becomes more difficult as cities become larger. Because of the relative lack of racial minorities in Iowa, the LSA does not have to concern itself so much with the Voting Rights Act.^51 Further, the close partisan balance within Iowa already sets the state up to have competitive elections. There is also the concern that a blind commission would produce undesirable outcomes unintentionally in states with more complicated geography and demographics One also wonders if other state legislatures in states that have not instituted such a commission already would show the same restraint in not changing the LSA’s third plan to suit its desires.^52 Furthermore, having commissioners be blind to political affiliation makes a trustworthy process that can bring almost any result. Therefore, while this process may work for Iowa, it is hard to recommend it for other states.

**The Seven Key Commission Attributes**

There does not yet exist a perfect commission structure that can be applied to every state. Some things tend to work better in some states than others. However, a few attributes seem universal.

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^50 Mann 102  
^51 Mann 102  
^52 Mann 102
For redistricting commissions to be effective, they should have a primary role in the redistricting process. Iowa’s and California’s districts are more competitive than Indiana because they have are given the primary ability to redistrict above the state legislature. The opposite is true in Indiana. An interesting contrast is that the state legislature in Iowa has the power to make any changes it likes to the third plan the LSA develops where the Indiana governor is required to approve whatever plan that commissions comes to. Based on this, a final check on the body that has the primary role in the redistricting process, as long as it is not abused, seems like a good idea.

For commissions to be capable of drawing maps that lead to competitive districts, they should be genuinely independent from the state legislature. In comparing the makeups of the commissions in California, Iowa, and Indiana, the more successful commissions are made up of commissioners who are not political figures themselves. Although it is used rarely, it is hard to imagine Indiana’s commission producing results that lead to competitive elections because 80% of the commission is made up of members of the state legislature. The problem is that members of a state legislature have a direct stake in the outcome of redistricting, where citizens have a much less direct stake in the outcome.

Another important attribute of commission makeup is that they should be odd numbered. Even numbered commissions can easily led to split votes, which makes resolving disputes more difficult. This is a weakness in the structure of the California commission. Furthermore, the California commission is evenly divided between Republicans and Democrats. As Brookings found, “Those with evenly divided bipartisan memberships or supermajority rules or both are
This attribute is important, and California addresses this by having four non-political affiliated members to avoid this issue. Despite this, California’s commission would likely be more effective in the future if it were made up of an odd number of commissioners like Iowa’s.

Although, Iowa’s system of blind commissioners seems largely work for Iowa, in most cases, commissions should have access to demographic information. The VRA still plays an important role in the redistricting process. Commissions in states with large minority populations cannot comply with its guidelines. Therefore, racial information should be used to make sure that even accidental racial gerrymandering does not occur.

Finally, it should be part of each commission’s mission statement to pursue competitive elections. This paper has shown that competitive elections are good for the health of a representative democracy. This step is difficult because state legislatures and members of Congress have a vested interest in not having to face competitive elections. This is why Indiana’s commission is made up mostly of members of the legislature. Iowa does not fulfill this goal either because its commission members do not have political information to work with. Therefore, any competitive district its makes is accidental. Making competitive districts requires the necessary information to know whether or not a district is competitive. If a commission makes it its goal to develop competitive districts, it will work to give itself the tools necessary to do so.

In this section, seven key attributes for redistricting commissions have been listed. Overall, commissions should have a primary role in the redistricting process, be genuinely

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53 Mann 101
independent from the state legislature, have a final check by the state legislature if given a primary role, be odd numbered, not be evenly split between Republicans and Democrats without a buffer, use demographic information when necessary, and have the direct goal of developing competitive elections. These seven attributes together should better allow redistricting commissions to help facilitate competitive elections.

**Conclusion**

In the “Gerrymandering” film, Justin Levitt of the Brennan Center for Justice makes the following statement:

> Democracy breaks down into a lot of very fundamental choices- who you’re going to allow to vote, where you’re going to allow them to vote, who you’re going to allow them to vote for, and redistricting, how you group them together in order to choose their representatives. And all of those things, we tend to think of them as somehow written in stone or somehow carved into the basis of what democracy is. But all of those things are policy choices, and all of those things can and in some cases, maybe, should be changed.\(^5^4\)

Levitt is saying that every political process in place today is a policy choice with its own set of consequences. If something exists long enough, it seems like it has always been there and feels like a piece of the very fabric of how the United States operates. The truth is that if a better policy choice exists that improves the application of the

\(^{54}\) “Gerrymandering”
fundamental ideals of democracy that the United States was built upon, efforts should be made to pursue that policy. Such is the case with redistricting reform.

The policy question in redistricting reform is figuring out who gets to decide who votes for whom. This paper answered that question by supporting redistricting commissions with specific attributes. Independent members of independent commissions do not have the same stake in the redistricting process as politicians and thus are better equipped to make choices that lead to more competitive elections. As proven previously, competitive elections are important to maximizing voter turnout and help support the idea of representative democracy. Other reform efforts, such as instituting a proportional electoral system, are unwieldy, where redistricting commissions requires advocacy in each state to form the commission that best fits that particular state.

Definite challenges exist to enacting policy change. A major problem faced by those who work for redistricting reform is that it is a subject of “cyclical interest.” As Brookings describes, “interest in the line-drawing process grows toward the end of every decade in anticipation of a new census and the reapportionment of congressional seats.” Fortunately, as was shown in California, an active citizenry can bring about this change. Keeping in mind attributes that can maximize the efficacy of redistricting commissions can guide popular movements like the one in California to bring the best result.

Political processes dictate policy outcomes. As stated by Levitt, those processes are all policy choices. Redistricting has an impact on the way elections function, who gets elected, and what policy choices are made in every other field. Every map tells a story.

\[^{55}\text{Mann 1}\]
\[^{56}\text{Mann 1}\]
Some maps tell the story of a process in which those in power get to manipulate lines to keep their power. The hope of this paper is that soon district maps will tell stories of how commission members worked to develop competitive elections. This can only be done through public support. To the readers of this paper, this author recommends that readers pay attention to the next redistricting cycle. But, above all else, vote when given the opportunity to.

**Appendix 1: Voter Turnout Model.**

In order to test whether the competiveness of elections impact voter turnout rate, I conducted a quantitative study using STATA. The goal of this project was to examine the voter turnout rates among each of the 50 United States and the District of Columbia and identify the variables that correlate with the variation among the state voter participation rates. The idea is to observe what things might cause more people to vote in different areas than others. My research hypothesis is that the varying campaign effort put forth by politicians in different states might explain the variation in voter participation rates.

**Literature Review**

Before beginning my research, I looked to current literature on the subject. Most notably, I looked at chapters seven and eight of Steven Rosenstone and John Mark Hansen’s *Mobilization, Participation, and Democracy in America* and Kay Lehman Schlozman, Sidey Verba, and Henry E. Brady’s chapter in *Civic Engagement in American Democracy* titled “Civic

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Participation and Inequality Problem." These two selections focused on the changing voting rates of different demographic groups over large periods. Their major findings were that wealth and political outreach were the primary determinants of voting rate.

Data

For my model, I used the following variables: My dependent variable was “VEP” which represents the percentage of eligible voters that voted in the 2012 general election in each state. The independent variables in my model were in five groupings: education, campaign effort, wealth, election margin, and the control variable.

I chose to limit the scope of my study to the 2012 general election. This way, everyone in all fifty states would be voting for the same presidential candidates and I would avoid potential data variation as a result of different congressional candidates.

The election margin variable represents the how competitive the election was in each state. It does this by giving the absolute value of the difference between the number of people who voted for Obama and the number of people who voted for Romney in a popular vote. Therefore, the smaller the margin variable is, the closer the election was. Although competitive elections do not necessarily have small margins, small margins often signify competitive elections.

Education variables include “HSDip,” which is the percent of individuals in each state with a high school diploma or more, and “College,” which is the percent of individuals in each state with a BA degree or more. The expectation is that states with more educated people will have greater voter turnout rates.

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Campaign effort variables include the total amount of money spent in each state for 2012 campaigns and the total number of visits presidential candidates Mitt Romney and Barack Obama made to each state. The expectation is that greater campaign effort will result in more politically engaged citizens who will vote.

Wealth variables included the percentage of people in each state that are unemployed. The expectation is that states with greater unemployment rates will have lower voter turnout rates. I also tried using Income per Capita as a variable, but it hurt my overall model.

The control variable I used was population density per square mile. The idea here was to make sure that physical differences in each state were not the cause of variation in voter turnout. There still may be some variation caused by differences between states, but the fact that population density per square mile is insignificant signals that the individual states are comparable.

**Statistical Analysis**

After trying linear, polynomial, and lin-log models I chose the log-log model as being best suited for my data. The regression results for my variables are in Table 1 below. The equation I ultimately used was: \( \ln(y) = \beta + \ln(X_1) + \ln(X_2) + \ldots + \ln(X_n) \)

Overall, the model’s R2 = .5672, which is good for a model in this field. The variables that are significant at \( \alpha = .1 \) are HSDip, College, and Margin. As expected, voter participation rate increases as education level increases. It is interesting that there is an almost unitary relationship between VEP and HSDip. It is also interesting that the coefficient for Total Spending is negative. Perhaps campaign spending is not as effective as politicians think.
Table 1: STATA Regression Results

|                     | Coefficient | Std. Error | P>|t| |
|---------------------|-------------|------------|-----|
| Total Spending      | -.1361      | .0109      | .218|
| Campaign Visits     | .0074       | .0151      | .626|
| HSDip               | 1.1388      | .4345      | .012|
| College             | .1598       | .0881      | .077|
| Unemployment        | .0371       | .0562      | .513|
| Margin              | -.067       | .01969     | .001|
| Constant            | -1.211      | 1.8628     | .519|

Margin is the most significant variable in the model. Its coefficient reveals that for every unit increase in the margin, VEP decreases. This means that voter turnout is greatest when the margin is very small. This is not a perfect variable to measure this, but one expects that it means that people are more likely to vote when people think the election is going to be close. They probably think that their vote means more when the expected margin is low, which makes voting more important. As a result, there is a correlation in this model between competitiveness and voter participation.

I ran a series of tests to make sure the model is BLUE. Based on those tests, it seems that my model has no omitted variables, multicollinearity, and heteroscedasticity.
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