

Redistricting is the process by which the boundaries of each state's legislative and congressional districts are redrawn decennially to reflect shifts in population. It effects the supply of voters, who participates, the level of competition, and ultimately whose issues get represented. Political gerrymandering is manipulating these districts in favor of one political party over another¹. In 2018, a federal court struck down North Carolina's congressional districts as unconstitutional because Republicans were seeking political advantage². Federal courts have also ruled against Republicans in Wisconsin and Democrats in Maryland for invidious political gerrymandering.

Racial gerrymandering is manipulating districts to increase or reduce the representation of a minority population³. Racially gerrymandered, Majority Minority Districts, came to be with the passage of the Voting Rights Act of 1965⁴. The Supreme Court's invalidation of Section 5 or the preclearance provision of the Voting Rights Act which forced all 'bad actors' to submit redistricting plans to the Department of Justice for review has eliminated an important tool in ensuring descriptive representation⁵. Descriptive representation is associated with more substantive representation and greater policy responsiveness⁶. It is intended to ensure blacks have access to the distribution system and has been shown to have positive effects on black turnout⁷. This is important because even with preclearance 41 percent of blacks vote for losing

¹ Cox, G. W., & Katz, J. N. (2002). *Elbridge gerry's salamander: The electoral consequences of the reapportionment revolution* Cambridge University Press.

² <https://www.nytimes.com/2018/01/09/us/north-carolina-gerrymander.html>

³ Swain, C. M. (1995). *Black faces, black interests : The representation of african americans in congress* Cambridge, Mass. : Harvard University Press, 1995; Enl. ed., 1st Harvard University Press pbk. ed. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&db=cat00456a&AN=ua.829367&site=eds-live&scope=site>

⁴ (Act, 1967) Majority Minority Districts (MMD)

⁵ Shelby county, ala. v. holder. (2013). *S.Ct.*, 133(No. 12-96), 2612. , Hajnal, Z., Lajevardi, N., & Nielson, L. (2017). Voter identification laws and the suppression of minority votes. *The Journal of Politics*, 79(2), 000-000.

⁶ (Juenke & Preuhs, 2012, Minta, 2009, Preuhs, 2006).

⁷ Bhatti, Y., & Hansen, K. M. (2016). The effect of residential concentration on voter turnout among ethnic minorities. *International Migration Review*, 50(4), 977-1004. doi:10.1111/imre.12187, Clark, C. J. (2014). Collective descriptive representation and black voter mobilization in 2008. *Political Behavior*, 36(2), 315-333. , Dawson, M. C. (1995). *Behind the mule: Race and class in african-american politics* Princeton University Press.,

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candidates in local, state, and federal elections⁸. Some scholars disagree suggesting black turnout is correlated with the size of the black population within a district and not descriptive representation⁹.

Majority Minority Districts are unique in that both political parties manipulate the black population within to their political advantage¹⁰. Based on the assumption that blacks, like other groups, want and are entitled to responsive and not necessarily descriptive representation, political scientist should take a second look at the externalities surrounding racial gerrymandering. A large number of black districts are packed well beyond what is needed to elect a black representative¹¹. Some scholars have suggested that black districts need only be packed to a maximum of 47 percent black voting age population to ensure descriptive representation¹². Assuming that responsive representation is the goal, if an over-packed district is divided correctly one district could ensure descriptive representation (47-50) and a second district, now with a significant black voting bloc (25-30), would force elected officials to be more responsive. Therefore increasing overall representation.

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⁸ Shah, P. R., Marschall, M. J., & Ruhil, A. V. (2013). Are we there yet? the voting rights act and black representation on city councils, 1981–2006. *The Journal of Politics*, 75(4), 993-1008.

⁹ Fraga, B. L. (2016). Redistricting and the causal impact of race on voter turnout. *The Journal of Politics*, 78(1), 19-34. doi:10.1086/683601

¹⁰ Petrocik, J. R., & Desposato, S. W. (1998). The partisan consequences of majority-minority redistricting in the south, 1992 and 1994. *The Journal of Politics*, 60(03), 613-633. , Shotts, K. W. (2001). The effect of majority-minority mandates on partisan gerrymandering. *American Journal of Political Science*, 120-135.

¹¹ Swain, C. M. (1993). *Black faces, black interests: The representation of african americans in congress* Harvard University Press Cambridge, MA., Swain, C. M. (1995). *Black faces, black interests : The representation of african americans in congress* Cambridge, Mass. : Harvard University Press, 1995; Enl. ed., 1st Harvard University Press pbk. ed. Retrieved from

<http://search.ebscohost.com/login.aspx?direct=true&db=cat00456a&AN=ua.829367&site=eds-live&scope=site>

¹² Cameron, C., Epstein, D., & O'Halloran, S. (1996). Do majority-minority districts maximize substantive black representation in congress? *The American Political Science Review*, 90(4), 794-812. Retrieved from

<http://www.jstor.org/stable/2945843>, Lublin, D. (1999). Racial redistricting and african-american representation: A critique of “do majority-minority districts maximize substantive black representation in congress?”. *American Political Science Review*, 93(01), 183-186.

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In Alabama, black districts, have been used to box-out white Democrats and reduce black representation. More Democrats cast ballots for Doug Jones in Alabama's U.S. Senate election, than there are people in Terri Sewell's Congressional District¹³. Over half a million whites voted Democrat in the special election yet white Democrats are 0.05 percent of the Alabama legislature¹⁴. Blacks, roughly 30 percent of the population, represent 14 percent of the congressional delegation and 23 percent of the state legislature¹⁵. The data shows redistricting has major implications for representative democracy and that in some states there is no difference between partisan and racial gerrymandering.

¹³ <https://sewell.house.gov/meet-terri/district> https://www.washingtonpost.com/special-election-results/alabama/?utm_term=.55c64de88a97

¹⁴ <http://www.legislature.state.al.us/aliswww/default.aspx>; https://www.washingtonpost.com/special-election-results/alabama/?utm_term=.c2043c151272

¹⁵ <http://www.legislature.state.al.us/aliswww/default.aspx>