



P E R S P E C T I V E S



by **Rinaldo S. Brutoco**

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Escaping Minority Rule – Ending Gerrymandering *Gaining Control Over Self-Perpetuating Politicians*

One hundred and thirty-nine members of the US House of Representatives voted, after the insurrection (which sacked the Capitol building and took five lives), to support the mob's demands to overturn the results of the recent presidential election. An election found, after sixty meritless legal challenges, to have been a free and fair exercise in democracy.

Seriously? How could these members of Congress do something so damaging to our democratic institutions without fearing the reprisal of the voters "back home"? How could they be so bold as to put their own individual political obeisance to Donald Trump in front of their sworn duty to uphold the US Constitution? After all, according to every founding document of this democratic republic, the People were to be sovereign—not a mad king like George III. The People were to pick who was elected, rather than have elected officials pick who the people could vote for. So, how has that worked out?

What will happen when those one hundred and thirty-nine renegade representatives stand for re-election in two years when the whole world knows that they engaged in an insurrection against our political system? Probably the vast majority will get re-elected! Why? Because they mostly come from gerrymandered districts that were designed to re-elect a Republican no matter what heinous crime they committed (and the same is true for Democrats who reside in gerrymandered districts). Instead of the voters choosing their elected leaders, it is the elected leaders in those gerrymandered districts who determine the most weight for their ballot! That's crazy, and totally unacceptable because it is yet another way that a minority of votes can create a disproportionate number of electoral wins.

Wisconsin is a shining example of how gerrymandering robs the voters of the right to elect the politicians they want. In 2018 Democrats won a significant majority of votes, and swept all statewide offices, yet the Republican state-house delegation was only reduced by one seat, from 64 to 63 of 99 in total. That means, though losing the entire election statewide, Republicans retained more than two-thirds of the state-house seats through their carefully drawn districts. The 2020 election, now being reviewed in the courts, produced a similarly lopsided result which will

continue Republican dominance of the state even while Republicans are receiving dramatically fewer votes than the Democrats who control all statewide offices. They are effectively handcuffed from running the state by a minority Republican party that blocks all reasonable attempts at governance.

Let's look at history to understand gerrymandering.

Elbridge Gerry, one of the signers of the Declaration of Independence, created what we now call "gerrymandering". Although Governor of Massachusetts for only two years (1810-1812), his lasting "gift" to American politics was the way he intentionally drew a redistricting plan for his state senate that gave his political party a disproportionate control of statehouse votes. Thanks Governor Gerry!

The literal definition of gerrymandering is to "manipulate the boundaries of an electoral constituency so as to favor one party or class," and the effect is that one political party can solidify its power in a region despite the will of the majority of voters. This is frequently done to disenfranchise Black voters by drawing absurdly irrational lines around full, or even partial, blocks of homes. Consequently, the vast majority of Black voters end up in districts that are very heavily Black, thereby limiting the ability of those Black votes to be scattered rationally amongst several different, more rationally drawn, district boundaries. By concentrating Black votes in this example, or known Democrat votes in Wisconsin, the result is the same: Minority Rule.

With the exception of six states (Arizona, California, Colorado, Idaho, Michigan and Washington), every other state permits district boundaries to be drawn by the very same politicians who seek to retain improper minority control.

Looking at California's direct experiences is helpful. In that state the elected politicians of both parties blocked legislation that would have created a neutral citizen panel to draw up redistricting boundaries after each ten-year census. You see the Republicans and the Democrats enjoy their shared political oligopoly. They wanted to do the "horse trading" just between themselves so they could ensure their respective parties would retain the maximum amount of power regardless of how crazy the district boundaries became.

Fortunately, because California has an actively utilized Petition and Referendum process, the citizens were able to bypass their political representatives and passed the Voters FIRST Act as Proposition 11 on the 2008 General Election ballot. Californians had to literally force their legislators to stop rigging the district lines for political purposes and use sensible geographic criteria instead. From the website established by the Citizens Redistrict Commission, we find this description of its job:

“The Commission must draw the district lines in conformity with strict, nonpartisan rules designed to create districts of relatively equal population that will provide fair representation for all Californians. The Commission must hold public hearings and accept public comment. After hearing from the public and drawing the maps for the House of Representatives districts, 40 Senate districts, 80 Assembly districts, and four Board of Equalization districts, the Commission must vote on the new maps to be used for the next decade.”

When you stop and think about it, we weren't supposed to have a permanent political class composed of people who had never worked as a farmer, merchant or other participant in the general society. The idea was that average citizens would leave their normal occupation for a limited time, serve in public office, and then “go back to their plows.” Minority Rule, reinforced with the power to gerrymander, created the self-perpetuating political class.

It is no wonder that neither the Democrats nor the Republicans want to give up the enormous power this has given them—including the power to keep those two political parties forever in power regardless of the shrinking percentage of people who identify with either one! That's right, a December 17, 2020 Gallup poll revealed that a total of only 56 percent of voters identified as belonging to either party and showed that the number is declining annually. Yet these two parties share virtually unrestricted control of the nation.

When you realize how gerrymandering enshrines so much power to a minority, for example the 435 congresspeople, you can understand how they get a 90 percent re-election rating even when the Congress itself has abysmally low approval rankings. Clearly, this gerrymandering “must go” so we can Escape Minority Rule.