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## **An effective Method to Steal an Election Political Gerrymandering an Unconstitutional Practice yet a Legal One**

*A Dissertation Submitted to the Department of Foreign Languages in Partial Fulfillment of  
the Requirements for the Master Degree in Civilization and Literature option*

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## **Dedication**

*I dedicate this work to Turqui Mohammed Amine.*

## **Declaration**

I, undersigned, do hereby declare that this dissertation entitled “**an Effective Method to Steal an Election Political Gerrymandering an Unconstitutional Practice Yet a Legal One**”

has been carried by me as partial part in the fulfillment of Master degree in English Literature and Civilization under the guidance of my supervisor Mrs. Zerigui Naima, Faculty of Letters and Languages, English Language Division, Mohamed KHIDER University of BISKRA, ALGERIA.

I further declare that the findings of this work are a result of my own readings and understanding of the original works. Also, I declare that this work is not published anywhere in any form.

*Turqui Mohammed Amine.*

## **Acknowledgments**

All my praise and gratitude are to ALLAH the ALMIGHTY,

Who has guided me to this achievement

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## **Abstract**

The results of the elections in the US can be controlled and guided by Gerrymandering which is the drawing of electoral districts to favor a certain political party or group. Democrats and republicans constantly compete for the chance of drawing district lines. Gerrymandering (Partism) is highly contradictory to the sovereignty of democracy; however, it is looked at as a small political issue. The Gerrymander gets the ability to control the congress which is the most important branch of the government. Political parties have committed acts of Gerrymandering from the beginning of the American republic.

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## **General introduction**

The United States has a complex and well-structured political system. It runs according to its constitution established in 1789. It imposes democracy justice honesty and freedom and opposes corruption and the abuse of power. The checks and balances principle are a good example of how the constitution guarantees that all branches of the government have equal status and none can overlap the other. The result of such a political system should be a strong established democracy where all people have a voice, and can participate in a fair and clean elections however that is not the case.

The American people belong to different ethnicities and have different political identities, nevertheless there are only two main political parties in the United States the republican party and the democratic party. Elections in North America are held at all levels the federal the state and the local. On the federal level people vote indirectly in a process called Electoral College, and in the state level elections determine how many seats each district get in the state senate. Political parties can manipulate the elections results during the process of redistricting by redrawing the district boundaries to favor a certain party. This practice is referred to as Gerrymandering.

Gerrymandering has many techniques and several types. This research will focus on Political Gerrymandering its historical origin and the legal position and development of this practice. This research will also highlight the unconstitutional nature of Gerrymandering.

Gerrymandering in America: The House of Representatives, the supreme Court, and the Future of the Popular Sovereignty 2016 by Anthony J. McGann and Charles Anthony Smith, this

book is very insightful it tackles the causes and outcomes of Gerrymandering also known as Partisan. Smith and Lanter include in their book that the Supreme Court decision in the controversial case *Veith v. Jubeliner* 2004 made the possibility of any limitation on partisan (Gerrymandering) highly unlikely. The two authors point out that the practice has increased dramatically in the 2010 as a result of the *Veith* decision. *Gerrymandering: A Guide to Congressional Redistricting, Dark Money, and the U.S. Supreme Court* 2018 by Franklin L. Kury. The author predicts that the partisan will not stop because of the legislative body itself. Kury goes over the concept of Dark Money which according to him is a large payment taken by the politicians in power to redraw the borders of the districts in a way that serves the interests of the people behind the scenes.

The present research investigates the negative and unconstitutional effects of Gerrymandering on congressional elections. It analyses the United States Supreme Court redistricting cases in order to explore and highlight the contradictions in the judgments regarding the issue. This proposed research aims to check whether the abolishment of Gerrymandering is a possible outcome. What is Gerrymandering and how does it take place? What are the types of Gerrymandering and what is the difference between them? What is the Supreme Court verdict on Gerrymandering and on what bases? Is the abolishment of Gerrymandering possible?

The purpose of this academic research study is to put doubt on the idea that the United States has a perfect political system that does not tolerate corruption. It also aims to deliver to academic community an authentic look at the manipulating deception and trickery that takes place in the self-proclaimed most powerful country in the world. The research seeks to prove that elections in North America are not all honest and fair, despite that fact the legislative and judicial does little

to limit the non-constitutional practices thus system is flawed in which self-interest and power is the main objective of the political parties.

The eclectic approach is the most appropriate to the nature of the research because several approaches are adopted including the historical that will be convenient to trace back the historical origin of political Gerrymandering with the constructivist approach and the qualitative approach. It relies on critical analysis of primary sources. Thus, the existing relevant literature and the legal statements are thoroughly analyzed to formulate new ideas and proposed. The study is based on looking for the available researches overtaken by critics and political scientists on this phenomenon, political Gerrymandering and its impact on elections results (election theft).

## **Chapter One: Gerrymandering the Perfect Tool for Vote Suppression**

### **Introduction**

Gerrymandering or partisan is not a newly created phenomenon, yet the average every day citizen ignores how it works, what is its full impact on the election process. Gerrymandering is a complex and a tricky practice because the corrupt politicians that carry out this policy attempt to hide and justify their decisions.

Political crimes like treason, theft, bribery, human rights violations are commonly found in third world countries Gerrymandering however is a political violation that breaks that tradition. Many powerful countries such as Canada, France Germany, Spain and The United Kingdom face the issue of political partisan and struggle to limit its influence.

Gerrymandering is a worldwide political dilemma it can be found in all counties and at any level. In this chapter however we will investigate the issue in The United States of America on the level of state congress elections. Freedom liberty and fair representation to all the people is the foundation of The American political system gerrymandering significantly threatens that very foundation thus partisan in The United States is a substantial problem.

In this chapter the research highlights the process of redistricting moreover it will present a well- established definition of the Gerrymandering issue. It will also go through its origin and present a historical overview by taking a close look at the most famous case of political partisan. Besides that, the chapter will include Gerrymandering types and strategies along with its negative impact on the sovereignty of democracy.

## **1. Definition of Redistricting**

Gerrymandering is a political violation that takes place during a process could Redistricting, in order to understand Gerrymandering, one must first be familiar with the process of redistricting. The United States is a large country with a fast constant growing population. It adopts the federal government, which means that power and authority are divided between the central government and the local government. Thus, one can find a national congress and a state congress.

America is also divided into fifty states each state has its own constitution and legislative body (congress). All fifty states are divided into multiple electoral districts. Each district must be represented in the state congress. Many elections are held on the level of the districts. Elections for federal legislator's state legislators and most local legislators.

The question of how to draw district lines was not given a high regard by the American government. During the 1960s electoral districts were given the same lines as the cities and the state congress had the same principle of representation as the national congress which was one representative for each state. For example, in the state of California the district of Lost Angeles had the same representation as the district of San Francisco.

A case was made that this situation was not fair, because Los Angeles had much more development and population growth then San Francisco. It had 422 times as many people as San Francisco. In other words, a citizen from Son Francisco was represented 422 times more than a citizen from Los Angeles Thus a change was necessary. In the mid-1960s, the Supreme Court decided that the size and lines of the districts must match their population development. Therefore, district boundaries would have to be regularly readjusted to parallel the new population information. A result of the supreme court decision now at the beginning of every

decade a census occurs to gather all the new data and according to that, district boundaries have to be redrawn. This process is known as Redistricting. After the process of redistricting each district elects its representatives. The number of representatives each district gets is according to the population. More people equal more representation.

## **2. Definition of Gerrymandering**

Gerrymandering occurs when redistricting is done to favor a certain race or political party over the other. One can say that there is a case of Gerrymandering when the new lines give an unfair advantage to a political or racial party over the other. In a simple word Gerrymandering is cheating. Elections gives the people the ability to freely and willingly chose their leaders Gerrymandering on the other hand gives the politicians the ability to choose their voters. Practically gerrymandering is redistricting with a personal agenda.

The researcher asserts that recognizing a partisan district map is unchallenging due to the criteria that must be found in a legitimate map. There are many principles that the mapmaker has to respect and they differ and vary from one state to the other. Therefore, the researcher will mention only the common criteria among most states. The first is **Compactness**: having the least space between the parts of a constituency. For example, a square makes a very compact district. Another condition or criteria is **Contiguity**: all the parts of the district must all be connected together. A crucial one is **Competitiveness**: districts having relatively even partisan balance therefore making the competition between the two major parties more intense. The main goal of this criterion is to avoid the creation of “safe” districts for a certain party or group. Peter Alexander Beinart is an American author and a political commentator he is also a journalist for the prestigious newspaper The New York Times. He talked about the legitimacy of the 2000 redistricting process he said the following “Bipartisan gerrymandering following the 2000

reapportionment produced hundreds of safe Democratic seats, hundreds of safe Republican seats, and not much else.” (Peter Alexander Beinart)

One can comprehend from the quote that the legislative body has used political partisan to safeguard the party interest and power; thus, it is safe to say that the competitiveness principle was violated in the 2000 mapmaking resulting on a compromised electoral district where an honest and fair election is very unlikely.

Moreover, its contended that Preservation of countries and other political subdivisions: this condition prohibits crossing county, city or town boundaries when drawing and designing the district maps. The next one is the preservation of communities of interest: Geographical areas, such as neighborhoods of a city or region where the people have a common political interest. Now these communities might not belong to a certain city but still it is not allowed for the district boundaries to cross or separate them. Preservation of a cores of prior districts: This refers to maintaining districts as previously drawn, to the extent possible. This leads to continuity of representation. Avoiding pairing incumbents, this refers to avoiding districts that are likely to cause contests between incumbents. Prohibition on favoring or disfavoring an incumbent candidate or party: The prohibition in a given state may be broader, covering any person or group, or it may be limited to intentionally or unduly favoring a person or a group. Prohibition on using partisan data: Line drawers, whether they be commissioners or a nonpartisan staff or legislators, are prohibited from using incumbent residence election results party registration or other socio-economic data as input when redrawing districts.

A Gerrymandered district map looks highly strange and unconventional. It does not contain most of the required criteria. Some of the rigged maps have the appearance of certain animals, such as cats and bears, while others look shapeless and tangled. Carl Hiaasen is an American

journalist and novelist the subjects of his books include political corruption and political fraud. “To an untrained eye, the proposed boundaries look like the etchings of a mapmaker on heavy pharmaceuticals. In reality, it’s a masterpiece of diabolical gerrymandering” (Carl Hiaasen)

One can say that Carl Hiaasen in the previous quote wanted to highlight the contradiction between what is the appearance and what is reality. The rigged maps do look like they were drawn randomly. Hiaasen even doubts the cognitive abilities of the map maker by hinting that an intoxicated individual might have designed better boundaries. On the other hand Hiaasen clarifies that a partisan map is a complex and well thought out task done with the out most focus and dedication. He describes it as diabolical which means done by the devil himself and that comparison puts gerrymandering politicians at the same rank of devils due to their hypocrisy and selfish nature.

It seems that the peculiar form of the new lines is the result of the complete disregard of the Redistricting rules, because the goal is not to deliver a well- established map the true objective is to safeguard all personal interests of the party or group at any cost.

### **3.The Historical origin of Gerrymandering**

Politicians drawing district lines to favor their own party and to grow and build up their power and authority is an old activity that started with the rise of the American republic itself. It has been in the country from the beginning and it is still going. Currently one can see it in Ohio and Pennsylvania where they have districts that resemble a huge see monster. Compromised redistricting started a long time ago but it was not called gerrymandering until 1812.

Elbridge Gerry was one of the founding fathers of the America today. He signed the Declaration of Independence. Gerry also contributed in writing the Constitution. He was a



congressman, the American diplomat in France and at his highest position he was the fifth vice-president of the United States. He was a close friend and confidant to the president John Adams.

Gerry was a strange person he faced difficulties in public speaking he was awkward yet intelligent. Gerry was a deep thinker. He was born in a town called Marblehead in Massachusetts. He was elected in to congress in 1775, with his strong character Gerry encouraged his fellow congressman to declare independence from Great Britain. In July 1776 President John Adams said “If every Man here was a Gerry the Liberties of America would be safe against the gates of Earth and Hell”.

Gerry was a hard worker a gentleman and a very cautious men but he had outdated and limited political views that affected his personality and clouded his judgment. This was a flaw that John Adams spoke about “he had an obstinacy that will risk great things to secure small ones.” Gerry political views were not practical. He was arguing for less democracy in the new government. He was also against the direct elections of congressman. The idea of a central government did not seem optimal for Gerry he argued that it will be too powerful.

Elbridge Gerry was a leading anti-federalist congressman from 1789 to 1793. In 1798 he became the American diplomat in France. After all those contributions Gerry retired but not for long. In 1810 he came back to lead the Massachusetts Democratic-Republican party in the gubernatorial elections. Essentially Gerry refused the idea of joining a political party but he was strongly against the Federalist Party and its political plans for the country. The federalist party at the time called for a strong central government. As republican Gerry wanted to impose limitations on the national government and grant more freedom and power to the state government. The second point that Gerry opposed is that the Federalist Party argued that the foreign policy of the country should focus on Great Britain as a main ally. Gerry thought that the

Federalist Party wanted the return of the British monarchy. The democratic Republican Party on the other hand strived for less centralization, and a close foreign relation with France. So, Gerry came out of retirement and took the leadership of the Democratic-Republican Party because he wanted to beat the federalists and keep them out of congress.

Gerry became governor to have the power to stop what he called the federalist conspiracy to destroy the American republic. In 1810 international relations between Great Britain and the United States were terrible to the extent that President James Madison believed that war might be the only outcome. The Federalist political party did not share President Madison's point of view and criticized him and doubted his decision-making ability when it comes to foreign policy. Gerry saw those federalist protests as confirmation of his conspiracy theory. He believed that their actions are almost considered high treason. Gerry laid off all federalists from their state government jobs and replaced them with Democratic-Republicans. He stopped all the federalist papers from printing any more objections about the president.

At the time the legislature (congress) was under the control of the Democratic-Republicans so they redrew the state's Senate districts in a way that serves their party. The new Senate map had an unnatural shape the federalists refused the new lines and called them "carvings and manglings". Gerry signed the redistricting bill on February 1812. The federalist saw the bill as another strike against them they considered Gerry a corrupt partisan politician. They responded with a satire that shamed Gerry's name forever. According to an 1892 article by the historian John Ward Dean the term gerrymandering was created in a federalist gathering where the topic of the new hated map was mentioned. Illustrator Elkanah Tisdale drew the district map as a monster with the wings of a dragon and a long neck the creature also had claws and a long neck. It looked like a Salamander Richard Alsop, he a popular poet, commented that the creature was a "Gerry-

Mander". A newspaper called The Boston Gazette published Tisdale's drawing on March 26, 1812 with the headline "The Gerry-Mander". The satire said that this creature was born from the extreme heat of partisan anger and Democratic vengeance.

The fact that the new boundaries were an act of political partisan was undeniable the Boston Gazette was a popular newspaper and it pushed away many people (voters) from Gerry. His public image was damaged people thought that he violated their trust when they elected him govnor.



**The satire drawing of the partisan district boundaries**

The new district boundaries were very effective they granted the Democratic-Republic Party the majority in the state Senate despite the fact that the federalists got more votes statewide.

Although his party won Gerry lost his position as governor to the federalist Caleb Strong. The

president James Madison made Albridge Gerry the vice-president because of his loyalty and dedication to the Democratic Republican Party. After Gerry's death in 1814 the word Gerrymandering became an official term for partisan warfare. Despite all what he accomplished to county Albrege Gerry will always be remembered for his greatest mistake.

#### **4. Gerrymandering strategies**

Gerrymandering is drawing district maps in a way that gives you advantage in the elections. In each state one can find that the people have different political preferences. The most important thing for the map makers is to gain as many states congress seats as possible even if that contradicts the result votes statewide. In order to reach their partisan goals corrupt mapmakers mainly use tow strategies Packing and Cracking.

##### **4.1. Packing**

is a process in which the mapmaker concentrates a certain group of people in a few electoral districts only. Stuffing voters in one district will limit their power and influence on other districts. Also, if the voters are only found in one district that means limited representation, which serves the agenda of the mapmaker. The name of this method of gerrymandering is very appropriate because it matches the nature of the process. The verb to pack means fill, to load up or to cram, and that is exactly what the new boundaries do to the voting population.

One must mention the majority minority district law. A majority minority district is a district in which a racial minority, like the African Americans or the Latinos, comprise the majority of the population. The voting rights act mandates that no "standard, practice, or procedure shall be imposed or applied by any state or political subdivision to deny or abridge the right of any citizen of the united State to vote on account of race or color." That mandate forces the federal law to guarantee that majority-minority district lines do not dilute and scatter the minorities.

concentrating a minority population in one district is not necessarily a case of gerrymandering. Each minority must be represented in the state congress. Thus, oftentimes district lines are drawn in a manner that clusters minorities to give them a fair chance to have the right representative. Concentrating minorities to create a competitive election is a federal law, over concentrating minorities to restrict their power is unconstitutional. "...it calculates the impact of the two mechanisms that create gerrymandering. The first of these "packing" which means one side's votes have been over concentrated so they win by huge margins in a small number of districts (creating a surplus of voters)" G. Terry Madonna and Michael young. The second gerrymandering technique or strategy is cracking.

#### **4.2. Cracking**

It is the exact opposite of packing. Cracking is the practice in which election district are drawn in a manner that spreads and dilutes the voters of the opposite team among multiple districts to dilute the power of their votes. When there is a high number of people that have the same political identity and preference and are likely going the vote for the same candidate those people are referred to as a Voting Block. A voting block is a very important element it can influence the election process drastically. Therefore, the partisan mapmakers use cracking to weaken the Voting Block. In some sever cases the Voting Block got completely dismantled.

#### **5. Types of Gerrymandering**

State legislative bodies use their power of drawing congress districts to select their voters basted on many factors such race language and political preference. Thus, gerrymandering is categorized according to the reasons behind the new lines.

### **5.1. Racial Gerrymandering**

It is the practice when electoral congressional lines are drawn based on race. The action of cracking or packing a racial minority is considered a case of racial gerrymandering. Race has been a serious issue in America from the time of its foundation. Racial gerrymandering is a form of voter suppression which was prohibited by the constitution. It is found in states like New York and Miami, but it mainly appears at the American south. States such as North Carolina, Virginia, and Texas can probably be described as dominant white communities. Therefore, there are only a few who object to the rigged maps and the corrupt map makers.

### **5.2. Partisan Gerrymandering**

Electoral districts are not politically natural, political parties which control the state legislatures want to improve their position so they redraw the district lines to maximize the number of seats they can win. They suppress the votes of the rival party. They reach their goal by concentrating the voters of the opposing party in fewer districts so that they win by a vote surplus thus “wasting” their votes. The controlling party on the other hand tries to create a majority in as many districts as possible. That will grant them additional congressional seats. (Jacobson and Carson p32)

### **5.3. Bipartisan Gerrymandering**

Bipartisan Gerrymandering also known as Incumbent Protection has a different goal than the other two types. Its role is to favor the incumbents, the current holders of the congressional seats, of both parties. As a result of bipartisan Gerrymandering the new electoral district lines will stay the same as it was before the redistricting. Bipartisan gerrymandering damages the competition between the two parties by giving them safe seats. (Jacobson and Carson p38)

Bipartisan gerrymandering protects the incumbent that seek reelection. The Republican Party and the Democratic Party are often too competitive and have an unstable relationship nevertheless, when it comes to incumbent protection, they are open to negotiate collaborate to come to a common ground and keep the congressional incumbent unchallenged for a certain election. (Bickerstaff p16)

**Conclusion**

Gerrymandering is a serious issue that faces the American democracy and threatens its sovereignty. The most dangerous part about the issue is its consistency. Political Parties have been redistricting to serve their agenda from the beginning and it seems to happen more and more often. Political scientists call gerrymandering a traditional practice. It would appear that the fight against this unconstitutional violation became an unreachable goal and instead are learning to live with it. The sad truth is that gerrymandering is not just used to keep a one or two congressional seat it can grant you the control over the whole government with all its institution for a decade.



## **Chapter Two: The United States Electoral System**

### **Introduction**

The United States was once a small, submissive thirteen colonies under the control of the British crown. Under which Americans suffered unfair treatment like taxation without representation and different abusive policies. Eventually the American people lead by the founding fathers' revolt and fight for a better life. Where all people are treated equally after the war America wins its independence and builds a government that saves the morals of freedom and democracy as its main principle. The founding fathers wanted to establish a democracy like no other. So, they made a government and a constitution that employed Elections in every possible stage. They thought that the American people must be well represented and constantly involved in the political process. This chapter will look into the federal system of government that the US adopted. It will investigate its institutions. Furthermore, the chapter will investigate the electoral system and all its elements.

## 1. The Federal system in the US

The American government is divided into three branches. The executive branch, it is responsible for the decision-making process. The legislative branch one of its main roles is making laws and the judicial branch it implements and enforces the laws. The US constitution grants power to the president, Congress and the federal courts to lead and rule the country accordingly. (Government)

The federal political system is very complex it contains multiple institutions and operatives. The most important ones are the president the House of Representatives and the Senate. All of the previous political bodies are chosen by way of elections. (Government) In a democratic regime like that of the US elections are a way for all people to control their fate and the fate of their country. They represent an equal opportunity to all people to have their voice heard and to contribute in shaping the future.

Many aspects make the American electoral system special. One is how frequent the elections are held. There are presidential elections every four years, congressional elections every two years for all the members of the house and only a third of the senators, in addition to the state level elections and the ballots casted in referendums. One might say that the American people vote every year. Another unique characteristic of the US electoral system is the process of elections itself. In the federal presidential elections, unlike other electoral regimes, the US does not have one committee to decide the outcome of the whole presidential race instead they have fifty, one in every state. Moreover, all the American elections are held on the same day. In 1845 it was decided that the first Tuesday after the first Monday in November will always be the presidential election day, and it has been so ever since. (E. Hall p7)

## **2. Major political parties in the US**

The US has a Two-Party System and that basically means only two political parties, the Democrats and the Republicans the dominant forces without any formidable competition or rivals. But in order to truly grasp the American political situation one must first know what a political party really is. A political party is an organization that chooses candidates to run for government positions like the presidency and the vice presidency. The candidate is obliged to represent the ideologies and ideas of his political party when he is in office (Cavalli109). So, a political party is a strong influential group of people. They share the same political identity and they have similar goals and views. Political parties possess great financial resources, which they use to select and recruit candidates and future politicians. Then the candidate who wins the seat is put in a position of power and authority thus his political party can pouch their agenda on the whole country.

### **2.1. The Democratic Party**

The modern Democratic Party is the oldest political party in the nation. The party's leadership are referred to as The Democratic National Committee (DNC). Some of the tasks and responsibilities performed by the (DNC) include overseeing the process of writing and promoting the party's platform every four years. They also lead all the party's political activities such as campaign and fundraising, in addition to coming up with election strategies. When it comes to the American political spectrum the Democratic Party belongs to the liberal left. The Party stands with and calls for more national government promotion of social and economic welfare.

The Democratic Party share the same historical origin as its rival The Republican Party. The two parties originated from The Democratic-Republican Party founded in 1792. The first democratic-republican president was Thomas Jefferson. After the war of 1824 the Federalist Party, the political rival of the democratic-republican party at the time, was free falling and eventually broke up. Due to that event the Democratic-Republican Party singly controlled and ruled the country. In 1824 The Democratic-Republican Party separated and broke up because two of its members, John Adams and Andrew Jackson, run against each other in the presidential elections. After the separation the two sides formed the major political parties known today the Democratic Party and the republican party (Democratic).

The official symbol of the Democratic Party is the donkey. The party is also linked with the color blue. (Elizabeth nix) Some of the democratic us presidents are Andrew Jackson, Thomas Jefferson, John F. Kennedy Bill Clinton Barack Obama and the current president Joe Biden.

## **2.2. The Republican Party**

The Republican Party also known as the Grand Old Party or just GOP was founded in 1854 to stand against the extension of slavery to the newly discovered western territory. The Republicans fought to bring an end to slavery and give the African Americans a better life. Even after the civil war ended the party's fight continued. The GOP Strived to grant the African Americans all their lost civil rights. Currently The Republican Party belongs to the socially conservative left on the political spectrum. The main Republican views favor and seek a smaller government with less regulation. They also aim at lower taxes and less federal intervention in economic matters. The symbol of the Republican Party is the elephant and the color Red is its official color. (Republican section1)

Back in 1854 the government was about to pass the Kansas-Nebraska act. an act that would allow slavery in the American west. Many people and political character opposed the act and they wanted to stop it implementation. Thus, they decided to form a new political party and name it the Republican party to officially say no to the Kansas –Nebraska act. The Republican Party wanted to prevent the slaveholding domination over the national politics which they feared would happen if slavery is permitted in the west. In the 1860 election the Republican candidate Abraham Lincoln won the presidency immediately after those seven southern states seceded from the union and that was one of the reasons of the civil (Republican section3)

### **2.3. Brief comparison between the Democratic party and the Republican Party**

The Republicans and the democrats are completely different, by analyzing their history and political views it is safe to say that there is animosity between the two parties It gets easier to see the picture by comparing between two stands on some political questions. Well Philosophically Democrats are Liberal and lefties, while Republicans are conservative and right-leaning. Immigration is an issue in which the political parties differ. The Republicans have no compassion or tolerance towards any undocumented immigrants they even fund stronger enforcement actions at the border. Democrats on the other hand support the assistance of the immigrants and in some cases offer them citizenship on the condition that they do not have a criminal record and have been in the use for at least five years. (Democratic section3)

Military is a sensitive and controversial topic between the two parties, Democrats prefer a lower military spending and they strive to keep military confrontation “war” the last option possible. Whereas Republicans want to rise military spending and encourage a strong hand “intimidating” military approach towards certain countries like Iran, Libya, and Syria. Taxes, Democrats believe that the wealthy should not pay the same taxes the rest of the people. They

ought to pay a higher tax percentage this concept is called progressive taxes. Republicans think that the progressive taxes are class warfare. They assert that a government that seeks higher taxes from the rich to sustain itself is unpractical and should downsize to a smaller government (Democratic3)

The Democratic Party and the Republican Party dominate the whole country. All of the members of the national senate and house are either republicans or democrats (the United States) There are other political parties in the US such as Natural Law, Socialist, Libertarian, Constitution, however; They lack the resources and the popular support to challenge the rain of the democrats and republicans. Now and then a free candidate or a candidate from the minor parties runs for a state level or a federal seat, naturally yet unfortunately they do not go far in the race for the office (Political).

Political parties play a strong role in the election process. It appears that the reality of the situation now is that political parties play a bigger role in deciding the results of the elections than even the voters.

### **3. Presidential elections**

The president in the US stays in office a term of four years with the possibility to run for a second consecutive term if he is reelected, he serves another four years but after his second term is over, he may never run again the constitution prohibit it(22<sup>ND</sup>Amendment) Before the ratification of the constitution in 1951 the president had the right to serve an unlimited number of terms. He had the ability to keep running for office and if the people kept reelecting him then than he can stay in power for as long as he chose. A good example of former case is President Franklin Roosevelt. He was elected four times so he was the president of the United States of

America for thirteen years, from 1932 to 1945 (The white house). As mentioned earlier in the chapter all the elections in the US take place on the first Tuesday after the first Monday in November that includes the presidential elections, the most recent one was in November 3, 2020. (Voting and elections) Before General Elections presidential candidates go through the primaries and caucuses in addition to political conventions.

#### **4. Primaries and causes**

The elections always begin with the primary elections and caucuses. They are two ways that that stat us to choose a possible presidential candidate. The difference between, primary elections and general elections is in the manner of organization and the people who participate in them, not to mention the rates of participation are entirely different as well.

##### **4.1. Primaries**

The primaries are run by state and local governments. Participants use secret ballots to vote. The primary elections are only met for declared members of the political party. In a “closed” primary one must be a party member in order for his vote to be counted. Yet some state holds open primaries in which all the people can take part regardless of the party affiliation. (Primaries and Caucuses the Differences)

##### **4.2. Caucuses**

Caucuses are pirate local gatherings organized by the political parties to choose a presidential nominee. Voting takes place at the end of the meeting “caucuses”. Participants divide themselves into groups according to their nominee, after the privet meeting is over the number of voters in each group determines how many delegates each candidate has won. (Presidential Election

process) The next step after primaries and caucuses most political parties holds a political national convention.

### **4.3. National Conventions**

Political national conventions also known as nominating conventions represent the stage in which the party takes its final choice of who is going to be their presidential and vice-presidential nominees. In theory in order for a candidate to become a presidential nominee he has to win the majority of delegates in the primaries and caucuses.

His win and new position are then conformed by a final vote of the delegates at the national convention. There is an exception to this process. In case none of the candidates get the majority of delegates in the primaries and caucuses, the delegates in the convention will have to choose their nominee by additional rounds of voting.

After the party selects its presidential nominee, he announces a vice presidential running mate. At the end of the national convention the party unit behind its candidate and they start a political campaign across the country to declare and explain to the American people their plans and views hoping to earn their votes. During the campaign candidate from rival parties may engage in political debates. (Presidential)

### **4.4. The Electoral College**

In the General elections it is possible that the candidate who gets most of the popular votes would not be the winner that is due to the fact that the votes do not directly determine the winner of the election. That is up to the Electoral College.



The Electoral College is a process created by the founding fathers initially as a compromise between electing a president by both the congress and the popular vote of the qualified citizens. So, at the time of making the US constitution there was a disagreement about the way the president is elected. Some favored that the president should be elected by the congress, while others believed that he ought to be chosen by the people. As a result of the two strong arguments the founding fathers designed the Electoral College to combine the popular and the congressional vote (Electoral College).

To properly define the Electoral College, one must explain who actually votes directly at the general election and that would be a group of officials that make up the Electoral College. In this term the word college means a group of people with a shared task and they are called electors (the us election) The process has three stages. The first is the selection of the electors. The second stage is the meeting of the electors where they vote for the president and the vice president. The last stage is the counting of the electoral votes by the congress. The Electoral College consists of 538 electors. A majority of 270 votes is needed to elect the president. States have the same number of electors as its members in the national Congress. That means, one elector for each member of the House of Representatives in addition to the two senators, for all the fifty states, (Electoral College Section 3). The Electoral College works in the way that the number of electors from each state is highly proportional with the amount of population. Example the highest number of electors is hold by California with fifty-five electors while states like Alaska have only the minimum with three electors due to its small population.

On the day of the general election voters go to cast their ballot for their favorite candidate in a way they cast their votes to their candidate's electors. Most states in the US have a "winner-take-

all” system in which they award all the delegates to the candidate who wins the popular vote  
(What is the Electoral College section5)

### **5. The “Winner takes all” voting method**

Winner-take- all” is a term used to describe single member district and at large election systems that award seats to the candidates with the highest votes disregarding the importance of fair representation for the minorities. In the US these are typically single member district schemes or at-large, block – voting systems. Under the winner takes all rules, a slim majority of voters can control 100% of the seats, leaving everyone else effectively without representation”

### **6. The congressional elections**

The state’s representation in congress is determined via the congressional election. They also determine which political party will hold a majority in each chamber of the congress for the next two years either the Republicans or the Democrats. Every two years congressional elections are held in which one third of the senators and every member of the House of Representatives are elected by the voters.

Presidential election is held every four years so the congressional election held during the presidential term are called “midterms” the closest midterms will take place in November of 2022. Unlike the presidential election the congressional election uses the popular vote to select the winners not the Electoral College. State and local elections take place at different times of the year. They vary from statewide elections to governor or legislature or mayor they are constant.

**Conclusion**

The United States has an extremely complex political and electoral system. The legislative institution, including both the senate and the congress, is very powerful and it has almost complete control over the election process. The congress counts the votes of the Electoral College, the congress also votes and decides who wins the presidency in the case no candidate takes the majority. The congress enjoys substantial authorities such law making, declaring war and redrawing the bounders of the electoral districts. It is safe to say that who controls the house controls the government and can change the occurrence of events to his liking. Considering the competitive nature of the relationship between the Democratic Party and the Republican Party one might assume that any of the two rivals would not miss a chance to gain an advantage over the other even if that action might be unconstitutional or illegal.

## **Chapter Three: The red map project**

### **Introduction**

In this final chapter the research attempts to combine both the first chapter about gerrymandering as a political violation and the second chapter about the US electoral system and the congressional authority. The chapter will also include a recent case where partisan gerrymandering was used to influence and determine the outcome congressional elections in addition to granting control to a certain group or party in an unconstitutional manner.

### **1. The struggle of the Republican Party from 2006 TO 2010**

The Republican Party was facing difficulties in 2006 they were losing control of the congress. The Democratic Party won thirty house seats to give them the majority of 202 to 233 that was in the House of Representatives. Democrats also gained six Senate seats to win a one-seat majority in the senate. To show case the degree of the Republican issues in congress one must know that the Democrats did not lose a single seat that year neither the house nor the senate. This was the first time in the history of the American elections that a political party keeps all of its congressional seats. The reason of the remarkable success of the Democratic Party might very well be that the American people completely lost trust in the Republican party. That is due to some members of the Republican Party being involved in some ethical scandals. And to make matters worse there was the Iraq War. It was a political and economically catastrophic. The voters held the president and his party responsible for it and all its negative impact on the country (Jacobson and Carson p278)

President George W. Bush was elected president in 2004 which makes the 2006 congressional elections a chance for the voters to evaluate the president's performance in the first two years of

his presidential time in the white house. The Midterms came at a time of a national Democratic support, after what the American people called a failure of the Republican political administration during the first term. The data retrieved from multiple surveys before the elections showed that the voters intended to use the congressional elections to show their disappointment in the Presidents work and their rejection to the party's policies. Most of the participants in the surveys said that their congressional vote is basically a vote against president Bush. After the elections it appeared that the congressional electorate vote was consistent with the people's evaluations of President Bush administration (Jacobson and Carson p280).

Because of the negative views of both George.W. Bush and his Republican party the Democrats won both chambers for the first time in twelve years. They had full domination or the legislative body. So, the Republican party was at a bad place, they lost the house and the senate all that was left for the party is the presidency. That was not a very positive thing be case George.W. Bush was highly unpopular if not hated by the people. (Jacobson p1).

After the 2006 midterms the Democratic Party had a national domination that was extended by the 2008 elections. The elections were similar to the ones two years prior. They were like a Referendum on the George W. Bush administration except these ones included a Presidential Elections. The former senator Barack Obama was the democratic candidate, his republican opponent was Senator John McCain. President Obama won with phenomenal manner. He won 365 electoral votes to McCain 173. President Obama made history for more then on reason. He became the first ever African American US president. He won the largest share of votes cast for any democrat since Lyndon Johnson in1964. Obama's Presidency victory took the last thing that the republicans had but that was not all what they lost. Democrats also picked up 21seates in the House and 8 in the Senate. And that to the seats that they already won in the 2006 midterms and

that equals 257 House of Representatives seats while the Republican Party only had 178. As for the Senate they kept all their seats for the second consecutive elections and they even gained 14 more seats (Jacobson p3)

To sum up the 2006 and 2008 elections left the Republican Political Party at the worst position possible. The Democratic Party held the presidency with a very popular and charismatic president. They also had the majority in both the house and the senate. It is safe to say that the competitive nature of the US political system was falling if not over due to the Republican Party harsh defeats. Nevertheless, what took place in last four years all of it was about to change and the Republican Party will shook the world

## **2.The Republicans rise and take back the congressional majority**

The 2010 midterm elections created an incredible astonishing house majority reversal the 2010 elections erased all of the democratic success in the house. In 2008 the democrats had the majority 202 to 257 in the house and a 45 to 59 in the senate but after the 2010 elections the republicans won 64 new seats and thus, they reversed the democratic majority in two years time to make the house 242 to 193. This huge turn of power is the best Republican showing since 1946. The substantial house win was not the only special republican accomplishment the party also gained 6 Senate seats making the number 47 as a whole which is very close to the majority. The return of the Republicans to power was a bad thing for the Obama administration. There was so much animosity between the two parties especially the GOP they wanted revenge. The first announcement the republicans made after their rise to congressional power was a promise to block all the progress of the President's future agenda. As for his accomplishments in the first two years, which are mainly the health care reforms and the financial regulation reform, they will be at risk and constantly being challenged and refuted. (Jacobson)

### **3. The 2012 US Congressional elections**

The 2012 elections saw a Democratic victory, with the reelection of President Obama to a second term, with a 51.0 percent of the vote compared with a 47.3 percent for the Republican candidate Mitt Romney. The same year the Republican party won the majority of the seats in the house of representatives. The Democrats also made decent gains in the legislative branch as well by adding eight House and two Senate seats. The Republicans however had a 234–201 and thus a base from which to challenge the president’s agenda in the 113th Congress. Due to the fact that the senate was still under the Democratic control, with a 55–45 margin, the president had to contend with a divided Congress for the next two years. 90 percent of House incumbents that sought reelection were successful. (Carson p286)

So, the 2012 house election was very competitive between the two parties. The republicans won the house and the Democrats won the senate. What is remarkable is the statistics that Republicans won just 49.4% of the aggregated two-party vote and yet won 54% of the seats. (Goedertp1)

The Republican Party went from losing two elections including a presidential election to the house majority party and the strongest obstacle in the way of the administration of president Obama. How did the republicans achieve such a powerful return to the political playing field in the small period of two year it would be easier to except if it took a long time to come back In such way.

### **4.The Red Map Project**

Once president Obama was in office some of the Republican officials focused on local and state politics. One of the founders of the Red Map project was Chris Jankowski. He was a

tactician for the Republican party's State Leadership Committee and his supporters and allies created a brave and ambitious plan that will return the party back to its powerful days. The plan mainly was to put and focus great amount of campaign money on gaining control of the state local governments where redistricting happens. This cost operation was referred to as the REDMAP that stands for Redistricting Majority Project (Zelizer section 5)

One might wonder what made the Red Map possible the answer is that the 2010 election was in a zero year. It means it's a year of the decennial census and that means congressional districts must be redraw consistent with the new population developments. In short, the red map is the attempt to get control of the local governments and then use the 2010 redistricting to draw district lines that serves the Republican Party in the election

David Daley is an American author a journalist that worked in the New Yorker Slate the Washington post and other successful platforms. He wrote a book titled Ratf\*\*ked in which he explains how the Republicans took the 2010 House majority. Daley was asked at an interview what the Red Map project was and he answered as follows.

"The Democrats cleaned the Republicans clocks in 2008. Republicans get depressed. One day, Chris Jankowski is reading a story in the New York Times, and he realizes, wait: 2010 is a zero year. My party is on the out now, but historically the party on the out does better in midterm elections, and Jankowski is a state government guy. He runs something called the Republican State Leadership Committee, so he understands how redistricting works at the state level. What he also understands is that there are 18 state legislative chambers in the country that the margin of control is so close that it's four votes or fewer. So, he says, "Hey, it wouldn't cost me a whole lot of money to try to flip four or five legislative districts in these states.' So, they go into Pennsylvania." (David Daley). the quote has a sarcastic tone to showcase how carelessly the



Republican Party official wanted to use gerrymandering as a way to save their party and put it back on top.

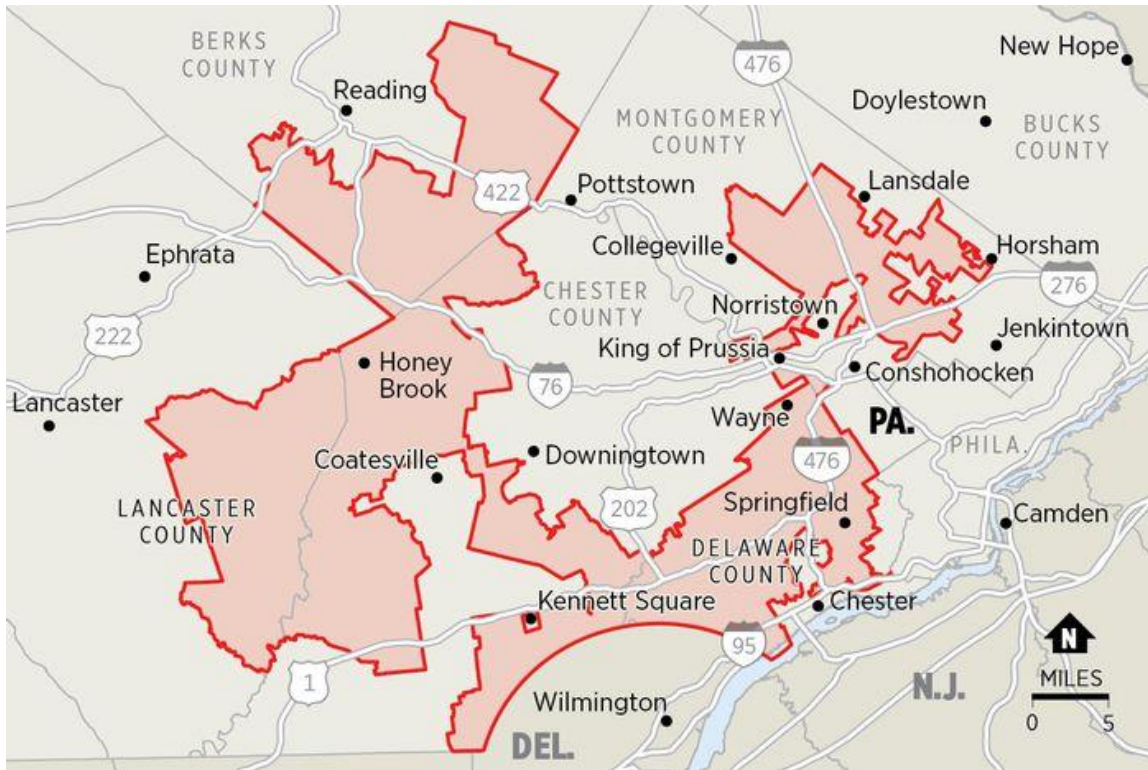
Daley continues his answer by saying the following “The Democrats lose the Pennsylvania House. They lose the governor's race that year, and they do not have a seat at the table when it comes to redistricting. So, the maps that the Republicans draw are water-tight. And they hold up in 2012” He brings up the results of the state elections in Pennsylvania. The republicans have the upper hand in all of them. That is the strongest sign that the gerrymandered maps are very effective and successful. The 2010 redistricting created many cases of Partisan Gerrymandering

#### **5. 2010 Partisan Gerrymandering case of Pennsylvania**

Gerrymandering is very powerful in Pennsylvania politically aware citizens can immediately see that after the 2012 congressional elections. Democratic candidates won the popular vote in the national level by a small lead moreover President Barac Obama won the Senate. The state of Pennsylvania has 18 House seats and according to the former electoral results the seats ought to be divided 9-9 between the two political parties. However instead of a 9-9 the Republicans win 13 seats and will keep wining them for the rest of the decade if the map remains the same.

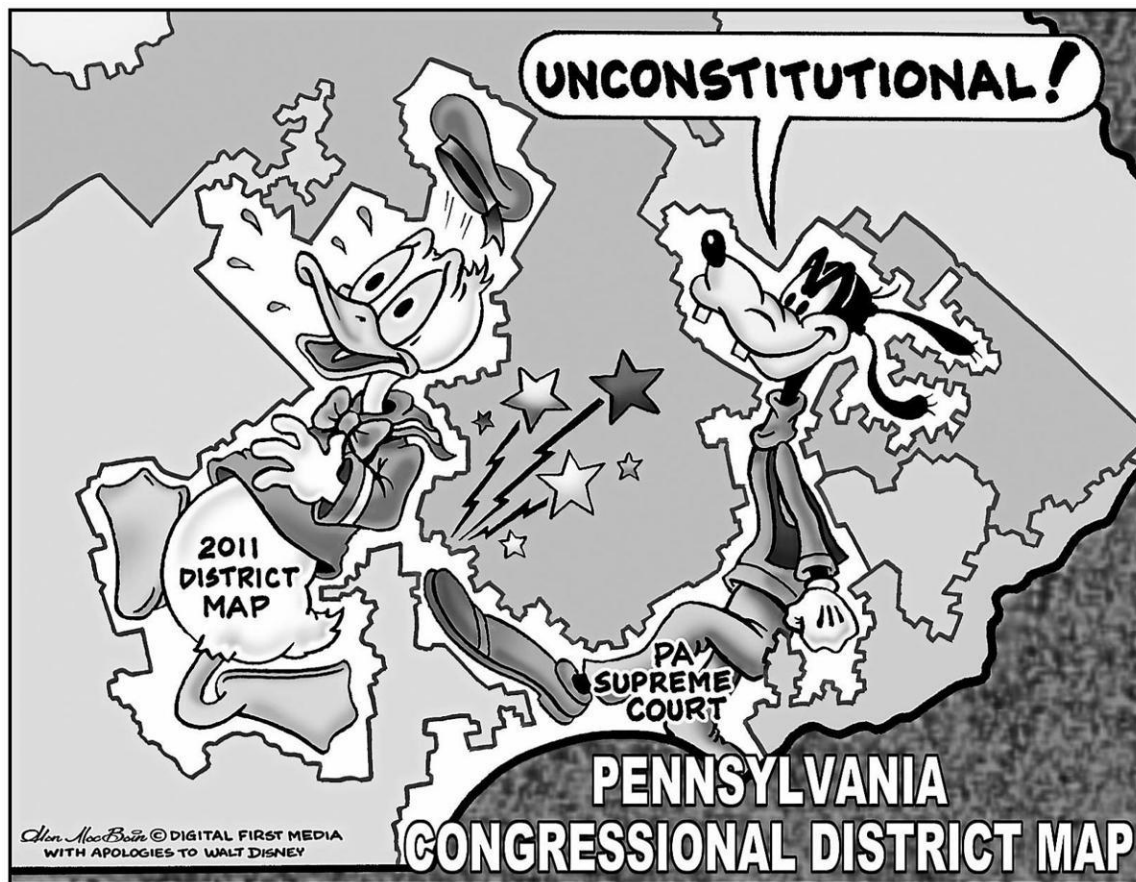
(Andrew Prokop paragraph 5)

What makes Pennsylvania a highly tempting state to gerrymandering mapmakers is the fact that it is a swinging state. It is never a sure victory to either political party and that bushed the republicans to draw one of the most extreme districts which had a bizarre shape and that caused it to be called funny nick name such as Goofy kicking Donald Duck (Joseph Ax s7)



"Goofy kicking Donald Duck" lives for one more election. Pennsylvania's Seventh Congressional District, notorious for its irregular shape and widely considered an example of partisan gerrymandering, will have a special election to serve out the remainder of Pat Meehan's term. At the same time, voters will elect representatives under a new congressional map.

It is shameful that an actual legislative body signed and passed such districts. The people of Pennsylvania try to make it legendary by using the cartoon similar shapes.



One can clearly see how ridiculous and idiotic the shape is yet they chose to turn a blind eye over the obvious truth.

The people of Pennsylvania did not embrace the republican ally partisan maps and they took the case to court and after 8 years from its creation. Fortunately the Pennsylvania Supreme Court ruled last month that the state's US House of Representatives map was based on a Republican partisan gerrymander that violated the state's constitution. Since 2011 and they struck the map down. But the state GOP made a last-ditch appeal to the US Supreme Court, hoping justices would stay the decision.

After the supreme court decision of refuting the old partisan map the state house must create new lines for the congressional districts under the constitutional criteria.

## **6. Some possible solutions to limit or end Gerrymandering**

Gerrymandering is based on self-interest whether to serve one's party or political career of a fanatical ambition thus any solution or a counter action to gerrymandering must eliminate the personal interest from the picture. There are to measures to limit Gerrymandering

## **7. The employment of a free committee for the process of redistricting**

The act of bringing a separate newly formed committee to do or perform a specific task for a specific time will take the personal interest and greed factors out of the picture. And encourage for a professional competent outcome, in most of the States redistricting is performed by the congress and the congress members have ties and commitment to their political parties. Which will lower their integrity considering the substantial opportunities compromised redistricting will provide for them. In some States the government creates a separate committee to draw electoral district lines. This manner has less chance of any Gerrymandering occurrence. Another way to fight Gerrymandering is to use a computer program for the purpose of drawing congressional districts.

## **8. The use of Software and Technology in Drawing District Maps**

Technological progress enabled government institutions to save time and energy in achieving complexed processes, such as translating census data into the appropriate congressional lines. A software is a fixed mechanism as long as the goal is in the result is guaranteed. It is an unconscious being so question of ethical integrity are not an issue. With the right supervision an algorithm is a suitable replacement for the congress when it comes to being a map maker.

## **Conclusion**

The republican party use of gerrymandering to achieve domination is an expected outcome. The relation between the two political parties is beyond a heated competition it is like an all-out war and all weapons are allowed including Gerrymandering with all its types. The situation in Pennsylvania is negative and harmful not just on the people but also the governmental institutions. If the average US citizen is consented that vote separation is an unescapable fate, he will lose interest in being politically engager which is his democratic right. If that happens then the democratic sovereignty is dead.

## General Conclusion

The US is indeed the most powerful country in the world but it is not the home of the abuse democracy. The American government is complex but not in a good way. One can find the outside appearance completely different than the dark reality. The US federal government has a principle called the checks and balances. It means that all three branches in the government have the right to intervene if one of the two other branches is abusing power so technically the phenomena of Gerrymandering shouldn't even exist.

The first chapter of the work was dedicated to make the reader familiar with the political term Gerrymandering, its origin traces back to the era of the founding fathers and it still exists today. Gerrymandering went through many stages through the American political history in the early days of America, it was barely considered an issue or a violation that is because voting was restricted only on the white adult man. As the US evolved more people earned the right to participate in the elections, so the American politicians had to find another way to suppress undesirable votes.

The American constitution is the highest power in the US so any violation to such document is unacceptable however Gerrymandering seems to be an exception, it existed from the nation's beginning and it still exists in present day. Gerrymandering's unconstitutional nature is undeniable. It deprives American citizens from their right of fair representation. There were congressional reforms that improved the situation of minorities in the US like multiple voting acts and the fair population constitutional amendments, consequently it became more difficult to get away with Gerrymandering.

The difference between Gerrymandering and redistricting is the vice intention of the map maker; redistricting is an essential process because the population is always shifting and changing, so representation must keep up with the demographic new updates. Minorities are the most negatively affected by Gerrymandering, they are either concentrated in a single place or spread over multiple congressional districts.

The federal government is very appropriate to the nature of the US because every State wants to enjoy its freedom fully to make laws, hold elections or organize political events. The political parties in the US are extremely powerful, they basically control the entire country including all of its politics. The researcher sees that congress enjoys too much authority and power and that gives even more power to the political parties, elections in the US are highly venerable. There are multiple effective ways to influence and control their outcomes, Gerrymandering is one of them.

There have been many events of Gerrymandering, the one that took place in 2010 mid-terms was one of the most outrages. It included many Gerrymandered districts across the nation. The work tackles Pennsylvania as a case study of Gerrymandering, it also provides some strategies that limit this political violation.

The work would like to open the door for future researches to investigate the reasons that prevent the legislative branch from enforcing bills and reforms that completely end Gerrymandering.

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