Viewpoint

The 2020 vote and beyond: Old situations, new complications

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Contributions to the virtual forum by Nagel (2021), Gimpel (2021), and Durkan (2021) on electoral geographies of the 2020 U.S. presidential race highlight the deepening rural-urban and socioeconomic divides in geographic voting patterns. This electoral polarization reflects on-the-ground social-geographic realities and (re)produces an increasingly partisan approach to governance, typified by the redistricting process. Critical geographical perspectives become more urgent as partisan actors employ geospatial technology to erase voices and lock in advantages for those with authority to draw maps. Defining what constitutes a "fair" electoral district map is the crux of the matter, requiring negotiations among community map makers, election commissioners, and state legislators, and potentially, litigation to resolve disputes. The constitutional one person, one vote stipulation requires district lines that avoid preventing individuals from electing their preferred candidates, whether by concentrating people in one district to minimize their political power, or by dispersing people throughout multiple districts to dilute their voices. States, which determine the criteria for drawing districts for congressional and state legislative seats, are guided by traditional redistricting principles intended to prevent electoral benefits for a particular party or group. Implementing these principles requires both technical knowledge to produce good maps and an understanding of the social formations that are being mapped. But consensus on "evaluative techniques and scales" that would "aid mapmakers and the judiciary in making judgments about challenged districts and plans" is currently lacking (Webster, 2013, p. 12). Nonetheless, I would argue that with some clear principles and reasonable, open discussions about the characteristics of maps, along with better geographic education, fair outcomes to the redistricting process are possible.

Although manipulation of voting districts takes place in other countries, most democracies have mitigated potential redistricting bias by introducing independent commissions and limiting plurality voting, which in single-member districts means that the person with the most votes wins even if that candidate was not preferred by a majority of voters. The U.S. electoral system, however, is organized largely at the state and county levels, resulting in a highly fragmented set of voting and redistricting practices. This creates opportunities either for equalizing or skewing participation and representation. In terms of voting, for instance, several states and counties have expanded electoral participation by conducting elections primarily by mail; others, though, restrict the time and days available for casting ballots. A similar variety exists in redistricting procedures: eighteen states have some form of commission for legislative redistricting, affecting Congressional and/or state-level seats, but most rely on elected officials or their designates to set voting district boundaries, with only a handful seeking broad public participation. Thirty-two states rely primarily on the state legislature, with maps often constructed in secret, by one party, without public input.

The intensification of partisan divides in recent election cycles has enabled, and been enabled by, partisan shifts in state legislatures (see, for instance, Cervas & Grofman, 2020). In 2004, ten state legislatures had split chambers, but by 2020 that decreased to one (meaning both the upper and lower chambers are now controlled by one party). In most cases, the increasingly partisan character of state legislatures has benefitted Republicans. This is due, in part, to the "REDMAP (REDistricting Majority Project)", a successful strategy designed by Republicans to win in selected state legislatures and to assert control over the drawing of electoral maps following the 2010 Census. But the problem of one-party domination affects "red" and "blue" states alike. Partly because of the winner-takes-all nature of elections, just over one quarter of House delegations with multiple members in the current Congress have no representative of the opposite party even though members of both parties, as well as unaffiliated voters, live in each state. These mono-party delegations are divided equally among Republicans (AR, ID, NE, OK, UT, WV) and Democrats (CT, HI, MA, ME, NH, RI). The persistent inequality in partisan representation related to the structure of the U.S. Senate is a much more problematic and long-term challenge. Senate seats are not subject to redistricting manipulation. However, low-population states have the same number of senators as large-population states. This means a vote for Senate in Wyoming counts almost 70 times more than one in California, which has 68.5 times the population of Wyoming. The end result of all of these systemic peculiarities is that many American voters feel like they are being

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disenfranchised at multiple levels of government.

While redistricting and voting procedures are largely state matters, the Federal legislature and the judicial system have also played key roles in the redistricting process, as well as in issues relating to voting rights. The Voting Rights Act, passed in 1965 in the midst of the civil rights movement, prohibited barriers to voting at state and local levels in violation of the U.S. Constitution's 15th Amendment. The Act also instituted "preclearance", which required states or counties with a history of disenfranchising Black voters to submit any redistricting changes to the Department of Justice for approval. In a 2013 decision, *Shelby County (AL) v. Holder* (2012), the Supreme Court ruled that Section 4 of the Voting Rights Act was unconstitutional, establishing that Federal review of the formula for determining changes to a state's voting procedure was outdated. States with histories of discrimination no longer need to obtain approval before changing voting rules. Increasingly, the Supreme Court has sought to shift responsibility for redistricting back to the states. For instance, in response to suits from North Carolina and Maryland, the Supreme Court in 2019 ruled in *Rucho v. Common Cause* that "partisan gerrymandering claims are not justiciable because they present a political question beyond the reach of the federal courts" (2018). Yet the Court has continued to wade into electoral issues, and in doing so has usually sided with those holding more power. In June 2021, to illustrate, the Supreme Court upheld a state-led "anti-fraud" measure that barred individuals from returning ballots for another person—a technique known as "ballot harvesting", which is intended to make voting easier for people who lack transportation, such as Native Americans living on isolated reservations. The Court in the same session ruled against the state of California, which had required charitable organizations supporting particular politicians or causes to report the names and addresses of major donors. While neither decision directly relates to electoral redistricting, they indicate the types of guardrails likely to be dismantled as court battles around new maps get underway.

At the moment, public interest in redistricting and voting in general is high, compared to previous cycles. In Colorado, 2444 individuals completed essays, polished resumés, and navigated the online system to apply for 12 seats on the state legislative and 12 seats on the congressional redistricting commissions appointed in the spring of 2021. In Michigan that number was over 6000. Over the last decade, nonprofit organizations and coalitions have emerged to monitor redistricting, including some focusing on geospatial technology and demographic data. This civic engagement is admirable, and exciting from a geographer's perspective. But we might consider the sustainability of a situation in which some community members work to deter violations of voters' rights while others are purposefully fueling disinformation about electoral fraud. States with organized processes for collecting and reviewing public commentary about redistricting are seeing and hearing a variety of perspectives from individuals, community organizations, and local elected officials. But which comments are being considered and which are being ignored, and on what basis? What checks are we putting on this process to make sure that basic standards of fairness are respected and that a foundational commitment to facilitating electoral participation and representation is implemented? A very real concern is that apathy and disengagement on the part of community members, or exhaustion on the part of people who do take time to learn the redistricting system, will lead to freedom from oversight for those drawing maps.

A current Democrat-led bill in the U.S. Congress, titled "For the People Act", would require states to establish independent commissions to carry out congressional redistricting, with the aim of making maps to reflect the will of voters, enabling competitive races, and ensuring fair representation of minority communities. But the bill, which also addresses election integrity and campaign finance ethics, has little chance of success given the Senate filibuster. Absent the will of elected officials to implement a fair map, geographers must have a role in guiding the electorate's understanding of how maps can influence representation and how maps can be manipulated. Those keen to impede voters use the

same tools as those seeking to prevent disenfranchisement. There is nothing inherently fair and good about geography, GIS, and mapping, although a common view holds that maps are straightforward conduits of information (Elwood, 2010). Still, geographers can assist in identifying maps that are "fair" insofar as they are not gerrymandered to favor one group while disenfranchising others. Fair maps are often defined by certain key features: equal population, contiguity, geographic compactness, representation of minority populations and "communities of interest", adherence to existing political boundaries, and attention to incumbents. Several open-source mapping platforms, including DistrictR, Dave's Redistricting App, and District Builder, can help this process by illustrating how the prioritizing of certain criteria, such as competitiveness, minority representation, or compactness, will change district lines (see Figs. 1–3 for examples). Once maps have been submitted, tools such as PlanScore can be used to identify partisan bias. Fairness results from discussing a variety of maps and determining where to make compromises. For example, in Colorado, to have all districts be competitive, splitting cities like Colorado Springs and Denver would be required. Elevating competitiveness may be possible or preferred but would lead to a different sort of map. The electorate needs to be aware of possible outcomes and must be willing to discuss whether the electoral district map reflects community aims with respect to social justice, diversity, equity, inclusion, and access. All maps involve manipulation that can alter the balance of power (Morrill, 1994). The question is, manipulation toward what ends? These are difficult problems, but not intractable ones if cartographers are forthright about priorities, decisions, and criteria.

Perhaps part of our present predicament of an increasingly unrepresentative electoral system reflects that during recent redistricting cycles too few geographers have been sufficiently engaged in electoral issues, allowing geographical techniques to be coopted by those with partisan aims. Some geographers have joined community activists, data analysts, educators, political scientists, and lawyers in redistricting conversations. But more voices are needed to explain competing mapping principles and the reasoning behind prioritizing certain features (like competitiveness or compactness) over others. The need for ethical geographical practice has become acute at a time when many geographers have lost interest in engaging with electoral geography. Certainly GIS education needs a strong grounding in ethics, exemplified by the gerrymandering taking place when "our" tools are coopted by people not committed to equity and fairness. Geographers can add context to these conversations, encouraging discussion about the merits and weaknesses
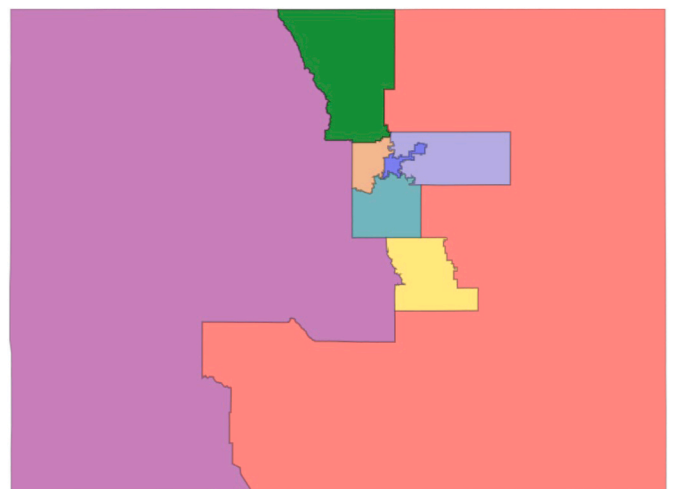

Fig. 1. Colorado redistricting sample map, most proportional.
All maps reproduced with permission from Dave's Redistricting App, 2021. Retrieved from https://davesredistricting.org/maps#state::CO (see website for full precinct analysis). Accessed September 3, 2021.
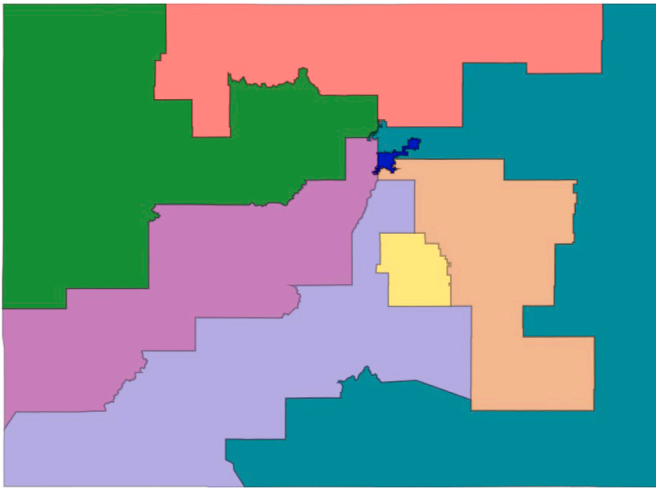
Fig. 2. Colorado redistricting sample map, least splitting.
All maps reproduced with permission from Dave's Redistricting App, 2021. Retrieved from https://davesredistricting.org/maps#state::CO (see website for full precinct analysis). Accessed September 3, 2021.
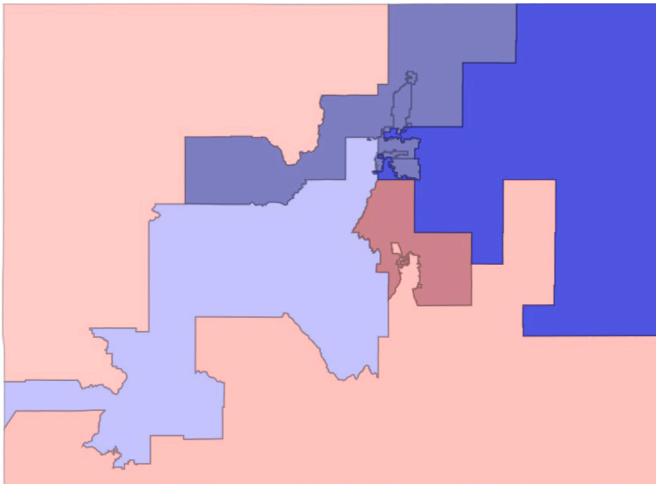

Fig. 3. Colorado redistricting sample map, best minority representation.
All maps reproduced with permission from Dave's Redistricting App, 2021. Retrieved from https://davesredistricting.org/maps#state::CO (see website for full precinct analysis). Accessed September 3, 2021.

of each cartographic configuration. We cannot wait to be invited into the

conversation; as Meir (2013) warned, "Map or be mapped".

The unknown factor in 2021 is whether increased accessibility of demographic data and geospatial tools will push official mapping processes to reflect more accurately the electorate in states across the country, or whether they will be manipulated to further skew district lines to favor one group. What is more certain is that socio-economic segregation will continue to influence politics at multiple scales. Social divisions have been deepened by pandemic-driven changes, though the full effects will not be known for some time. Such divisions are sources of great complexities for those striving to enhance democratic representation and democratic practice through maps. As with pollution or disease, inequity is easier to prevent than to solve after the fact. Constructing governance systems requires negotiation, vigilance against inevitable bad actors, and most importantly, awareness and attention. As De Tocqueville (1969, p. 736) remarked, "We should therefore direct our efforts, not against anarchy or despotism, but against the apathy which could engender one or the other almost indifferently."

Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

References

Cervas, J. R., & Grofman, B. (2020). Tools for identifying partisan gerrymandering with an application to congressional districting in Pennsylvania. *Political Geography, 76*, 102069.

De Tocqueville, A., Meyer, J. P., & Lawrence, G. (1969). *Democracy in America.* Garden City, NY: Doubleday & Company (Original work published 1835).

Durkan, W. (2021). Changing geographies of voter turnout: Michigan and the urban/rural divide. *Political Geography Virtual Issue on Elections*.

Elwood, S. (2010). Thinking outside the box: Engaging critical geographic information systems theory, practice and politics in human geography. *Geography Compass, 4*(1), 45–60.

Gimpel, J. G. (2021). The 2020 election campaign was over quickly. *Political Geography Virtual Issue on Elections*.

Meir, P. (2013). *Map or be mapped: Otherwise you don't exist. iRevolutions.* https://irevolutions.org/2013/02/06/map-or-be-mapped/.

Morrill, R. (1994). Electoral geography and gerrymandering: Space and politics. In G. J. Demko, & W. B. Wood (Eds.), *Reordering the world: Geopolitical Perspectives on the 21st century* (pp. 101–119). Boulder, CO: Westview Press.

Nagel, C. (2021). Virtual form introduction: Electoral geographies of the 2020 U.S. presidential race. *Political Geography.* https://doi.org/10.1016/j.polgeo.2021.102349

Rucho v. Common Cause, 2018. www.oyez.org/cases/2018/18-422. Accessed 30 Jun. 2021.

Shelby County v. Holder, 2012. www.oyez.org/cases/2012/12-96. Accessed 31 Aug. 2021.

Webster, G. R. (2013). Reflections on current criteria to evaluate redistricting plans. *Political Geography, 32*, 3–14.