

# The 2018 House elections may be historic enough to end the redistricting wars

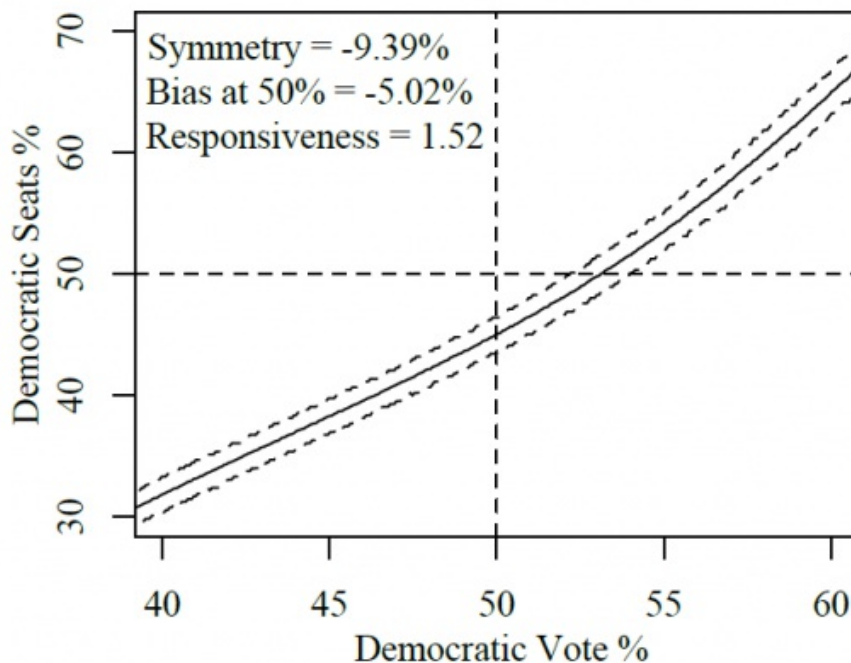


*This year’s midterm elections saw reforms to the way US House districts are drawn in four states. Alongside these successful measures, write [Alex Keena](#), [Michael Latner](#), [Anthony J. McGann](#) and [Charles Anthony Smith](#), Democratic takeovers of gubernatorial mansions and successful voting rights reforms such as Florida’s felon re-enfranchisement are likely to signal the beginning of an era of significant electoral reforms in the US.*

The US midterm elections were historic in part because of the success of reforms to state redistricting processes. Citizens in Colorado, Michigan, Missouri, and Utah passed initiatives that take control of redistricting US House districts out of the hands of state legislatures. Reformers went undefeated, and this is a major achievement on its own. However, the 2018 elections are likely to be far more consequential for the future of redistricting, fair representation, and political equality in America than an increase in the number of non-partisan redistricting commissions. We may be entering an era of major electoral reforms in the United States, unseen since the Civil Rights Movement.

First, even though the Democratic Party gained majority control of the House with what looks to be about 54 percent of the popular vote, gerrymandering still constrained their seat share. Democrats look to control between 231-237 seats when the vote counts are complete. Compare the Democrats’ gains in 2018 with 2014 (the last midterm election), when Republican candidates managed to win 247 seats with only about 53 percent of the two-party vote. Gerrymanders in states like Ohio and North Carolina held strong, while a big Democratic vote swing in Texas yielded only two flipped seats. Perhaps only in Michigan did we see a gerrymander fail, as Democrats picked up two seats, moving the state from a 9/5 Republican advantage to a 7/7 split. There are still a lot of state partisan majorities that benefit from gerrymandering in the US House.

**Figure 1 – Democratic votes vs US House seats percentages in post 2011 redistricting cycle**



Let's take a closer look at what the election results mean for the immediate future of redistricting. In addition to the four states that will now require a less partisan process for redistricting, several states are still in litigation as a result of the Supreme Court's reluctance to evaluate the merits of last year's [big gerrymandering cases](#). These cases, when and if decided, will shape future redistricting nationwide. Until then, we can see how the election results impacted the partisan composition of existing gerrymandered House delegations and the future potential for gerrymandering in those states.

Table 1 displays features for the states we identified in [Gerrymandering in America](#) as having significant partisan Congressional gerrymanders after 2012, as well as Colorado and Utah. The first numeric column shows 2012 partisan bias, as well as this year's vote-seat bias, or the difference between the percentage of votes and percentage of seats for the majority party. These results provide a rough gauge of the advantage the majority party has gained. Finally, the last column lists relevant changes in redistricting status for these states that gerrymandered Congressional delegations in 2012.

**Table 1 – Redistricting bias and 2018 midterm results by state**

State	2012 Bias	2018 vote-seat bonus	Post-2018 redistricting status
Alabama	-25.3	27R	
Colorado*	-3.56	5D	Redistricting reform
Florida	-9.11	4R	
Georgia	-14.3	9R	
Indiana	-9.41	22R	
Kentucky	-13.4	23R	
Louisiana	-19	26R	
Maryland	14	23D	In litigation
Michigan	-11.3	5R	Redistricting reform
Mississippi	-22.6	24R	
Missouri	-22.5	20R	Redistricting reform
North Carolina	-19.9	24R	In litigation
Ohio	-19	23R	Redistricting reform (May)
Pennsylvania	-19.7	5R	Divided government; Pre-election court-ordered redistricting
South Carolina	-16.2	17R	
Tennessee	-14.3	19R	
Texas	-8.5	12R**	
Utah*	-7.52	38R**	Redistricting reform
Virginia	-17.6	7R	Divided government; Pre-election court-ordered redistricting
Wisconsin	-10.7	17R	Divided government, and in litigation***

*Source: Gerrymandering in America*

*Positive bias scores favor Democrats, negative bias scores favor Republicans*

*\*Neither Colorado or Utah had statistically significantly biased Congressional plans in 2012, but Utah's state House is heavily gerrymandered to favor Republicans. Partisan bias is even more pervasive in state legislatures.*

*\*\*Vote counts and seat allocation are not complete in these states as of November 15th*

*\*\*\*Litigation over gerrymandered state house (still under R control though D's swept statewide offices, including Governor)*

Even if the US Supreme Court again declines to set standards to prohibit partisan gerrymandering, Wisconsin, as well as Virginia will now have divided party control of government, where Democratic gubernatorial vetoes can restrain legislative gerrymandering. As a result, this combination of institutional reforms (redistricting reform) and current political features (the pre-election redistricting ordered by the state Supreme Court in Pennsylvania and divided government in Virginia and Wisconsin) means that 2022 is not likely to result in the sort of extreme partisan gerrymandering that we witnessed in 2012.

At the same time, the North Carolina legislature has prohibited their (now Democratic) governor from vetoing districting maps, and citizens there just passed another version of a voter ID law that was struck down by the courts in 2016. The Tar Heel State will therefore remain a centerpiece in the battle for fair representation. Additionally, we look to Florida (which has some constitutional restraint on gerrymandering), Georgia and Texas as future focal points in the redistricting wars. Each of these states currently has unified (Republican) party control, competitive national elections, and will be adding House seats to their delegation after the Census. These are the very conditions that we found produced extreme gerrymanders in 2012.



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Yet the very success of these statewide redistricting reforms increases the probability that other states will follow, as part of a broader reform movement. The historic success for reformers in 2018 went far beyond redistricting. Florida has enfranchised ex-felons with 64 percent support, and large, bipartisan majorities passed campaign finance reform in Baltimore, Denver, New York City, and Portland Oregon. Fargo, North Dakota adopted a preferential "approval voting" method to elect their city council, while reformers defended ranked choice voting in Memphis, Tennessee. The grass roots campaigns that led to these victories were rewarded for their outreach to voters of both parties, and for bringing new voters into the political process.

Perhaps the most significant consequence of the 2018 elections is the potential for the new governing majority in the House to harness this groundswell of reform and support legislation to guarantee fairer representation for all Americans. Voting rights will be a important political issue going into 2020. Two bills, the [Voting Rights Advancement Act](#), which would restore the protections of the Voting Rights Act, and the [Fair Representation Act](#), which would allow for multi-member, proportional elections for Congress, await scheduling in the new Congress.

While it would seem historically odd for a governing majority to want to change election laws, this is the rare case where the majority party is more often the *target* of vote dilution and vote suppression. The country's [largest newspaper](#) and some of our best-known [public intellectuals](#) now support structural reform. And given the evidence that even these substantial electoral reforms are likely to leave the two-party system not only [intact](#), but possibly less polarized, we believe that there is a broad coalition of Americans who would support putting an end to the redistricting wars. Now that would be historic.

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*Note: This article gives the views of the author, and not the position of USAPP– American Politics and Policy, nor of the London School of Economics.*

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