

Democrats, Republicans work to rig 2024 US congressional election through gerrymandering

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Across the United States the Republican and Democratic parties are attempting to shape the outcome of the 2024 election by disenfranchising voters who might support the other party. They are working through state legislatures and the courts to draw congressional districts that will guarantee the most seats for their parties.

Since congressional districts are required to be redrawn every decade to have equal numbers of voters based on the new census figures, the purpose of gerrymandering is to manipulate district boundaries to pack the bulk of voters for the other party into a smaller number of districts, leaving the larger number of seats for the party doing the gerrymandering.

This has been done so effectively in some states, particularly by the Republicans who control more state legislatures, that the party in power can effectively guarantee permanent rule, regardless of the real state of popular sentiment. In states like Wisconsin, Ohio and North Carolina, for example, there are huge Republican majorities in both the state legislatures and the congressional delegations, even though the two capitalist parties split roughly 50–50 in statewide contests.

In 2024, these practices have been taken to a new level, and in the case of the Republican Party, are combined with the shift towards authoritarian rule in the wake of the January 6, 2021, attack on the US Capitol, whose aim was to overturn the results of the 2020 election and keep Trump in the White House despite his electoral defeat.

The Republican Party is also relying on the large number of ultra-right judges appointed by Trump during his four years in office, rubber-stamped by the US Senate, then under control of the Republican Party by the slenderest of margins, and not seriously opposed by the Democratic Party.

The US Supreme Court had green-lighted gerrymandering, no matter how extreme, in a series of actions by the Republican majority on the court. But earlier this year, the high court seemed to change course, ruling that Alabama's

newly drawn congressional districts violated the Voting Rights Act by diluting the voting power of the state's black population.

Although 27 percent of Alabama's population is African American, and the vast majority vote for Democratic Party candidates, the congressional district map drawn in 2021 divided the state into six districts with comfortable Republican majorities and one overwhelmingly Democratic district including the black neighborhoods of Montgomery and Birmingham and the largely black rural areas in the western half of the state.

Until the Supreme Court's 2013 decision in *Shelby v. Holder*, all changes in election procedures in Alabama and most other Southern states were subject to "pre-clearance" by the federal Department of Justice, under the provisions of the 1965 Voting Rights Act. In the reactionary *Shelby* decision, the court's right-wing majority held that the close federal supervision of voting practices in the states which had ruthlessly imposed racial segregation (Jim Crow) was no longer warranted.

The redistricting that followed the 2020 Census was the first to be conducted in the wake of the *Shelby* decision, and as a result, many of the Southern states were now free to use race as a proxy for party affiliation and draw lines that reduced or eliminated black-majority districts. Louisiana, Alabama, Georgia, Florida and North Carolina have all done so, with varying results in terms of court rulings.

The 6–3 conservative majority on the Supreme Court fractured over the Alabama map, as two right-wing justices joined with the three moderate liberals to rule that Alabama must redraw its districts and create a second black majority or near-majority district. A federal district court redrew the map in such a way that the state's congressional delegation would likely divide 5–2 rather than 6–1, an increase of one for the Democrats.

This has added significance given the bitter conflicts in Washington, since the Republicans hold only a four-seat

majority in the House, and the shift of a handful of seats due to redistricting could cause them to lose control.

The Democratic Party hailed the decision as a victory for voting rights. However, the same court ruled differently in Louisiana, which has a 5–1 partisan split, even though African-Americans make up a third of the state’s population. The single Democratic district runs from New Orleans up the Mississippi River to Baton Rouge, where it takes in the largely African-American portions of that city, now the state’s largest.

After a court challenge to this district map, the Fifth Circuit Court of Appeals sided with the Republican state legislature in Louisiana and delayed the redistricting of the state’s electoral map. The Supreme Court initially looked to apply the Alabama precedent, but has now decided to pull back and defer to the circuit court.

Meanwhile, in Georgia, a federal judge ordered the state to redraw its electoral map under the same guidelines as Alabama. While this could create an additional black majority district, the large size of the Atlanta metropolitan area, heavily Democratic and heavily African-American, makes possible some other form of partisan gerrymandering that would not be blatantly racial and thus avoid any change in the state’s current 9–5 partisan split in the congressional delegation.

The most aggressive Southern gerrymander is in North Carolina, where the Democratic-majority state Supreme Court approved a largely non-partisan redistricting in 2021 that left the state’s congressional delegation divided 7–7. After the Republican Party won control of the state court last year, it reversed the high court guidance and the state legislature is preparing a map that would divide the congressional seats 10–4 or even 11–3. Unlike in Alabama, the Supreme Court is not recognizing this as racial gerrymandering and has so far not entertained challenges to its legitimacy.

In Florida, Governor Ron DeSantis pushed through an aggressive gerrymander even before the 2022 election which deliberately wiped out the congressional district of Rep. Al Lawson of Jacksonville, who is African American. Lower courts have ordered this gerrymander revised, but the litigation is ongoing.

Legal challenges are also coming from Republicans, arguing that creating (and restoring) Lawson’s district was itself racial gerrymandering that violated the Equal Protection Clause of the Constitution’s 14th Amendment. Embedded in this argument, which will be heard by Florida’s Supreme Court, is an attack on Florida’s Fair Districts state constitution amendment which curtails gerrymandering.

Where it controls the state legislature, as in California,

Oregon, Washington, Colorado, New Mexico and most of the Northeast, the Democratic Party has been just as aggressive in gerrymandering as the Republicans in the South and Midwest.

The most extreme example was in New York, where Democrats attempted to give themselves an advantage in 22 of the state’s 26 congressional districts, but the plan was struck down by a federal court in 2022. Legal battles over the drawing of new districts are ongoing, and the present Democratic margin of 15–11 could mushroom to 20–6 or even higher.

This partisan warfare is entirely divorced from any consistent defense of democratic rights. Both rival capitalist parties seek to insulate themselves from the popular vote, with gerrymandering frequently described in the adage: politicians choosing the voters, not voters choosing politicians.

Gerrymandering is not merely unprincipled rivalry. It is an element in the decay and collapse of capitalist democracy as a whole. The US political system has less and less to do with the actual wishes of the voting population, and both corporate parties seek to block the development of any independent political movement of the working class.

The Democrats and Republicans understand that they are widely hated by the working class, the vast majority of the population, because of the constant attacks on jobs, living standards and social services, while trillions are squandered on bailout of the rich and the vast and ever-growing military machine.

Both sitting President Joe Biden and former President Donald Trump, who is currently on trial for instigating the January 6 coup attempt, are some of the most despised figures in American history. Biden’s approval rating is just 37 percent and Trump’s approval rating when he left office was just 34 percent. Two of the past four presidents were “elected” despite losing the popular vote.



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