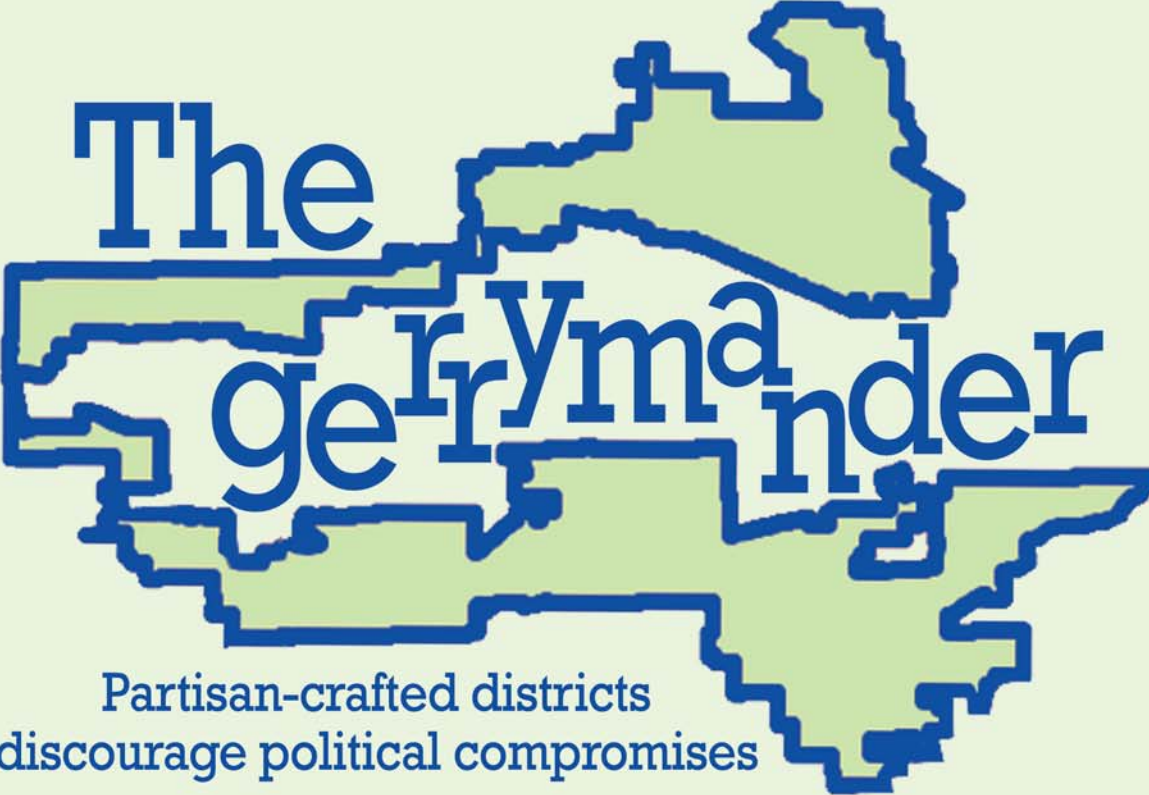


by Kenneth
Lowe


The gerrymander

Partisan-crafted districts discourage political compromises

When Jesse Jackson Jr. won election in November to his fifth term in Congress, representing Chicago's southeast side, he had already been on a leave of absence for about five months, citing unspecified health concerns. Despite a lack of his presence on the campaign trail and a federal investigation surrounding his campaign and personal finances (Jackson would later plead guilty to spending \$750,000 of his supporters' money on expensive trinkets for himself and his wife), Jackson won re-election to his seat with 63 percent of the vote in a race against two other opponents. He learned of his victory in his room at the Mayo Clinic in Minnesota.

Jackson's personal circumstances were remarkable, but his essentially assured victory was like many others in the state. One of the most important factors in that ironclad safety is the very districts officeholders run in, drawn along partisan lines and with the intent of preserving the power of the ruling party. Long an acknowledged problem in Illinois, the effects of "gerrymandering" — the practice of drawing the boundaries of the districts to favor one political party by isolating voters based on their likely behavior — are being felt nationwide in the wake of the 2012 elections.

Each of the 50 states sets its own congressional district boundaries, each according to its own rulemaking. In Illinois, the party in power redraws districts behind closed doors. In Iowa, a computer produces a map a nonpartisan commission approves, with little fanfare and almost entirely outside the control of either major political party.

The two states represent two extremes, but Illinois is more the rule than it is the exception. The partisan

nature of many states' redistricting laws and the number of GOP-held state legislatures has translated into a congressional advantage for Republicans. In 2012, for the first time since the Second World War, the party whose candidates won the most votes in Congress failed to take the U.S. House.

Voters, irrespective of district or state, broke slightly for Democrats in the 2012 elections, yet Republican leadership in large states such as Florida, Virginia, Texas and Ohio translated into a firm grip on the redistricting process in 2010. More than 50 percent of voters in Michigan cast their ballots for Democrats, yet two-thirds of the state's seats in Congress went to Republicans.

In Illinois, the state Constitution sets a 10-year period on each new redrawing, deriving data on the population from the U.S. Census. It also decrees each district must meet three criteria: It must be "compact, contiguous and substantially equal in population." While the latter two are upheld, the first criterion is very debatable, critics say.

Illinois House Speaker Michael Madigan, chairman of the Democratic Party of Illinois, holds a heavy hand over the redistricting process, with Democrats' holding majorities in the House, Senate and the governor's office.

Steve Brown, spokesman for Madigan, says any change to Illinois redistricting rules would need to be in compliance with federal regulations. He points out a proposed amendment to the Illinois Constitution in 2010 met with Republican resistance. That amendment, supported by Democrats, ultimately failed, but it would not have removed authority from

the legislature to draw its own districts, as the competing Republican plan would have.

“Really, the utmost requirement in Illinois is to comply with the Voting Rights Act,” Brown says.

“Before people wring their hands about partisanship, they need to consider there are higher rules to follow.”

Brown also deflects the criticism that the process is not open enough. 2011 saw Democrats debuting their map less than a day before lawmakers voted on it. It passed without a single Republican vote.

“If you look at the record, there were more public hearings in this cycle than in any cycle,” Brown says. “There was more public involvement than in any [redistricting effort] in the past.”

There are side effects to the situation the practice creates, says Paul Green, professor of political science at Roosevelt University. In some ways, the very same system that shields elected officials from a general election challenge traps them ideologically.

“These elected officials are far less likely to compromise because their greatest threat comes from a primary challenge,” Green says.

Despite the chorus of lawmakers who decry the problem, reform from within their ranks seems a remote possibility, Green says.

“People talk about competition, but most politicians love the phrase ‘running unopposed,’” he says.

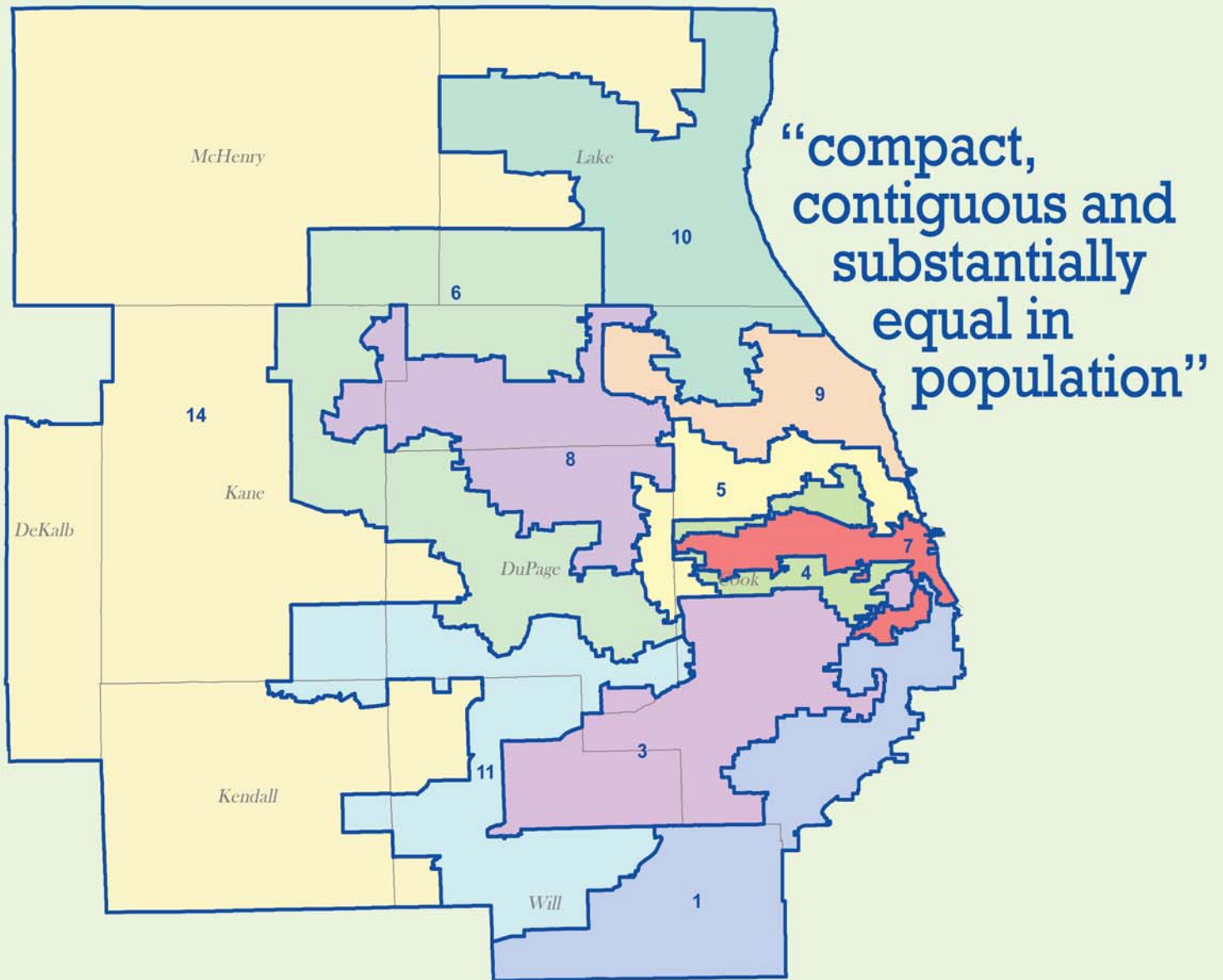
Former state Sen. Duane Noland, a Blue Mound Republican who served in the legislature from 1998-2003, says he sees the same hyperpartisan effect on national politics.

“You’re seeing fewer and fewer competitive districts,” Noland says. “When those legislators in Congress go to do their job, they’re set by a very narrow constituency, and that’s why I think we’re seeing so little compromise.”

In Illinois, the situation, while reversed along partisan lines, is emblematic of the challenges the nation as a whole faces in reforming the redistricting process to be more reflective of its population, and less a sign of partisan whims.

“Redistricting is the most political act the legislature does,” Green says. That act, in Illinois, perpetuates itself at the state level by securing easily defensible districts for the party in power and marginalizing the opposition.

Noland found himself at the mercy of a redistricting process controlled by Democrats. Touring parts of the state in 2010 in support of a constitutional amendment for redistricting reform, Noland says after the 2000 census the redrawn district he found



himself in, which pitted him against future Senate Minority Leader Frank Watson, was one of the primary factors in his decision not to run for office again.

“Essentially, what [the redistricting commission] did was collapse four districts into three,” Noland says, recalling the process that led up to his not seeking re-election. “I drew the short straw. It splintered my base, and I was friends with all [the other potential candidates] and had similar philosophies, and it made me feel the handwriting was on the wall, and it was time for me to move back into the private sector.”

Noland spoke about the problem in 2010, adding his support to an effort by the League of Women Voters of Illinois and the Illinois Farm Bureau to gather enough signatures on a petition to amend the Illinois Constitution by referendum. That effort ultimately failed, says Mary Schaafsma, the League’s executive director, because it didn’t have enough time or money to gather the signatures and protect against the inevitable legal challenges from politicians.

“People who would’ve given to us hedged their bets and gave to a candidate,” Schaafsma says. “I think we could’ve been successful if we were able to raise enough money and had had eight more months than we did.”

Simple despair on the part of Illinois voters may have played a part in it as well, she says.

“Part of what we’re up against is cynicism, mistrust and pessimism,” Schaafsma says. “That’s what changes things: When citizens and voters and residents of communities say, ‘Enough is enough.’”

“When 50 percent of the Illinois House is returned unopposed, that is saying something. It’s a major incumbent protection plan.”

On the federal and state level, the redistricting process in Illinois also seems to have completely countermanded some high-profile Republican victories.

One of the larger upsets for Democrats in the 2010 race for Congress may have been in the former 17th Congressional District, a constituency with nigh-indescribable boundaries. Some Decatur voters found common cause with voters in Springfield, Galesburg and the Quad Cities area in their ultimate rejection of incumbent Democrat U.S. Rep. Phil Hare in favor of Republican Bobby Schilling of Colona. While campaigning, Schilling readily acknowledged that district’s outrageous boundaries.

His son and campaign manager, Terry Schilling, says the geographical dimensions of the district alone were daunting, before even factoring in the seeming advantage to Hare.

“The furthest point away was about five hours,” Schilling says. Despite that, the Schilling campaign managed to rally support through aggressive campaigning, meet-and-greets and word of mouth, Terry Schilling said, garnering Bobby Schilling a place among the “Tea Party wave” of 2010. Those fortunes

reversed in 2012. A new map wiped out the questionable boundaries of the 17th, putting Schilling’s residence in the new 17th, where he faced Democrat Cheri Bustos in a territory that completely cut him off from much of the downstate support he spent the 2010 cycle rallying. Schilling lost, 53 percent to 47 percent.

“Redistricting put us at a disadvantage in 2012,” Terry Schilling says. “The district went from being a 57 percent/43 percent Obama/McCain district [in 2008] to a 60.5 percent/39.5 percent Obama district. They took away strongholds like Quincy, Decatur and Carlinville and replaced them with urban parts of Rockford and Peoria. By changing the district ... they took away some of the advantages of incumbency — built-in support, volunteers and name ID.”

It was galling for supporters cut off from the man they helped elect, says Jeff Luecal of Decatur, a board member of the activist group Citizens For Responsible Government who has been active in campaigns in the area. Luecal says the problem is fostering a feeling of isolation between constituents and a government they believe they have less and less control over. “We all know both parties engage in this,” Luecal says of gerrymandering. “In Texas, it’s radical the other way, [to favor Republicans]. We have people in this country losing faith and losing touch with the political system.”

In state politics, Luecal says the situation has all but insulated state lawmakers from public opinion, citing the widely unpopular income tax hike of 2011, which Springfield lawmakers passed just hours before one General Assembly left and a new one was sworn in. State Rep. Adam Brown, a Champaign Republican transplanted from Decatur in the aftermath of the recently redrawn maps, could be held up as an example of the will of voters falling prey to the cold calculus of partisan cartography at the state level.

The youngest member of the Decatur City Council ever to serve, Brown ran for the Statehouse in the former 101st House District in 2010 at age 25, facing four-term incumbent Rep. Bob Flider, a Democrat.

Both men’s campaigns collectively unloaded hundreds of thousands of dollars, with Brown taking the victory by a margin of about 600 votes. Speaking at the time, House Minority Leader Tom Cross openly emphasized the importance of Brown’s victory in the Republicans’ unsuccessful quest to secure enough seats for the Illinois GOP to take the House and stake its own claim on the redistricting process. Observers have noted that Madigan held sway over the process in 2000 and 2010, resulting in maps that for the most part, built in seemingly insurmountable Democratic advantages.

Brown, who accepted considerable financial support from Cross and committees under Republican control, says the partisanship of the redistricting process takes agency away from voters, even as it empowers political leadership.

“Gerrymandering is frustrating because it really diminishes your voting power,” Brown says. “When the lines are drawn for political gain, just based on the political affiliation of residents, it diminishes your voting opportunity there. You’ve got politicians dictating where their voters are going to be.”

Though Brown’s campaign won the battle, House Republicans lost their grand campaign, and a fully Democrat-controlled General Assembly convened less than a year later to redraw boundaries that put Brown’s residence — a Decatur apartment — in the new 96th District, with lines lumping in the downtown areas of Decatur and Springfield. Brown, who had campaigned as a hardworking family farmer with support for conservative policies, says he knew running in the 96th would mean losing.

He and his wife, Stephanie, weighed how his options in the General Assembly would affect their home life.

“The things that weighed on our minds, on the home front, was what was going to work best for my constituency, as well,” Brown says. “We had a lot of things to discuss, not only on the government side but also in our personal lives.”

Brown made the same decision many other lawmakers made: Simply run in a more winnable district. In Brown’s case, that was the new 102nd, which doesn’t include any parts of Decatur but does retain a swath of the rural voters who originally elected Brown in 2010. The decision came with an additional caveat, however. Stephanie Brown, formerly a development planner with the City of Decatur, couldn’t live with her husband and continue to work with the city. The residency requirements of her position with the city and her new husband’s move meant the couple, married less than a year, were making real estate decisions and, in her case, trying to get another job.

“We knew redistricting was coming, though how it was going to be drawn, we weren’t sure,” says Stephanie Brown. “I worked with the city for a number of years and loved that job and hated to leave, especially in the middle of projects I had going on.”

Adam Brown says reform likely must take the route that the League of Women Voters and the Farm Bureau tried: an amendment to the Illinois Constitution. He says he also holds out hope that a viable pathway to do so will surface when Madigan eventually makes the decision to step down.

“I think the framework is already out there, if you take a look at Iowa’s model,” Brown says. “I would push for a third-party board that determines these political lines. Anything would be better than what we have now in Illinois.”

Taking the Iowa approach, Green says, probably wouldn’t work for Illinois for at least one reason, though Green suggests one unlikely way Illinois might adopt the Iowa model.

“Just make sure we have [racial] diversity like Iowa!” Green says of the overwhelmingly Caucasian state. “We’ll never be Iowa, and you’ll never have nine innocent people from the phone book doing it.”

Schaafsma says for the foreseeable political future, the push for a constitutional amendment, independent of the General Assembly, may be the only recourse Illinoisans have to change the redistricting process and slay the gerrymander, though it won’t be easy.

“It is the one reform available to us,” Schaafsma says. “The status quo has so much more money, and they will mount a challenge to that at every turn. Even the smallest thing could derail that effort when they are that strong.” ■

Kenneth Lowe is the enterprise reporter for the Decatur Herald & Review and the Bloomington Pantagraph.



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