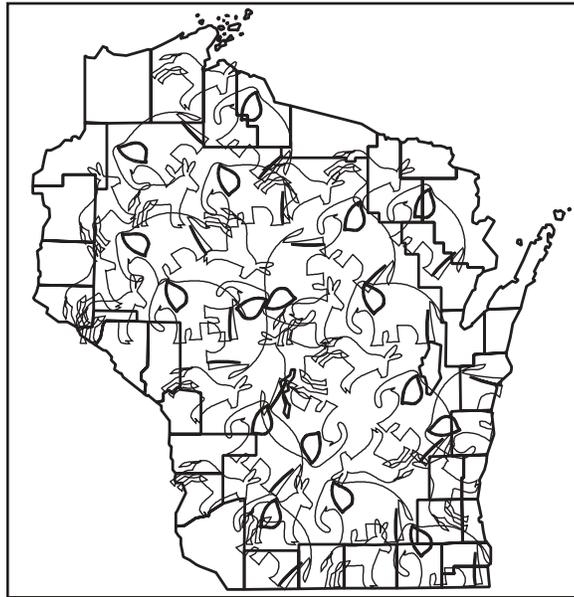


# CONGRESSIONAL REDISTRICTING IN WISCONSIN

PHILIP J. McDADE

Wisconsin has long been known for its competitive congressional races. Since 1990, for instance, four incumbents have lost their bids for re-election.<sup>1</sup> Two seats switched party hands after an incumbent retired.<sup>2</sup> Beyond that, a number of congressional elections have been closely contested in recent years, decided by just a few percentage points.



Wisconsin seat that's had a nearly uninterrupted string of Republicans representing it since pre-World War II days was redrawn to include even more Republican voters.

Wisconsin is not alone in protecting its incumbent congressional members. In state after state, congressional redistricting efforts have resulted in brokered deals that protect incumbent lawmakers

Few states with a congressional delegation as small as Wisconsin's — just nine total seats in the U.S. House of Representatives since 1970 — have experienced such electoral volatility and competitiveness in their House elections.

But those elections will soon become far less competitive, thanks to a deal struck by Wisconsin's Republican and Democratic congressional leaders and approved by state lawmakers. Under a map drawn up by the state's two senior members of Congress, two politically balanced districts will become much safer for the young incumbents holding them. One new seat — based almost entirely in the city of Milwaukee and a few surrounding working-class suburbs — is tailor-made for electing Democrats year after year. And a central

ers and create safer districts for members of each party. Charlie Cook, author of the widely read (in political circles, at least) *Cook Political Report*, suggests congressional redistricting efforts have been weighted so heavily toward incumbents and creating safe seats that this fall's elections will see only about two dozen truly competitive races. Those are the races that draw national media attention, national party money, and targeted spending by national interest groups. This year, those twenty-four or so races will decide which party controls the House of Representatives — and a good share of the national political agenda. Two dozen out of 435 House districts — that's not many.

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The 435 seats in the U.S. House of Representatives are redrawn every ten years to account for population shifts throughout the country. The once-a-decade count by the U.S. Census Bureau drives the process, as it provides the most detailed accounting of where people live and how populations have shifted. Each state is guaranteed one seat in the House, and the rest are distributed based on population. States with growing populations gain seats at the expense of those with declining, or modestly increasing, populations. In the case of Wisconsin this year, that means going from nine to eight seats (it lost a tenth seat after the 1970 Census), even though the state's population has grown in the past decade.<sup>3</sup> Moreover, congressional districts in each state are redrawn, to account for population shifts within the state.

While it may seem arcane to most voters, the task of redrawing congressional boundaries plays a crucial role in the political make-up and agenda of the country. In part, that's because it occurs only once a decade. Tax and spending decisions can be revisited year after year (and usually are), to take into account shifting priorities and economic changes. But congressional boundaries can only be redrawn every ten years, thus raising the stakes in the debate over where the lines should go.

More importantly, congressional redistricting can determine the distribution of political power for years at a time. Part of this occurs as a natural outgrowth of proportional representation. Ever-growing California, with its 53 congressional seats (nearly one-eighth of the entire House), exerts far more sway in policy debates than one-seat North Dakota. But lately, the chief aim of those who draw congressional boundaries is to pack them with as many voters of their own kind as possible. The creation of "safe" seats — districts weighted with so many voters of one party that the opposition has no realistic chance in the House election — often becomes the overriding priority of the boundary-drawing titans. In its most egregious form, redrawn districts are "gerrymandered" — drawn with lines so irregular that they bear little logical reason for existing, other than for

raw political advantage.<sup>4</sup> If one party can create more safe seats than the opposition, it can lock in its political advantage for years and even decades.

"Reapportionment has always been chock full of political motivations," according to Don Kettl, a UW-Madison political science professor and a close observer of the once-a-decade redistricting effort. "The gerrymandering process has rich and historic roots that go back a very, very long way, and politicians have always drawn the boundaries to pursue different political objectives."

The accumulation of political power through redistricting took on particular urgency this time around, mainly because of the extraordinarily close nature of the national political divide. GOP President George W. Bush was elected in 2000 with the narrowest mandate in U.S. history — an Electoral College winner based on a disputed Florida election, and the loser in the popular vote. Meanwhile, Democrats control the Senate by one seat (that of GOP turncoat Senator Jim Jeffords of Vermont), while Republicans control the House chamber by a mere six seats.

Should Republicans maintain control of the House in the fall elections, and switch just one seat in the Senate, they would control all of the policy levers in Washington, D.C. That would give Bush a huge boost in dominating the political agenda in the two years leading up to his expected re-election campaign in 2004. But should Democrats maintain control of the Senate this fall, and regain control of the House — hardly an unprecedented feat — Bush would almost certainly be put on the defensive leading up to the 2004 elections.<sup>5</sup>

In short, because the stakes are so high and political power so evenly divided, each party has sought to maximize its advantages in the congressional redistricting contest.

And that has meant protecting incumbents. After all, the surest way to keep a House seat in your political column is to have an incumbent seek re-election. In House elections, incumbents rarely get beat; their re-election

rate runs around 97 percent. (In that regard, Wisconsin's "competitiveness" in congressional races is a relative term. Between 1990 and 1998, four incumbent House members from Wisconsin lost. During the same time period, Wisconsin House incumbents seeking re-election won 37 times. Thus, Wisconsin House incumbents stand a better chance than the national average of getting toppled — about one time in ten races. Still, it's an uncommon occurrence.)

One way to insure that incumbents get re-elected is to pack their districts with voters of the same ilk as the incumbent. This is actually pretty easy to do. As noted by political writer Michael Barone, co-author of the biennially published *Almanac of American Politics*, voting trends by region tend to be historically rooted. Regions that favor one party over the other do so generation after generation. This is true for Wisconsin, not just in the obvious places (Democrat-dominated Dane and Milwaukee counties, Republican-dominated Waukesha County), but in others as well. Portage County, settled by Polish immigrants, heavily Catholic, with blue-collar paper mill workers and a vibrant university campus in Stevens Point, has long been a reliable source of Democratic votes in central Wisconsin. Southern Wisconsin's Walworth County, not quite suburban, boxed in on all sides by Democrat-leaning cities large and small, but full of old-money immigrants from the Chicago area, produces solid GOP majorities for any Republican on a ballot.

Knowing where these pockets are can spell the difference between drawing safe seats and ones vulnerable to challenge. If political boundary line drawers know anything, it's voting trends. Such vote-packing tendencies

played out most obviously this year in Wisconsin in two of the state's most politically volatile seats — the 1st and 2nd Congressional Districts.

### Two incumbent-protecting districts

In the politics of boundary drawing, two scenarios usually play out — protect vulnerable incumbents, and protect vulnerable districts. The latter strategy played a key role in the newly drawn lines of the 1st Congressional District, now held by GOP Rep. Paul Ryan of Janesville.

The 1st, which runs along Wisconsin's southern border, has always been one of Wisconsin's most volatile congressional districts. Since World War II, four Democrats and four Republicans have held the district — unusual turnover and balance for any congressional district. It's home to industrial towns like Janesville, Racine and Kenosha. In Beloit resides the state's single largest concentration of black voters outside of Milwaukee. Not surprisingly, it trends Democratic in presidential election years. Al

Gore took the district in 2000, while former President Bill Clinton won it in both 1996 and 1992.

But in-between the industrial cities that bracket the district sits some of the most fertile Republican territory in Wisconsin. The portions of Racine and Kenosha counties that lie outside their namesake cities are filled with growing suburbs that strongly trend Republican. Walworth County, filled with quaint resort towns such as Lake Geneva and Delavan, has been solidly Republican for decades.

Ryan, 32, came out of nowhere in 1998 to win the 1st. Well, almost nowhere. His family's

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Janesville roots date back to the 1880s; Ryan is the fifth generation of his family to call the city home. But the young Republican cut his political teeth in Washington, working for GOP stalwarts like Jack Kemp, William Bennett, and former Wisconsin Senator Robert Kasten.

Ryan easily won election to his first term with 57 percent of the vote, then topped that with 67 percent in 2000. In doing so, he ran twenty percentage points ahead of ticket-mate Bush in the district and eighteen points ahead of former Vice President Al Gore — a remarkable accomplishment, given the district's historic Democratic tendencies in presidential election years.

The redrawn 1st District seems clearly aimed at preserving the seat for future Republicans. Call it the vulnerable district factor. Ryan, absent a major snafu, appears to have a grip on the seat for as long as he wants it. But Ryan's meteoric rise to prominence has Republicans slotting him for bigger and better things. He has been mentioned as a possible challenger to Senator Russ Feingold, the Middleton Democrat who is up for re-election in 2004. Democratic Senator Herb Kohl is up for election in 2006; he would be 71 if he decided to seek a fourth term in office. Should the popular Kohl step aside, Ryan would certainly be among the favorites for the Republican nomination for the seat if he sought it.

In addition, the 1st District represents a pivotal seat for the Republican Party's hold on a majority in the U.S. House of Representatives. The 1st was one of the seats Republicans took from the Democrats during their 1994 takeover of the House.<sup>6</sup> If Republicans want to keep their majority, they need to hold on to seats like the 1st. Redistricting provided a prime chance to strengthen the seat for the GOP, both for its current incumbent and Republican candidates down the road.

First, the newly-drawn 1st District split Ryan's home county of Rock County in half, keeping Janesville and the eastern part of the county in the 1st (Ryan acknowledged lobbying to keep his hometown in the newly config-

ured 1st). The western half of the county, including Democrat-rich Beloit, was shifted into the 2nd Congressional District. Ryan has always run weaker in Rock County than any other part of the district; Rock County voters gave Gore a solid 60 percent majority in the 2000 presidential race. Now Ryan has to run in only half the county, and it's the half that includes his hometown and the Republican-leaning rural areas of eastern Rock County.

More significantly, for long-term Republican prospects, the redrawn 1st picked up an even bigger chunk of Waukesha County, and the most Republican section of Milwaukee County.

The old 1st had only 6,552 Waukesha County voters (Ryan won 5,110 of them in 2000). The new 1st contains the lower third of the county, taking in growing, rock-solid Republican suburbs like Muskego and New Berlin. The impact of the Waukesha County additions can't be underestimated; no other sizable county in Wisconsin delivers Republican votes like Waukesha County.<sup>7</sup> In Milwaukee County, the new 1st District added the southern Milwaukee County suburbs of Franklin, Greendale, Greenfield, Hales Corners and Oak Creek — all communities that delivered GOP majorities in the 2000 presidential election.<sup>8</sup>

The new 1st can only help Ryan's electoral prospects, as well as any other Republican who may run there in the next decade.

If Republican deal-makers like Sensenbrenner got what they wanted out of the newly drawn 1st, Democrats like Obey surely accomplished the same thing in the 2nd Congressional District. Representative Tammy Baldwin of Madison was first elected to the seat in 1998, making history by becoming Wisconsin's first female member of Congress, as well as one of the few openly gay candidates to win a congressional election.

The 2nd District, based in Madison-centric Dane County and a handful of nearby counties, has always looked kindly on Democrats. It supported Democrats George McGovern and

Walter Mondale, both landslide losers nationally, during their presidential races. Democrat Robert Kastenmeier quietly represented the district for thirty-two years.

Then the GOP's Scott Klug upset the apple cart in 1990, defeating Kastenmeier in a race whose outcome made national headlines. Second District Democrats never saw it coming. Klug was able to parlay a moderate stance on some issues — favoring some abortion rights and lowering the drinking age — with fiscal conservatism and promotion of government reforms. Those views, savvy media campaigns, and his easy-going, conversational demeanor played extremely well in Madison's growing suburbs, and he parlayed those into easy wins in the next three elections.

Klug retired in 1998, opening the door for Democrats to reclaim the seat. Baldwin emerged from a three-way primary, and ran up huge margins in Madison's liberal Isthmus wards to win over former GOP state insurance commissioner Jo Musser. But Baldwin has struggled in her two races for Congress. In particular, she has struggled relative to how other Democrats have done in the 2nd District — the kind of performance that draws the attention of congressional mapmakers. In 2000, for instance, Democratic presidential candidate Al Gore took 58 percent of the 2nd District vote. Baldwin managed only 51 percent of the vote in defeating University of Wisconsin-Madison history professor John Sharpless. Baldwin's performance in 2000 was significant in two regards. First, she fared worse than she did in her first bid for election two years prior, when she garnered 53 percent of the vote. Secondly, her margin fell during a presidential election year, when Democrats in Wisconsin — particularly in the 2nd District — traditionally run strong.<sup>9</sup> In short, Baldwin

entered the congressional redistricting debate as a vulnerable incumbent. Democrats can hardly hope to regain control of the House if they lose seats like Baldwin's.

Her newly drawn district will almost certainly make her less vulnerable. Baldwin's old district included all of Sauk, Richland, Iowa and Lafayette counties in south-central Wisconsin. She lost all of those counties to Sharpless in 2000, failing to garner even 40 percent of the vote in Lafayette County.<sup>10</sup>

Her new district sheds all of those counties, save for a chunk of eastern Sauk County around the Wisconsin Dells area that trends

Democratic in presidential election years. It sheds a portion of her district that was in heavily Republican Dodge County — an area she lost by a nearly 2-to-1 margin in 2000. The new 2nd District does take in the western half of Jefferson County, but it's a chunk of territory that split nearly 50-50 between Bush and Gore in the last presidential election. Mapmakers even gave Baldwin the only part of heavily Republican Walworth County — the

university town of Whitewater — that reliably leans Democratic.<sup>11</sup>

Most significantly for Baldwin, her new district includes the western half of Rock County, including the city of Beloit. The small towns of western Rock County — places like Evansville, Orfordville, and Edgerton — are reliably Democratic communities, harking back to their days as fertile territory for rural Progressive candidates. But Beloit provides the greatest potential electoral cushion for Baldwin. In the 2000 presidential election, Beloit gave Gore a solid 63 percent of its votes. Portions of Beloit rival Madison's Isthmus for their allegiance to Democratic candidates. One

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section of Beloit — wards 12 through 16 — gave Gore an astounding 84 percent of the vote.

The new map already appears to have altered 2nd District political considerations. Sharpless, coming off his strong showing in 2000, openly talked about taking on Baldwin again in 2002. In particular, Sharpless said a newly redrawn district that shoved the 2nd District westward — into the rural counties where Baldwin has fared poorly in past elections — would likely have prompted another run. Republicans had indicated the nomination would have been his for the asking. But Sharpless has now indicated it's doubtful he will run, given the electoral advantage Baldwin will enjoy in the newly drawn 2nd District. No other prominent Republicans have yet to line up against Baldwin.

#### **More Good News for Incumbents**

Does anyone lose out in Wisconsin's newly drawn congressional map? At first glance, U.S. Representative Ron Kind, a La Crosse Democrat, picked up bigger chunks of rural Wisconsin, where Republican candidates tend to get more support than Democrats. But a closer examination of Kind's electoral history, and the new turf he picked up, indicates he should have little trouble getting re-elected.

Kind, a former local prosecutor and Harvard-educated football player, won the 3rd District seat in 1996, beating former state Senator Jim Harsdorf with 52 percent of the vote. In that election, he ran ahead of President Bill Clinton, who garnered 50 percent of the 3rd District vote. Kind has had nominal opposition since then. In 2000, for instance, he breezed to victory with 64 percent of the vote, running well ahead of Gore, who won 49 percent of the district's vote.

That result spells out a key difference in the mapmakers' approach to the neighboring 2nd and 3rd Districts. Democrats who want to win and hold on to the 3rd District must do well in rural areas; the western Wisconsin district has no significant urban areas beyond La Crosse and Eau Claire. Kind has shown he can

do that; he ran ahead of both Gore and Clinton in the district's rural areas in the last two presidential elections. Baldwin, on the other hand, ran well behind Gore in 2000 in the rural parts of the old 2nd District.<sup>12</sup>

The new congressional map also throws a sop to each party in the 4th and 6th districts. The 4th includes much of the old 5th Congressional District, lost in the congressional redistricting shuffle. The new 4th's borders: All of the city of Milwaukee, and a few old, blue-collar suburbs like Cudahy, St. Francis, South Milwaukee, West Milwaukee, and part of West Allis. Nearly half the residents of the new 4th are minorities. It's Democratic Representative Jerry Kleczka's district for as long as he wants it. The only future electoral fight in the 4th will be in a Democratic primary whenever the 58-year-old Kleczka decides to retire.

In the 6th District, GOP Representative Tom Petri has served in Congress since 1979. The 6th represents the traditional backbone of Wisconsin's Republican Party; it includes Ripon, birthplace of the Republican Party in 1854. Save for a two-year stretch in the mid-1960s, Republicans have represented the 6th since 1939. Petri has had few close races, save for 1992, when he inexplicably got caught up in the House bounced-check scandal (inexplicable because Petri is one of the delegation's wealthiest members).<sup>13</sup> Petri won re-election in 2000 with 65 percent of the vote.

Yet just to make sure the 6th stays in Republican hands, the new congressional map cuts out two marginal counties on the western edge of the district (Juneau and Monroe) and adds all of GOP stronghold Dodge County, about an hour northeast of Madison. It does slice off Waupaca County, another GOP stronghold, but the trade is worth it for the GOP, as Dodge County has a third more voters than Waupaca County. The new 6th also picks up all of Sheboygan County, including the more Democratic eastern part of the county. But this shouldn't trouble Petri; he hails from nearby Fond du Lac and has represented the area in Congress and the state Senate for thirty

years. It would take a monumental upset for Democrats to pick-off Petri or any other Republican in the redrawn 6th District.

Wisconsin's two northern Congressional Districts — the 7th and 8th — were tweaked a bit in the mapmaking process. Neither incumbent — Democratic U.S. Representative David Obey in the 7th and GOP U.S. Representative Mark Green in the 8th — needs to worry much about their re-election chances. Obey, first elected in 1969, wields true power in Congress as the senior Democrat on the House Appropriations Committee. He would take over as chairman of the powerful panel if Democrats take control of the House. Voters have long been reluctant to throw out true kingpins like Obey.<sup>14</sup> In addition, the 7th has been trending Democratic in recent years; Gore won a plurality of votes in 2000, as did Clinton in 1996 and 1992.

Green was elected to the 8th District seat in 1998, beating incumbent Democratic U.S. Representative Jay Johnson with 54 percent of the vote. In doing so, he gained fame as the only Republican to beat a Democratic House incumbent that year. The 8th, based in Green Bay and northern Wisconsin's tourism-oriented counties, has had a strange electoral history. It has had five congressmen in the past 20 years, a high turnover rate. The right kind of Democrats can do well here in the right circumstances. DePere's Robert Cornell, a priest, was a post-Watergate Democrat who won two terms in the mid-1970s. Johnson, a friendly local newscaster, upset veteran GOP Representative Toby Roth in 1996 in what was a good year nationally for Democrats. It's a heavily Catholic, beer-drinking, blue-collar district, personified by the late Green Bay Packers coach Vince Lombardi.

In 2000, it swung sharply toward the GOP. Bush, who along with Gore campaigned heavily in the 8th District, carried it with 52 percent of the vote, compared to 44 percent for Gore. Green did even better, garnering 75 percent of the vote against nominal opposition. That Green drew such a meager challenge in his first re-election attempt says more about Green than it does the district, however. Green, along with his GOP colleague Ryan, is considered one of the rising stars of the Wisconsin Republican Party. He's young (41), energetic, good on the stump and good looking on television. He has paid his dues, with a six-year stint in the state Legislature, and is considered a

likely candidate down the road for U.S. senator, state attorney general (he's a lawyer), or even governor. Green probably won't stay in his 8th District seat forever. But this district has a way of incubating young, sharp Republicans (see state Representative John Gard of Peshtigo) who often prove capable of moving up to Congress.

The new 5th congressional district replaces the old 9th, and is represented by Sensenbrenner. It

still takes in a broad sweep of suburban Milwaukee where Democrats are simply not competitive — including fast-growing Ozaukee and Washington counties, the northern two-thirds of Waukesha County, and a chunk of eastern Jefferson County. Sensenbrenner hasn't had a competitive race in years, and is unlikely to have one in his new district. Democrats have almost no hope of capturing this seat in the coming decade.

Not surprisingly, given the advantages the new map gives to incumbents, every member of the Wisconsin congressional delegation endorsed the new boundaries. Obey and Sensenbrenner said the new map meets court-recognized goals of creating compact districts,

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preserving the core of the existing congressional districts, not unduly dividing communities, and avoiding irregular-shaped districts.

In fact, the new map does just that. The City of Eau Claire (3rd) and Sheboygan County (6th), previously split into two districts, now sit in one congressional district. The City of Milwaukee now constitutes a congressional district almost entirely by itself.<sup>15</sup>

But congressional mapmaking has become so sophisticated — with computer software able to identify voting trends down to the last ward and census block — that district boundaries can often be drawn without resorting to chicanery or grotesque, gerrymandered-looking configurations. It's why the seemingly simple act of splitting Rock County in half — the western half in Baldwin's new district, the eastern half in Ryan's new district — is actually a calculated political decision aimed at preserving the incumbency of sitting politicians, as well as those to come.

So where does Wisconsin stand? With a congressional map that's likely to yield few, if any, competitive races in the next decade. For example:

- Three districts — the Milwaukee-based 4th, the suburban 5th, and central Wisconsin's 6th — will almost certainly elect only their sitting incumbents or the next person in line from their party.
- Two districts — the 7th and the 8th — might have competitive races if their incumbents (Obey in the 7th, Green in the 8th) ever step down. But both districts have been trending toward the party of each incumbent, and state and national party leaders are unlikely to back a spirited campaign against two such well-regarded (and financially backed) incumbents.
- Two districts — Ryan's 1st and Baldwin's 2nd — have become decidedly less competitive under the new congressional boundaries. Both Ryan and Baldwin are young, with the potential for long congressional careers. But even if they pull a Klug

and leave their seat early, they will leave districts much more likely to elect someone from their party — at least until the next round of redistricting.

That leaves the 3rd congressional District, on Wisconsin's western border. The district is almost always closely contested in presidential years. Heavily agricultural districts in the Upper Midwest like the 3rd — where the dairy economy has taken a significant hit — are notorious for swinging back and forth between parties. Kind is also one of the Democrat Party's best hopes for higher office.<sup>16</sup> Should Kind leave the seat, the 3rd District would likely provide Wisconsin with its most competitive congressional race in the coming decade.

### A Rigged System?

Does any of this matter? Wisconsin's redrawn congressional map did draw some protests. Some African-American Milwaukee lawmakers said it diluted the power of minority voters by consolidating all of Milwaukee's minorities into one district.

In addition, a reform group led by former state Supreme Court Justice Janine Geske drew its own set of congressional districts, aimed at making most of them far more competitive than the ones that emerged from the state's congressional delegation. Five seats — Ryan's 1st, Kind's 3rd, Kleczka's 4th, Sensenbrenner's 5th, and Obey's 7th — were drawn to include a nearly even split between Democrats and Republicans, based on the state's 2000 presidential vote. Green's 8th District seat was drawn with 52.5 percent Republican voters. The group drew two seats — Baldwin's 2nd and Petri's 6th — that it conceded were safe for the incumbents.

Still, Geske's group argued, five or six competitive seats was better than the newly redrawn map, which virtually assures the election of all House incumbents.

"Elections should allow the voters to pick their representatives," she said. "Instead, redistricting in Wisconsin has become the means for representatives to pick the voters."

But the Geske plan did away with most of the boundaries of the old districts, shifting far more voters into new districts than the incumbent-favoring map. One district in northeastern Wisconsin was compared to the shape of a question mark or serpent — the kind of gerrymandered-inspired lines that Obey and Sensenbrenner said they wanted to avoid. Geske's group conceded that they created entirely new boundaries and some odd-shaped districts in the interest of making those districts more competitive.

Indeed, the Geske plan reveals one of the conundrums faced by political reformers who want to see congressional districts made more competitive. As political commentators like neo-conservative Patrick Ruffini point out, citizens who vote alike tend to live near each other. Urban dwellers tend to favor Democrats; rural residents tend to favor Republicans. Even a close examination of suburban voters, notorious for ticket-splitting, reveals these tendencies. Voters in the suburban Milwaukee counties of Waukesha, Ozaukee, and Washington are far more likely to favor Republican candidates than suburban voters in Dane County, for instance. Ruffini, who runs a Web-based political commentary site, argues that creating more competitive congressional districts would typically result in drawing artificial boundaries with little regard for keeping like-minded communities and regions intact. The result — districts that look gerrymandered, populated by voters that have little in common with each other.

Geske's group suggested the task of drawing congressional districts be handed over to a non-partisan commission.<sup>17</sup> But it's not clear this would result in more competitive congressional districts. The state of Arizona provides a case in point. Arizona, one of the fastest-grow-

ing states in the country, got two new congressional seats this year. The state's Independent Redistricting Commission redrew lines to expand the number of seats from six to eight.<sup>18</sup>

As Charlie Cook points out, all six incumbent Arizona congressional members have little to worry about in getting re-elected. Their new districts either take in big chunks of their former districts or contain enough voters of the incumbent's party to make them safe. One of the commission's new seats — the 7th District in southwestern Arizona — is a made-to-order Democratic seat, with a majority of minority voters (mostly Hispanic), and nearly twice as many registered Democrats as Republicans.

Another seat — the 2nd District — combined parts of two former districts to create a truly ugly gerrymandered district. Only one of the state's congressional districts — an entirely new 1st District, occupying nearly half of the state — is a truly competitive seat, according to Cook.<sup>19</sup>

Cook, who doggedly monitors congressional redistricting in every state, suggests the incumbent-favoring plans drawn up throughout the country shouldn't come as that big of a surprise. The extraordinarily close divide of our national politics — reflected in the 2000 presidential election and the near-toss-up status of the House and Senate — is evident at the state level as well.<sup>20</sup> And state legislatures are where most congressional maps are redrawn. States, seeking to maintain their clout in Congress, have drawn up plans to protect their incumbents, rather than risk sending neophyte lawmakers to Congress by drawing up competitive districts.

"This could make it harder for either party to build a working majority in the House, because each has so many safe or relatively

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*[C]itizens who vote alike tend to live near each other.*

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safe seats," Cook writes in his "Off to the Races" column.

But a growing chorus of commentators suggest the congressional map-drawing strategy helps breed cynicism about a group of people who don't need much help in that regard — our elected politicians. For instance, incumbent-protecting districts mask the true nature of our political divide — a country nearly evenly divided between Democrats and Republicans. That's reflected in the makeup of the Congress and state legislatures, but not individual congressional districts. Florida's 2000 presidential election, for instance, revealed a state nearly as evenly divided between the two major parties as possible. Yet nearly half of the state's congressional members ran unopposed that year.<sup>21</sup>

In addition, some commentators argue that incumbent-protecting districts could lead to congressional gridlock.<sup>22</sup> The closely divided nature of Congress suggests lawmakers would be forced to "govern toward the middle," given that it only takes a few rogue members to derail legislation. Neither party can pander to its extreme wing, because the other side essentially wields veto power over one-sided legislation. Thus, legislative compromises are the order of the day. But under incumbent-protecting congressional maps, lawmakers from both parties can be openly partisan and non-compromising without worrying much about electoral consequences. After all, their district is safe.

So get used to your current member of Congress. They, or someone like them, will be around for awhile. As one wag recently wrote:

[T]he greatest offense of the redistricting process lies in the way the politicians treat the voters like chumps. In a democracy, the people are supposed to select their leaders. In the modern computer-assisted age of gerrymandering, incumbents select the voters they want in their districts.<sup>23</sup>

## Notes

1. The losers: Representative Robert Kastenmeier, D-Sun Prairie, to Scott Klug, R-Madison, in 1990 in the 2nd Congressional District; Representative Peter

Barca, D-Kenosha, to Mark Neumann, R-Janesville, in 1994 in the 1st Congressional District; Representative Toby Roth, R-Appleton, to Jay Johnson, D-Green Bay, in 1996 in the 8th Congressional District; and Johnson to Mark Green, R-Green Bay, in 1998 in the 8th Congressional District.

2. Representative Ron Kind, D-LaCrosse, replaced retiring Representative Steve Gunderson, R-Osseo, in 1996; Representative Tammy Baldwin, D-Madison replaced retiring Representative Scott Klug, R-Madison, in 1998.
3. Joining Wisconsin in losing a congressional seat this year were Illinois, Michigan, Indiana, Ohio, Oklahoma, Mississippi, and Connecticut. New York and Pennsylvania each lost two seats. Those states that gained a seat included North Carolina, Colorado, Nevada, and California. Arizona, Florida, Georgia, and Texas all gained two seats.
4. The term "gerrymander" dates to the early 1800s. Massachusetts Governor Elbridge Gerry, a Republican, redrew the congressional seat lines in his state to the near-total benefit of his party, drawing the ire of the opposition Federalist Party. One strangely shaped district resembled a salamander, and Federalist Party members took to calling the seat a "gerrymander." The term was picked up and popularized by the newspapers of the day.
5. The party opposite that in the White House historically picks up seats in "off-year," or mid-term, elections. According to Cook, the party that controls the White House has lost seats in 32 of 34 mid-term elections dating back to the end of the Civil War. Writes Cook: "Voters tend to punish presidents in mid-term elections and almost never reward."
6. Neumann's 1994 defeat of Barca.
7. Bush got 65 percent of the vote in Waukesha County in the 2000 presidential race. Even the GOP's much-admired John Gillespie, running against Wisconsin's most popular politician — Democratic U.S. Senator Herb Kohl — won 53 percent of the Waukesha County vote in 2000. Gillespie only managed 38 percent of the statewide vote. Political novice Tim Riener, who couldn't muster 40 percent of the vote two years ago running against veteran Democratic U.S. Representative Jerry Kleczka, won a majority of the Waukesha County vote that was in Kleczka's old 5th Congressional District. Almost the entire portion of Kleczka's old 5th District that sat in Waukesha County is now in the new 1st District.
8. The 2000 presidential election provided a good test of voters' party sympathies, because it was so closely contested — both nationwide and in Wisconsin. Gore, for instance, beat Bush in Wisconsin by less than 6,000 votes out of more than 2.5 million cast — nearly a dead heat. Of the five Milwaukee County suburbs added to the newly configured 1st District, Bush carried them with 56 percent of the vote.

9. The last Republican to carry Wisconsin in a presidential election was President Ronald Reagan in 1984.
10. In 2000, Baldwin got 45 percent of the vote in Iowa County, 41 percent in Lafayette County, 38 percent in Richland County, and 43 percent in Sauk County.
11. Mapmakers did give Baldwin all of Green County; her old district had just half of the county. She did poorly in that half in 2000, garnering just 41 percent of the vote against Sharpless. But Green County is small — just over 15,000 votes were cast in the 2000 presidential election — and not reflexively Republican. Gore won it in 2000 with 53 percent of the vote, and it's long been represented in the state Senate by stalwart Democrats like current Senator Jon Erpenbach, Joe Wineke and current U.S. Senator Russ Feingold.
12. Compare, for example, how Kind and Baldwin fared in St. Croix and Sauk counties, relative to the top of the ticket. St. Croix and Sauk are similar-sized counties and growing — St. Croix with spillover from the Twin Cities metropolitan area, Sauk with spillover from Madison and Dane County. In 2000, Kind won 54 percent of the vote in St. Croix, ahead of Bush's 51 percent. Baldwin got 43 percent of the vote in Sauk County, well behind the 51 percent picked up by Gore. Most of Sauk County now lies in Kind's newly drawn 3rd District.
13. Former state lawmaker Peg Lautenschlager held Petri to 53 percent that year.
14. It was this very argument, in reverse, that Klug wielded with considerable success in his upset win over Kastenmeier in 1990. Klug's signature campaign symbol was a button with the number 32 on it — the number of years Kastenmeier had been in Congress — with a slash through the number. Klug argued Kastenmeier had done little during his 32-year tenure to rise to a true position of power in the then-Democratic-controlled House. Instead, he was best known as Congress' expert lawmaker on copyright law.
15. Making Milwaukee "whole" drew protests from some of Milwaukee's African-American politicians, who said it would dilute the ability of voters to elect minority candidates in two Milwaukee-based congressional districts, instead of just one under the new map. Such is the debate that surrounds minority-influence districts. In areas with large minority populations, mapmakers must balance drawing lines that include enough minority voters (to influence an election) and lines that include too many minority voters (where the influence can be strong, but in only one or a few districts). Courts haven't helped much, looking askance at districts that dilute minority voters by spreading them out among districts, as well as cramming them into only a few districts.
16. Such speculation provides another contrast between Kind and the neighboring Baldwin. The Madison-born and bred Baldwin is seen as a product of the most liberal tendencies of Wisconsin's Democratic Party — endorsing a single-payer national health care system, for instance — and is rarely mentioned as a candidate for statewide office. Kind, on the other hand, toyed with the idea of running for governor, but decided to run again for Congress. His ability to attract moderate and even some Republican voters in his congressional district could make him an ideal candidate for a statewide run, some Democrats suggest. Party observers on both sides say it wouldn't be unusual to see Kind face off down the road against Green or Ryan in a statewide race for either governor or United States senator.
17. The state's largest newspaper, the *Milwaukee Journal-Sentinel*, endorsed this approach in a Feb. 26, 2002, editorial.
18. See <[www.azredistricting.org/final/congfinal.jpg](http://www.azredistricting.org/final/congfinal.jpg)> for the new Arizona map.
19. Arizona's new 1st District looks ugly, too, with a big hole in the middle due to the gerrymandered 2nd District. Cook explains why. The 2nd District reaches into the 1st District to grab the Hopi Indian Reservation in its entirety. The Hopi Reservation is entirely enclosed within the Navajo Indian Reservation, which accounts for a big chunk of the 1st District. The two tribes don't get along, and were court-ordered into two separate congressional districts prior to the last round of redistricting. The new Arizona congressional map maintains that separation.
20. According to Cook, Democrats and Republicans each control both legislative chambers in 17 states. The remaining states, like Wisconsin, have divided control of their legislatures. Of the 99 legislative chambers in the country (Nebraska has a unicameral Legislature), 48 are controlled by Democrats and 47 by Republicans.
21. See "Red-Light District" by John Fund, *Wall Street Journal*, March 13, 2002.
22. See "Safe at Any Speed" by Mickey Kaus, *Slate*, Jan. 3, 2002, as well as "The Democrats' dilemma" by Robert Novak, *Chicago Sun-Times*, Feb. 11, 2002.
23. See "Gerrymandering: Miss Tammany Politics? Redistricting Mess Might Fill the Bill" by A. Barton Hinkle, Richmond (Va.) *Times-Dispatch*, March 19, 2002.