



Justices weigh meaning of ‘one person, one vote’

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But what does that mean?

Redrawing the district to equalize *eligible voters* would be hard, however, because the district would need to gain 7,290 adult citizens (a citizen voting-age population gain of 6.8 percent), a task made more difficult by the fact that all of the surrounding districts are also underpopulated and one – District 103 – is a Latino majority district protected by the Voting Rights Act. In 2013, the U.S. Supreme Court sent the case back to a federal appeals court, where it sided with the university. Because if the Supreme Court rules that roughly-equal legislative districts should be drawn based on the number of *eligible voters*, instead of the number of *people*, it has the practical effect of shifting political power away from cities (which tend to be more progressive and more diverse areas) and towards rural areas (which tend to be more conservative and less diverse).

Counting **everyone** and not just *eligible voters* magnifies the electoral influence of places, typically urban, with sizable populations of *people* ineligible to vote, including legal and illegal immigrants as well as children.

First, if the Supreme Court rules for *Evenwel*, it will be creating a constitutional right out of thin air.

No, say two Texans **who** are suing the state over how districts are created.

Sue *Evenwel* is the Republican county chairwoman from Titus County in East Texas. The question before the Court is if the one-person, one-vote doctrine requires a legislature to use voting population numbers when there is evidence that using *total* population numbers would cause serious disparities in the strength of the votes cast.

The Texas lawsuit contends the Constitution forbids the formula 49 states have used for decades: applying a state’s *total* population, as determined by the census, as the numerator under a doctrine known as one-person, one-vote. For more than a century, many were based on geography, which led some sparsely populated rural districts to have as much representation as cities.

Saying that Malcom’s phrase “supportive collegial environments” was a better way to describe affirmative action, a Canadian Ph.D. audience member asked panelists why they use the phrase

“segregation” rather than “underserved students of color”. She said states are generally free to have differences of up to 10 percent without justifying it. “If you look at Texas and look at **who** represents the minority populations of Texas, it’s Democrats”. *Both* legal challenges were conceived and launched by the same man – Edward Blum of Austin, Texas. Some have called him the “mastermind” behind a series of cases that have successfully challenged long-established civil rights principles. So we turned to Ilya Shapiro, a senior fellow at the conservative and libertarian Cato Institute. Even in the absence of race-based affirmative action, about one-third of current black and Latino students would have been admitted based on academic credentials, and a disproportionate share of them are affluent. The late 1960s and early 1970s represented the “lowest foreign-born population in this country that we’ve had in at least the last hundred years or so”, Shapiro adds. When they talk about segregation, “all you do is raise the race flag again” and drive some *people* to “tune out” the message. It’s unclear why they took this one up, but courts have consistently turned back such challenges in the past, as did the Fifth Circuit in this case. “Strategically vague policies, shifting rationales, and stereotypical assumptions about the quality of high-achieving students in majority-minority or poor high schools should not be permitted to defeat Ms. *Fisher’s* individual right to equal protection”. However, Garza thinks that advocates on the other side may say the redistricting criteria should be done by the number of *voters*. If the Court adopts that view, it would give a greenlight to exclude whole categories of our population from representation in our government. In a district where a tea party candidate prevailed by 92 *votes* in a tough primary fight, even small shifts could have huge impacts.

The theory that the Framers of the 14th Amendment adopted was to include **everyone** in the population so as to ensure “that everyone’s voices are accounted for in representation”, he says.

But a year after the Arizona districts won approval, the Supreme Court largely ended the Justice Department’s role of giving advance approval to redistricting plans in Arizona and other states with a history of discrimination against black or Hispanic populations. She’s also fumed that undocumented immigrants distort how legislative districts are drawn-as they are included in U.S. Census counts. “About one in four Asians and Pacific Islanders are not yet citizens of the United States, yet most are eligible for naturalization”, Democratic National Committee spokesman Eric Walker told NBC News source.