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Reforming Redistricting: Why Popular Initiatives To Establish Redistricting Commissions Succeed or Fail

An issue brief by:

Nicholas Stephanopoulos

ACS is pleased to distribute an [Issue Brief](#) by Nicholas Stephanopoulos entitled "[Reforming Redistricting: Why Popular Initiatives To Establish Redistricting Commissions Succeed or Fail](#)." In this piece, Stephanopoulos argues that election district lines have often been drawn "in such a way that fundamental democratic values are subverted." He then closely examines one avenue for redistricting reform: popular initiatives to establish redistricting commissions. Given other solutions and their limitations – legislators often having a vested interest in preserving the status quo, and recent Supreme Court decisions (such as *Vieth v. Jubelirer* and *LULAC v. Perry*) limiting judicial review – Stephanopoulos suggests that redistricting initiatives are the only realistic way to curb political gerrymandering. The initiative, available in some form in 24 states, enables the general public to place statutory and constitutional proposals directly on the ballot. The author reviews each of the 12 redistricting initiatives launched over the course of American history and identifies several factors that appear to predict their success or failure. He finds that the most important reason for the frequent failure of these initiatives is the concerted opposition of the majority party in the state legislature. In fact, redistricting initiatives succeed only when some factor (e.g., favorable national developments, the enthusiastic support of the state's media establishment, or division between the majority party's executive branch officials and its legislators) defuses majority party opposition. Stephanopoulos concludes by drawing lessons for the future, specifically offering to proponents of redistricting initiatives a playbook for increasing their chances of success.

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The views of the author are his own and should not be attributed to ACS. This [issue brief](#) is available online at <http://www.acsblog.org> and <http://www.acslaw.org/node/4414>.

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