Will the Supreme Court's Redistricting Ruling Push More States to Use Independent Commissions?

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"I Voted" stickers are seen at a polling station at Rose Hill Elementary School during the midterm primary election on June 21, 2022 in Alexandria, Virginia. Alex Wong/Getty Images

The Supreme Court ruling on *Moore v. Harper* overruled the North Carolina Supreme Court (which had overruled itself) in how the state's political maps were drawn after the 2020 decennial census. Left-leaning voters and state politicians will generally be happy with the decision.

As a computer scientist who supports using computational tools to draw political maps, I'm pleased the ruling also reaffirmed the 2015 ruling that made independent redistricting commissions legal.

Legal scholars will have a feast interpreting and dissecting *Moore v. Harper*. However, for the rights and voices of voters to be heard, computational tools are readily available to draw maps that align popular vote and representation in a manner that strengthens democracy for all.

Both parties are guilty of drawing political maps that serve their own best interests while leaving the voters out to dry. Good examples can be found across the country.

In Illinois, the new House maps resulted in 14 of 17 districts having Democratic representatives, even though just around 55% of the votes across the state were cast for the Democrat in the governor's race.

In Florida, the new House maps resulted in 20 of 28 districts having Republican representatives, even though just around 59% of the votes across the state were cast for the Republican in the governor race.

Collectively, across the entire country, the effects of gerrymandering in each state have become more balanced. Yet, multiple wrongs in multiple states that create a neutral effect of gerrymandering across the nation are both suboptimal and unsustainable, as it still suppresses the power of voters to express their preference for local representation at the national level.

This is why independent redistricting commissions are key to restoring value to voting and empowering voters. Seven states used independent redistricting commissions to draw their congressional maps in 2020. They cover 96 representatives out of 435, or just over 22% of the House.

The benefit of using independent redistricting commissions is that they are more likely to be open to political maps drawn using computational algorithms.

Computational algorithms cannot directly solve the gerrymandering problem since they can be infused with inputs that can bias the resulting maps in any direction. In fact, computational algorithms can draw highly gerrymandered maps that even pass the eye test and have the appearance of fairness.

However, computational algorithms can draw maps that satisfy the Voting Rights Act to ensure an appropriate number of majority-minority districts based on minority population proportion in a state. They can also ensure that communities of interest remain intact so that people of like mind can support and elect people who support common interests.

The measures of gerrymandering, like efficiency gaps (which measure the balance between wasted votes for the two parties), compactness (which captures how tightly drawn each district is), as well as partisan symmetry (which captures how shifts in the popular vote change representation for each party), can be computed for any proposed map. With such measures,

independent redistricting commissions can decide which maps provide the right balance between such measures, since no map can be optimal across all measures. The end result is more transparency in the map-drawing process, and most importantly, maps that best serve the interests of the voters, not the partisan legislators who are elected based on the maps.

In a world where we rely on smartphones and technologies to keep our lives functioning and in order, computational redistricting is an obvious tool to use when drawing political maps. Although no court will mandate such a tool, as there is no legal basis for such a ruling, independent redistricting commissions should employ the full power offered by computational tools. Such tools effectively make it easier to create a wide swath of maps, complete with metrics that evaluate them for gerrymandering. They also make the political map drawing process more efficient.

Although the Supreme Court ruling in *Moore v. Harper* will be heavily debated and dissected, the most practical takeaway is reaffirming that independent redistricting commissions can be used, which would strengthen democracy. With their support, they can make computational redistricting the standard for political map-drawing.

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