

HEARING ON CONGRESSIONAL
REDISTRICTING BILL EXCERPT
Tuesday, October 18, 2011

SENATOR RASKIN: Mr. President, thank you.

I rise in favor of the legislation and I rise also in favor of change in the new tool kit.

The minority whip and several of our distinguished colleagues on the other side of the aisle have raised some astute points I think. If the whole world is watching it's not watching Maryland, it's watching America, because this is not a Maryland problem with redistricting and gerrymandering, it's an American problem.

All across America people are complaining about extremely spliced and diced curvy swervy districts where elected officials choose voters before voters choose elected officials.

That's the system we've got in 50 states today in the United States, and it's a process with redress up partisan and political ambition on both sides of the aisle in high principal, but we can all tell what's really going on.

To my distinguished colleagues on the other side of the aisle, the disappointment that they feel today is shared by democrats in North Carolina as a state won by President Obama in 2008 which just had districts redrawn ten majority

republican, three majority democrats, with all the democrats packed in there.

In Ohio, a State that was won by President Obama in 2008, 12 majority republican districts have been drawn, 4 majority democratic districts have been drawn. So they've gone way beyond anything that's been seen here.

The basic problem is that we are trying to build a whole range and multiplicity of interests and factors into the single member districts and we now have the convenience of computer technology to be able to accomplish very strange looking figures on the map.

We start with the constitution, which requires one person, one vote, which means we need mathematical equality among the districts. Some people say why not just keep the districts as they were from last time? We can't do it, we've got to redraw them because the population has shifted. We have the Voting Rights Act which forbids cracking, packing, and stacking minority districts.

On other words the Supreme Court told us in 1993 in the Shaw versus Reno case you cannot have a bizarrely drawn majority African American or Hispanic district.

So there are districts in Maryland and all over the country which would be unconstitutional if they had a majority of minorities in them because of the Supreme Court's racial double standard that was adopted by the Wren's Quest Court in a 5/4 vote in 1993.

We have the political interests of incumbent reelection where all of the incumbents want to see that they go back to office, and given the fact that I like certainly the incumbents who are in office today from my party, I'm delighted that all of them have districts where they stand a very good chance of being able to go back. We have the partisan interests that have been mentioned, and we have the interest of the voters and the communities of interest.

We try to pack all of these constitutional, political, sociological, and culture factors into the single member districts and draw them with crayons or pencils or what have you, and the tool kit no longer fits the felt aspirations of people in democracy.

On that point I agree with our distinguished colleagues on the other side of the aisle, but there's a way out of this if we are willing not to just have the world watch us as our

distinguished minority told us, but to have us look at the rest of the world. Because democracies all over the world have solved this particular problem and we could do it too because we've got multi-member districts in the House of Delegates races. We could go to congressional districts that would have multi-members in them.

And I've drawn up some maps which I'm happy to share with everybody where we would have two districts in the State of Maryland. One would have five and one would have three, and you could win in the five member district, for example, if you got 20 percent of the vote. This empowers minorities however defined, partisan terms, racial, ethnic, ideological, you have it.

This is how they do it around the world, it's called proportional representation and it's scares some people, but it's a lot better than what we've gotten into with the single member districts.

Now why did it not introduce this in this process? One very simple reason, it's illegal. Okay. Under federal law, because of a federal statute we must use single member districts.

So I would urge the Maryland representatives who are understandably unhappy with what, you know, not getting everything they want out of this map, to move to repeal the federal statute that obligates the states to use single member districts. Let the states do what the states do best which is to experiment. Let's turn experimental democratic federalism loose on this issue and we can lead the way in showing the country that there's a better way of going.

Having said all that, you know, I'm not perfectly pleased, not everybody in my district is perfectly pleased, but I think given the essentially impossible task as the distinguished senator from Baltimore has said, this process has been fair in letting people speak and we've ended up with a decent project and a decent product, and I'm going to go vote for it, but I do hope that it's the last time that we've got to do the single member district thing and that we can move forward and be creative as we're creative now in terms of the way that we shape the multi-delegate elections in this state.

And I'm happy to share my maps with anybody to show you how this would be a vastly superior product to what we've been able to do.

Thank you, Mr. President.

[Whereupon, the excerpt concluded.]