

Supreme Court tosses citizenship question, keeps gerrymandered districts

By Associated Press, adapted by Newsela staff on 07.02.19

Word Count 882

Level 1030L



Demonstrators gather at the U.S. Supreme Court in Washington, D.C., as the justices finish the term with decisions on gerrymandering and a census case involving an attempt by the Trump administration to ask everyone about their citizenship status in the 2020 census, June 27, 2019. Photo by: J. Scott Applewhite/AP Photo

WASHINGTON, D.C. — The Supreme Court made two wide-reaching rulings on June 27.

One ruling made it more difficult to fight the redrawing of electoral districts for political gain across the country. The other ruling put a hold on President Donald Trump's addition of a citizenship question to the 2020 census. The census counts the United States' population.

The Supreme Court consists of nine justices, or judges. Currently, there are five justices picked by a Republican president and four justices picked by a Democratic president.

Court Decision Split Along Party Lines

The rulings came on the Supreme Court's final day before a summer break. The five Republican-appointed justices ruled federal courts have no role in the dispute over political gerrymandering.

The practice of gerrymandering is when officials in power try to redraw districts. The new districts are more advantageous for their re-election. For instance, Republican officials could create an electoral district where mostly Republicans live, helping them win that area's vote.

The Supreme Court's decision could encourage this political line-drawing. State lawmakers undertake the next round of redistricting following the 2020 census.

Chief Justice John Roberts, the head of the Supreme Court, is a Republican. In his written opinion, or statement about the court's ruling, he said voters and elected officials should be the ones to decide this political dispute.

The Supreme Court rejected two court challenges. One challenge was to Republican-drawn congressional districts in North Carolina and the other to a Democratic district in Maryland.

The decision was a major blow to critics of the manipulation of electoral maps. Yet Roberts said courts are the wrong place to settle these disputes.

The four Democrat-appointed justices on the Supreme Court disagreed with the decision. Justice Elena Kagan's written opinion represented the voice of the four justices. Kagan read her statement in mournful tones. It said the court was claiming it didn't have the power to fix a constitutional violation "for the first time ever."

Gerrymandered Districts Will Not Be Changed

Federal courts in five states concluded redistricting plans put in place under one party's control could go too far. They said there were ways to identify and manage districts that excessively favored one party.

However, the five Republican-appointed justices decided otherwise.

The decision effectively reverses the outcome of cases in Maryland, Michigan, North Carolina and Ohio. In those states, courts had ordered new maps to be drawn. It also ends proceedings in Wisconsin, where a retrial was supposed to take place this summer.

People who want to limit gerrymandering still have several routes open to them, including challenges in state courts. For instance, there's a pending lawsuit in North Carolina.

In North Carolina, Democratic voters sued over new districts they believed were illegal gerrymanders based on race. The voters won a lower court ruling. Democrats in Wisconsin who challenged state government districts also won their case.

However, in Wisconsin, the Supreme Court threw out the ruling because of a misstep in the legal process. The Supreme Court justices also ordered another look at the North Carolina case.

Trump's Argument For Census Question Rejected

In the census case, the Supreme Court said the Trump administration's explanation for adding the question wasn't strong enough. The administration had cited the need to improve enforcement of the Voting Rights Act. This 1965 law originally helped protect the voting abilities of African-Americans.

It's unclear whether the Trump administration would have time to provide a fuller explanation. The Constitution requires a census count every 10 years, and the government is supposed to begin printing forms this week.

A lower court found the Trump administration disobeyed federal law in trying to add a question about citizenship. The census hasn't asked this question since 1950.

Citizenship Question Targeted Hispanics

The U.S. Census Bureau's experts have predicted what will happen if the census asked everyone if they are an American citizen. They say millions of Hispanics and immigrants would not fill out the census form.

Groups that support immigrants and Democratic-led states, cities and counties argue the citizenship question is intended to discourage minorities, primarily Hispanics, from filling out the forms. Minorities tend to support Democrats.

People against the census question say they'd get less federal money and fewer seats in Congress. Population counts are used to determine how much government money an area receives as well as the number of seats at different levels of government.

Challengers say people with non-citizens in their houses would be less likely to fill out their census forms. Since these people often live in Democratic-supporting areas, the Democrats would be hurt.

Those who challenge the question say there's new evidence to support their beliefs. They say the evidence that has surfaced since the Supreme Court heard arguments in late April shows Republicans are using the question to build political power. Republicans are doing so at the expense of minorities, the challengers say.

A question about citizenship had once been common, but it has not been widely asked since 1950.

The government's Commerce Department oversees the Census Bureau. The current case stems from Commerce Secretary Wilbur Ross' decision in 2018 to add a citizenship question to the 2020 census. Ross decided to add the question against the advice of officials at the Census Bureau, which is part of the Commerce Department.

Quiz

1 Read the list of sentences from the article.

1. *Groups that support immigrants and Democratic-led states, cities and counties argue the citizenship question is intended to discourage minorities, primarily Hispanics, from filling out the forms.*
2. *Challengers say people with non-citizens in their houses would be less likely to fill out their census forms.*
3. *They say the evidence that has surfaced since the Supreme Court heard arguments in late April shows Republicans are using the question to build political power.*
4. *A question about citizenship had once been common, but it has not been widely asked since 1950.*

Which two sentences taken together provide the BEST evidence to support the idea that the census would be inaccurate if it included a citizenship question?

- (A) 1 and 2
- (B) 1 and 3
- (C) 2 and 4
- (D) 3 and 4

2 Read the following statement.

The decision on gerrymandering might lead to situations where one political party holds an unfair advantage.

Which sentence from the article provides the BEST support for the statement above?

- (A) The five Republican-appointed justices ruled federal courts have no role in the dispute over political gerrymandering.
- (B) For instance, Republican officials could create an electoral district where mostly Republicans live, helping them win that area's vote.
- (C) In his written opinion, or statement about the court's ruling, he said voters and elected officials should be the ones to decide this political dispute.
- (D) The decision was a major blow to critics of the manipulation of electoral maps.

3 Which of the following MOST influenced the Supreme Court to put the census citizenship question on hold?

- (A) the weakness of the Trump administration's rationale for including the question
- (B) the desire the court has to protect people who are in the country without permission
- (C) the fear the justices have that the question would hurt the Voting Rights Act
- (D) the belief that Democrats need help with filling seats at different levels of government

4 According to the article, why did Justice Elena Kagan issue a written opinion?

- (A) to explain why the four Democrat-appointed justices were in favor of gerrymandering
- (B) to explain why the Supreme Court rejected the challenges from two federal courts
- (C) to highlight the point of view of the justices who said the court has no role in gerrymandering
- (D) to highlight the dissenting justices' point of view in the gerrymandering case