



# Gerrymandering & US Democracy

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## Why in News

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Recently, the **2020 census results of the US population** were presented. Following this, the exercise of Gerrymandering has been conducted across the **U.S. Congressional and State legislative districts every decade**.

**Gerrymandering or redistricting** is the process of **redrawing electoral boundaries**. However, this exercise has been criticised for **undermining democracy in the US**.



## Key Points

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- **Background:** Gerrymandering, the term is derived from the name of **Gov. Elbridge Gerry of Massachusetts**, whose administration enacted a law in **1812 defining new state senatorial districts**.
- **Underlying Principle:** The principle behind redistricting is to ensure that the election of public officials embodies the ideal of genuine democratic representation, by factoring in changes in the geographic distribution of population.
- **Undermining Democracy:** A basic objection to gerrymandering of any kind is that it tends to violate **two tenets of electoral apportionment—compactness and equality of size of constituencies**.

- **Issue with US Democracy:** In the US, there is a specific long term demographic trend wherein the supporters of Democratic party relatively belong to urban areas, and that of Republican party come from rural areas.
  - However, the density of people living in urban areas in the US is more than rural areas.
  - In this scenario, the Republican party has Gerrymandered electoral districts to create supermajorities of rural voters.
  - In this way, giving one political party an unfair advantage over its rivals or that dilutes the voting power of members of ethnic or linguistic minority groups.

## Comparison With India

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- **Delimitation Commission:** In India, political redistricting is handled by the **Delimitation Commission of India**.

**Delimitation** is the act of redrawing boundaries of Lok Sabha and Assembly seats to represent changes in population. In this process, the number of seats allocated to a state may also change.
- **Constitutional Provisions:** Under **Article 82 of Indian Constitution**, Delimitation commission is constituted by the Central Government after the Parliament has enacted a Delimitation Act after every census.

Under **Article 170, States** also get divided into territorial constituencies as per Delimitation Act after every Census.
- **Underlying Principle:** To provide equal representation to equal segments of a population.
  - Fair division of geographical areas so that one political party doesn't have an advantage over others in an election.
  - To follow the principle of "**One Vote One Value**".

- **Delimitation Commissions So Far:** Delimitation Commissions have been set up **four times — 1952, 1963, 1973 and 2002** under the Acts of 1952, 1962, 1972 and 2002.
  - The first delimitation exercise was carried out by the **President (with the help of the Election Commission) in 1950-51.**
  - There was no delimitation after the **1981 and 1991 Census.**
  - The **42<sup>nd</sup> Amendment Act of 1976** froze the allocation of seats in the Lok Sabha to the states and the division of each State into territorial constituencies till the year 2000 at the 1971 level.
  - Further, the **84<sup>th</sup> Amendment Act of 2001** extended this ban on readjustment for another 25 years (i.e., upto year 2026), without affecting the total number of seats based on the 1971 census.
 

The **84<sup>th</sup> Amendment Act of 2001** also empowered the government to undertake readjustment and rationalisation of territorial constituencies in the states on the basis of the population figures of 1991 census.
  - Later, the **87<sup>th</sup> Amendment Act of 2003** provided for the delimitation of constituencies on the basis of the 2001 census and not 1991 census.
 

Hence, the **current status of delimitation in India is frozen up to 2026 as per 2001 census.**

## Delimitation Commission

- **About:**
  - The Delimitation Commission is appointed by the President of India and works in collaboration with the **Election Commission of India.**
  - The Delimitation Commission in India is a high power body whose orders have the force of law and cannot be called in question before any court.
- **Composition:**
  - Retired **Supreme Court** judge
  - Chief Election Commissioner
  - Respective State Election Commissioners
- **Decision:**

In case of difference of opinion among members of the Commission, the opinion of the **majority prevails.**
- **Functions:**
  - To **determine the number and boundaries of constituencies** to make the population of all constituencies nearly equal.
  - To **identify seats reserved for Scheduled Castes and Scheduled Tribes,** wherever their population is relatively large.

Source: TH