PETE RATES THE PROPOSITIONS

Sensible opinions on the California ballot propositions since 1980 by Pete Stahl

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Pete recommends:

50 YES California's Response to the Texas Gerrymander

Proposition 50: California's Response to the Texas Gerrymander – YES

SUMMARY: This August, in an outrageous breach of convention, the Texas Legislature redrew its Congressional districts mid-decade to flip five seats from Democratic to Republican. The resulting gerrymander could give the GOP an unassailable majority in the next Congress. In response, the California Legislature proposed new maps for our state that would temporarily change five Republican-held districts to Democratic. Voter approval is required, so there's a special election with one statewide measure, Prop 50. **Vote yes.** Why? At least one branch of our federal government has got to be a check on President Trump's increasingly unconstitutional and corrupt actions; right now, he has **no accountability**. In temporarily setting aside the great work of the Citizens Redistricting Commission, Prop 50 may seem like a violation of good government principles. But the Texas Legislature wasn't standing on principle when it started this fight. If California is to be an effective counterbalance, we must respond in kind.

DETAILS: Those of us who support Prop 50 are not excited. We aren't cheering or holding jubilant parades. In fact, we're pretty somber. We are not happy that we have to do this.

But do this we must. Prop 50 is the fulfillment of a promise to help our brethren in Texas and across the country, at some cost to ourselves. Think of it as a selfless act of compassion for victims of a political disaster.

The chain of events leading to Prop 50 started in 1965 with passage of the Voting Rights Act. A section of that act bans legislative district maps that unfairly concentrate or disperse a racial minority. In 2019, however, the Supreme Court ruled that while maps based on **race** are illegal, those based on **political party affiliation** are perfectly acceptable. The implications became clear in 2024, when the court let stand a South Carolina map that diluted Black votes, on the grounds that the mapmakers claimed they intended to achieve **partisan** advantage**,** not racial discrimination. As a result, the Voting Rights Act's racial gerrymandering provisions are effectively **dead**, and the door is open to virtually **any** map a state wants to pass as long as it claims a partisan motive.

In June of this year, President Trump, fearing a drubbing in next year's midterm elections, began to demand that Texas redraw its Congressional districts to favor more Republicans. He insisted that his party was "entitled to five more seats" from Texas. Despite some initial resistance from current Texas GOP House members, who thought the plan might jeopardize their own reelections, Gov. Greg Abbott called a special session of the Texas Legislature in August to take up Trump's demand. Democratic Texas legislators wanted no part of it, so they fled the state, denying the special session a quorum. Republicans threatened them with expulsion and issued arrest warrants.

At this point, California's Democratic leadership stepped in, promising the Texans that we would **counter** any redistricting in their state with one of our own. This allowed the Texas Democrats to return to Austin, where they cringed as the Republican majority enacted their mid-decade, Republican-tilted, discriminatory, albeit perfectly legal gerrymander.

The following week, the Democratic-dominated California Legislature made good on their promise, passing a new map that repaints five of our state's Republican Congressional districts blue. Because our existing map was drawn by an independent commission established by constitutional amendment, a vote of the people is required to override it. That's Prop 50.

If Prop 50 passes, the Democrats' gerrymander will replace our current Congressional districts for the next three election cycles: 2026, '28 and '30. (State Assembly and

Senate maps will be unaffected.) The independent Citizens Redistricting Commission will then resume its great work following the 2030 census. Democrats should gain five new representatives in the U.S. House, offsetting the five new Republicans from Texas. Promise kept. No parades or confetti, but we'll have a deep sense of satisfaction that we were able to act.

For loyal Democrats and Republicans, this **couldn't be simpler**. Prop 50 will be good for Democrats and bad for Republicans, so loyal Democratic voters should vote "yes" and Trump-supporting Republicans "no". You loyal voters can stop reading here.

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If you're unsure about Prop 50, though, stay with me for a few more paragraphs. There are valid reasons to be skeptical of Prop 50, and I want to help you get past them.

First, **it feels wrong** to replace the fair map drawn by the bipartisan Citizens Redistricting Commission with a deliberately partisan one. Why shouldn't we keep the one we have?

I hear you. In an ideal country, every state would use nonpartisan commissions to draw legislative districts, and gerrymandering would never be an issue. Prop 50 actually **promotes** this view. As you can read on page 18 of your Voter Information Guide, Prop 50 would make it **official California policy** "to support the use of fair, independent, and nonpartisan redistricting commissions nationwide," including federal legislation and a constitutional amendment.

(Unfortunately, the country seems to be going in the opposite direction. On October 15th, the Supreme Court heard arguments in a redistricting case, and a majority seemed to indicate they plan to **invalidate** all redistricting restrictions in the Voting Rights Act. If that happens, gerrymandering in red states will get worse, not better.)

For now, California is one of just eleven states that entrust redistricting to an independent commission. In all other states, maps are **drawn by legislatures**. In the past, those legislatures have usually drawn maps to guarantee safe seats for both parties. But new computer modeling techniques, freed from the constraints of the Voting Rights Act, are showing political operatives that more partisan advantage is possible. In this age of scorched-earth politics, it is perhaps inevitable that gerrymandering has been honed into a superfine partisan weapon.

This might be okay if the eleven states with commissions had roughly equal numbers of Representatives from each party. But they don't. Two-thirds of House members from states with commissions are Democrats (94 out of 147). That gives the GOP a big advantage: they can eliminate Democratic districts in non-commission red states like Texas, while blue states with commissions cannot respond in kind. So a vote against Prop 50 is not really a vote for fairness; it's a vote to keep Trump and the Republicans in power.

Second, **you may not be ready** to deliver a rebuke to Republicans like Prop 50 does. I can hear you saying, "Trump may be a yutz, and an ass, and a dipshit, and a narcissist, and a douchebag, and a jerk, and a fuckwad, but so what? Aren't all politicians?"

The problem in this case is not Trump himself (although he certainly is a problem), but the other branches of the federal government. At the moment, the President receives **abject loyalty** from a solid majority on the Supreme Court, who have granted him everything he could wish for, from authority to obliterate entire agencies to immunity from prosecution. And both houses of Congress have become **rubber stamps** for his actions, from unqualified and corrupt appointees like Robert F. Kennedy Jr. and Kash Patel to the horrendous One Big Beautiful Bill that will throw 11 million Americans off health insurance while increasing the federal deficit by over $3 trillion.

All this is due to a complete **lack of accountability**. It happens when there's one party in control of all branches of government, and it's not healthy. It leads to erosion of individual rights like free speech on television and in universities; strongarm tactics like masked police and soldiers in our streets; abrupt discontinuation of vital services like weather forecasting and rational vaccine policy; and a profound loss of standing on the world stage.

Prop 50 will give Democrats a chance—just a chance—to recapture the House of Representatives in 2026. It's only one-half of one branch of government, but it would be enough to halt the worst of what this administration has cooked up with the acquiescence of its allies in Congress. If Prop 50 were to fail, our country may well continue down its current path toward a quasi-authoritarian regime resembling Brazil under Bolsonaro, Italy under Berlusconi, or Hungary under Orban. You do not want that.

Finally, you may be persuaded by the old truism, "**Two wrongs don't make a right**." Sure, this argument goes, Texas's action was wrong, but that doesn't give us license to do the same thing.

If that's so, let me ask: What is the **right** thing to do? California cannot repeal the Texas gerrymander. We know the courts won't invalidate it. We cannot let it stand unchallenged. So the only remaining remedy is to counterbalance it. Republicans are conducting all-out political warfare to retain control of the House in next year's elections, smashing tradition and convention along the way. It may be distasteful for us to stoop to their level, but we have no other effective options.

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