# The Limits of Partisanship in Citizen Preferences on Redistricting

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June 28, 2019

**Abstract:** The most commonly accepted model of public attitudes toward election rules assumes that citizens follow the cues of their preferred party's elites and support rules that would benefit that party in elections. This paper proposes an alternative model in which most citizens prefer fair electoral institutions at the expense of partisan interest when that choice is made explicit, while a minority of committed partisans are driven by partisanship. To test this theory I use two survey experiments and the specific case of redistricting to determine how the presence of party labels and evidence of the opposing party behaving unfairly affect citizens' choice between a "partisan gerrymander" district map and a "nonpartisan fair" map. The first experiment finds that while introducing party labels makes partisans more likely on average to choose a gerrymandered map, a clear majority of partisans choose a nonpartisan map across all experimental conditions. Only the those citizens who strongly identify as members of a political party or score highly on a measure of negative partisanship are likely to choose partisanship over fairness. The second experiment finds that presenting Democrats with evidence of egregious Republican gerrymandering causes them to be more likely to support similar pro-Democratic gerrymandering, but the reverse was not true for Republicans.

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In recent decades, redistricting has vaulted from an esoteric topic mostly unknown to the general public to one of the most hotly debated issues in American politics. The most likely culprit for redistricting's rise in salience is the increasing polarization of American politics. As parties became more ideologically homogenous and distinct at the elite level (McCarty, Rosenthal, and Poole 2006), the benefits of partisan gerrymandering for state legislatures increased. As party elites played more hardball with redistricting, its effects on election outcomes became difficult to dispute. A series of legal challenges to the maps drawn after the 2010 census, some of which have reached the Supreme Court, further pushed redistricting to the forefront of popular consciousness.

While this rise in the political relevance of redistricting has prompted a wave of research into the practical effects of gerrymandering (Chen and Rodden 2013) and into social science-based standards for assessing the fairness of district plans (Stephanopoulos and Mcghee 2016; Wang 2016), there has not been a commensurate growth in the study of what the American public thinks about redistricting. One explanation for this absence is that scholars might believe the question of how Americans form their opinions on the topic of redistricting to be settled. The bulk of contemporary public opinion research has shown that on most policy areas of public policy, American voters form their preferences by following the cues of political elites (Lenz 2012, Zaller and Feldman 1992). In the current polarized era of American politics, this typically means that citizens are basing their policy preferences on the messages that they hear from the leaders of their preferred party (Druckman, Peterson, and Slothuus 2013). Based on this literature, it is reasonable to expect that Americans will form their opinions on redistricting and other election-related issues primarily on cues from their party leaders. Indeed, there are clear partisan divides in public support for various election reforms, largely mapping onto the conventional wisdom about which reforms would help each party (Alvarez et al. 2011).

Scholars have proposed party leader cues as the best explanation for these partisan divisions in public opinion on election rules (e.g. Bowler and Donovan 2016, Gronke et al. 2019). Parties and individual

politicians have incentives to use election rule changes to maximize their chances of winning elections. There is plenty of evidence that party elites do craft institutional rules, including election rules, for the benefit of themselves or their party (e.g. Riker 1988, Boix 1999, Binder 2006, Hersh 2015). They then might provide messages to their partisans using normative justifications to secure popular support for the rules. For example, a self-interested incumbent might oppose independent redistricting because they want to keep their gerrymandered seat, while telling the public that they should oppose any change because redistricting should be in the hands of democratically elected legislators, not unelected bureaucrats.

Even if they are not simply following elite cues, partisans might have a direct interest in supporting election rules that maximize their party's chances of winning elections. Partisans might not require a normative justification; some maybe be just as motivated by naked partisan interest as are party elites. For example, observational evidence suggests that public opinion on rules for allocating Electoral College electors is determined in part by partisan interest (Karp and Tolbert 2010, Aldrich, Reifler, and Munger 2014). Recently, scholars have also found experimental evidence that partisans are more likely to support voter access laws when told they will benefit their party electorally and more likely to oppose them when told they will benefit the other party (Kane 2017, Biggers 2018), although the latter is more common than the former (McCarthy 2019).

Whether citizens follow elite cues or strategically choose election rules, the outcome is the same: support for rules that benefit their party. However, there is reason to believe that a view of public opinion formation on election rules based solely on these party-interest mechanisms is incomplete. Most importantly, this perspective leaves no room for the public to place any value on the procedural legitimacy of electoral institutions. There is a large body of research showing that in many social contexts, including politics, people care not just about outcomes but about the fairness of the processes by which outcomes are achieved (Lind and Tyler 1988, Sunshine and Tyler 2003). The public's willingness

to accept a political outcome may be contingent on their belief that the outcome was reached by a fair procedure (Grimes 2006).

Even if citizens have no desire to violate their democratic principles to gain a partisan advantage via election rule change, this sense of fairness might result in a strong preference for ensuring that the opposing party does not change the rules for the sake of electoral advantage. The recent rise of negative partisanship and affective polarization (Nicholson 2012, Iyengar, Sood, and Lelkes 2012, Abramowitz and Webster 2016) has made it especially likely that partisans will perceive unfairness in any rule change that helps the other side. If partisans see the other side breaking fairness norms, they may be more inclined to break those norms themselves using a form of "tit-for-tat" strategy. Therefore, support for a procedurally fair process may be conditional on a belief that the other side is playing fairly.

This paper uses survey-embedded experiments to test whether elite cues and partisan interest dominate public opinion on redistricting or whether citizens are constrained by beliefs in democratic principles and procedural fairness. The two experiments in this study ask respondents to choose among several districting proposals, some of which are designed to appear as fair maps and some of which are designed to appear as gerrymandered. By forcing this tradeoff, I can determine the conditions under which citizens are more likely to choose a fair map over a gerrymandered map. I find evidence that partisans of both parties are more likely to choose a gerrymandered map when party labels are present compared to a hypothetical scenario with fictional parties. However, the difference is not large, and clear majorities of respondents choose the fair map across all experimental conditions and parties in both experiments. The studies further test whether the likelihood of a respondent choosing a fair map is affected by being shown evidence of the other party either behaving badly by engaging in gerrymandering or "playing fair" by pledging to adopt a nonpartisan redistricting commission. Respondents in these conditions are mostly resistant to attempts to prime them with partisan trust or

distrust, though in the second experiment Democrats are more likely to choose a gerrymandered map after being shown an example of Republican gerrymandering.

The surveys also allow the examination of some of the beliefs and attitudes that predict choosing a fair map over a gerrymandered map. Endorsement of the value of multi-party democracy is a strong predictor of choosing a fair map, while both negative partisanship and social identification with a party are strong predictors of choosing a gerrymandered map. The strength of identification with a party is also a moderating variable in the experimental effect of people being more willing to choose gerrymandering in a scenario with real rather than fake party labels.

These findings paint a nuanced portrait of public opinion on redistricting. At least some citizens are motivated by partisanship, and negative partisanship in particular. Most citizens in the samples surveyed in this study, however, started with a baseline of preferring fairness in redistricting and were resistant to attempts to sway them toward abandoning fairness for partisan interest. These results challenge the commonly accepted viewpoint that citizens will simply follow the lead of their party elites on election law issues such as redistricting. The findings also have important implications for redistricting practitioners, particularly political parties considering engaging in gerrymandering.

#### **Public Support for Redistricting Reform**

Redistricting is an election policy issue area in which the tradeoff between partisan interest and fairness is especially stark. There are a multitude of considerations involved in redistricting, ranging from the creation of majority-minority districts to the mathematical compactness of districts, and the question of how to prioritize these considerations is a complex one. But there is one fundamental question that underlies many redistricting debates: should it be permissible for partisan actors to draw districts to improve the electoral prospects of particular parties or incumbents, or should the lines be drawn

according to an impartial set of considerations? From the perspective of the citizen, this question can be reframed as whether they are willing to decrease the influence of their preferred party in the legislature for the sake of creating a fair districting procedure.

To the degree that political scientists have considered the question of public opinion on redistricting, they have found that Americans are largely indifferent to the issue. Fougere, Ansolabehere, and Persily (2011) write "there is no escaping that one of the primary takeaways from our study is that Americans are not well-informed and do not often have an opinion when it comes to drawing election districts." This conclusion was reasonable given at the time: Fougere et al. found that when respondents were asked if they were satisfied with the way districts are drawn, 70% said that they had "no opinion." Few studies have been conducted about public opinion on redistricting since that time, so the conventional wisdom has remained that most Americans are indifferent to the topic of redistricting.

But the Fougere et al. survey was conducted in 2006, and this conventional wisdom was formed before the 2010 redistricting cycle and the 2012 and 2016 elections. There is a strong argument that Democrats failed to win control of the House of Representatives in 2012 because of districting practices (Chen and Rodden 2013). Taking into account the incumbency advantage gained by Republicans in 2012, redistricting could plausibly have led to their House victory in 2016 as well. This narrative was promoted by mainstream media outlets in both 2012 and 2016 (Ingraham 2016; Wang 2013). This trend is shown in Figure 1, which uses search frequency from Google Trends as a proxy for salience (Mellon 2013). This combination of increased salience and a noticeable impact of redistricting on election outcomes increases the likelihood that citizens will have strong opinions about redistricting policy.



Figure 1: Salience of gerrymandering. A search interest of 100 represents the peak popularity of searches for "gerrymandering" from 2004-2018; other values represent a proportion of the interest at that peak. Interest in gerrymandering spikes around every election season, but these spikes began to grow dramatically higher following the 2011-2012 redistricting cycle.

Recent polling evidence supports the idea that there is broad bipartisan support for independent redistricting. A survey commissioned by the good government organization Campaign Legal Center (Campaign Legal Center 2017) found that 73% of Americans, including 71% of Republicans and 74% of Democrats, would prefer a scenario in which congressional districts are drawn with no partisan bias to one in which congressional districts are draw with a bias that would benefit their own party. Meanwhile, 62% of respondents reported that they would be less likely to vote for a candidate that supported partisan gerrymandering. There is some concern that these survey results could be explained by social desirability and cheap talk. Citizens might support independent redistricting in the abstract, but would they be willing to give up real political power of their preferred party in order to achieve this outcome? The recent history of referendums on redistricting suggests that in at least some contexts, they would. In the last decade, a period of extreme partisan polarization, the public has several times voted in favor of taking redistricting out of the hands of their party's legislators and giving it to a nonpartisan commission. Californians voted in 2008 to create a Citizens Redistricting Commission and expanded it to include

congressional districts in a subsequent 2010 referendum. Independent redistricting failed on the ballot in Ohio in 2005 and 2012, but a bipartisan redistricting commission passed in 2015. After it failed on a 2016 South Dakota ballot measure, independent redistricting passed in Michigan, Missouri, and Utah in 2018. These referendums were usually opposed by the party in power in the state and, in the cases of California and Utah, their success decreased the political power of the party preferred by a clear majority of the state's voters. These results require explanation: in which contexts do citizens follow the party line on redistricting issues, and in which do they opt for a nonpartisan procedure?

The studies in this paper test four hypotheses related to public opinion on redistricting. First, H1 expects that people asked to choose a district map will be more likely to choose a partisan gerrymander in a scenario with real-world partisan labels than in a hypothetical scenario with fake parties. In a situation with imaginary parties, as with generic survey questions that ask about support for redistricting reform in the abstract, it is easy for respondents to say that they prefer nonpartisan redistricting. These responses could simply be "cheap talk." H2 expects that people who are informed that the other party is engaging in gerrymandering of their own will decrease their trust in the other party to "play fair," and will therefore be more likely to choose gerrymandering themselves. Similarly, it expects people informed that the other party is committed to adopting a fair redistricting method to be more likely to choose fairness themselves due to their increased trust of the other party. H3 expects that respondents with higher levels of support for the rule of law and multi-party democracy will be more likely to choose a nonpartisan map and less likely to choose a gerrymandered map, while respondents with higher negative partisanship and stronger identification with their own party will be less likely choose a nonpartisan map. Finally, H4 expects that there will be an interaction effect between the four variables in H3 and the experimental treatment in H1. That is, it is the respondents with high expressive partisanship and low support for democratic values who will be especially likely to be swayed toward gerrymandering by the introduction of party labels to a redistricting scenario.

#### Study 1

The first study forces survey respondents to make a visual choice among four different redistricting proposals for a state that is currently gerrymandered in favor of their preferred party. I selected North Carolina for Republican respondents and Maryland for Democratic respondents, both of whose legislatures drew especially egregious gerrymanders in 2011. The maps were unfair both in outcome – the Maryland map gave Democrats seven out of eight seats and the NC map gave Republicans ten out of thirteen seats – and in appearance, with each using long, snaking districts to cluster the minority party into as few districts as possible. Though I did not anticipate this when I made the selection, the North Carolina and Maryland maps have since been brought before the Supreme Court in twin partisan gerrymandering legal challenges.<sup>2</sup> These states present an ideal case to test whether partisans will break from their party's interest on redistricting questions, even when the status quo is a map that gives their side an electoral advantage.

#### Data and Methodology

For this study, 2114 American adults were recruited in a non-probability internet-based survey through the Lucid Fulcrum exchange, of which 1420 were retained after those who did not complete the survey or did not answer any of the questions used as independent or dependent variables were eliminated. These respondents were recruited between May 22 and May 24 2018.<sup>3</sup>

<sup>&</sup>lt;sup>2</sup> I chose to show Republican respondents the original North Carolina map drawn by the NC legislature in 2011. While the current map drawn in response to legal challenges maintains the disproportionate seat outcome, the original map is considerably more visually ugly and therefore is more likely to be seen as "unfair" by respondents. It therefore better serves the purpose of presenting respondents with an unambiguous choice between fairness and partisan interest.

<sup>&</sup>lt;sup>3</sup> Additional information about sample composition can be found in Appendix A.

This study uses a 4X2 experimental design, shown in Table 1. More specifically, it uses four experimental conditions, but a different version of each was shown to Democrats and Republicans. Respondents were asked a party ID question before the treatment, and then funneled to see either the Maryland version if they were Democrats or the North Carolina version if they were Republicans. I chose to show different maps to Democrats and Republicans instead of using the same state for all respondents to ensure that respondents of both parties had the opportunity to participate in a plausible redistricting scenario in which their party has the chance to gerrymander a state that they typically control. Partisan leaners were counted as partisans for the purpose of this funneling. Independents were randomly assigned to one of the two states but are excluded from the analyses below.

Each respondent in Study 1 saw a set of four maps and was asked to pick one. One map represents the current gerrymandered map, one map represents what a nonpartisan commission might draw, one map represents an even more extreme gerrymander labeled as drawn by the respondent's party, and one map represents an extreme gerrymander drawn by the opposing party. Map lines other than those of the current gerrymandered map were drawn by hand using Dave's Redistricting App, and accurately reflect the projected partisan seat breakdown shown to respondents. The extreme gerrymander maps were drawn both to heavily favor one party and to appear "gerrymandered" in the common visual sense, with highly non-compact districts that snake around the state. Meanwhile, the districts in the nonpartisan commission maps were drawn to appear neat and compact. While in reality mapmakers often face a tradeoff between redistricting considerations such as compactness and partisan fairness, I chose this strategy to ensure that respondents would have no doubts as to which map was the "fair" one. By the standards of both compactness and partisan proportionality, the nonpartisan map was more fair than both the gerrymandered maps and the current map. In a pretest survey administered to a pool of 92 Duke University political science students, 84% of participants selected the nonpartisan map as the fairest of the four options for Maryland and 90% did so for North Carolina.

Table 1: Study 1 experimental design

	Maryland (shown to Dems)	North Carolina (Shown to Reps)
Control group	Maryland map, fake parties	North Carolina map, fake parties
Partisan group	Maryland map, real parties	North Carolina map, real parties
Distrust group	Maryland map, shown NC	North Carolina, shown Maryland
Trust group	Maryland map, shown NC and	North Carolina, shown Maryland
	offered compact	and offered compact

Respondents in the control group were shown a map of what is described as a fictional state called Americana (but is in fact Maryland/North Carolina with parts of the state cut off). Party labels were fictional as well, with the "American Party" standing in for the Republican Party and the "National Party" standing in for the Democratic Party. The Partisan group saw maps with Democratic/Republican partisan labels and the real geography of MD/NC. The Distrust group was first shown an example of the opposite party gerrymandering to prime distrust, then shown the same maps as the Partisan group. The Trust group was shown the same material as the Distrust group, but with an additional example of the opposite party proposing an interstate nonpartisan redistricting compact to prime trust. Under the proposed compact, if the respondent chose a nonpartisan commission, the opposing party's state pledged to adopt nonpartisan redistricting as well. The maps of Maryland with party labels are shown in Figure 1, while the maps of North Carolina with party labels are shown in Figure 2. The full set of treatments can be found in Appendix B.

# Redistricting of Maryland Statewide vote in 2016 presidential election: 64% Democrat, 36% Republican



Redistricting of North Carolina Statewide vote in 2016 presidential election: 52% Republican, 48% Democrat



Figure 3: Map choices presented to Republican respondents in partisan treatment groups.

Before seeing the redistricting question, respondents answered a series of questions designed to measure how important democratic institutions are to them in general, based on the democratic values questions from Gibson and Caldeira (2009). These questions include items measuring support for the rule of law and support for a multi-party democratic system. Respondents were also asked party feeling thermometer questions used to measure affective polarization, operationalized as the absolute value difference between the thermometer score for Democrats and the score for Republicans. Finally, respondents were asked a set of questions designed to measure the strength of their attachment to their own party. Partisans who score highly on this measure have been found to respond with anger to threats of electoral loss (Huddy, Mason, and Aarøe 2015). Additional demographic covariates include indicator variables for gender and non-white race and ordinal variables for education and political knowledge.

I use two empirical strategies for analysis of the effects of the experimental treatments: a multinomial logistic regression model that takes full advantage of the four response options provided to respondents, and a standard logistic regression model that simplifies the response options into a choice between a "fair map" and a "gerrymandered map."

#### Results

The results of the multinomial analysis for Democrats and Republicans are shown in Figures 3 and 4 below, which display the predicted probability of Democratic and Republican respondents choosing each of the four map options. The most striking finding is that the nonpartisan map is by far the most popular option across all treatment groups and both parties. In all eight subgroups the predicted probability of choosing the nonpartisan map was greater than 45%, while no other map option ever exceeded a 35% probability of being chosen. For both parties, the probability of selecting the current map was roughly 10% and the probability of selecting the map gerrymandered further in favor of the inparty was roughly 20%, though the latter had more variation across treatment groups. The dominant preference among respondents in this sample was for fairness over partisan interest.



*Figure 4: Predicted map choice of Republican respondents by treatment group* 



Figure 5: Predicted map choice of Democratic respondents by treatment group

There is a noteworthy difference between Democrats and Republicans in these results: while the predicted probability of choosing the nonpartisan map was roughly 65% across all Republican treatment groups, this probability was only 50% for Democrats. However, it does not appear that Democrats were more likely to pick a map of Maryland gerrymandered in their favor. Instead, a substantial percentage chose the map gerrymandered in favor of Republicans, particularly in the control group where the

minority party was not labeled as Republicans. I speculate that this is because the Republican map is projected to give Democrats four districts and Republicans four districts. While a 4-4 split is not proportional to the partisanship of the state, it may have been considered by some to be a fair outcome in the sense of both parties getting equal representation. Democratic respondents who did not compare the statewide partisan vote to the projected partisan seat split of each map may have been especially likely to choose this map. It is worth noting that these results suggest that while citizens may value a fair process, many do not have a strong conception of what fairness in redistricting would mean in practice.

The North Carolina Map D, seen by the Republicans, did not have an even partisan split; rather, the Democratic gerrymander projected an 8-5 outcome in favor of Democrats. As a result, almost no Republicans chose this option, even in the control group. Based on the assumption that the Democratic respondents who chose the Republican-gerrymandered map were doing so out of a concern for fairness, the logistic regressions used later in this analysis will group the opposite party-gerrymandered map along with the nonpartisan map as the "fair maps," while the current map and in-party-gerrymandered map are grouped together as "partisan maps."

There are small but noticeable differences between the map choices of the control group and treatment groups with real-world partisan labels. For Democrats, there was no difference among treatment groups in the likelihood of choosing the current map or a nonpartisan map, but respondents in the partisan label groups (defined as all those in groups with real party labels, including the Partisan, Trust, and Distrust groups) were more likely to choose the Democratic gerrymander map and less likely to choose the Republican gerrymander map. In the multinomial analysis, Democrats were significantly more likely to choose the Democratic gerrymander map in both the Trust and Distrust groups and significantly less likely to choose the Republican gerrymander map in the Trust group. These results are exactly counter to expectation for the Trust treatment, which actually pushed more Democrats toward preferring gerrymandering than did the Distrust treatment. For Republicans, the partisan label groups were all less

likely to choose a nonpartisan map and more likely to choose the Republican gerrymandered map than the control group. These differences are not significant in the multinomial analysis.

In a logistic analysis, Democratic respondents in the Trust group were significantly less likely to choose a fair map than those in the control group, while respondents in the Partisan and Distrust groups were marginally significantly less likely to choose a fair map. Republican respondents in the Partisan group were significantly less likely to choose a fair map. For both parties, when all the partisan label treatment groups are combined, adding partisan labels to the maps causes respondents to be significantly less likely to choose a fair map. This is strong evidence in favor of H1.

To better test the effects of the treatments in the Trust and Distrust groups, I use the Partisan group as a new control group. These analyses are shown in Model 2 in Table 2. Neither treatment had the expected effect on the likelihood of choosing a fair map for either party. The Trust treatment had a marginally significant negative effect on Democrats' likelihood of choosing a fair map. Thus, there is no support for H2 in this study. Showing partisans evidence of the opposing party behaving either poorly or well does not affect respondents' likelihood of choosing a fair map in this study.

H3 predicted that support for the rule of law and support for multi-party democracy would be associated with choosing a fair map, while affective polarization and strength of party identification would be associated with choosing a gerrymandered map. As shown in Model 1 in Table 2, three of these variables did have the predicted associations. Partisans of both parties who scored highly on the multi-party democracy support measure were significantly more likely to choose a fair map, but no such relationship was found for the rule of law support measure. Both affective polarization and strength of party ID were significantly negatively associated with choosing a fair map for both parties. The predicted probability graphs for the multi-party democracy support and strength of party ID variables are shown in Figures 4 and 5.

DV: Choosing a fair map							
	Model 1	Mod	el 2	Model 3			
	All Non- Control	Democrats	Republicans	Democrats	Republicans		
Democrat	-0.05						
	(0.33)						
Republican	-0.37						
	(0.33						
Rule of Law Support	-0.10	-0.25	0.10	-0.24	-0.18		
	(0.36)	(0.54)	(0.61)	(0.47)	(0.52)		
Multi-Party Democracy	1.88***	2.00***	1.60***	1.78***	1.91***		
Support			(0.50)				
	(0.34)	(0.52)	(0.53)	(0.46)	(0.46)		
Negative Partisanship	-0.01**	-0.01*	-0.01	-0.01	-0.01*		
	(0.00)	(0.00)	(0.00)	(0.00)	(0.00)		
Strength of Party ID	-1.76***	-2.30***	-1.79***	-0.58	0.99		
	(0.35)	(0.54)	(0.53)	(0.79)	(0.75)		
Non-White	-0.59***	-0.30	-0.90**	-0.38*	-0.76**		
	(0.16)	(0.22)	(0.32)	(0.19)	(0.28)		
Female	0.16	0.13	0.13	0.17	0.06		
	(0.15)	(0.22)	(0.24)	(0.20)	(0.21)		
Education (1-6)	0.04	0.18*	-0.00	0.13	0.00		
	(0.05)	(0.08)	(0.08)	(0.07)	(0.07)		
Political Knowledge	0.99***	1.02*	0.72	1.16***	0.63		
	(0.26)	(0.40)	(0.43)	(0.35)	(0.37)		
Partisan Treatment				0.95	0.78		
				(0.78)	(0.65)		
Distrust Treatment		0.07	0.23	0.31	1.47*		
		(0.26)	(0.27)	(0.79)	(0.74)		
Trust Treatment		-0.44	0.27	0.34	1.44*		
		(0.26)	(0.27)	(0.79)	(0.74)		
Partisan*Strength of PID				-2.26*	-2.23*		
				(1.12)	(1.01)		
Observations	1058	488	399	643	529		

\**p* < .05, \*\**p*<.01, \*\*\**p*<.001

Table 2: Logit models estimating likelihood of choosing a fair map. Models 1 and 2 include only non-control group respondents.Model 3 includes all respondents, including the control group.



Figure 6: Predicted probability of choosing a fair map by level of support for multi-party democracy



Figure 7: Predicted probability of choosing a fair map by strength of party identification

Finally, I expected that the treatments would have differential effects for different types of respondents. In particular, H4 predicted that respondents who were low in support for rule of law and multi-party democracy and high in negative partisanship and strength of party ID would be more influenced by the addition of partisan labels to the maps. Only the interaction between the treatment and strength of party identification had a significant effect. This model is shown in Model 3 in Table 2. For both Republicans and Democrats, respondents with greater social identity-based attachment to their parties were significantly more negatively affected by the Partisan treatment in their likelihood of choosing a fair map. The interaction is also significant when all partisan label groups are combined.

It is also worth noting that non-white respondents were significantly less likely to choose the fair map in most models, among both Democratic and Republican respondents. While all treatments groups were told that all maps are compliant with the Voting Righ ts Act, it is possible that racial minorities were concerned that the nonpartisan maps might have fewer majority-minority districts than the current plans. That said, Fang (2018) finds in a similar survey experiment that minorities are not willing to give up partisan representation for increased descriptive representation through majority-minority districts. Racial minorities may simply be more motivated by partisan gain relative to other considerations than whites. This result was replicated in Study 2.

## Study 2

The choice between four visible maps in Study 1 provided respondents with a realistic set of redistricting options. However, by showing respondents images of maps, Study 1 introduces a variety of considerations that might be affecting respondent choice, including compactness and the preservation of communities of interest. To test whether the results of Study 1 were driven by this conflation of different fairness values, Study 2 runs a pared down version of the same experiment. Instead of

presenting respondents with multiple maps to choose among, this study gives respondents a binary choice between a map that is gerrymandered such that their party wins all the seats in a given state and a map drawn by a nonpartisan commission that will produce an outcome proportional to the partisan split of the state. This choice is designed to minimize any ambiguity that the respondent is making a choice between the interests of their party and a fair, independent redistricting system. This study also aims to provide a cleaner test of H2, the hypothesis that a partisan's likelihood of choosing a fair map can be influenced by priming them to trust or distrust the opposing party.

Study 2 continues to use Maryland as the state shown to Democratic respondents, as in Study 1, but switches the state Republican respondents see from North Carolina to Indiana. The goal of this change is to make the states more comparable. Maryland has eight congressional districts and Indiana has nine. Maryland's current congressional delegation is six Democrats and one Republican, while Indiana is represented in Congress by seven Republicans and two Democrats. In the 2016 election, Donald Trump won 57% of the vote in Indiana and Hillary Clinton won 60% of the vote in Maryland. By contrast, North Carolina has more congressional districts than Indiana and has a more even partisan split, so it would be implausible for Republicans to create a gerrymandered man that would deny Democrats any congressional seats in North Carolina.

## Data and Methodology

As in the first study, a non-probability sample of respondents was recruited to participate in an internetbased survey by the Lucid Fulcrum exchange. In this case, 2685 respondents were recruited, of which 2184 were retained after those who did not complete the survey or did not answer questions used as dependent or independent variables were eliminated. These respondents were recruited between

August 22-24 2018.<sup>4</sup> Prior to viewing the treatment, respondents answered a series of questions measuring support for multi-party democracy as well as feeling thermometers for the Democratic and Republican parties. Due to space constrains, respondents in this study were not asked about the strength of their identity with their preferred political party, support for the rule of law, or political knowledge questions, covariates that were used in Study 1. Aside from these questions, the same demographic covariates are used as in Study 1: indicator variables for female gender and nonwhite race and a six-point ordinal variable for education level.

The dependent variable in this study asks respondents to choose a districting plan for a state controlled by their preferred party. As a result, the wording of the question and response option varies slightly between Democratic and Republican respondents. For Democrats, the question wording is as follows:

Democratic legislators in Maryland are considering their strategy for redistricting. What would you like to see them do in 2020?

- 1. Adopt a nonpartisan commission, which will likely result in Democrats holding 5 seats and Republicans holding 3 seats.
- 2. Draw a map that will likely result in Democrats holding 8 seats and Republicans holding 0 seats.

Republican respondents saw the following question:

*Republican legislators in Indiana are considering their strategy for redistricting. What would you like to see them do in 2020?* 

- Adopt a nonpartisan commission to draw the map, which will likely result in Republicans holding 6 seats and Democrats holding 3 seats.
- 2. Draw a map that will likely result in Republicans holding 9 seats and Democrats holding 0 seats.

<sup>&</sup>lt;sup>4</sup> Additional information about sample composition can be found in Appendix A.

The study uses a 3X2 experimental design similar to that used in Study 1. Respondents that report identifying with either Democrats or Republicans (including partisan leaners, using the standard branching party ID questions) are funneled into two groups. In each partisan group, respondents are randomly assigned into one of three treatment groups: a Partisan group in which they see only the questions presented above, a Distrust group in which they are also told that the opposing party "will not hold back in drawing an extreme gerrymander," and a Trust group in which they are told that the opposing party has "signaled that they are willing to put an end to the cycle of gerrymandering" if the respondent's party does the same. As there is no equivalent of the control group in the first study that uses fictional party labels, the Partisan group functions as the control group for this experiment. The full wording of these treatments can be found in Appendix B.

This analysis will use logistic regression to test whether the Trust and Distrust treatments affect how likely respondents are to choose the nonpartisan commission option over the option in which their party gerrymanders itself into control of every congressional district in the state.

#### Results

As was the case in Study 1, a decisive majority of respondents of both parties across all treatment groups preferred the nonpartisan option over the gerrymandered option. The nonpartisan commission was selected by 74% of Democratic and 78% of Republican respondents. This small partisan discrepancy could be explained by the fact that the gerrymander option shown to Republicans was slightly more egregious than the one shown to Democrats, as it would give the GOP all nine of Indiana's congressional seats while the Democrats have just eight seats to sweep in Maryland.

As shown in Figure 5, the results of Study 2 offer mixed support for H2. Democratic respondents told about Republican gerrymandering in Indiana were significantly less likely to support a nonpartisan

commission in Maryland, but Republicans told the same thing about Democratic gerrymandering were no less likely to choose to adopt a nonpartisan commission in Indiana. The effect size of the drop in predicted likelihood of Democratic support was 6%. As in Study 1, the Trust treatment failed to increase support for a nonpartisan commission in either party, and in fact non-significantly decreased support for the nonpartisan commission among Republicans. Given the results of the Trust treatment in both studies, it seems that either the offer of an independent redistricting compact failed to increase trust in the other side or this increase in trust was not sufficient to sway those few partisans who were committed to extracting maximum partisan advantage through gerrymandering.



Figure 8: Predicted probabilities of choosing a fair map across treatment groups for Democratic and Republican respondents

The results of Study 2 also replicated the positive association of support for multi-party democracy and negative association of negative partisanship with the choice of a nonpartisan commission. While support for multi-party democracy was significantly correlated with choosing a nonpartisan map in the full sample and among Democrats, this relationship was positive but non-significant among the Republicans in this sample.

#### Discussion

The results of this study demonstrate that Americans are not indifferent to redistricting and will not blindly follow the party line on the question of how to draw districts. To be sure, partisanship does matter for public opinion on redistricting. People are more likely to pick a gerrymandered map when the beneficiary is their real-world political party than in a comparable scenario with fictitious parties. This may be driven by pure partisan interest for some, but for others distrust of the opposing party to implement a fair procedure also plays a role. In at least one case, Democrats became more likely to choose a gerrymandered map after being told that Republicans planned on engaging in egregious gerrymandering themselves. These results fit in well with the standard narrative of rising affective polarization, negative partisanship, and political distrust.

But another narrative emerges from this study that is more optimistic for those looking for signs that the American public cares about democratic values. A clear majority of survey respondents across both surveys chose a fair, nonpartisan map over a map gerrymandered in favor of their party. Most respondents strongly endorsed values related to support for multi-party democracy, and these values were strongly associated with choosing a fair map. Those who did choose gerrymanders tended to come from the small set of people who view their party as an important social identity. These were the same set of people who were affected by the treatment of adding partisan labels to hypothetical maps. Even when shown treatments explicitly designed to engender distrust of the opposing political party and the redistricting process, decisive majorities of respondents continued to select the nonpartisan option. While the studies used non-probability samples, limiting their external generalizability, they did not diverge far from national averages on variables that strongly predict map choice, as shown in Table A3 in Appendix A. The Study 1 sample identified somewhat less strongly with the political parties than the

nationally representative sample in Huddy, Mason, and Aarøe (2015), but both samples had higher negative partisanship and lower support for multi-party democracy than the national average. There is no reason to believe that these samples were unusually predisposed to choose nonpartisan redistricting. These findings are instructive for policymakers heading into the 2020 redistricting cycle. While attempts to engage in partisan gerrymandering may be met with tolerance or even approval by committed partisans, most citizens, including those who share a party with the gerrymanderers, will not approve. If awareness of redistricting continues to rise in the mass public, there could be greater consequences for partisan gerrymandering in the next round of redistricting than there were in the last, both for the legitimacy of American legislatures and the electoral fortunes of parties engaging in gerrymandering.

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#### **Appendix A: Sample Composition**

Both studies in this paper were conducted using the Lucid Fulcrum exchange. Lucid's partnering companies find research participants from a variety of sources including via emails, push notifications, in-app pop-ups, or through offerwalls of engagement opportunities. These companies incentivize their users to participate in opportunities often by sharing the revenue earned for a survey's complete.

In both studies, the survey questions analyzed in this paper were presented to respondents after they had already participated in a separate survey related to American politics. For Study 1, the preceding survey studied ideological differences in motivated reasoning, while for Study 2 the preceding survey studied the relationship between psychophysiological indicators and political ideology.

Tables A1 and A2 below show the demographic balance across the treatment groups for Study 1 and 2, respectively. Table A3 compares the demographics of the full samples of these studies to the national average.

Treatment Group	Con	trol	Partisan		Trust		Distrust	
	Dem	GOP	Dem	GOP	Dem	GOP	Dem	GOP
Female	0.57	0.52	0.58	0.44	0.56	0.43	0.55	0.51
Nonwhite	0.37	0.18	0.39	0.19	0.38	0.20	0.41	0.15
Education (1-6)	3.80	3.68	3.68	3.60	3.62	3.66	3.88	3.59
Party ID Strength	0.51	0.48	0.51	0.47	0.53	0.51	0.52	0.49
Negative Partisanship	0.68	0.76	0.68	0.75	0.71	0.75	0.69	0.76
Multi-Party System	0.67	0.70	0.68	0.67	0.69	0.69	0.68	0.68
Rule of Law	52	42	45	46	52	43	47	44

Table A1: Demographic characteristics across each treatment group in Study 1.

<b>Treatment Group</b>	Con	trol	Distrust		Trust	
	Dem	GOP	Dem	GOP	Dem	GOP
Female	0.59	0.53	0.60	0.49	0.61	0.50
Nonwhite	0.30	0.08	0.29	0.08	0.29	0.10
Education (1-6)	3.92	3.77	3.80	3.85	3.69	3.89
Multi-Party System	0.78	0.71	0.75	0.72	0.71	0.76
Negative Partisanship	59	51	58	53	56	54

Table A2: Demographic characteristics across each treatment group in Study 2.

	Study 1	Study 2	Nationwide
Female	0.52	0.55	0.49
Nonwhite	0.29	0.20	0.38
Education (1-6)	3.69	3.76	3.38
Republican	0.38	0.38	0.39
Democrat	0.46	0.45	0.46
Party ID Strength	0.50		0.61
Negative Partisanship (0-100)	47	49	40
Multi-Party System	0.68	0.74	0.79
Rule of Law	0.72		0.75

Table A3. National gender and race figures come from the 2016 ACS. National multi-party system and rule of support figures come from Gibson and Caldeira (2009); note that this figure is based on a four-question rule of law scale, while this study uses a later five-question version from Gibson and Nelson (2015). National party ID strength figure comes from the YouGov study in Huddy et al. (2015). National Democratic, Republican, and education figures come from the 2016 ANES. Negative partisanship figure comes from Abramowitz and Webster (2016).

## Appendix B: Full Survey Instrument and Experimental Design for Study 1

Q6 Do you agree or disagree with the following statements? (5-point scale from Strongly Disagree to Strongly Agree)

Q7 What our country needs is one political party which will rule the country.

Q8 The party that gets the support of the majority ought not to have to share political power with the political minority.

Q9 Our country would be better off if we just outlaw all political parties.

Q11 Do you agree or disagree with the following statements? (5-point scale from Strongly Disagree to Strongly Agree)

Q12 It is not necessary to obey a law you consider unjust.

Q13 Sometimes it might be better to ignore the law and solve problems immediately rather than wait for a legal solution.

Q14 The government should have some ability to bend the law in order to solve pressing social and political problems.

Q15 It is not necessary to obey the laws of a government I did not vote for.

Q16 When it comes right down to it, law is not all that important; what's important is that our government solve society's problems and make us all better off.

Q17 I'd like you to rate how you feel about American political parties on a feeling thermometer using a scale of 0 to 100. The higher the number, the warmer or more favorable you feel toward that party, the lower the number, the colder or less favorable you feel. You can pick any number between 0 and 100.

Q18 Democratic Party

Q19 Republican Party

Q20Control/Partisan There has been a lot of talk about redistricting and gerrymandering lately. Many have been critical of how some congressional district maps were drawn after the last census in 2010, arguing that the maps were drawn to benefit particular incumbents or political parties. Some reformers have suggested that redistricting should be conducted by nonpartisan commissions that would prioritize compact districts, avoiding odd shapes and contorted boundaries. Others believe these commissions should prioritize partisan fairness, so that a party that receives 60% of the vote in a presidential election also wins about 60% of the congressional seats.

With the next redistricting cycle approaching, we're soliciting feedback from the public on how district maps should be drawn.

Q21ControlMD Consider the four plans below for redistricting a hypothetical state, Americana. To remove any partisan considerations, the statewide vote and projected seats refer to imaginary parties – the American Party and the National Party. Assume that all maps are compliant with the Voting Rights Act and have districts with equal population.

# Redistricting of Americana Statewide vote in 2016 presidential election: 64% American Party, 36% National Party

Map drawn by American legislature in 2011 7 American districts (88%), 1 National district (12%)





Map proposed by American Party 8 American districts (100%), 0 National districts (0%)

Мар С

Map A



Map proposed by National Party 4 American districts (50%), 4 National districts (50%)

Map D



Q21ControlNC Consider the four plans below for redistricting a hypothetical state, Americana. To remove any partisan considerations, the statewide vote and projected seats refer to imaginary parties – the American Party and the National Party. Assume that all maps are compliant with the Voting Rights Act and have districts with equal population.



Q21PartisanMD Consider the four plans for redistricting Maryland below. All maps are compliant with the Voting Rights Act and have districts with equal population.

# Redistricting of Maryland Statewide vote in 2016 presidential election: 64% Democrat, 36% Republican



Q21PartisanNC Consider the four plans for redistricting North Carolina below. All maps are compliant with the Voting Rights Act and have districts with equal population.

# Redistricting of North Carolina Statewide vote in 2016 presidential election: 52% Republican, 48% Democrat



Q20DistrustMD One state that has been identified as an especially egregious example of gerrymandering is North Carolina, where the Republican state legislature drew a map giving Republicans control of 10 of North Carolina's 13 seats (77%) despite only 52% of voters voting for the Republican presidential candidate in 2016:



With the next redistricting cycle approaching, we're soliciting feedback from the public on how district maps should be drawn. We would like you to choose from among several plans that have been proposed for redistricting Maryland.

# [Show Maryland map options as in Q16PartisanMD]

Q20DistrustNC: One state that has been identified as an especially egregious example of gerrymandering is Maryland, where the Democratic state legislature in Maryland drew a map giving Democrats control of 7 of Maryland's 8 seats (88%) despite only 64% of voters voting for the Democratic presidential candidate in 2016.



With the next redistricting cycle approaching, we're soliciting feedback from the public on how district maps should be drawn. We would like you to choose from among several plans that have been proposed for redistricting North Carolina.

## [Show North Carolina map options as in Q21PartisanNC]

Q20TrustMD There has been a lot of talk about redistricting and gerrymandering lately. Many have been critical of how some congressional district maps were drawn after the last census in 2010, arguing that the maps were drawn to benefit particular incumbents or political parties. Some reformers have suggested that redistricting should be conducted by nonpartisan commissions that would prioritize compact districts, avoiding odd shapes and contorted boundaries. Others believe these commissions should prioritize partisan fairness, so that wins a party that receives 60% of the vote in a presidential election also wins about 60% of the congressional seats.

One state that has been identified as an especially egregious example of gerrymandering is North Carolina, where the Republican state legislature drew a map giving Republicans control of 10 of North Carolina's 13 seats (77%) despite only 52% of voters voting for the Republican presidential candidate in 2016:

[Show North Carolina gerrymander as in Q20DistrustMD]

Maryland and North Carolina are widely considered the most gerrymandered states in the country. Republicans in North Carolina have passed a bill pledging that if Maryland uses a nonpartisan commission for redistricting in 2020, North Carolina will adopt nonpartisan redistricting as well.

"Neither party has clean hands when it comes to gerrymandering, said NC Delegate Carr (R) of the legislation. "We are creating an opportunity for Maryland and North Carolina to lead the nation by ending an undemocratic process and giving power to the people."

With the next redistricting cycle approaching, we're soliciting feedback from the public on how district maps should be drawn. We would like you to choose from among several plans that have been proposed for redistricting Maryland.

# [Show Maryland map options as in Q21PartisanMD]

Q20TrustNC There has been a lot of talk about redistricting and gerrymandering lately. Many have been critical of how some congressional district maps were drawn after the last census in 2010, arguing that the maps were drawn to benefit particular incumbents or political parties. Some reformers have suggested that redistricting should be conducted by nonpartisan commissions that would prioritize compact districts, avoiding odd shapes and contorted boundaries. Others believe these commissions should prioritize partisan fairness, so that wins a party that receives 60% of the vote in a presidential election also wins about 60% of the congressional seats.

One state that has been identified as an especially egregious example of gerrymandering is Maryland, where the Democratic state legislature in Maryland drew a map giving Democrats control of 7 of Maryland's 8 seats (88%) despite only 64% of voters voting for the Democratic presidential candidate in 2016.

[Show Maryland gerrymander as in Q20DistrustMD]

Maryland and North Carolina are widely considered the most gerrymandered states in the country. Democrats in Maryland have passed a bill pledging that if North Carolina uses a nonpartisan commission for redistricting in 2020, Maryland will adopt nonpartisan redistricting as well. "Neither party has clean hands when it comes to gerrymandering, said MD Delegate Carr (D) of the legislation. "We are creating an opportunity for Maryland and North Carolina to lead the nation by ending an undemocratic process and giving power to the people."

With the next redistricting cycle approaching, we're soliciting feedback from the public on how district maps should be drawn. We would like you to choose from among several plans that have been proposed for redistricting North Carolina.

# [Show North Carolina map options as in Q16PartisanNC]

Q22AlIMD Which of the four Maryland maps would you choose to implement?

- o Map A
- o Map B
- $\circ \quad \text{Map C}$
- o Map D

Q22AllNC Which of the four North Carolina maps would you choose to implement?

- o Map A
- o Map B
- o Map C
- o Map D

Q23 Do you favor or oppose a nationwide law requiring states to use a nonpartisan commission for redistricting? (5-point scale from Strongly Favor to Strongly Oppose)

# Appendix C: Full Survey Instrument and Experimental Design for Study 2

Q1 Do you agree or disagree with the following statements? (5-point scale from Strongly Disagree to Strongly Agree)

Q2 What our country needs is one political party which will rule the country.

Q3 The party that gets the support of the majority ought not to have to share political power with the political minority.

Q4 Our country would be better off if we just outlaw all political parties.

Q5 How important is being a {Democrat/Republican} to you?

- Extremely important
- Very important
- Not very important
- Not important at all

Q6 How well does the term {Democrat/Republican} describe you?

- Extremely well
- Very well
- Not very well
- Not at all

Q7 When talking about {Democrats/Republicans}, how often do you use "we" instead of "they"?

- All of the time
- Most of the time
- Some of the time
- Rarely
- Never

Q8 To what extent to do you think of yourself as being a {Democrat/Republican}?

- A great deal
- Somewhat
- Very little
- Not at all

Q9 There has been a lot of talk about redistricting and gerrymandering lately. After the last census in 2010, many congressional district maps were drawn to benefit particular incumbents or political parties. Reformers have suggested that redistricting should be conducted by nonpartisan commissions that would draw compact districts, avoiding odd shapes and contorted boundaries. Such a commission could also draw districts that ensure partisan fairness, so that wins a party that receives 60% of the statewide vote also wins about 60% of the congressional seats.

With the next redistricting cycle approaching, legislatures are beginning to think about how they will draw the new maps.

# Q10DemControl [No additional text]

Q10DemDistrust In Indiana, Republican lawmakers have signaled that they will not hold back in drawing an extreme gerrymander that will allow Republicans to win all 9 of the state's districts, even though Republicans typically only win about 60% of the vote in Indiana.

Q10DemTrust In Indiana, Republican lawmakers have signaled that they are willing to put an end to the cycle of gerrymandering if Democrats do the same. They have passed a bill pledging that if Maryland uses a nonpartisan commission for redistricting in 2020, Indiana will adopt nonpartisan redistricting as well.

# Q10GOPControl [No additional text]

Q10GOPDistrust In Maryland, Democratic lawmakers have signaled that they will not hold back in drawing an extreme gerrymander that will allow Democrats to win all 8 of the state's districts, even though Democrats typically only win about 60% of the vote in Maryland.

Q10GOPTrust In Maryland, Democratic lawmakers have signaled that they are willing to put an end to the cycle of gerrymandering if Republicans do the same. They have passed a bill pledging that if Indiana uses a nonpartisan commission for redistricting in 2020, Maryland will adopt nonpartisan redistricting as well.

Q11Dem Democratic legislators in Maryland are [also] considering their strategy for redistricting. What would you like to see them do in 2020?

- Adopt a nonpartisan commission, which will likely result in Democrats holding 5 seats and Republicans holding 3 seats.
- Draw a map that will likely result in Democrats holding 8 seats and Republicans holding 0 seats.

Q11GOP Republican legislators in Indiana are [also] considering their strategy for redistricting. What would you like to see them do in 2020?

- Adopt a nonpartisan commission to draw the map, which will likely result in Republicans holding 6 seats and Democrats holding 3 seats.
- Draw a map that will likely result in Republicans holding 9 seats and Democrats holding 0 seats.