FOUR FALSE STATEMENTS

1. "Politics and political considerations are inseparable from districting and apportionment."

Gafffney v. Cummings 412 U.S. 735, 753 (1973)

[Justice Byron White]

2. " . . the impossible task of extirpating politics from what are the essentially political processes of the soverign states." *Ibid, @ 754*

[Justice Byron White]

3. "As we have often noted, reapportionment is a complicated process. Districting inevitably has sharp political impact and inevitably political decisions must be made by those charged with the task."

White v. Weiser 412 U.S. 783, 795-96 (1973)

[Justice Byron White]

4. "We have never denied that apportionment is a political process . .."

Karcher v. Daggett 462 U.S. 725, 739 (1983)

[Justice William Brennan]

But how can we remove discretion from districting? Aren't we trying to "take politics out of politics"? It has, indeed, been the conventional wisdom that one can't take the "politics" out of districting. Such statements as these utterances from Supreme Court justices feed that conventional wisdom. They must be viewed as one would view a statement in 1898 that heavier-than-air flight was impossible: true in 1898, but not true in 1908. During the past two decades impartial procedures have been developed which completely remove discretion from districting and with it the *opportunity* for states to engage in discriminatory districting---partisan, racial, or personal.