

## SCOTUS Opinion: Court Decides That Federal Courts Cannot Address Partisan Gerrymandering Claims

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[James N. Markels](#)

The case of [Rucho v. Common Cause](#) combined two different gerrymandering claims: one from North Carolina where the claim was that the redistricting plan hurt Democrats, one from Maryland which claimed that the plan hurt Republicans. In both cases, the district courts ruled that the plans violated the Constitution. The Court, in a 5-4 opinion by Chief Justice Roberts, held that political gerrymandering claims are, by their nature, political and not justiciable. While the majority conceded that there were aspects of gerrymandering that were justiciable, like population inequality or racial discrimination, political gerrymandering was not resolvable through tests that were limited and precise in a way that the courts could address the problem. Instead, the majority invited the States and Congress to take action. Justice Kagan, joined by Justices Ginsburg, Breyer, and Sotomayor, dissented, arguing that political gerrymanders debased and dishonored our democracy, and that the courts were sufficiently equipped to resolve the worst-of-the-worst cases of democratic subversion, causing blatant constitutional harms. A link to the opinion is [here](#).

**TAGGED:** [scotus](#), [Gerrymandering](#), [SCOTUS opinion](#), [Rucho v. Common Cause](#), [justiciable](#)