

A *weird-looking* district isn't proof of a crime

One mechanism of elections, examined in depth — why district shape alone isn't the legal test for unconstitutional gerrymandering.

BEFORE YOU BEGIN

How This Guide Works

This is part of **Incognati Civics**, applying the field-guide format to election administration and mechanics — the procedural layer beneath the outcome, examined the same way regardless of which party or candidate it involves. Each specimen goes deep on one mechanism, with official records, court citations, and peer-reviewed or nonpartisan scholarship listed in full on the references page.

INCOGNATI CIVICS – ELECTIONS

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Gerrymandering Shown by Map Shape Alone

Forma Non Probat

Governing precedent / case 2019 **Status** Partisan gerrymandering claims ruled non-justiciable federally

OBSERVED SPECIMEN

RUCHO V. COMMON CAUSE, 588 U.S. 684 (2019)

*The Supreme Court ruled 5–4 that **partisan** gerrymandering claims present a political question federal courts cannot resolve, even when a district's odd shape strongly suggests political intent — leaving such disputes to state courts, state constitutions, and legislatures. This is distinct from racial gerrymandering, which remains subject to federal judicial review under cases like *Shaw v. Reno* (1993), where shape can serve as evidence but isn't itself the legal violation.*

THE HOOK

An oddly shaped district looks self-evidently improper on a map, which makes shape feel like it should be the test for whether a district is illegal.

THE MECHANISM

Shape alone has never been the federal legal standard. Racial gerrymandering claims require evidence race was the predominant factor in drawing lines; partisan gerrymandering claims, however extreme, currently have no federal judicial remedy at all after *Rucho*.

Field mark: before treating a strangely shaped district as proof of an illegal gerrymander, check whether the claim is about race (still federally reviewable) or partisanship (currently left to state-level remedies only).

See the full references page for complete citations.

References

every source checkable at the link provided; DOIs given where the source has one

PRIMARY SOURCE · SUPREME COURT

Rucho v. Common Cause, 588 U.S. 684 (2019).

<https://supreme.justia.com/cases/federal/us/588/18-422/>

Held partisan gerrymandering claims are non-justiciable in federal court.

PRIMARY SOURCE · SUPREME COURT

Shaw v. Reno, 509 U.S. 630 (1993).

<https://supreme.justia.com/cases/federal/us/509/630/>

Established that bizarre district shape can be evidence in a racial-gerrymandering claim.

REFERENCE SOURCE

Brennan Center for Justice, "Gerrymandering Explained."

<https://www.brennancenter.org/our-work/research-reports/gerrymandering-explained>

Nonpartisan explainer distinguishing partisan and racial gerrymandering standards.

Reading This Mechanism: A Gut Check

four questions before a headline changes what you think happened at the polls

1 Identify the claim type

Is the accusation racial or partisan gerrymandering? Federal courts treat them completely differently after Rucho.

2 Look past the shape

An odd shape can be evidence, but was never itself the full legal standard, even before Rucho.

3 Check for a state remedy

Partisan gerrymandering claims can still succeed under state constitutions and state courts.

4 Read the actual map data

Compactness metrics and partisan-lean data tell you more than the map's visual shape alone.

INCOGNATI CIVICS

The Series Continues

This is Specimen No. 6 of the Elections section within Incognati Civics. The full queue of twelve specimens is listed on the cover. This section joins "How Federal Laws Actually Get Created" within Civics, with local government, official data reporting, and institutional communications planned beyond it. The Incognati Atlas catalogs the underlying patterns across all of it.

Civics Field Edition · Elections · Specimen No. 6

All specimens independently sourced