The Limits of Partisanship in Citizen Preferences on Redistricting

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Abstract: A 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 theory 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. I test this theory on the case of redistricting using two survey experiments that ask respondents to choose between a partisan gerrymander and a nonpartisan district map. While introducing party labels to a redistricting scenario makes partisans somewhat more likely to choose a gerrymandered map, a clear majority of partisans choose a nonpartisan map across all experimental conditions. Only citizens who strongly identify as members of a political party are likely to choose partisanship over fairness.
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. Self-interest has always played a role in American redistricting, with incumbents and parties using the process of drawing lines to improve their electoral fortunes. But as parties became more ideologically homogenous and distinct at the elite level (McCarty, Rosenthal, and Poole 2006) and the party choice of voters grew more predictable (Abramowitz and Webster 2016), the benefits of partisan gerrymandering for parties increased. In the years following the most recent redistricting cycle, the effect of partisan gerrymandering on election outcomes is difficult to dispute. A series of legal challenges to the maps drawn after the 2010 census pushed redistricting to the forefront of popular consciousness, culminating in the 2019 *Rucho v. Common Cause* Supreme Court decision that ruled partisan gerrymandering to be nonjusticiable in federal courts.

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. Contemporary public opinion research has shown that on most areas of public policy, American voters form their preferences by following the cues of political elites (Zaller and Feldman 1992, Lenz 2012). 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 based on cues from party leaders. Indeed, there are clear partisan divides in public support for various election reforms that map onto the popular beliefs about which reforms would help each party (Alvarez et al. 2011).

In today’s polarized political context, we tend to expect that everything is driven by partisanship, including public opinion on election reform. However, another literature focused on procedural fairness suggests that in many legal and political contexts the public cares about procedures as well as outcomes (Lind and Tyler 1988). People value transparency in process, political leaders who are responsive to their concerns about processes, and being treated with respect throughout a procedure. These concerns are all applicable to democratic elections.

Most research on the connection between procedural fairness and elections has focused on the possibility that citizens will be less likely to accept an electoral outcome in which their party loses if they believe the electoral process to be unfair (Tyler 2013). But another important implication is that citizens might not approve of an election reform that benefits their party if they perceive it to be unfair. That is, citizens often face a tradeoff between their political interests on one hand and the demands of democratic procedural fairness on the other. How they navigate this tradeoff depends on their commitment to democratic norms and values.

This tradeoff is especially stark when it comes to redistricting. There are a multitude of considerations involved in drawing legislative district lines, ranging from adherence to the Voting Rights Act to “communities of interest” 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 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 citizens are willing to decrease the influence of their preferred party in the legislature for the sake of creating a fair districting procedure.

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. One experiment gives respondents visual images of maps to choose among, while the other solely gives respondents information about the partisan effects of maps and whether they were drawn by a state legislature or commission. By forcing these tradeoffs, I can determine how likely citizens are to choose a fair map over a gerrymandered map and under which conditions they are especially likely to do so. I thus pit a partisanship-focused theory of attitudes on redistricting against a procedural fairness-focused approach.

I find evidence that partisans of both parties are more likely to choose a gerrymandered map when party labels are present than in 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 evidence that the other party is behaving unfairly by engaging in gerrymandering. Respondents in these conditions largely resist the temptation to engage in tit-for-tat battles, though Democrats in both surveys are somewhat 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. Consistent with prior research in other areas of public opinion, democratic values are an important source of support for procedural fairness, while both affective polarization and social identification with a party are strong predictors of choosing a gerrymandered map.

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, however, start with a baseline preference for procedural fairness in redistricting and resist the temptation to manipulate districting to partisan advantage. These results challenge the popular view that citizens simply follow the lead of party elites on election law issues such as redistricting and lend support to theories emphasizing the importance of procedural fairness and democratic values.

**Public Support for Redistricting Reform**

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 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 it continues to be commonly accepted that most Americans are indifferent to the topic of redistricting.

But the Fougere et al. survey was conducted in 2006, before the contentious 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). Considering the incumbency advantage gained by Republicans in 2012, redistricting could plausibly have caused their House victory in 2016 as well. This narrative was promoted by mainstream media outlets in both 2012 and 2016 (Wang 2013, Ingraham 2016).

The rise in popular discussion of redistricting 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.
Recent polling evidence indicates 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 drawn 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 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. In the cases of California and Utah, those parties are preferred by a large majority of voters in the state in most elections, indicating that many voters chose to take redistricting power out of the hands of their preferred party. 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 Public’s Choice Between Partisanship or Principle**

In an era in which polarization has been the dominant feature of American politics, it is unsurprising that the ways in which partisanship and messages from party elites affect public opinion have been focal points of scholarly and media attention. There is substantial evidence
that cues from party elites affect citizens’ views on public policy issues (Druckman, Peterson, and Slothuus 2013; Lenz 2012; Zaller and Feldman 1992). People regularly use partisan motivated reasoning, interpreting political information through the lens of their party identification (Bolsen, Druckman, and Cook 2014). Though polarization has been primarily affective and social rather than issued-based (Mason 2015), the public is divided by party on many policy issues including those related to elections (Alvarez et al. 2011).

Scholars have proposed party leader cues as the best explanation for the partisan divisions in public opinion on election rules (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. Party elites regularly craft institutional rules, including election rules, for the benefit of themselves or their party (Riker 1988, Boix 1999, Binder 2006, Hersh 2015). Those elites might then provide messages to their partisans using normative justifications to secure popular support for the rules. For example, Michigan Republicans have fought the independent redistricting commission approved in a 2018 referendum by arguing that the commission “violates the associational rights of parties” by preventing anyone who has worked for a political party from serving on the commission (Oosting 2019).

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 so that their preferred policies are more likely to be enacted. Partisans might not require a normative justification; they may be just as motivated by partisan interest as party elites. For example, observational evidence suggests that citizens’ opinions about whether the Electoral College should be reformed are affected by whether a change would increase or decrease the influence
of their party and their state (Karp and Tolbert 2010, Aldrich, Reifler, and Munger 2014). In early-20th century referendums on apportionment questions, voters were more likely to support apportionment reform when it would benefit their party and especially when it would increase their county’s representation in the legislature (Woon 2007). A similar pattern was identified in the failed 2005 Ohio and California independent redistricting referendums, in which voters were more likely to support redistricting reform if their party was currently out of power at either the district or state level (Tolbert, Smith, and Green 2009). Recently, a series of survey experiments have found 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). In North Carolina, Republican lawmakers have not shied away from appealing directly to partisan interest, with one going as far as to say “I propose that we draw the maps to give a partisan advantage to 10 Republicans and three Democrats, because I do not believe it’s possible to draw a map with 11 Republicans and two Democrats” at a 2016 state house hearing (Hise and Lewis 2019).

Whether citizens follow elite cues or strategically choose election rules, the outcome is the same: support for rules that benefit their party. The literature showing that the public is partisan and strategic leads to the first core hypothesis of the paper, **H1: 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.**

Even if citizens have no desire to gain a partisan advantage via election rule change, they might have strong negative reactions against the opposing party attempting to do so. The well-
documented rise in affective polarization and negative partisanship in recent years (Nicholson 2012, Iyengar, Sood, and Lelkes 2012, Abramowitz and Webster 2016) may have increased the likelihood that partisans will perceive malicious intent in attempts by the other party to change election rules. Furthermore, if partisans see the other side breaking fairness norms, they may be more inclined to break those norms themselves in a “tit-for-tat” strategy. Maryland Democrats have made this argument to justify their gerrymandering, claiming that Republicans will gerrymander in other states and they don’t believe in “unilateral disarmament” (Brodey 2019). Support for a procedurally fair process may be conditional on a belief that the other side is playing fairly. This literature leads to the second core hypothesis, **H2**: 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.

Of course, not all partisans are the same. There remains substantial heterogeneity among supporters of the two major parties in the strength of their party attachments and the degree of their negative feelings toward the opposing party. The partisans who choose gerrymandering are likely to be those who have the most social identity benefits to gain from seeing their own party win elections and the other party lose them. Therefore, I expect that respondents with higher affective polarization and stronger identification with their own party will be less likely choose a nonpartisan map (**H3**).

However, there is reason to believe that a view of public opinion based solely on party-interest mechanisms is incomplete. Most importantly, this perspective leaves out the role of the public’s preference for procedural fairness and the upholding of democratic values. In many social
contexts, including politics, citizens have been found to 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). Dissatisfaction with processes is more likely than dissatisfaction with outcomes to prompt citizens to want to change political systems (Tyler and Rasinski 1991, Hibbing and Theiss-Morse 2002). 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). Democratic values such as the rule of law and support for multi-party democracy are widely endorsed by the American public (Gibson and Caldeira 2009). As a result, I expect 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 (H4). Furthermore, there is good reason to expect a high percentage of people overall to choose nonpartisan maps over gerrymanders if procedural fairness is in fact an important consideration for the public.

Finally, H5 expects that there will be an interaction effect between the four variables in H3 and H4 and the experimental treatment in H1. That is, not only will the respondents with high affective partisanship and low support for democratic values be especially likely to choose a gerrymandered map, they will also be more likely to be swayed toward gerrymandering by the introduction of party labels to a redistricting scenario. Respondents who do not identify strongly with their preferred party and have stronger democratic values should be less likely to affected by a treatment giving them a partisan temptation.
Study 1

The first study asks survey respondents to choose among four different redistricting proposals, including visual maps, 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. 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

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.
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, 2018.²

This study uses a 4X2 experimental design, shown in Table 1. More specifically, it uses four experimental conditions, with a different version of each condition 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. Pure 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

² Additional information about sample composition can be found in Appendix A, page 2.
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.\(^3\) 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 fairer than both the gerrymandered maps and the current map. In a pretest survey administered to a pool of 92 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>
<thead>
<tr>
<th>Group</th>
<th>Maryland (shown to Dems)</th>
<th>North Carolina (Shown to Reps)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Control group</td>
<td>Maryland map, fake parties</td>
<td>North Carolina map, fake parties</td>
</tr>
<tr>
<td>Partisan group</td>
<td>Maryland map, real parties</td>
<td>North Carolina map, real parties</td>
</tr>
<tr>
<td>Distrust group</td>
<td>Maryland map, shown NC</td>
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</tr>
<tr>
<td>Trust group</td>
<td>Maryland map, shown NC and offered compact</td>
<td>North Carolina, shown Maryland and offered compact</td>
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*Table 1: Study 1 experimental design*

\(^3\) Contrary to the quote from a Republican state legislator used above, I was able to draw a NC district map giving 11 seats to Republicans and 2 seats to Democrats.
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 (Page 5).
Figure 2: Map choices presented to Democratic respondents in partisan treatment groups

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

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

Map drawn after 2010 census
10 Republican districts (77%), 3 Democratic districts (23%)

Map proposed by Democratic Party
8 Democratic districts (100%), 0 Republican districts (0%)

Map proposed by Republican Party
4 Democratic districts (50%), 4 Republican districts (50%)

Map A

Map B

Map C

Map D

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

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

Nonpartisan map
7 Republican districts (54%), 6 Democratic districts (46%)

Map proposed by Republican Party
11 Republican districts (85%), 2 Democratic districts

Map proposed by Democratic Party
5 Republican districts (38%), 8 Democratic districts (62%)

Map A

Map B

Map C

Map D
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 in-party 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 shown in Model 1 in Table 2, 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. When all the partisan label treatment groups are combined, shown in Model 2 in Table 2, the odds of a Democrat in the control group choosing a fair map is 1.67 times the odds of a Democrat in the partisan groups, and the same odds ratio is 1.54 for Republicans. This difference is significant for Democrats and marginally significant \((p = .06)\) for Republicans. These models provide substantial 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 logistic analyses are shown in Model 4 in Table 3. Neither treatment had the expected effect on the likelihood of choosing a fair map for either party. In a multinomial logistic analysis, the Distrust treatment had a marginally significant positive effect on the likelihood that Democrats would choose an extreme gerrymander; no other treatment
effect approached significance. Thus, there is little support for H2 in this study. Showing partisans evidence of the opposing party behaving either poorly or well does not substantially 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. These effects were substantial. Respondents with the highest multi-party democracy score were twice as likely to support independent redistricting as those with the lowest multi-party democracy score. Respondents with the weakest party identification had an 85% probability of choosing the nonpartisan map, compared to a 50% probability among those with the strongest party identification. Predicted probability graphs for the multi-party democracy support and strength of party ID variables are shown in Figures 6 and 7.
## DV: Choosing a fair map

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

Table 2: Logit models estimating likelihood of choosing a fair map (either the nonpartisan map or opposite-party gerrymander). Model 2 combines the “Partisan,” “Distrust,” and “Trust” treatment groups into one group with all participants who chose among maps with real partisan labels.
### DV: Choosing a fair map

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**Observations**

- Model 3: 1058
- Model 4: 488
- Model 5: 399
- Combined Models: 643
- Combined Models: 529

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

**Table 3:** Logit models estimating likelihood of choosing a fair map (either the nonpartisan map or opposite-party gerrymander). Models 3 and 4 include only non-control group respondents. Model 5 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 affective polarization 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 Rights 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 presented to respondents in Study 1 provided a realistic set of redistricting options including visual district maps. Study 2 withholds those visuals, instead simply showing respondents the projected seats won by each party in non-partisan and partisan maps. In doing so, it tests whether the high rates of support for nonpartisan redistricting found in Study 1 will be replicated in a context in which respondents are not forced to associate the partisan option with a visually-obvious gerrymander. 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 question minimizes any ambiguity that the respondent is making a choice between the interests of their party and a fair, independent redistricting system. It also eliminates other factors that may have affected the respondents’ map choice in Study 1, such as compactness, communities of interest, and following existing political boundaries. This study also provides a cleaner test of H2, the hypothesis that a partisan’s likelihood of choosing a fair map can be influenced by priming them to 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 internet-based 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.\(^4\) 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.\(^5\) 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

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\(^4\) Additional information about sample composition can be found in Appendix A, page 2.

\(^5\) 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.
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?

1. **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.**

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 C, page 13.

This analysis uses 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.

The results of Study 2 also replicated the associations of support for multi-party democracy and affective polarization with the redistricting choice found in Study 1. Negative partisanship was significantly negatively associated with choosing a nonpartisan map among both Democrats and Republicans. For every one-point decrease in the 100-point affective polarization scale, the odds of choosing a fair map increase by 2% among respondents of both parties. Support for multi-party democracy was significantly correlated with choosing a nonpartisan map in the full sample and among Democrats and was positive but non-significant among the Republicans in this sample. For every one-point increase in the five-point multi-party democracy scale, the odds of choosing a fair map increase by 140%. Interactions with the treatments and these two variables were not significant.
Figure 8: Predicted probabilities of choosing a fair map across treatment groups for Democratic and Republican respondents

Discussion

The results of these studies 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. Respondents were more likely to pick a gerrymandered map when the beneficiary was their real-world political party than in a
comparable scenario with fictitious parties. The studies provided mixed support for the hypothesis that people will engage in “tit for tat” behavior by becoming more likely to gerrymander after being shown evidence of the opposing party gerrymandering. Democrats in both studies became more likely to choose an extreme gerrymandered map after being told that Republicans planned on engaging in egregious gerrymandering themselves, but the treatment did not have this effect on Republicans. These results largely dovetail 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 and procedural justice. 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, they did not diverge far from national averages on variables that strongly predict map choice, as shown in Table A3 in Appendix A, page 4, and the results of Lucid samples in general have been shown to closely track those of nationally representative samples (Coppock and McClellan 2019). 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 affective polarization 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. The Supreme Court’s failure to rule partisan gerrymandering unconstitutional in *Rucho v. Common Cause* means that the issue will continue to be hard-fought at the state level for years to come. 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.
References


Coppock, Alexander, and Oliver A. McClellan. 2019. “Validating the Demographic, Political, Psychological, and Experimental Results Obtained from a New Source of Online Survey Respondents.” *Research and Politics*.


Hise, Ralph, and David Lewis. 2019. “We Drew Congressional Maps for Partisan Advantage. That Was the Point.” *The Atlantic.*


Tyler, Tom R. 2013. Achieving Peaceful Regime Change: Why Do Losers Consent?


Appendix A: Sample Composition

Both studies in this paper were conducted using the Lucid Fulcrum exchange, a platform that has been shown to produce results that closely track the results of studies conducted on nationally representative samples (Coppock and McClellan 2019). 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 by sharing the revenue earned for a completed survey.

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

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Table A2: Demographic characteristics across each treatment group in Study 2.
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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. Affective polarization 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 A
Map drawn by American legislature in 2011
7 American districts (88%), 1 National district (12%)

Map B
Map proposed by nonpartisan commission
5 American districts (63%), 3 National districts (37%)

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

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

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

Map A: Map drawn by American legislature in 2011
10 American districts (77%), 3 National districts (23%)

Map B: Map proposed by nonpartisan commission
7 American districts (54%), 6 National districts (46%)

Map C: Map proposed by American Party
11 American districts (85%), 2 National districts (15%)

Map D: Map proposed by National Party
5 American districts (38%), 8 National districts (62%)
Consider the four plans for redistricting North Carolina below. All maps are compliant with the Voting Rights Act and have districts with equal population.
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.
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.

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:
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.”

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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.

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“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]

Q22AllMD Which of the four Maryland maps would you choose to implement?
   o Map A
   o Map B
   o 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: Experimental Design for Study 2

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.