Electoral Studies 91 (2024) 102835

Contents lists available at ScienceDirect

Electoral Studies

journal homepage: www.elsevier.com/locate/electstud

Secure majorities, unequal districts: One person, one vote & state bipartisanship

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A B S T R A C T

In 1964, the Supreme Court ended legal state legislature malapportionment. This paper considers the effects of this federal action on the partisan and ideological behavior of state legislatures in the immediate period following the Reapportionment Revolution (1959–1974), particularly in states with vast rural and urban representational differences. Using a novel dataset of state-level malapportionment rates, legislative partisanship, and state-level ideology, we find that nation-wide requirements led many state legislatures to become more competitive. Yet, while this electoral competition encouraged immediate bipartisanship, at least measured by partisan makeup and ideology, this partisan harmony was short-lived in states that malapportioned along geographic lines before the Redistricting Revolution. Thus, while we find evidence that institutional change can decrease partisanship, in cases where partisan control is reflective of perhaps a demographic or geographic imbalance, these changes can lead to a backlash effect.

1. Introduction

In 1961, Delaware's House of Representatives included a district with 1643 residents, as well as one that was 35 times larger, with 58,228 people. The smallest district in Alabama's state Senate was about 15,000 people, while its largest was more than 634,000. Vermont's smallest state House district was a mere 38 individuals—but its largest district had more than 33,000 constituents. This level of state legislature malapportionment was common throughout the U.S. in 1961, in both upper and lower houses, making the votes of constituents in certain districts significantly disproportionate to those of other voters in the same states. During this time, urban voting power was also substantially diluted: rural areas were often overrepresented while urban areas were typically underrepresented compared to their populations.

In 1964, the Supreme Court ended legal state legislature malapportionment with *Reynolds v Sims.* The Court ruled that the 14th Amendment's equal protection clause required states to equally apportion their legislative districts in all state legislative chambers, instituting the "One Person, One Vote" standard as a legal requirement. *Reynolds,* along with *Baker v Carr (1962), Gray v Sanders (1963)* and *Wesberry v Sanders (1964)* kicked off the "Reapportionment Revolution" (Dixon 1968), generating a complete transformation of state legislatures in the U.S.

This paper considers the effects of this federal action on the partisan and ideological composition of state legislatures in the immediate periods preceding and following the Reapportionment Revolution (1959–1974). We evaluate how the shift from wide-spread malapportionment in state legislatures to One Person, One Vote districting created changes in the partisan and ideological composition of state legislative chambers as well as how these impacts varied among states based on the levels of urban-rural partisan sorting. Using original data to capture malapportionment within the states before, during, and after the Reapportionment Revolution, we consider how more representative–yet ultimately, more competitive–state legislatures impacted partisanship and ideological cohesion in state legislatures.

There is theoretical reason to expect that increased competition, forced by "fair" redistricting, would disincentivize bipartisanship and increase partisan cohesion (Lee 2016; Hinchliffe and Lee 2016). Yet we also recognize that the longevity of competitive districts and potentially insecure majorities will depend on partisan-geographic divisions within a state. The nation-wide requirements, put in place by the federal judiciary, acted as an external shock that required states to respond quickly and redraw boundaries that in some cases had been in place since the creation of the state legislature. Ultimately, we find that the partisan and ideological makeup of state legislatures changed during the period of 1959–1974, and that the lasting effect of electoral competitiveness depended somewhat on geographical polarization. When malapportionment ended, many state legislatures became more competitive, with slimmer majorities and parties vying for control each election, yet this partisan harmony was short-lived in states that malapportioned along geographic lines before the Redistricting Revolution. While there is

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https://doi.org/10.1016/j.electstud.2024.102835
Received 19 January 2024; Received in revised form 10 July 2024; Accepted 16 July 2024
Available online 24 July 2024

evidence that institutional change can decrease partisanship, in cases where partisan control is reflective of perhaps a demographic or geographic imbalance, these changes can lead to a backlash effect. This novel historical analysis provides some insight to a critical period of party politics and expands our understanding of the consequences of redistricting and legislative competitiveness.

In addition to theoretical insight, this paper introduces an original dataset based on historical data from The Book of States to compare changes in malapportionment, partisan composition, and representation in state legislatures during the Reapportionment Revolution. To evaluate levels of partisanship and ideological divisions between the major political parties, we collected data on party control during this period, and rely on prior work by Berry et al. (1998) that uses interest group ideology to scale the ideology of historic state legislatures. This data allows us to consider how, or if, federal mandates of fair apportionment affected partisan and ideological competition, and under what conditions.

Below, we provide an overview of existing research on state legislature malapportionment and competition, and then discuss our novel data collection and results in detail, followed by considerations for future research and the applicability of these findings to present-day questions of political representation. Ultimately, we find that "One-Person, One-Vote" forced lawmakers to reconsider who they were representing–and for a perhaps brief period of American politics, this competition encouraged bipartisanship as well.

2. Background

2.1. Malapportionment and judicial action

Throughout the first half of the 20th Century, most state legislatures were substantially malapportioned. Many states did not regularly redistrict or reapportion their legislatures which meant that districts could remain the same for decades despite population changes throughout the state. In 1961, Alabama had not redistricted since 1901, Delaware hadn't since 1897, and Vermont had never redistricted, with its 1793 state constitutional apportionment left in place. State legislatures were typically in charge of the redistricting process for both state and federal legislative districts. Beyond the political and personal motivations to maintain existing borders, given the absence of enforceable legal requirements for equal populations, disagreement between state lawmakers about how to redistrict, often meant the existing plan would simply be left in place (Cox and Katz 2002).

As illustrated in Figs. 1 and 2 below, the size of legislative districts could, and did, range widely, and this level of malapportionment was widespread throughout the entire United States, in both chambers and in the vast majority of states. As a result, the majority of seats in the legislature may have only represented a small minority of constituents in the state, with significant impacts on public policy (Ansolabehere and Snyder 2008) and electoral politics in the U.S. (Cox and Katz 2002). But in 1964, the U.S. Supreme Court decided *Reynolds v Sims* and ushered in the "Reapportionment Revolution." The landmark case required equal apportionment of state legislative seats and applied the One Person, One Vote standard. State legislative seats were expected to now represent equal numbers of constituents–meaning malapportionment was no longer legal. In reality, this required every state to redraw and reapportion their malapportioned legislative districts, often multiple times, to comply with the new standard. Additionally, states could no longer revert to the old plan if there was a failure to agree on new district lines. State legislatures often drew new plans under court order or under the constant threat of court action (Cox and Katz 2002).

The *Reynolds* decision, along with *Baker v. Carr* two years earlier, represented a substantial change in the structure of American government. Before 1962, redistricting and reapportionment were seen as responsibilities for the states and their legislative branches. In 1946's *Colegrove v Green,* Justice Felix Frankfurter famously wrote that the Supreme Court "ought not enter the political thicket" when a plurality of justices declined to rule on a malapportionment case. The opinion declared the issue nonjusticiable and left its remedy to state legislatures or Congress. But by 1962, the Supreme Court's decision in *Baker v. Carr* overruled *Colegrove* and announced legislative malapportionment to be a justiciable issue for which the federal courts could hear cases. As a result, one of the cases brought to the federal courts after *Baker* was *Reynolds*, which ultimately saw the federal courts apply a new judicial standard for state legislatures–One Person, One Vote–founded on the Constitution's 14th Amendment, which required state redistricting institutions to equally apportion their legislative districts. Similar to the federal courts' involvement in the 1965 Voting Rights Act, the Reapportionment Revolution challenged the traditional American structures of federalism and separation of powers by providing more involvement and oversight of state electoral institutions from the federal government through the federal courts.

By the early 1970s, most states had fully redistricted and reapportioned their legislatures with nearly equal populations for each seat. At the federal level, the Reapportionment Revolution benefited Democrats by eliminating the pro-Republican bias that existed in the U.S. Congress, outside of the South, as well as helping incumbents (Cox and Katz 2002). At the state level, the partisan impact has been less clear. While research has found that equal representation led to a more equitable distribution of government funds to formerly underrepresented districts and public policy was impacted asymmetrically by this shock through the U.S., moving policy to the left in the North and Midwest and to the right in the South and West (Ansolabehere and Snyder 2008), what is less known is how this impacted the organization of political parties at the state level.

The Reapportionment Revolution challenged many of the traditional structures of American government including federalism and the separation of powers in order to promote democratic values such as voting rights and equal representation. Because this period marks substantial change in American government, it also presents substantial opportunities for studying American politics. Given the nation-wide impact of Supreme Court rulings, *Reynolds v Sims* represented an exogenous shock to democratic competition in all state legislatures in 1964 regardless of their many differences from one another.[1] These court decisions and their subsequent enforcement reduced the level of malapportionment in every legislative chamber (except for the U.S. Senate) throughout the U. S. This paper utilizes this unique period of American politics to disentangle the potential effect that legislative competition—or lack thereof—has on partisanship and ideology in state legislatures.

2.2. Theories of partisan competition

Today, the two political parties at both the state and federal level have become more distinct, professionalized, and ideologically divisive (Rosenfeld 2020; Mason 2018), but the source of this rise in partisanship remains an area of debate. A dominant consideration is the role of electoral competition between the two parties as source of partisanship and ideological division, particularly at the federal level. Frances Lee's (2016) work makes a convincing case for the rise of electoral competition in the U. S. Congress as the driving source of the rise of partisan polarization in the institution, as well as state-level legislatures (Hinchliffe and Lee 2016). Earlier work on the theoretical purpose of political parties supports this theory, too: political parties have long organized policy goals and ideological groups (Schattschneider, 1975; Wright and Schaffner 2002), necessary groundwork for meaningful electoral competition. However, seminal work by Downs (1957) and others, have argued the opposite: electoral competition should force legislators to compromise, representing the interests of the "median voter" (Downs 1957).

[1] And a "natural experiment" for researchers (Ansolabehere and Snyder 2008).

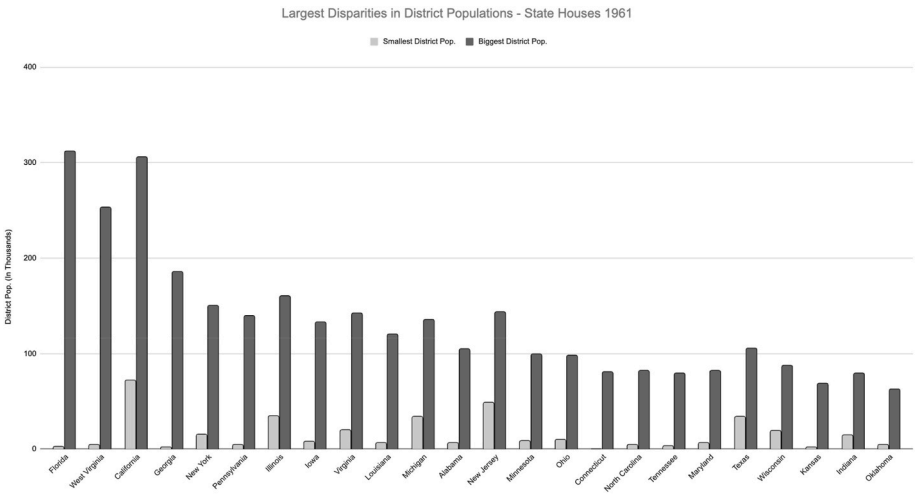

Fig. 1. State lower chamber malapportionment levels for the 25 states with the largest difference between their most and least populous districts.

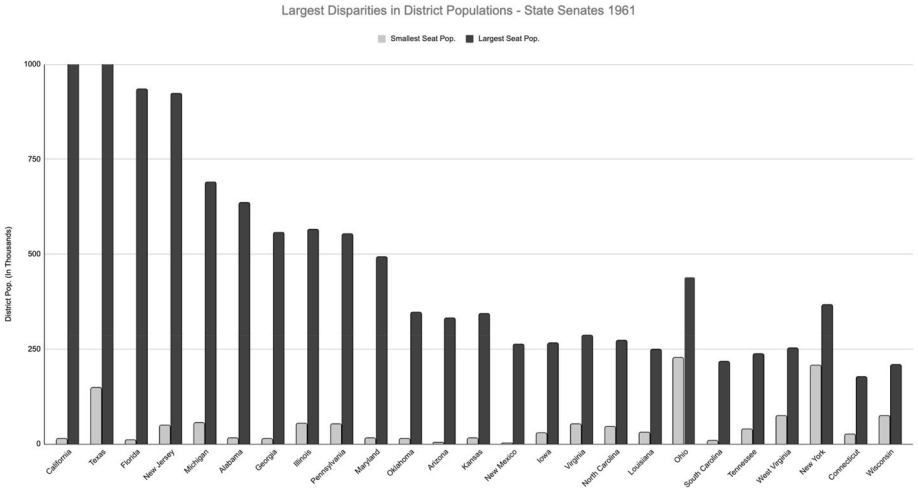

Fig. 2. State upper chamber malapportionment levels for the 25 states with the largest difference between their most and least populous districts.

Scholars have also noted the impact that geographic divisions, whether by design or behavior, can have on partisanship and electoral competition (Hopkins 2017; Mellow and Trubowitz 2005). There are claims, often made by political advocates and popular media, about the role of district lines on partisan polarization (ex: Bash et al. 2022). However, scholars have found limited evidence to support the claims that redistricting and gerrymandering are the sole cause of partisan polarization (McCarty et al., 2009; Mann 2007; Rodden 2019). Researchers have repeatedly shown that although legislatures do gerrymander districts to benefit their co-partisans, the effects of this partisan gerrymandering in the aggregate are often far more muted and short-lasting than the conventional assumptions (Abramowitz 1983; Cain 1985; Cain and Campagna 1987; Campagna and Grofman 1990; Swain et al. 1998; Stephanopoulos and McGhee 2018; McGhee 2020).

But yet there are undeniable partisan geographic advantages, as a result of urban-rural electoral preferences. In contemporary politics, partisan sorting along geographic lines has resulted in reliable partisan voters in urban and rural geographies across the United States. Although the degree and cause of this effect remain a source of debate (Bishop and Cushing, 2009; Abramowitz, 1983; Kaplan 2022; Gaynor and Gimpel 2021; Rodden 2019; Shea and Jacobs 2023), geographically sorted partisan voters have a notable impact on American politics because geography is an important aspect of the electoral systems in the U.S. (Hopkins 2017). Today, Republicans represent many rural geographies in the U.S and, in turn, benefit in institutions such as the U.S. Senate and electoral college that emphasize geographic representation. Recent scholarly research has documented this Republican advantage at the state level as well (Eubank and Rodden 2020).

Historical consideration of partisan competition, redistricting, and geographic divisions can shed light on driving factors—and its potentially lasting effects—of polarization in legislative institutions. However, historical analysis of state legislatures has been notoriously difficult due to limited data availability (Shor and McCarty 2011; Wright and Schaffner 2002). Because of the variation among state laws, record-keeping, and data accessibility, particularly for the historical time period prior to and following the reapportionment revolution, the relationship between electoral competition, partisanship and ideology, and geographic division has relied heavily on observations of the U.S. Congress. At the federal level, the 1960s was a nadir of partisan politics–the consistent and overwhelming power of the Democratic party in the U.S. House in particular was seen as a motivation for bipartisan compromise by the national GOP party (Lee 2016; Rosenfeld 2020; Karol 2009). However, while there was a Democratic tilt among state legislatures, this was not the case for all states nor for as consistent a time period.

Furthermore, while party shares are easy to document, understanding how, or if, ideology shifted at the state level during this tumultuous time in state-level representation is still an unanswered question. Seat

share alone does not capture the ideology of state-level legislatures. Although existing work on American institutions and voter-level behaviors often conflates ideological polarization with political polarization, this is an important distinction, particularly during a period of weak parties (Schickler, 2016; Rosenfeld 2020). We build on prior work by Berry et al. (1998, 2010), which considers how the ideology of state legislature compared with state-level public opinion data, alongside new analysis of institutional reform to understand how electoral competition influences legislature ideology.

3. Theory and expectations

Our expectations are that during the pre-1964 period of widespread malapportionment, many states would have large and consistent partisan majorities, typically favoring the dominant, non-urban party. After the imposition of the One Person, One Vote and equal apportionment, we expect to see a change in the partisan composition of each state chamber that reduces the size of partisan majorities, therefore creating more competitive chambers:

H1. There will be a change in the partisan makeup of state legislatures following judicial rulings on malapportionment leading to smaller majorities.

Given existing work on electoral competition and partisanship, we expect partisan composition will impact the ideological divisions between the two parties. We should expect the end of malapportionment to lead to a reduction in the size of partisan majorities and this increased party competition to result in either a pivot towards more ideological divisive and defined parties, or bipartisanship in pursuit of a new "median voter" from newly drawn boundaries. Therefore, we pose the following possibilities for the outcome of the end of legal malapportionment:

H2a. If electoral competition is the driving factor of partisanship at the state level, then we should expect to see the parties become more ideologically distinct following judicial rule.

H2b. If electoral competition leads to compromise and bipartisanship, we should expect to see the parties become more ideologically similar following judicial rule.

Lastly, the spatial distribution of partisan votes varied significantly among states in the 1960s and 1970s. So, although the "shock" of these federal court rulings affected all of the states equally, the initial malapportionment did not necessarily affect the state parties equally. If a state had an unequal distribution of partisan voters in urban or rural communities, this would also have the effect of diluting or inflating partisan power. Therefore:

H3. We expect states with urban-rural geographically sorted parties to be most affected by the Reapportionment Revolution.

This inquiry allows us to consider the impact that institutions can have on legislative behavior. While we recognize that any findings under either of these two theories are capturing this moment in time–post-exogenous shock, and in a void of well-defined, strong federal parties–we expect the results to be informative about the source and longevity of partisan competition.

4. Research design and data

To test these hypotheses, we first measured the levels of malapportionment in each state legislative chamber, prior to and following Reynolds. Malapportionment can be difficult to measure because there can be wide variation among the districts within a single plan. We opted for a measurement that accounted for the deviation of the least populous district in a state plan from the average district population, as well as the deviation of the most populous district in a legislature from the average district population. Our key independent variable of malapportionment combines the maximum deviation of districts above and below the average for a single metric that accounts for the total excessive malapportionment of a districting plan.[2] The historical malapportionment data was collected from the 1959, 1961, 1967, 1969, 1971, and 1973 editions of the Book of States, calculated and aggregated by the authors when applicable.[3]

To first test the partisan and ideological impact of the end of malapportionment, we rely on two dependent variables that capture partisanship and ideology at the state level: For partisanship, we consider the percentage of seats that the majority party holds in every chamber (upper and lower chamber) in every state over the course of our dataset (1959–1974). For ideology, although an ideal measurement would include a ratio of roll call votes at the state level, the data was unavailable and is notoriously difficult to collect (Clark, 2019). Instead, we rely on the Berry et al. (1998) measure of state government ideology, which generates an aggregate score for state legislative parties by using the interest group scores of each party in each state legislative chamber. While not a perfect measurement of state-level ideology, it does provide us with a proxy to observe how ideology changes under a more competitive environment. And, most importantly, unlike other work on this topic, it allows us to examine historical congresses (see Shor and McCarty, 2011; Clark 2019; Hinchliffe and Lee 2016). To evaluate the distance between the two parties, we calculate the absolute difference between the Republican and Democratic ideology scores.

We also consider other factors that could impact the partisan makeup and ideology of the state chambers. We include a dichotomous variable for southern states (using prior Confederate states as our threshold), which also allows us to both consider the effect of southern status (Table 2) and later, split our sample by region (Table 3). The cohesion and competition thesis examined in this project has its roots in early work on the effects of the uni-party American South (Key, 1945) and as our data confirms, the Democratic Party's power in Southern states exist as outliers given the time frame of this project. As a result, we split our sample between Southern and non-Southern states when evaluating ideological differences.[4]

Additionally, we include a control variable for the number of the times that a state or chamber has reapportioned their state legislative districts since 1964, following Reynolds vs Sims. Although the federal court opinion impacted all states equally, the response by states varied substantially. While some states reapportioned their legislatures quickly and complied with One Person, One Vote, other states did not or reapportioned multiple times.[5] While some states reapportioned once between 1964 and 1973, others reapportioned as many as four times. This control variable accounts for the timing and frequency of state legislative chamber apportionment, perhaps signaling state receptiveness to the Reynolds ruling.

[2] Combined Malapportionment Metric = (Average District Pop./Smallest District Pop.) + (Largest District Pop/Average District Pop.) For example, in 1961, Michigan's lower house had one district with a population that was 190% larger than the average district population and another that was 209% smaller than the average district. These were the two most extreme districts in the state. Our metric sums these two extremities for a score of 399% malapportionment, accounting for both upper and lower variation around the mean. In 1967, Michigan's lower house had variation 1% above the average and 3% for a total malapportionment score of 4%. When measuring multi-member districts, these calculations use seat populations as opposed to district.

[3] No data available for 1963 and 1965. Additional state malapportionment data was collected on the frequency of redistricting, the date since last apportionment, the percentage of state population needed to control legislature and average seat deviation for select years.

[4] Similar split results for party-control can also be found in the Appendix, Table A1.

[5] By 1973, upper chambers in South Carolina and Alaska and lower chambers in New Jersey and Georgia had each redistricted four times. Other states, such as Rhode Island or Kentucky, had only redistricted once.

Table 1
Changes in state legislative malapportionment and partisan control 1961–1973.

	1961 (Malapportionment Era)				1967 (Reapportionment Revolution)				1973 (First Redistricting Cycle of OPOV Era)			
	Avg. Smallest District Mal.	Avg. Largest District Mal.	Combined	Avg. Majority Size	Avg. Smallest District Mal.	Avg. Largest District Mal.	Combined	Avg. Majority Size	Avg. Smallest District Mal.	Avg. Largest District Mal.	Combined	Avg. Majority Size
All State Leg.	652.29%	349.61%	**1001.90%**	**72.86%**	19.01%	19.92%	**38.93%**	**68.78%**	5.90%	6.25%	**12.15%**	**66.78%**
Upper Houses	634.97%	369.68%	**1004.65%**	**74.09%**	15.82%	17.57%	**33.39%**	**69.00%**	5.06%	5.19%	**10.25%**	**67.19%**
Lower Houses	669.63%	329.53%	**999.16%**	**71.63%**	22.34%	22.36%	**44.70%**	**68.56%**	6.76%	7.33%	**14.09%**	**66.38%**
All non-South	654.21%	321.45%	**975.66%**	**65.26%**	19.41%	19.65%	**39.06%**	**63.75%**	6.05%	6.55%	**12.60%**	**62.26%**
South	646.99%	427.58%	**1074.57%**	**93.33%**	17.79%	20.71%	**38.50%**	**83.26%**	5.44%	5.34%	**10.78%**	**80.35%**

Table 2
Fractional logistic regression estimation on impact of malapportionment on chamber partisanship, 1960–1972, with state-level fixed-effects.

	Dependent variable:
	% of majority party in chamber
Malapportionment	0.014*** (0.004)
Years since last reapportionment	−0.001 (0.001)
Chamber (upper)	0.071* (0.002)
Southern state	3.776*** (0.521)
Constant	0.484*** (0.109)
Observations	472

Note: *p<0.1; **p<0.05; ***p<0.01. Table A2 in the Appendix presents the predicted effects of this model.

Table 3
OLS estimation on impact of malapportionment on the ideological distance between state legislative parties, 1960–1972, Non-Southern and Southern states, with state-level fixed-effects.

	Dependent variable: Ideological distance between parties	
	Non-southern states	Southern states
Malapportionment	1.689*** (0.192)	0.445** (0.215)
Years since last reapportionment	−0.104 (0.105)	0.363*** (0.076)
Chamber (upper)	0.235 (1.860)	−0.201 (1.566)
Constant	15.453*** (5.716)	9.669*** (3.275)
Observations	370	115
R^2	0.562	0.515

Note: *p<0.1; **p<0.05; ***p<0.01.

Lastly, we include a variable for the chamber type–upper or lower chamber, as well as state fixed effects. Every state except for Nebraska has two chambers that vary by name. They are coded here as upper and lower houses. Nebraska's unicameral House is coded as an upper house, per the Book of States. We find consistent results across chamber type.

5. Results

As the level of state legislative malapportionment decreased throughout the 1960s from high to the near-zero levels by the 1970s, the size of partisan majorities also decreased. As illustrated in Fig. 3, there is a near-immediate decline in the high-levels of majority party control as malapportionment decreases. During this time period, the once strong majorities of the malapportionment period had changed into slim majorities facing partisan competition–overall, the size of partisan majorities in state legislatures decreased over from 1960 to 1974. Prior to the Reapportionment Revolution, extreme supermajorities were common. By the 1970s, extreme supermajorities with one party controlling more than 80% of the seats became much rarer.

Table 1 details these findings with three periods of descriptive data: the pre-Baker era of malapportionment in 1961, the post-Reynolds period of reapportionment and compliance with One Person, One Vote in 1967, and the aftermath of the first decennial reapportionment cycle since One Person, One Vote went into effect in 1973. Malapportionment levels were extraordinarily high across the board in 1961. The average level of malapportionment for the least populous district in a state legislature compared to the average district population was more than 650% for all legislatures. The average level for the most populous district compared to the average district population in a legislature was about 350%. These high levels of malapportionment hold for upper and lower houses, legislatures in the South and outside of the South. The average size of partisan majorities in state legislatures was also high in 1961–72.86%. The size of partisan majorities was especially large in the South, with an average majority of more than 90%.

By 1967, the levels of malapportionment in state legislatures decreased in all categories, and by 1973, the levels of malapportionment

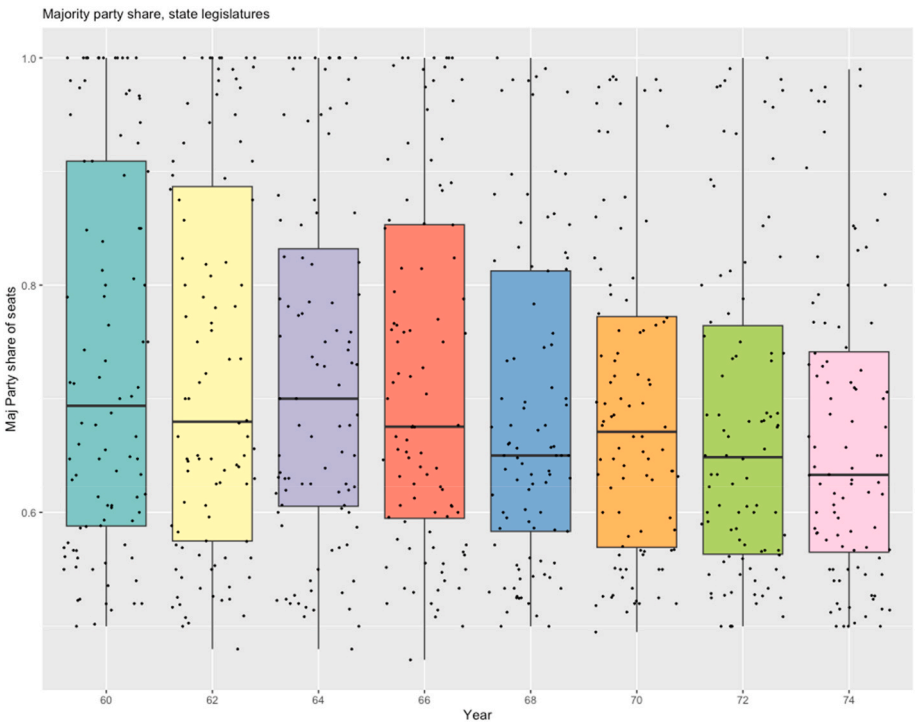

Fig. 3. State legislature majority party seat share, 1959–1971.

decreased to below 10% deviation for the smallest or largest district from the mean.[6] For example, in 1961, the largest seat in New Jersey's state senate had more than 920,000 residents. It was 594% larger than the average district population and represented 870,000 more people than the state's smallest district. By 1967, the largest district was only 12% larger than the average district population. By 1973, the largest district was a mere 2.85% larger than the average district.

The levels of average partisan majorities also declined alongside the level of malapportionment in 1967 and 1973. In 1967, the overall mean majority size dropped to about 68.78%, with Southern legislative majorities dropping especially far, from 93% to approximately 83%. In 1973, the size of partisan majorities again dropped in all categories. Although non-southern majorities were reduced on average by a smaller magnitude, the marginal differences here are critical. Depending on the state legislature rules, a majority shift from the non-South 1961 average of 65.26% to the 1973 average of 62.26% could be the difference between a governing supermajority and simple majority control.

We use a fractional logistic regression model to predict the effects of malapportionment and other variables of interest, while confining predictions of chamber-Party proportions to a 0, 1 scale (Baum 2008; Clark 2019). The results in Table 2 further supports the above descriptive data. The model estimates that our "combined" malapportionment independent variable has a positive and statistically significant relationship to the size of the majority in a state legislative chamber. When there is more malapportionment, a larger partisan majority is expected.

The model also highlights the strength of the connection between Southern states and large majorities as well, shown throughout the Democratic South in our descriptive data. The seat shares of Democrats in the South before 1962 was 100% or close in many states. After 1964, these majorities remained diminished but still quite large on average.[7] This model provides evidence that higher malapportionment before 1964 was correlated with larger state legislative majorities. Conversely, the lower levels of malapportionment after 1964 and 1972 are correlated with smaller margins of majority control within state legislatures.

The federal judicial rulings of the Reapportionment Revolution had a direct impact on the electoral security and competition of the state legislative chambers. As a result of the Supreme Court ending malapportionment and the lower federal courts enforcing One Person, One Vote, state legislatures changed rapidly. Prior to 1962, malapportionment levels were consistently high throughout the U.S., in every chamber. Within a few years, the average level of malapportionment plummeted. These initial results indicate that this had a near immediate impact on the partisanship and competitiveness of state legislatures.

Yet it's unclear how more equally representative and competitive legislatures impact ideological positioning, as consistent levels of party control may not necessarily indicate high levels of ideological division, but rather, forced bipartisanship and ideological congruence. We use the Berry et al. (1998) measure of state-legislature party ideology to evaluate how malapportionment and other state-level factors potentially impact the ideological division between the two parties with a state legislative chamber (Table 3). If competition encourages ideological distance between parties, ideological distance (DV) should be lower under high levels of malapportionment. Lastly, given the ideological heterogeneity of the Southern Democratic party during this time period, we divide the model by southern and non-southern states to better evaluate the impact of malapportionment on ideological partisan division.[8]

[6] Also in 1973, the Supreme Court had made it clear that some deviation in district population was permissible for state legislatures, typically considered less than 10% (Mahan v Howell, 1973).

[7] See Table A1 in the Appendix for regression results split by non-southern and southern states, and Table A3 for the predicted effects. While malapportionment levels have a statistically positive effect in the majority status in both regions, southern states in particular benefit from legal malapportionment.

[8] See Table A4 in the Appendix for regression results pooled across non-southern and southern states.

Table 3 illustrates that when malapportionment is higher, the parties are more ideologically distant, at a statistically significant level. In other words, the ideological distance between parties in state legislatures was highest when malapportionment was highest and decreased following malapportionment reform. However, this effect is particularly notable in non-southern states. While southern states still experienced decreased ideological division between the parties given Democratic dominance during this period, even as malapportionment reform ushered in the first Republican members into the chamber, Southern Democrats likely still maintained their varied, intra-party, ideological divisions. In other words, there is no statistical indication that Southern Democrats used this as an opportunity to ideologically define and separate themselves from their new competition. Again, this measure is not entirely ideal given the role of party size on the development of the measure (Berry et al., 1998), but it does at least indicate that competition does not inherently make parties more ideologically divisive.

5.1. Closer look at the urban-rural divide

Our analysis shows that as state legislative malapportionment decreased in response to the Reapportionment Revolution, there was also a reduction in the size of partisan majorities and ideological difference within the state legislatures. To further test the impact of the One Person, One Vote requirement on state-level party politics, we focus our analysis on the states that would have likely been most affected by these court decisions: states with large urban-rural partisan polarization.

During the era of malapportionment, state legislatures had seats that overrepresented rural areas with smaller populations and underrepresented populous urban areas. One effect of the One Person, One Vote standard was to decrease rural representation and increase urban representation relative to one another. While this would help achieve the goal of equal representation outlined by the Supreme Court in Reynolds in every state, it should produce the most pronounced partisan change in states with parties whose voters were divided along urban and rural constituencies. For example, a state with strong Republican support in rural communities and Democratic support in cities would likely have a strong Republican legislature under malapportionment and then a relative gain in Democratic power under One Person, One Vote.

Partisan voting behavior that consistently diverges along urban and rural lines has become an important trend in contemporary U.S. politics. However, in the 1960s and 1970s, partisan voting was not consistently divided along the same urban and rural divide across the U.S. Research has shown that the Urban-Rural divide did not start as a consistent national phenomenon until the 1990s (Brown and Mettler, 1976). For example, between the 1970s and 2000, urban and rural citizens would vote similarly in presidential elections, swinging toward the same party each election cycle–for example, toward Republican candidates in 1972 and 1984, and toward Democratic candidates in 1976 (Brown and Mettler, 2023). Therefore, during the Reapportionment Revolution period covered in this paper, there was not widespread, nationwide geographic sorting of partisans along urban-rural lines. Instead, there was more variation in this geographic sorting within the states–some states had strong rural and urban parties, while others did not. The degree of strength to this partisan sorting was also varied.

Leveraging research on legislative reapportionment from the 1970s (Erikson 1971), we are able to compare the states with the most geographically sorted parties to the other states over this time period. As a measure of urban-rural polarization, we use Robert Erikson's "Democratic Urban Alignment" (DUA) metric, a difference between urban Democratic votes and rural Democratic votes in statewide elections in 1964 or 1966 for a given state. This measure is useful in capturing the geographic polarization at the critical time that One Person, One Vote reapportionment was being implemented. We use the absolute value of Erikson's DUA score to account for overall geographic polarization for either party. We take the 11 states[9] in Erikson's sample with the largest difference in urban-rural partisan vote share and use it as our sample of urban-rural geographically sorted states. We then compare these 11 states (21 chambers[10]) with our measures of malapportionment to evaluate if, or how, geographically sorted state parties took advantage of legal malapportionment.

As the descriptive data in Table 4 show, the 21 chambers in states with the greatest degree of urban-rural partisan polarization also had the highest average combined malapportionment in 1961. In 1967, following the One Person, One Vote rulings, the levels of malapportionment in these geographically polarized states decreased substantially, and in line with all chambers nationally, including Southern states. However, the geographically polarized states' chambers remained the most malapportioned on average as late as 1973. So, while the differences in malapportionment here pale in comparison to 1961 levels, the lasting effect is notable. By 1973, the combined district population variation of 10% became the maximum allowable threshold for state legislatures by the federal courts in White v Regester (see Table 5).

As expected, legislative chambers in states with high levels of geographically sorted parties were ultimately the most likely to be impacted by One Person, One Vote, experiencing the largest decline in the size of partisan majorities from 1961 to 1967. While the average malapportionment era majority size for these 21 urban-rural chambers were not near the uni-party southern majorities (a 26.71% difference), they were higher than other non-southern states, averaging a two-thirds supermajority. By 1967, the urban-rural sample declined to below 60% on average–a full 10% decrease for the party in power. Southern states decreased by a similar margin, but Democrats retained significant con-

Table 4
Mean chamber malapportionment.

	1961	1967	1973
Urban-Rural Sample (n = 21)	1208.97%	38.71%	13.94%
All Others (n = 53)	989.56%	39.07%	10.61%
Southern (n = 22)	894.86%	38.77%	9.63%

[9] Erikson's 38-chamber sample is both too large to isolate only the most polarized states at the time (which are of interest to us) and too small to encompass all of the non-south states in our sample. We chose to isolate the 11 states in Erikson's sample with the most geographically sorted partisans to provide a parallel grouping to the 11 Southern states in our analysis. In this analysis, the Democratic South also represents the states with the least urban-rural partisan vote difference. These two 11-state samples allow us to separate approximately the highest and lowest quintiles of geographically polarized states. Additionally, the 11 states with the greatest difference in urban-rural partisan voting all had an absolute value DUA score above 6 percent. The 6 percent threshold provided samples that were all above both the mean and median of Erikson's sample.

[10] Our 11-state sample is 21 chambers as opposed to 22 because of missing data for Maine's lower house.

Table 5
Mean partisan seat majorities.

	1961	1967	1973
Urban-Rural Sample (n = 21)	67.5%	57.74%	61.04%
All Others (n = 53)	64.62%	66.43%	63.21%
Southern (n = 22)	94.21%	84.67%	79.87%

trol over those chambers on average. By 1973 the urban-rural chambers' majorities increased compared to 1967, but had the lowest mean majority size of the three categories with only 61% control. These statistics indicate how legal malapportionment was used to maintain party control in chambers with a particularly strong partisan urban-rural divide.

The most notable finding from this sub-sample analysis is that states with an urban-rural partisan sorting had a sharper rebound in ideological difference after 1967 than the other chambers in our dataset, as shown in Fig. 4. While the OLS regression analysis in Table 3 showed that ideological difference between state parties decreased as chambers became more equally apportioned, this urban-rural data adds a caveat: States with an urban-rural partisan divide saw an initial and dramatic decrease in ideological difference after the One Person, One Vote cases, followed by an increase in ideological difference after the 1970-72 reapportionment cycle.

In 1961, chambers with urban-rural partisan division had the highest average ideological difference (70.08) with most observations clustered around the mean. In 1967, following the One Person, One Vote cases, the average ideological difference plummeted across the U.S., including in urban-rural chambers to 31.68. But by 1973, the ideological difference in the urban-rural sample of chambers had increased on average by 14.64–46.31. As Fig. 4 highlights, the state legislative chambers with an urban-rural partisan divide had the highest mean and median ideological difference in 1973, and the largest increase from 1967. In short, the data show that in the 11 states with the most geographically divided parties, the ideological difference among members in the legislature was initially, much higher than other legislatures in the Era of Malapportionment, decreased the most on average post-implementation of One Person, One Vote, and then rebounded significantly by 1973, increasing

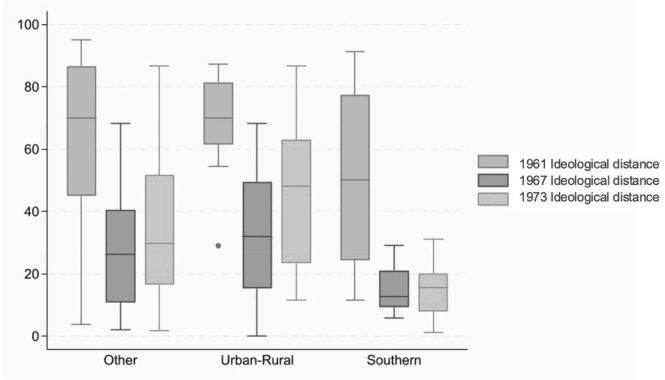

Fig. 4. Ideological distance between Democrats and Republicans in all state legislatures, 1961–1973.

from both its own low point in 1967 as well in comparison to the other states in the U.S.

This overall trend is highlighted in the case of Michigan (Table 6), a state with high levels of urban-rural partisan sorting in the 1960s (Becker et al., 1962) and the highest DUA score (Erikson 1971). In the early 1960s, Michigan's urban legislative districts were safely Democratic while its rural districts were safely Republican, with only about a dozen competitive suburban districts (Becker et al., 1962). In 1961, the state legislature had high levels of malapportionment (House = 399%; Senate = 704%). After One Person, One Vote, these levels plummeted to single digits (House = 4%; Senate = 1% in 1967) and to zero by 1973. Over this same time period, the Michigan's State Senate, which had a Republican supermajority in 1963, became substantially more competitive after the Reapportionment Revolution. The State House of Representatives was competitive in the Malapportionment Era, and Democrats - who dominated the urban areas of the state - gained and held a majority by 1971.

As Table 6 shows, these decreases in malapportionment and majority size during this time frame do not show a long-lasting decrease in partisan ideological difference in the state. The ideological difference between the parties is extremely high and at its highest prior to the Reapportionment Revolution and 1964. After the end of malapportionment, ideological difference in the state reduced dramatically in 1967 to 27.13. However, in the subsequent years, just before and after the 1970 reapportionment cycle, partisan ideological differences in Michigan rose again. The difference between the parties is not at its peak of 1961, but it is nearly twice what it was in 1967. These changes in state legislative majorities were not aligned with statewide partisan voting for either Governor or U.S. President.

There are many possible explanations for the post-1967 rise of state legislature partisan differences observed in Michigan and in our 21-chamber geographically sorted sub-sample. And while this project does not ignore the broader national changes taking place in American parties, politics, and political culture over this same time frame, the data does show that the magnitude of this increase in ideological difference is not uniform throughout the states: it is most emphasized in states with geographically sorted parties, indicating that in areas of existing representational inequality, institutional course correction may have a limited effect on partisan polarization.

This geographic data adds important insights to our overall analysis. While the initial data show that the end of malapportionment led to smaller partisan majorities and less partisan difference, these categorized results highlight a more varied reality. Although the initial "shock" caused a decrease in partisan difference for all chambers across the U.S., the longevity of the impact varied. In states with geographically sorted parties, the results were short lived and ideological differences between state parties actually increased following the 1970–1972 redistricting cycle. Together, this sub-sample analysis helps us understand the impact of federal court action on American politics as well as the political development of state parties.

6. Conclusion

Our research captures a period of significant change in American politics—just prior to the contemporary era of well-defined, sorted

Table 6
Michigan - a case study of urban-rural partisan division.

	State Senate	State House	Gov. Election	U.S. Pres. Election	Partisan ID Difference
1961	64.7% R	50.9% R	49.2 % R ('60)	48.84% R ('60)	**91.41**
1963	67.6% R	52.7% R	51.4% R ('62)	33.10% R ('64)	**81.1**
1967	52.6% R	50.9% R	60.54% R ('66)	41.46% R ('68)	**27.13**
1971	50% R	47.3% R	50.4% R ('70)	56.2% R ('72)	**40.44**
1973	50% R	45.5% R	51.1% R ('74)		**48.2**

parties and professionalized state legislatures, but during and following substantial malapportionment of state legislatures. Yet although unique, this moment in American history allows us to consider the impact of institutional (forced) change had on legislative representation and legislative polarization.

Using an original dataset on malapportionment within state legislatures from 1959 to 1973, we find that partisan competition and cohesion varied across time and geographies. In the pre-1964 era of substantial state legislative malapportionment, large partisan majorities were often accompanied with large ideological differences between the parties. Whereas following the federal court rulings ending state malapportionment in 1964 and institution the One Person, One Vote legal standard, state partisan majorities became more competitive and the ideological difference between the parties in the legislature decreased substantially. We posit that this is reflective of an immediate, wide-reaching exogenous "shock" that forced state legislators to respond to their new constituencies, absent the direction of strong parties. Yet we also find that ideological cohesion was somewhat short lived, particularly in states with higher levels of geographically sorted parties. This project challenges the narrative that competition inherently breeds ideological division among legislators–exogenous shocks can force legislative institutions to recalibrate, perhaps neutralizing ideological divisions amidst logistical challenges. Yet our analysis also shows that parties, even at this point of low-partisan politics, are resilient.

This project paints an extensive picture of the level of malapportionment in state legislatures and its impact on political parties in the 1960s and 70s. But beyond these descriptive benefits, this project also has substantial implications for understanding consequences of government policies that are relevant to contemporary scholars and citizens. The effects of judicial action have had mixed interpretations (Rosenberg, 2008; Bailey and Maltzman 2008; Ansolabehere and Snyder 2008), but this research indicates that legal changes, particularly in the realm of voting rights and redistricting, can have an immediate and wide-spread impact on state-level activities. Given the ongoing challenges and proposals to address partisan gerrymandering at the state level, we believe this research can speak to the hypothetical future of federal judicial requirements on state-level mapmakers.

These results also highlight the importance of geography and spatial distribution in American party politics in several ways. As our data show, the impact of malapportionment and its end highlight the impact that single-member, winner-take-all districts have in aggregating populations over space and how in turn it can impact chamber party dynamics. These initial findings emphasize that urban-rural geographic sorting is undoubtedly relevant when considering causes of political polarization.

Empirically, the research provides new historical data on state malapportionment levels and its impact on state legislatures. Our hope is that the data collection this project hinges upon will only continue, allowing us, and others to further apply lessons of the past to the present. From our perspective, the critical event that changed partisan power in state legislatures across the U.S. came from the U.S. Supreme Court. The tensions that this creates with Madisonian American values of federalism and separation of powers only underscores the potential impact of federal judicial action on state politics and organizations. An inter-branch and multi-faceted approach is critical for better understanding major changes in American government and politics, and this historical period allows us to consider parties as an afterthought, an additional variable.

Lastly, this research reiterates the importance of state-level policy making on national-level parties, particularly in the realm of voting rights. As work by Grumbach (2023) has shown, states can be a source of inspiration–both positive and negative–for national parties. That we find that federal, exogenous shocks can force state legislatures to behave in a more bipartisan, and arguably representative, manner should provide a (rare) glimmer of hope for the power of American institutions and federal voting reforms.

CRediT authorship contribution statement

Sam D. Hayes: Writing – original draft, Visualization, Methodology, Formal analysis, Data curation, Conceptualization. **SoRelle Wyckoff Gaynor:** Writing – review & editing, Writing – original draft, Visualization, Methodology, Formal analysis, Data curation, Conceptualization.

Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

Data availability

Data will be made available on request.

Appendix

Table A1
Fractional logistic regression estimation on impact of malapportionment on chamber partisanship, 1960–1972, Southern vs. non-South states, with state-level fixed-effects

	Dependent variable:	
	% of majority party in chamber	
	Southern states	Non-Southern states
Malapportionment	0.121***	0.009**
	(0.017)	(0.004)
Years since last redistricting	0.005	−0.002
	(0.005)	(0.002)
Chamber (upper)	0.183**	0.058*
	(0.079)	(0.035)
Constant	3.968***	0.348***
	(0.419)	(0.103)
Observations	115	357

Note: *p<0.1; **p<0.05; ***p<0.01. Predicted effects are found in Table A3.

Table A2
Predicted effects of effect on majority party in chamber, by state (Table 2: Fractional logistic regression estimation on impact of malapportionment on chamber partisanship, 1960–1972, with state-level fixed-effects)

	Log-odds	Odds ratio
Malapportionment	1.037***	0.623***
Years since last reapportionment	0.999	0.622
Chamber (upper)	1.07*	0.627*
Southern state	43.65***	0.7266***
Observations	472	472

Table A3
Predicted effects of Table 1A (Fractional logistic regression estimation on impact of malapportionment on chamber partisanship, 1960–1972, Southern vs. non-South states, with state-level fixed-effects)

	Log-odds		Odds ratio	
	Southern states	Non-Southern states	Southern states	Non-Southern states
Malapportionment	1.281 ***	1.009 **	0.630***	0.623**
Years since last redistricting	1.005	0.998	0.623	0.622
Chamber (upper)	1.200**	1.060*	0.633**	0.623*
Observations	115	357	115	357

Table A4
OLS estimation on impact of malapportionment on the ideological distance between state legislative parties, 1960–1972, with state-level fixed-effects

	Dependent variable:
	Ideological distance between parties
Malapportionment	1.459***
	(0.158)
Years since last redistricting	0.029
	(0.080)
Chamber (upper)	0.315
	(1.479)
Constant	12.545**
	(5.921)
Observations	485
R^2	0.649

Note: *p<0.1; **p<0.05; ***p<0.01.

Table A5
11-State Urban-Rural Polarization Sample based on Robert Erikson's "The partisan impact of state legislative reapportionment" in the Midwest Journal of Political Science (1971).

State	Legislative Chamber	DUA Score - Erikson (1971)
Arizona	Lower House	−11.2
Arizona	Upper House	−11.2
New Mexico	Upper House	−10.8
New Mexico	Lower House	−10.8
Colorado	Upper House	−8.3
Colorado	Lower House	−8.3
California	Lower House	6.3
California	Upper House	6.3
Rhode Island	Lower House	6.9
Rhode Island	Upper House	6.9
Maine	Upper House	7.1
Wyoming	Lower House	7.5
Wyoming	Upper House	7.5
New Hampshire	Lower House	7.6
New Hampshire	Upper House	7.6
Iowa	Lower House	9.7
Iowa	Upper House	9.7
Pennsylvania	Lower House	9.8
Pennsylvania	Upper House	9.8
Michigan	Lower House	12.2
Michigan	Upper House	12.2

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