

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
21 CVS 015426

NORTH CAROLINA LEAGUE OF  
CONSERVATION VOTERS, et al.,

REBECCA HARPER, et al.,

Plaintiffs,

vs.

REPRESENTATIVE DESTIN HALL, in his  
official capacity as Chair of the House  
Standing Committee on Redistricting, et al.,

Defendants.

*Consolidated with*  
21 CVS 500085

**AFFIDAVIT OF ANDREW J. TAYLOR**

Now comes affiant Andrew J. Taylor, having been first duly cautioned and sworn,  
deposes and states as follows:

1. I am over the age of 18 and am competent to testify regarding the matters discussed below.
2. For the purposes of this litigation, I have been asked by counsel for Legislative Defendants to analyze relevant data and provide my expert opinions.
3. To that end, I have personally prepared the report attached to this affidavit as Exhibit A, and swear to its authenticity and to the faithfulness of the opinions.

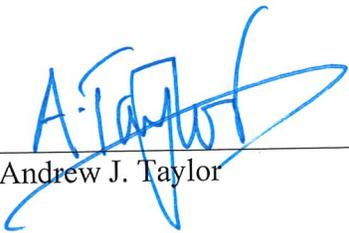
FURTHER THE AFFIANT SAYETH NAUGHT.

NCLCV v. Hall

21 CVS 15426

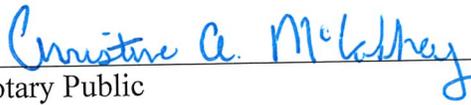
LDTX108

Executed on 22 December, 2021

  
\_\_\_\_\_  
Andrew J. Taylor

Sworn or affirmed before me and subscribed in the presence the 22<sup>nd</sup> day of December, 2021, in  
the state of NC. and County of Wake.

CHRISTINE A. MCCAFFREY  
Notary Public, North Carolina  
Wake County  
My Commission Expires  
May 08, 2024

  
\_\_\_\_\_  
Notary Public

# Exhibit A:

## Expert Report of Dr. Andrew J. Taylor, Ph.D.

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## I. Introduction and Qualifications

I have been hired by the legislative defendants to provide expert testimony in the consolidated cases of *Harper et al v. Hall et al* and *North Carolina League of Conservation et al v. Hall et al*. More specifically, I have been asked by the legislative defendants to provide my opinion regarding the congressional and state legislative districting plans enacted by the North Carolina General Assembly in 2021 deploying my knowledge of North Carolina political history and legislative politics, comparative politics, and American national and state politics and policy.

I am a tenured professor of political science at North Carolina State University. I received my Ph.D. from the University of Connecticut in 1995 and have taught at NC State for the 26 years since then—the past fourteen as a full professor. I teach an array of courses in American politics and served as chair of the Department of Political Science from 2006 to 2010 and President of the North Carolina Political Science Association in 2012-13. I have written four books and published extensively in political science journals. I have authored 28 peer-reviewed articles and numerous book chapters, reports, and other published work.

I have expertise in political science matters related to these cases. I use a diverse array of methodologies in my work, including different statistical techniques. I have been interviewed by scores of media outlets about issues relating to redistricting and North Carolina politics and policy and given dozens of talks to political and civic groups on these topics over the past quarter century. Some of my academic research analyses these matters. I believe the principal reason I have been hired as an expert in these cases

is that my extensive experience and broad interests in American, North Carolina, comparative, and state politics enable me to offer an integrated and panoramic social scientific understanding of the large and complex questions before the court. My CV, which lists my complete credentials, is attached to this report as Appendix A.

The analyses and opinions I provide in this report are based upon my education in social science methods and knowledge of the relevant academic literature. These skills are well-suited to this analysis. My conclusions stated herein are based upon my review of the information available to me at this time. In my professional judgment this is sufficient basis for my opinions notwithstanding the unusually short period I have been given to write this report. I reserve the right to alter, amend, or supplement these conclusion based upon further study or based upon the availability of additional information and within the confines of the court’s truncated scheduling order. I am being compensated for my time in preparing this report at the rate of \$425/hour. My compensation is in no way contingent on the conclusions reached as a result of my analysis. The opinions in this report are my own, and do not represent the view of North Carolina State University.

## II. Executive Summary

The substantive part of the report is divided into five sections: “The Redistricting Process in North Carolina in 2021”, “*Common Cause v. Lewis* and the Constitution of the State of North Carolina”, “Proportionality, Competitiveness, and the Properties of a ‘Partisan

Gerrymander”, “Additional Conceptual and Analytical Considerations”, and “A Recent History of North Carolina Party Politics”. My findings are:

- i. Regarding the process used by the North Carolina General Assembly to conduct redistricting in 2021.
  - Compared to those of other states, the Constitution of North Carolina provides its state legislature with considerable authority and latitude in the formation and enactment of district plans.
  - In 2021, the state legislature deployed a process that was comparatively transparent, open, and participatory.
- ii. Regarding the case of *Common Cause v. Lewis*, the Constitution of North Carolina, and the plaintiffs’ related claims.
  - The constitutional provisions that describe Article I rights the plaintiffs believe to have been violated in these cases by the enacted plans—“the free elections” clause, “the equal protection” clause, “the freedom of speech” clause, and “the freedom of assembly” clause—are derived from practices and ideas unrelated to concerns about partisanship and redistricting.
  - Political scientists’ common understanding of the concept of a “partisan gerrymander” is different from the discipline’s understanding of free elections, equal elections, the freedom of speech, and the freedom of assembly.

- Political scientists consider many other political rights that states, including North Carolina, restrict to be constitutive of free elections, equal elections, the freedom of speech, and the freedom of assembly—common burdens on these rights include ballot access, voter registration rules, fair access to the media, campaign finance regulations, etc.
- iii. Regarding methods and principles used by political scientists to identify a “partisan gerrymander”.
- The plaintiffs wish to see different qualities in the enacted plans particularly proportionality and district competitiveness, but these are often contradictory and elusive and proportionality, at least, is not intrinsic to our electoral system.
  - The various methods political scientists use to evaluate district plans generate different results and, in turn, conclusions regarding the extent to which a plan is a “partisan gerrymander”—that is, the choice of method can be determinative of an investigator’s assessment.
  - “Partisan gerrymandering” is an abstract and complex political science concept that defies clear standards for decisive analysis.
- iv. Regarding additional analytical and conceptual challenges facing political scientists as they evaluate district plans.
- There exists a “natural gerrymander” created by the uneven distribution of the general population across the state and within crucial units of redistricting such as counties, voting tabulation districts (VTDs), and

“communities of interest” and the concentration of Democratic voters in urban areas and Republican voters in rural areas.

- The choice of “baseline” statewide elections to evaluate the partisan nature of district plans is arbitrary and can have material effects on the assessment of a plan.
- Terms like “community” are vague and of little practical utility to political scientists offering a principled and objective analysis of enacted district plans.

v. Regarding North Carolina party politics.

- The geographic character of the North Carolina Democratic and Republican parties’ support has changed dramatically over the past thirty years, with implications for electoral competitiveness.
- Much of this is a function of discretionary decisions made by state and national party leaders, elected officials, and activists and very little of it can be attributed to redistricting practices.

III. The Redistricting Process in North Carolina in 2021

i. Method

In this section, I use my knowledge and a survey of the academic literature to analyze the manner in which the General Assembly conducted the redistricting of North Carolina’s congressional and Senate and House districts in 2021, a matter the plaintiffs in *Harper* and *NCLCV* have placed at the center of their complaint. The approach, typical

in political science, is to place the legislature's actions in historical and comparative state perspective.

ii. Constitutional Context

The U.S. Bureau of the Census released data to the states so that they could begin their redistricting on August 12, 2021 (they were released in easier-to-use form on September 16). This was much later than initially intended (the original statutory deadline to complete delivery of redistricting was March 31, 2021) because of the coronavirus pandemic and data anomalies. Under the authority of the Constitution of the State of North Carolina (Article II §§3, 5), the North Carolina General Assembly has the responsibility to redraw district lines for the state's U.S. House districts and state legislative districts. This power is the General Assembly's alone. It must exercise this "at the first regular session convening after the return of every decennial census of population taken by order of Congress following the decennial national census". It cannot avoid the charge. For both the congressional and state legislative maps, unlike roughly half of the states, North Carolina law grants authority to enact district plans to neither non-partisan institutional legislative staff nor a commission with all or some members who are either non-legislators or appointed by officers outside of the legislature.<sup>1</sup>

Moreover, Article II, § 22 of the Constitution states redistricting plans are not ordinary legislation. Like Connecticut, Florida, Maryland, Mississippi (in the case of the

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<sup>1</sup> The Constitution mentions congressional redistricting only in passing in Article II, § 22 (5) (c). Here it states the congressional district plan is a bill not subject to gubernatorial amendment.

state legislature) and Connecticut (in the case of Congress), the maps are not presented to the Governor. The executive cannot exercise its veto power.<sup>2</sup> But even in these other states, the legislature's power to devise plans is limited somewhat. In Connecticut, a two-thirds majority of both chambers is needed to approve plans and if the legislature misses statutory deadlines a nine-member back-up commission is charged with drawing the maps. In Maryland, the Governor submits a map the legislature can ignore, but if the legislature misses a legal deadline back-up procedures take effect and its power to draw the plan is consequently curtailed. Ultimately, the Governor's plan is enacted absent the legislature approving theirs. Mississippi has a back-up commission consisting of non-legislative members.

In drawing its state legislative districts, Florida uses a process most like North Carolina's. There, however, state legislative district maps are automatically submitted to the Florida Supreme Court for approval. In the event that the court rejects the lines, the legislature is given a second chance to draft a plan. If the legislature cannot approve a state legislative redistricting plan, the state attorney general must then ask the state supreme court to draft one. It is only in North Carolina that the legislature expressing its will through a simple majority vote in both chambers has sole authority under state law to

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<sup>2</sup> The people approved an amendment to the Constitution bringing about the executive veto in 1996. Legislative Democrats were generally against the proposal. Governors, particularly Jim Martin and Jim Hunt, and legislative Republicans were in favor. A compromise was struck in which, unlike a large majority of the states' governors, North Carolina's governor would not have the line-item veto. Veto overrides would also require only a vote of three-fifths of members of both legislative bodies (most states require two-thirds) and redistricting legislation would not be subject to the veto (Christensen 2008, 246; Fleer 1994, 115-6; *New York Times* 1995).

draw congressional and state legislative maps.<sup>3</sup> These rules were affirmed when the current Constitution was written in 1971, a time when the Democratic Party enjoyed large and electorally-secure majorities in the General Assembly.<sup>4</sup>

The mandates that limit the North Carolina legislature’s discretion are therefore unrelated to process. They concern the content of the maps and are directed by federal and state statutory and constitutional law and court decisions. Many of them were recited by the “Criteria Adopted by the Committees” approved at a joint meeting of the General Assembly’s House Committee on Redistricting and Senate Committee on Redistricting and Elections on August 12, 2021.<sup>5</sup> I will return to them throughout the report. Probably the most important are that the districts be single-member and contain equal population, be contiguous and compact in shape, minimize the traversal of county lines and splitting of voting tabulation districts (VTDs or essentially precincts or wards), and be sensitive to what are frequently called “communities of interest”.<sup>6</sup>

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<sup>3</sup> There are a number of reputable and comprehensive reference sources for this information freely available on the Internet. These include the site of the National Conference of State Legislatures (<https://www.ncsl.org/research/redistricting.aspx>), the site of academics Justin Levitt and Doug Spencer (<https://redistricting.ills.edu/>), and the Princeton Gerrymandering Project (<https://gerrymander.princeton.edu/>). The Congressional Research Service’s report, “Congressional Redistricting 2021: Legal Framework” (<https://crsreports.congress.gov/product/pdf/LSB/LSB10639>) provides a nice overview to the role of federal law in the process.

<sup>4</sup> The Constitution of 1971 was “an extensive editorial revision of the entire constitution incorporating relatively noncontroversial substantive changes without altering the fundamental character of the document” (Fleer 1994, 51). Proposed changes regarding executive power were rejected by the people.

<sup>5</sup> <https://www.ncleg.gov/documentsites/committees/Senate2021-154/2021/08-12-2021/Criteria.adopted.8.12.pdf>

<sup>6</sup> In 2021, there are 14 U.S. House districts apportioned by federal law and 50 state Senate and 120 state House districts as directed by Article II §§2, 4 of the Constitution of North Carolina.

For the 2021 redistricting cycle, the House and Senate redistricting committees did adopt criteria concerning the configuration of the maps, however. These criteria were more stringent than those of 2011 and presumably recommended to the committees by legislators’ understanding of federal and state law and court decisions and in anticipation of potential legal challenges to the congressional and state legislative district plans. Most notably, the committees prohibited the use of election-result data and data identifying the race of individuals. In *Cooper v. Harris* in 2017, the U.S. Supreme Court ruled that in drawing two congressional districts after the 2010 census, the North Carolina General Assembly used race as “the predominant factor”, an action that did not survive the “strict scrutiny” jurisprudential standard.<sup>7</sup> In 2018, it essentially reiterated this in a case involving state legislative districts.<sup>8</sup> Legislators were also instructed this year not to use “partisan considerations”. In *Common Cause v. Lewis* in 2019, a three-judge Superior Court panel essentially ruled that drawing state district lines for the clear purpose of advantaging the majority party’s interests violated the North Carolina Constitution.<sup>9</sup> Both *Cooper* and *Common Cause* resulted in the General Assembly having to draw remedial maps.

iii. Addressing the Plaintiffs’ Claims

The plaintiffs claim the redistricting process was inadequate in some way. In the *Harper* complaint, they assert, “Legislative Defendants undertook an opaque and

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<sup>7</sup> 137 S.Ct. 1455 (2017).

<sup>8</sup> *North Carolina v. Covington*, 138 S.Ct. 2548 (2018)

<sup>9</sup> 373 N.C. 258 (N.C. 2019).

constricted redistricting process”.<sup>10</sup> It would be fair to ask: Compared to what? Based upon my experience and extensive review, there exist no comprehensive systematic studies of how state legislatures have conducted their redistricting over the past several decades. Political science research has focused exclusively on the substance of maps. Indeed, a recent study in *Political Research Quarterly* on the determinants of state and federal redistricting cases omits any measure of the rules or procedures used by state legislatures in the formulation of district plans. The researchers focus on the form the maps take and political, social, and racial characteristics of states and find that, incidentally, among the variables generating a material effect are the size of the African-American population and the number of cases the state has been party to previously (Gimpel, Hightower, and Wohlfarth. 2021). This helps us understand why North Carolina has become the target of so many redistricting suits since 2010.

The National Conference of State Legislatures (NCSL) has observed, however, that before the 2010 cycle the processes used by state legislatures to draw congressional and state legislative maps were not unlike the processes used to write and approve regular legislation.<sup>11</sup> In North Carolina, both chambers of the General Assembly publish journals containing information about bills, amendments, and votes as per Article II, § 17 of the state Constitution. In recent years, citizens have been able to view and listen to live video and audio streams of proceedings on the General Assembly’s website. The website contains other information, including bills filed and notices of committee meetings. This

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<sup>10</sup> Verified complaint in *Harper v. Hall*.

<sup>11</sup> <https://www.ncsl.org/research/redistricting/into-the-thicket-a-redistricting-starter-kit-for-legislative-staff.aspx>

is a dramatic improvement in terms of transparency on the situation prior to 2000 when the institution was considerably more opaque.

NCSL does observe a change from 2010. State legislatures are increasingly making the redistricting process transparent and participatory. The two practices most frequently used to facilitate this are “listening tours” and receiving district plan proposals directly from the public. These are both things the North Carolina General Assembly did in 2021. Although restricted by the coronavirus pandemic, the late release of the census data, and compressed timeline (an original filing deadline of December 17, 2021 and primary originally scheduled on March 8, 2022), the redistricting committees held 13 public hearings across the state and a further four over two days in October once maps had been proposed. This was in addition to the usual input members of the public are free to provide lawmakers on ordinary legislation.<sup>12</sup> The General Assembly also livestreamed proceedings on its website. It maintained a public redistricting workroom with a dedicated terminal that anyone could schedule to use. The maps citizens drew became part of the public record.

All members of the House and Senate had the opportunity to debate and then vote on three readings of the three bills (SB 740 for the congressional plan, HB 976 for the state House plan, and SB 739 for the state Senate plan). In sum, with the exception of the dramatic use of a lottery machine to help determine the state legislative plans from among five alternatives, the 2019 court-ordered process to redraw maps was practically

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<sup>12</sup> Article I § 12 of the Constitution permits the people “to instruct their representatives and to apply to the General Assembly for redress of grievances”.

identical to the 2021 process, particularly with regards to public participation and the openness of committee and floor proceedings. Several Democratic state legislators characterized what happened in 2019 as exceptionally fair and transparent (Bitzer 2021, 136).

The final recorded votes on the third reading of the three 2021 redistricting plans were: Congressional plan 65-49 in the House and 27-22 in the Senate; state Senate plan 65-49 in the House and 26-19 in the Senate; and state House plan 67-49 in the House and 25-21 in the Senate.<sup>13</sup> As far as we know, none of the proceedings violated the state constitutional requirements in Article II, § 12, 17, 18, 19 that pertain to member responsibilities and rights in the consideration of legislation.<sup>14</sup>

The plaintiffs claim the maps were drawn as the result of “partisan considerations”.<sup>15</sup> As with many high-profile votes in today’s partisan American legislatures, the recorded votes were partisan and no Republicans voted against any of the maps and no Democrats voted in favor of any of them. The state Senate plan, however, was altered by two floor amendments offered by Democratic senators.<sup>16</sup> Moreover, regardless of the motivations for individual members’ votes in this matter, the North Carolina General Assembly itself is not uniquely partisan and polarized. To date, in the 2021-22 session more than 75

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<sup>13</sup> These votes can be found on the North Carolina General Assembly’s website, <https://www.ncleg.gov/Legislation/Votes/2021>

<sup>14</sup> These have to do with members’ oath to discharge their duties as legislators (Section 12), requiring the bodies keep a journal of their proceedings (Section 17), essentially permitting any member to oppose legislative action and have that opposition made public record (Section 18), and allowing for recorded votes (Section 19).

<sup>15</sup> Verified complaint in *Harper v. Hall*, p. 12.

<sup>16</sup> They were Sen. Natasha Marcus and Sen. Ben Clark.

percent of House roll-call votes and 80 percent of Senate roll-call votes have had in excess of 60 percent of members on one side. According to widely-cited research using roll-call and survey data from state legislatures and a recognized ideal-point estimation statistical technique to place individual legislators on a single liberal-to-conservative ideological dimension, the difference in median annual ideology scores between House Republicans and Democrats and Senate Republicans and Democrats from 2010-18 are just slightly higher than the national average (North Carolina House 1.64, other states' houses 1.63; North Carolina Senate 1.66, other states' senates 1.61). The North Carolina House has become more partisan and polarized according to these measures since 2010 (from 1993 to 2009 its mean difference score was 1.26, compared to the national 1.37) but the state's Senate has actually become less partisan and polarized (from 1993 to 2009 its mean difference score was 1.72, compared to the national 1.36) (Shor and McCarty 2011).<sup>17</sup>

#### IV. *Common Cause v. Lewis* and The Constitution of the State of North Carolina

##### i. Method

Here, I use my knowledge and experience as a political scientist and examine the comparative and historical political science literature to ascertain whether it is reasonable to argue, as the plaintiffs do, that the enacted plans are in violation of state constitutional provisions concerning “free elections”, “equal protection”, “freedom of speech”, and

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<sup>17</sup> Shor and McCarty's updated data can be found at: <https://americanlegislatures.com/data/>

“freedom of assembly”. My opinion is not legal, rather I draw on these concepts as understood historically and by the political science literature to evaluate their relationship with the plaintiffs’ assertions.

ii. *Common Cause* and the Plaintiffs’ Complaints

In 2019, a three-judge panel of a Superior Court in Wake County ruled the 2017 state House and Senate district plans to be unconstitutional “extreme partisan gerrymanders”. The essence of the decision in *Common Cause v. Lewis* was that the maps violated three state constitutional provisions: The “free elections” clause (Article I, §10), the “equal protection” clause (Article I, § 19), and, together, the “freedom of speech” and “freedom of assembly” clauses (Article I, § 14 and Article I § 12). The plaintiffs in *Harper* and *NCLCV* claim forcefully the district plans violate these provisions of the North Carolina Constitution.

The Court in *Common Cause* seemed to be taking its lead from a 2018 Pennsylvania decision. In *League of Women Voters of Pennsylvania et al v. Commonwealth of Pennsylvania et al*, the Supreme Court found that state’s 2011 congressional district plan violated Article I, § 5 of its Constitution that asserts, “Elections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”<sup>18</sup> In *Common Cause*, the Superior Court invoked North Carolina’s “free elections” constitutional provision, despite its omission of the term “equal”.

Perhaps sensitive to the difference and to draw a more direct connection between the

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<sup>18</sup> 178 A.3d 737 (Pa. 2018).

North Carolina and Pennsylvania situations, it asserted the plans before it were also in violation of the Constitution of North Carolina’s Article I, § 19 guaranteeing “equal protection”.

This reference to the equal protection clause is important. First, it should be noted the relevant provision reads that, “No person shall be denied the equal protection of the laws; nor shall any person be subjected to discrimination by the State because of race, color, religion, or national origin.” There is no reference to anything remotely related to partisanship. Second, the part of the XIV Amendment of the U.S. Constitution the North Carolina provision mimics has almost exclusively been deployed in connection with government action that is considered discriminatory on the grounds of characteristics like gender, age, national origin, and, especially, race (Arazia 2018). It is interesting that all the plaintiffs in both cases introduce themselves as Democratic voters and most of the plaintiffs in *NCLCV* also present themselves as Black voters. The two characteristics, race and partisanship, should not be conflated. Race is an established constitutionally suspect category that receives strict scrutiny when states legislate on matters related to fundamental rights like voting. It is also a significant and explicit factor in federal restrictions on the redistricting process, such as those enumerated in the Voting Rights Act and the now established principle that, to use Justice Anthony Kennedy’s descriptor in *Miller v. Johnson*, race cannot without justification be the “predominant” factor motivating the drawing of districts.<sup>19</sup> Partisanship, by contrast, is not innate, immutable, or central to a person’s being. Voting for candidates of a particular party is a choice and

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<sup>19</sup> 515 U.S. 900 (1995).

purely incidental to most people's lives. It is something that could be used to describe the class of people the plaintiffs consider "Democratic voters" for little more than a few minutes every two, perhaps even every four, years.

iii. The State Constitution and the Derivation of the Rights in Question

As the Court observed in *Common Cause*, the origins of several of the constitutional rights it invoked can be found far back in the state's history. It noted the source of the "free elections clause" is located in the North Carolina Declaration of Rights of 1776, which in turn borrowed it from the English Bill of Rights of 1689 (Orth 1992).<sup>20</sup> It also claimed North Carolina's embrace of free elections drew inspiration from language in other state constitutions, including Pennsylvania's.<sup>21</sup> The 1868 North Carolina Constitution, written following the Civil War, contained a "free elections clause" in its Article I §, 10—although the words "ought to" were in place of today's "shall".

If the origins of the provision go back to 1776, it was established prior to any meaningful American understanding of the term "gerrymander" which was largely popularized following the 1810 redistricting cycle when the Governor of Massachusetts Elbridge Gerry signed a state legislative district plan that was said to greatly favor his Democratic-Republican Party (Engstrom 2013, 21-22). In 1868, and even in 1971 when today's Constitution was established, the concept of a "partisan gerrymander" does not

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<sup>20</sup> It should be noted, however, that it was not until the passage of the "Great" Reform Act in 1832 that Britain rid itself of "rotten boroughs", districts with very small constituencies that often elected members of parliament who were essentially selected by a single or small group of powerful residents (Evans 1994).

<sup>21</sup> *Common Cause v. Lewis*, 303.

appear to have been addressed or contemplated by convention delegates and the state's population. With the exception of the short "fusionist" period of the 1890s when Republicans had control of the General Assembly and the governorship, North Carolina was a solidly one-party state for more than a century following the Civil War. It was not until 1972 that North Carolina elected its first Republican Governor and U.S. Senator of the twentieth century and 1994 that it elected that party's first state legislative majority by giving Republicans control of the House.<sup>22</sup>

The same logic applies to the "freedom of assembly" provision. Article I, § 25 of the 1868 Constitution reads, "The people have the right to assemble together to consult for their common good, to instruct their representatives, and to apply to the Legislature for the redress of grievances". Given this was written in 1868, it seems difficult to imagine the authors were contemplating partisan gerrymandering as a practice in contravention of the freedom of assembly.

The "freedom of speech" wording was only written into the Constitution in 1971. It was tacked on to the beginning of the "freedom of the press" clause which occupied Article I, § 20 of the 1868 Constitution—and, like "free elections", the 1971 Constitution believed it "shall" as opposed to "ought" "never be restrained". Again, the origins suggest no intent to include the concept of a "partisan gerrymander".<sup>23</sup> In summary,

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<sup>22</sup> Kruman (1983, 154) discusses partisan battles over redistricting in North Carolina between Democrats and Whigs in the early 1850s. The Civil War and the demise of Reconstruction, however, made North Carolina a solidly Democratic state.

<sup>23</sup> Today, Article I, § 14 reads, "Freedom of speech and of the press are two of the great bulwarks of liberty and therefore shall never be restrained, but every person shall be held responsible for their abuse."

based upon my review as a political scientist of North Carolina’s political history, there seems no support for the drawing of a connection between the constitutional rights of free elections, equal protection, freedom of speech, and freedom of assembly on one hand and partisan redistricting practices on the other.

iv. State Constitutions and the “Partisan Gerrymander”

In fact, when states expressly wish to prohibit partisan gerrymandering, they establish laws to that effect. Academics Justin Levitt and Doug Spencer estimate 19 states have statutes or constitutional provisions restricting the practice of “undue partisanship” in state legislative redistricting, 17 have such statutes or constitutional provisions addressing congressional redistricting.<sup>24</sup> The following examples provide just a flavor of how this can be done if a state so desires. Article III, § 20 of the Florida State Constitution states, “No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party.” Article III, § 3 of the Missouri State Constitution states, “Districts shall be drawn in a manner that achieves... partisan fairness.” The entire eleventh article of the Ohio State Constitution is devoted to redistricting and Section 6, Clause A states, “No general assembly district plan shall be drawn primarily to favor or disfavor a political party”. Article IV, Part 2, § 1(14) of the Arizona State Constitution reads, “to the extent practicable, competitive districts be favored where doing so would not significantly detract from” criteria such as equal population, compactness, and the

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<sup>24</sup> <https://redistricting.ils.edu/redistricting-101/where-are-the-lines-drawn/#partisan+outcomes>

protection of communities of interest. North Carolina has no constitutional provision related to the partisan make-up or competitiveness of districts.

Moreover, the U.S. Supreme Court ruled in 2019 in a case involving North Carolina that partisan gerrymandering was outside the ambit of the federal courts as a politically non-justiciable question.<sup>25</sup> As a result, therefore, state courts are left to determine whether their statutes and constitutions, absent a provision related to partisan redistricting practices, prohibit partisan gerrymandering. Prior to *Common Cause*, they had only done this definitively once, in the 2018 Pennsylvania case.

- v. Political Science and the Concepts of “Free Elections”, “Equal Elections”, “Freedom of Speech”, and “Freedom of Assembly”

As a political scientist, I find it hard to think of American practices of redistricting, regardless of how skewed in a partisan sense the outcomes seem, to be evidently inconsistent with the principles of “free elections”, “equal elections”, “freedom of speech”, and “freedom of assembly”. To explain, let me take each of these concepts in turn, beginning with “free elections”.

Freedom House, a highly respected non-profit, non-partisan, non-governmental organization that conducts research and advocacy on democracy, political freedom, and human rights, clearly dislikes what it calls “partisan gerrymandering”.<sup>26</sup> The

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<sup>25</sup> *Rucho v. Common Cause*, 139 S.Ct. 2484 (2019). There was a companion case out of Maryland, *Benisek v. Lamone*, 139 S.Ct. 2484 (2019).

<sup>26</sup> See, for example, [https://freedomhouse.org/sites/default/files/2021-03/US\\_Democracy\\_Report\\_FINAL\\_03222021.pdf](https://freedomhouse.org/sites/default/files/2021-03/US_Democracy_Report_FINAL_03222021.pdf)

methodology it uses to conduct its “Freedom in the World” analysis, however, includes “partisan gerrymandering” specifically in response to the following question it asks of countries: “Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?” The phenomenon is not used to evaluate how countries respond to this question: “Were the current national legislative representatives elected through free and fair elections?”<sup>27</sup> In the numerous political science reference materials that describe free elections, the key characteristics are things such as whether elections are called in a timely manner, candidates have access to the media, members of the public can vote without undue pressure or intimidation, ballots are cast in secret, and the vote count is transparent and timely.

*The Economist’s Democracy Index* which clearly places “free elections” at the heart of its understanding of democracy, makes no mention of redistricting in its methodology. Its unfortunate assessment in 2020 was that the United States is a “flawed democracy” noting that although “Americans have become much more engaged in politics in recent years” they show “low levels of trust in institutions and political parties, deep dysfunction in the functioning of government, increasing threats to freedom of expression, and a degree of societal polarization that makes consensus almost impossible to achieve”.<sup>28</sup> It is plausible some political scientists believe redistricting contributes to some of these outcomes, but there is a significant amount of research that casts doubt on the argument partisan gerrymandering is a principal cause of polarization in American politics—the

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<sup>27</sup> <https://freedomhouse.org/reports/freedom-world/freedom-world-research-methodology>

<sup>28</sup> <https://www.eiu.com/n/campaigns/democracy-index-2020/>

dramatic polarization of the U.S. Senate furnishes crucial evidence in that regard (McCarty, Poole, and Rosenthal 2009). Interestingly, the country's only non-partisan legislature, Nebraska's unicameral body, is also polarized. Here antagonistic legislative groups are galvanized by campaign contribution patterns and candidate recruitment processes that mirror states with formal partisan politics (Masket and Shor 2015).

In the American context, there are many other practices that vary considerably across states and are more integral to the concept of free elections than what is typically called a "partisan gerrymandering". These include rules related to voter access and election integrity such as registration and voter identification requirements, absentee and early voting rules, and the location and number of polling places. These freedoms are routinely regulated by state law and court decisions.

Freedom, moreover, infers choice. As a result, when assessing whether elections are free we should also consider the character of the ballot given to voters. Ballot access and candidate filing rules are crucial in this regard. So is the number of candidates on the ballot and the availability of accurate and useful information about each of them. If voters have very little freedom of choice in U.S. House and state legislative elections our electoral system is to blame. Much of the time they have only two alternatives, a Democratic or Republican candidate. Others desiring the label "Democrat" or "Republican" are forcibly eliminated from consideration by a primary and candidates from other parties are kept off the general election ballot by restrictive rules. Although the Libertarian Party has official standing in North Carolina, the only independent candidate to appear on a statewide election ballot here was Ross Perot in 1992.

What about “equal elections”? Each person has one vote to elect one legislator who has one vote in the legislature. More specifically, the existing restrictions on the redistricting process exist to ensure elections be equal. The choice of legislative candidates is the same for all voters in a district and, most importantly, the General Assembly must establish districts with equal or nearly equal populations. The law does currently tolerate tangible inequalities in elections, however. In the recent *Evenwel v. Abbott* case, the Supreme Court strongly advised states to conform to settled practice and draw their districts with equal population, not equal numbers of eligible voters.<sup>29</sup> Eligible individuals are also given different chances to vote by their registration status—you must be registered in order to vote. Other plausibly unequal treatment includes distance from the place of polling and the length of time it takes to vote once there.

Unequal outcomes are inherent to our winner-take-all or first-past-the-post single-member-districts electoral system—North Carolina cannot draw at-large or multi-member districts.<sup>30</sup> There is one winner in the election for each seat in the U.S. House and North Carolina House and Senate. If the election is contested, there is also at least one loser. The winner is selected by a plurality of voters in the district. The remaining voters who cast a ballot selected a loser.

I will return to the notion of “wasted votes” and the related frequently used quantitative indicator of partisan gerrymanders, the “efficiency gap”, later. But I think it

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<sup>29</sup> 136 S. Ct. 1120 (2016).

<sup>30</sup> The intent was largely to protect the political interests of minorities. The case that ended multi-member districts in North Carolina was *Stephenson v. Bartlett*, 355 N.C. 354 (2002).

should be noted the plaintiffs also talk about certain citizens having their votes “wasted” and imply they are treated unequally. Wasted votes are those cast for the losing candidates or the winning candidate above those needed to win, in other words the difference in votes received by the winner and the second-place finisher minus one. Wasted votes are intrinsic to our system.<sup>31</sup> It is not, therefore, citizens who waste or do not waste votes when they register their choice of candidates on the ballot. They are exercising a fundamental right. It is the parties who waste them by winning seats by large margins or losing seats by slim ones.

My response to the argument the district plans violate the North Carolina Constitution’s provisions regarding “free speech” and “free assembly” is similar. Political scientists do not conceptualize partisan gerrymandering in terms of the suppression of speech or the ability to organize freely. According to the *Oxford Concise Dictionary of Politics*, “freedom of speech” is the “liberty to express opinions and ideas without hindrance, and especially without fear of punishment” and “freedom of association” is “the freedom of individuals to associate as an end in itself or with the view to pursuing common projects, e.g. churches, trade unions, political parties, and sporting clubs” (McLean and McMillan 2003, 208-9). When they study legal restrictions on political speech and organization in the American context, political scientists examine

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<sup>31</sup> If the goal had been to eliminate wasted votes, through their Constitution the people of North Carolina would have adopted a system of proportional representation in which seat shares are a faithful representation of the proportion of total statewide votes each party received. If the plaintiffs’ intent is to provide “Democratic voters” the “opportunity... to elect the candidates of their choice in the districts and/or clusters where they reside” (Verified complaint in *NCLCV*, p. 12) then they should desire plans with highly uncompetitive districts where each individual Democratic voter is very likely to select the winner.

matters such as campaign finance, candidate nomination procedures, rules regulating canvassing, rallies, and protests, media entities' compliance with the federal requirement they provide equal time to any opposing candidates who request it, and so on. State laws that unfavorably treat citizens who wish to organize or vote for third or minor parties, such as those shaping the electoral system and restricting access to the ballot, are perhaps the most important examples. There are no restrictions on North Carolina Democrats' ability to assemble in the way they exist for North Carolina Constitution Party or Green Party members. As of early 2021, those two parties were no longer formally recognized by the state as political parties, consequently stripping them of numerous organizational advantages state Democrats (and Republicans and Libertarians for that matter) enjoy.

V. Proportionality, Competitiveness, and the Properties of a “Partisan Gerrymander”

i. Method

In this section, I deploy my knowledge of the political science methodology used to explore partisanship and redistricting. I survey the academic literature and explain and evaluate various principles and techniques.

ii. Political Science and Partisan Redistricting

The “partisan gerrymander” or manipulation of the redistricting process to bring about unfair partisan outcomes is an abstract political science construct. The concept has evolved over several decades with the contributions of many academics.<sup>32</sup> It lacks a

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<sup>32</sup> For a good overview, see Burden and Smidt (2020).

precise operational definition. It seems to have a number of elements, although there is no consensus as to what these are and several appear to contradict each other. Unless investigators make personal and arbitrary decisions as to what principles to apply, it is prohibitively difficult to undertake a comprehensive comparison of a district plan to both others and some absolute desired standard.

Political scientists have tried to systematize an intellectual approach to the partisan gerrymander. In their efforts to facilitate real-world evaluation of district plans, they have created a series of indicators that purport to permit analysts to gauge the extent to which one is gerrymandered. Measures are generally interested in detecting something called “partisan bias”, a broad gauge of whether a party received more seats than it should have given some exogenous standard of acceptability. Some emphasize proportionality or “responsiveness”.<sup>33</sup> Beyond that, however, the indicators vary greatly. Some suffer measurement problems.

### iii. Proportionality and Competitiveness

The arguments of critics of district plans, including it seems to me the *Harper* and *NCLCV* plaintiffs, are demonstrative of the intellectual minefield that is this effort to identify a partisan gerrymander. They often assert district plans have two important

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<sup>33</sup> Both partisan bias and responsiveness focus on the “seats-votes curve” or the proportion of seats and votes won by a party when the two pieces of data are plotted against one another. Partisan bias is only concerned with the proportion of seats won when we place a party at 50 percent of the vote (this must be estimated using a computer algorithm), models interested in proportionality look at the entire curve. In both cases, significant asymmetry in the left and right hand sides of the curve (that is either side of 50 percent of the vote) is interpreted as a sign of a gerrymander.

deficiencies: They produce outcomes in which the share of the legislative body's seats won by a party is not proportionate with its share of the aggregate statewide vote and/or they produce too many districts where there is little meaningful competition between the major parties' candidates. Many of these critics, including the plaintiffs here who on several occasions complain the enacted plans' lack of proportionality and too few competitive districts, want maps to exhibit both qualities.

Before I examine the problems of trying to have a district plan exhibit both proportionality and competitiveness, I should emphasize proportionality was not an objective of the designers of our electoral system. Disproportionate outcomes in terms of seats are a feature not a bug. I have a deep knowledge of the modern political history and elections of the nation I grew up in, the United Kingdom. It has similar political values as the United States and an identical first-past-the-post plurality system of single-member districts for elections to its House of Commons. In the most recent general election of December 2019, the Conservative Party won 56.2 percent of the seats to form the government (legislative majority) with 43.6 percent of the vote. The Labor Party was second, but its 32.1 percent of the vote gave it 32.2 percent of the seats. The Liberal Democrats who received 11.6 percent of the national vote in third place won 1.7 percent of the seats while the Scottish National Party's (SNP) 3.9 percent of the vote secured it 7.4 percent of the seats. Labor's main response has been to change its leader and resolve to recruit better candidates and campaign more skillfully in districts it was defeated, especially those it lost narrowly or whose seats its members had occupied in the previous parliament. The Conservatives do the same when they are out of government. The

Liberal-Democrats have not bemoaned redistricting, but continue their long-standing efforts within the political process to make the electoral system more proportional. The SNP has retained its traditional strategy of focusing on its home base in Scotland's 59 districts.

As a practical matter, proportionality is not that important to the representation of the parties in government anyway. Our electoral system is described as “winner-take-all” for a reason. It is explicitly majoritarian. In *Common Cause*, the Court paid particular attention to the plaintiffs' argument that the plan made it very difficult for the Democrats to win legislative majorities.<sup>34</sup> It understood that in the General Assembly, majority status is of critical importance and the majority party sees rapidly diminishing returns from winning each additional seat beyond 26 in the Senate and 61 in the House. This is because both bodies are hierarchically organized giving great power to the leader of the majority party and, unlike the U.S. Senate with its filibuster for example, prohibit meaningful minority party obstruction (Cooper 2008). Moreover, the proportional distribution of seats in the North Carolina U.S. House delegation matters little to the overall partisan composition of Congress. North Carolina has only 14 of the 435 districts.

A central problem for critics of district maps like the plaintiffs in *Harper* and *NCLCV* is that proportionality and competitiveness are often incompatible. By trying to increase one, you can reduce the other, but not always in predictable ways. To

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<sup>34</sup> *Common Cause v. Lewis*, p. 313.

understand this theoretically, consider a hypothetical state where we assert 50 percent of its voters are Democrats and 50 percent Republicans. The voters are distributed across the state in such a way we can draw very different types of maps. We can draw a map for a 100-member legislative body to ensure perfect proportionality. In this case, the plan would have 50 solid (perhaps even near 100%) “Democratic” districts and 50 solid “Republican” districts. No contests would be competitive. Alternatively we can draw 100 competitive districts, each with roughly half of its voters Democrats and the other half Republicans. Here, however, even a small statewide uniform swing towards one of the parties could result in it winning a very large majority even if the aggregate vote was something like 53 percent to 47 percent in its favor.

There are numerous illustrations of the tension between proportionality and competitiveness in American elections. The 2012 congressional elections immediately following the 2010 redistricting cycle furnish a good example. Nobody claimed the Massachusetts U.S. House plan in the 2010 cycle was gerrymandered; indeed the Center for Public Integrity gave it a grade of ‘A’.<sup>35</sup> But in 2012 Republicans won 30 percent of the statewide vote and only one contest could reasonably be considered competitive. The party’s candidate lost that race and Democrats captured all nine of the state’s seats. In Iowa, where the non-partisan redistricting process produced maps after the 2010 census that in the 2012 congressional election resulted in a statewide 50 percent to 47 percent advantage for Republicans and an even split between the major parties of the four seats,

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<sup>35</sup> See, <https://publicintegrity.org/politics/state-politics/massachusetts-gets-c-grade-in-2012-state-integrity-investigation/>.

no race was decided by less than nine percentage points. In Illinois in 2012, five of its 18 congressional districts were decided by less than ten points (a reasonable indicator of competitiveness these days), but the Democrats won two-thirds of them with 57 percent of the vote.

iv. Often-Cited Political Science Methods Used to Indicate a “Partisan Gerrymander”

Three of the most prominent measures political scientists use to explore the potential gerrymandered qualities of a district plan demonstrate the real-world challenge of accounting for different features like proportionality and competitiveness in a single indicator. The “efficiency gap” developed by Nicholas Stephanopoulos of the University of Chicago Law School and Eric McGhee a political scientist at the Public Policy Institute of California is a frequently used analytical tool in the investigation of district maps popularized when litigants and judges discussed it in the Wisconsin case that eventually became *Gill v. Whitford* decided by the U.S. Supreme Court in 2018 (Stephanopoulos and McGhee 2018). It takes the absolute difference in the total number of Democratic wasted votes and Republican wasted votes in a district plan and divides it by the total number of votes cast in all districts. Stephanopoulos and McGhee (2018) estimate that any figure in excess of about .08 (or eight percent) constitutes a partisan gerrymander in favor of the party with the fewest wasted votes. But the efficiency gap tends to punish competitiveness if the outcomes break decisively for one party. This is because parties waste a large number of votes in losing close elections and very few in winning them. Proportionality can also be penalized. Take a hypothetical legislature with five districts containing 100 voters each, where Republicans win 60 percent of the

aggregate vote (300 votes) and three seats (60 percent). If the results were 85-15, 65-35, 65-35, 45-55, and 40-60 with Republican votes listed first, the efficiency gap would be .198 indicating a large gerrymander in favor of Democrats. Here the problem is parties waste a great deal of votes relative to their opposition when they win by large margins.

In the “mean-median difference” test, analysts subtract the median percentage recorded by a party’s candidates in all of the districts in a plan from the mean percentage. When a party’s median vote share is lower than its mean, it might be considered a victim of gerrymandering where its voters are unfairly concentrated (McDonald and Best 2015). But this approach does little to convey proportionality or competitiveness under many conditions, including in states where there is either little or a great deal of variance in the parties’ performances across districts (Burden and Smidt 2020; Stephanopoulos and McGhee 2018).

The mean-median difference test is also particularly sensitive. In a study comparing different methods, Jonathan Krasno et al’s (2019) analysis of the Wisconsin Assembly map drawn in 2011 using results from 13 statewide elections in the two cycles immediately preceding and following the redistricting revealed the mean-median difference was the method by far the most likely to indicate “substantial” partisan gerrymanders.

A third test, “lopsided margins”, simply compares the mean margins of victory in all districts for each of the parties. The party with the larger margins of victory is most likely to have its voters concentrated and therefore subjected to a gerrymander. Analysts can then use a t-test to see if the difference in the means for the parties is statistically

significant (Wang 2016). This helps us get a grasp of competitiveness, but not always proportionality.

v. Summary

The value placed on proportionately and competitiveness by analysts of district plans, including the plaintiffs in *Harper* and *NCLCV*, highlight an important problem with judicial efforts to address partisan gerrymandering. Partisan gerrymandering is an abstract and complex concept that defies clear standards suitable for decisive intellectual analysis by political scientists. The reality of a first-past-the-post electoral system with single-member districts make it prohibitively difficult to discover districts that maximize both proportionality and competitiveness using available statistical techniques. Map-drawers, who are generally not political scientists, therefore often find it difficult to know which tools to use when evaluating competing plans. They discover their attempts to promote one desired principle like proportionality often undermine their efforts to promote another like competitiveness. My understanding of the social science of identifying partisan gerrymanders does not make me question it as derisively as Chief Justice John Roberts when he described the efficiency-gap measure as “gobbledygook” in oral arguments during *Whitford*. However, I believe even if judges think they have the power to reject maps drawn by the states on the basis that they constitute a partisan gerrymander, the objectives of litigants are often too broad and conflicted and the tools we have to analyze district plans too numerous, complex, and problematic to provide necessary clear and satisfactory direction.

## VI. Additional Conceptual and Analytical Considerations

### i. Method

In this section, I assess “baselines” that permit meaningful evaluation of district plans. To do this, I use my knowledge of North Carolina political history and survey the political science literature on methods.

### ii. The Clustered General Population

The difficulty of generating transparent and objective standards for what constitutes a partisan gerrymander in the opinion of political scientists is relevant to this section as well. Here, I explicitly address the issue of what “baselines” to use or, in other words, what assumptions we should take into the exercise of constructing and evaluating district plans.

The first task is to account for the real world. Whether the issue involves general redistricting criteria like compactness, contiguity, and the maintenance of communities of interest, VTDs, or municipalities, or generally understood characteristics of partisan gerrymanders such as disproportionality or a lack of competitiveness, it is fair to ask not how any potential plan compares to an absolute standard but the “state of nature” or what we might call the “natural gerrymander”. North Carolinians are spread unevenly within an oddly-shaped state. Some counties, communities, and VTDs are relatively small, others are quite large. Some are densely populated, others sparsely populated. So, for example, when we talk about a plan’s performance with regards compactness, it is important to note the extent to which dividing the state into 14, 50, or 120 evenly populated chunks mitigates against the principle. Many observers use the Polsby-Popper measure of compactness which

reports results on a scale of 0 to 1. The congressional, state House, and state Senate plans enacted by the state legislature have Polsby-Popper mean scores of .30, .35, and .34 respectively. Is this unreasonably different from the state of nature? It is impossible to know, but from a basic examination of the three maps by someone with an understanding of the location of North Carolina's urban and rural areas they look, with a few plausible exceptions, quite compact.<sup>36</sup>

### iii. The Partisan Clustering of the Voting-Age Population

What is more, Democratic and Republican voters are clustered. Democrats tend to live with other Democrats and Republicans with other Republicans. Democrats dominate the cities, Republicans small towns and rural areas of the state. Political scientists have various theories about why this is so. It could be the product of people with similar demographic characteristics like income, education, or race living together or people being persuaded to agree with their neighbors or moving to a place with more agreeable neighbors (Levendusky 2009; Rodden 2019). Regardless, the phenomenon poses significant challenges to legislators.

Published research demonstrates the problem. In a recent analysis of North Carolina, Gimpel and Harbridge-Yong (2020) reveal conceivable racial, occupational, geophysical, and sociocultural communities of interest tend to be homogenous in their partisan affiliations. To maintain many of them you must "pack" Democratic or Republican voters.

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<sup>36</sup> There is another different but simpler measure of the compactness called the Reock test which essentially looks to see what proportion of the area of a circle drawn around its perimeter a district occupies.

iv. The Use of Election Data to Identify Democratic and Republican Voters

The second question regarding the establishment of baseline assumptions required to evaluate a district plan is the identification of Democratic and Republican voters. Analysts have sensibly moved away from using party registration data because of the large number of unaffiliated voters and the reality that the act of registering to vote is very different from that of casting one. So, although the criteria adopted by the North Carolina House and Senate redistricting committees in 2021 explicitly prevented legislators from using “election data”, we, as observers, have the luxury of election results. But which ones should we use? Many, including the plaintiffs in these two cases, utilize recent statewide contests as their benchmark. They take the precinct-level returns from these elections and superimpose the enacted plans on them to determine hypothetically how many seats each party would receive.

Statewide elections for different offices or held at different times, even if observations are only two or four years apart, can produce significantly different outcomes. Votes are not fixed. The candidates, campaigns, office sought after, and contemporaneous political conditions mean voters do not consistently reveal themselves as Democrats or Republicans since many split their votes between the parties. In 2020, for example, Gov. Roy Cooper, a Democrat, beat Republican Lt. Gov. Dan Forest by 4.5 percentage points. In the presidential race that year, President Donald Trump the Republican defeated his Democratic opponent, former Vice President Joe Biden, by 1.3 percentage points. There was significant talk of “Cooper-Trump” voters, one North Carolina political scientist estimated roughly eight to

twelve percent said they would vote this way shortly before the election.<sup>37</sup> Turnout can also vary considerably and many voters participate in only one or a few of the elections used for analysis. When measured as a proportion of registered voters, turnout increased six percentage points over 2016 in the 2020 North Carolina election for president. Turnout also varies geographically. Eighty percent of registered voters in Wake County cast a ballot in 2020, only 62 percent of their counterparts in Robeson County did.

Research on Ohio and Wisconsin, two states at the epicenter of redistricting battles, demonstrates the problem of what election(s) to use. The Krasno et al (2019) paper cited earlier revealed that, in addition to the choice of diagnostic method, the choice of election had a material effect on whether an analyst could reasonably describe the 2010 Wisconsin state district plan as a gerrymander or not. Redistricting experts Micah Altman and Michael McDonald examined the competitiveness of various Ohio congressional district plans drawn after the 2010 census. “District competitiveness”, a component of a formula reformers used to judge the maps somewhat arbitrarily set at 55-45 or less, provided diverse outcomes depending on the baseline election data used (Altman and McDonald 2017).

This problem also afflicts a recent approach to the analysis of district plans I did not consider in the previous section. Armed with sophisticated software, researchers can now use computer algorithms to generate large numbers of alternative maps by combining VTDS that are contiguous and equal in population. This method can produce thousands of maps that, although generally ignoring criteria such as compactness and the maintenance of other

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<sup>37</sup> This was Christopher Cooper of Western Carolina University (McElroy 2020).

jurisdictions like counties and communities of interest, are drawn without knowledge of partisan voting patterns. Any particular map is said to demonstrate an intolerable partisan gerrymander if it produces returns that are distant from those of the mean or median of all the computer-generated maps (Chen and Rodden 2015).<sup>38</sup>

Finally, the problem of baseline election results also afflicts *post facto* analyses of district plans. Goedert (2017) has shown that plans considered partisan gerrymanders often produce more competitive elections than those considered “bipartisan”. This is the result of the so-called “dummymander”, where the majority party in the state legislature enacts plans in which its voters are distributed so thinly across districts that although it might enjoy considerable advantages in theory and the short-term, the minority benefits in the longer term, especially in the aftermath of “wave” elections. Grofman and Brunell (2005) argue this is what happened to the 1990 Democratic “gerrymander” of North Carolina congressional districts. From the perspective of later in the decade, therefore, a plan that originally seemed biased in favor of the state legislative majority party can appear biased toward the opposition. It is not, therefore, what is usually called a partisan gerrymander.

This concern with the choice of baseline elections motivated Stephanopoulos and McGhee’s efficiency gap. They claim a principal strength of their method is that it does not use exogenous election results but the outcomes of the actual legislative contests fought using the plan in question. This is not without problems, however. It is difficult to know

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<sup>38</sup> This was the method by which the North Carolina Senate drew state legislative maps following the order from the Court in *Common Cause*. It took five simulated maps and selected between them by lottery.

what to do with uncontested races when calculating statewide party vote totals. Moreover, because candidates win their seats with a plurality of the vote, they have no incentive to maximize. This undermines our capacity to understand the true statewide Democratic and Republican votes under a plan.

v. The Concept of “Community”

One last point regarding analytical challenges. The plaintiffs in *NCLCV* refer repeatedly to the belief that legislators’ district plans should have maintained “communities” of Democratic voters and, especially, Black citizens. What precisely constitutes a “community of interest” for the purposes of redistricting has long been disputed. The term is unavoidably vague. Communities are ill-defined and surely many of them overlap or are nested within others. It is therefore impossible to understand whether the plaintiffs’ optimized maps are really an improvement in the number of communities maintained, regardless of the central feature of such communities.

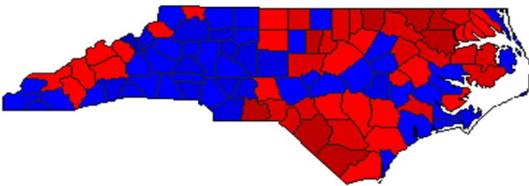
VII. A Recent History of North Carolina Party Politics

i. Method

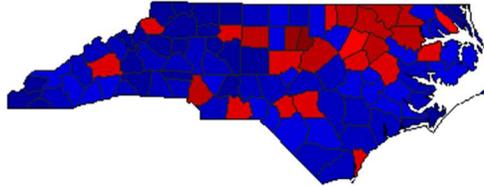
In this final section, I deploy my knowledge of and survey the academic literature on party politics, particularly in North Carolina.

ii. The Changing Geographic Character of North Carolina Democratic and Republican Voters

The two figures below show county returns for the competitive 1992 (left) and 2020 (right) presidential elections in North Carolina. The data are taken from [uselectionatlas.org](http://uselectionatlas.org), a highly reputable source of presidential election data. The counties won by the Democratic candidates (Bill Clinton and Joe Biden) are marked in red (unfortunately the site prefers to give the parties the colors opposite to those assigned to them in today's popular culture) and those won by the Republicans (George H.W. Bush and Donald Trump) in blue. Deeper shading denotes a larger margin of victory. Bush beat Clinton in North Carolina in 1992 by 0.8 percentage points (Ross Perot won 13.7 percent of the vote) and Trump beat Biden in 2020 by 1.3 percentage points.



Clinton (red) v. Bush (blue), 1992



Biden (red) v. Trump (blue), 2020

Note the significant differences. Some areas, such as the counties in northeastern North Carolina and the foothills surrounding Charlotte voted for the same party in both elections, but most of southeast North Carolina became Republican. This is also true of a lot of rural counties in the center and far western part of the state. At the same time, urban areas became more Democratic. In 1992, Bush won Forsyth and Mecklenburg counties and narrowly lost Wake. Trump was defeated in all three in 2020, in Mecklenburg and Wake by around 30 percentage points.

The contrasting figures demonstrate a significant change in North Carolina's political geography. Democrats used to do well in rural areas, especially in the eastern part of the state. Republicans were competitive in urban and suburban areas. That is no longer true. The transformation is not the result of redistricting. Neither, clearly, were the significant gains Republicans made in congressional and state legislative seats in North Carolina in the 1990s and first decade of this century.

How does this happen? Much of it is a function of slow social and economic forces that only reveal themselves over several decades or redistricting cycles. Most individuals vote for candidates of the party with which they identify—according to 2020 exit polls around 95 percent of self-proclaimed Democrats and Republicans in North Carolina voted for the presidential candidate of the party they linked themselves to. But it can also be explained by choices that parties and their leaders, candidates, and activists make. North Carolina's population is changing rapidly with large numbers of newcomers entering the state annually, the state grew by about nine percent or 850,000 people between 2010 and 2018. They are ripe for socialization into its politics. Today, North Carolina has about 2.3 million unaffiliated voters (roughly a third of the total) whose allegiances are up for grabs.

The Shor-McCarty (Shor and McCarty 2011) measures of state legislative party ideology cited earlier, moreover, reveal that between 2008 and 2018 the median North Carolina House Democrat moved .215 points to the left and the median Senate Democrat .008 points to the left. At the same time research showed North Carolina public opinion

to be moving in the opposite direction (Berry et al 1998).<sup>39</sup> Other research suggests Democratic national elites are today to the left of Democratic voters (Furnas and LaPira 2021). Decisions made by the parties' organizational leaders, elected officials, and activists have significantly contributed to these developments.

Candidates are certainly captive to the reputation of the party whose label they must run with on the ballot (Grynaviski 2013). However, it is also true voters are responsive to candidates' positions on particular issues and their skills as campaigners.<sup>40</sup> They also engage in spatial voting or the exercise of choosing the candidate they feel is closer to them ideologically.<sup>41</sup> On balance, this extensive research suggests that parties can greatly influence primary outcomes and by nominating candidates suited to their political surroundings can markedly improve their chances of winning in a district (Hassell 2017). Alternatively, party leaders and motivated activists can leave in place internal rules and procedures and go to the courts to move district lines to benefit their candidates so they may continue to select the same individuals to represent their party in general elections.

## VIII. Conclusion

There are two analytical approaches to the investigation of the phenomenon typically called a "partisan gerrymander". Researchers can examine individual districts or the larger

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<sup>39</sup> Updated data can be found at: <https://rcfording.com/state-ideology-data/>

<sup>40</sup> This is a huge literature. A good example is Herrnson and Curry (2011).

<sup>41</sup> This is also a large literature. An influential work is Jessee (2012).

district plan. I have chosen the latter. I have done this for two reasons. First, it is more consistent with my expertise. I am not a mathematician or computer scientist like some of the plaintiffs, but I have spent over two decades observing and writing about American and North Carolina politics and have broad and deep understanding of the complex issues and academic literature on state legislatures, elections, and redistricting. Second, the considerable time constraints placed on me prohibits a detailed district-by-district statistical analysis of the congressional, state Senate, and state House plans.

In the first section of my report, I argue that the process used by the North Carolina General Assembly to create and enact the district plans was consistent with the provisions of the Constitution of North Carolina that speak directly to redistricting. The second section covers my evaluation of the plaintiffs' claims that the plans violate political science's understanding of free elections, equal protection, freedom of speech, and freedom of assembly. Next, I explain the difficulty of identifying plans afflicted with a "partisan gerrymander", the problems with the methods used in these types of studies, and the contradictions between various characteristics—namely proportionality and district-level competitiveness of the parties—many would like to see maps exhibit. In the fourth section, I address additional issues with conceptualization and analysis, particularly those of baseline assumptions. I conclude with a brief look at the state political parties and how they enjoy agency in general elections the critics of district plans imply they do not.

The plaintiffs in *NCLCV* claim to have "harnessed the power of high-performance computers, and employed cutting-edge computational methods and resources, to draw

alternative maps”.<sup>42</sup> They claim their plans “avoid the partisan gerrymandering and racial vote dilution that mark the Enacted Plans (those approved by the state legislature), while also improving on the Enacted Plans’ compliance with the laws and legitimate policies governing redistricting in North Carolina.” The plaintiffs state the General Assembly’s plans should be rejected because they “cannot withstand the scrutiny of math and science”.<sup>43</sup>

I believe as an expert in the field of political science, the plaintiffs in *NCLCV* have much less command of other subjects more central to redistricting. Their approach glosses over the challenges posed by the evaluation of district maps for properties of partisan gerrymandering. There is no clear consensus among political scientists on the meaning of a partisan gerrymander as a political concept. The choice of baselines necessary for this analysis is a contentious exercise. General and voting-age populations live in such ways as to give states features that contribute to what many might call a natural gerrymander. The preferences of individual voters are often undiscernible, but when they do present themselves they can be fluid and vary temporally and across offices. Candidates and political parties are not helpless in structuring voters’ behavior. We understand a partisan plan is measured along several dimensions, but we cannot fully agree on the importance to assign to each one and therefore what is the best way to assess a district map. We also know that efforts to maximize along different dimensions can sometimes be complementary and at other times incompatible.

More importantly, I believe based upon my analysis of North Carolina’s political history, the state’s redistricting tradition compels the enacted plans. The question is not whether the

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<sup>42</sup> Verified complaint in *NCLCV v. Hall*, p. 62.

<sup>43</sup> Verified complaint in *NCLCV v. Hall*, p. 4.

plaintiffs' plans are in some way superior. It is whether the enacted plans are lawful. The process the North Carolina General Assembly used was consistent with the framework of redistricting in the state, a bar that is low given the uniquely considerable latitude the state's statutes and constitution give the legislature to consider and approve maps. Political concepts cited by the plaintiffs have little-to-nothing to do with common understandings of the practice of redistricting as it is done in North Carolina or the United States. Those who want different redistricting outcomes should work through the political process to obtain them. The people can elect different legislators or alter other critical features of our politics that make the results of legislative elections so distasteful to them. The people can change the law to provide us with a new method of drawing single-member districts such as the independent non-partisan redistricting committee of House Bill 69 that, in 2019, gathered 66 co-sponsors from both parties. Or, alternatively, the people can enact a thorough overhaul of their electoral system by amending their constitution. For the courts to make such a change is inconsistent with the principle of separation of powers or the manner in which the state's constitution has historically been applied.

IX. References

Altman Micah, and Michael P. McDonald. 2017. "Redistricting by Formula: The Case of Ohio." *American Politics Research* 46: 103-31.

Arazia, William D. 2015. *Enforcing the Equal Protection Clause: Congressional Power, Judicial Doctrine, and Constitutional Law*. New York: New York University Press.

Berry, William B., Evan J. Ringquist, Richard C. Fording, Russell L. Hanson. 1998. "Measuring Citizen and Government Ideology in the American States, 1960-93." *American Journal of Political Science*, 42: 327-348.

Bitzer, J. Michael. 2021. *Redistricting and Gerrymandering in North Carolina: Battlelines in the Tar Heel State*. London: Palgrave MacMillan.

Burden, Barry and Corwin Smidt. 2020. "Evaluating Legislative Districts Using Measures of Partisan Bias and Simulations". *SAGE Open*, <https://journals.sagepub.com/doi/pdf/10.1177/2158244020981054>

Chen, Jowei and Jonathan Rodden. 2015. "Cutting Through the Thicket: Redistricting Simulations and the Detection of Partisan Gerrymanders," *Election Law Journal*, 14: 331-45.

Christensen, Rob. 2008. *The Paradox of Tar Heel Politics: The Personalities, Elections, and Events that Shaped Modern North Carolina*. Chapel Hill: University of North Carolina Press.

Cooper, Christopher A. 2008. "The People's Branch: Reassessing the North Carolina General Assembly," in Christopher A. Cooper and H. Gibbs Knotts, *The New Politics of North Carolina*, Chapel Hill: University of North Carolina Press, pp. 152-74.

Engstrom, Erik J. 2013. *Partisan Gerrymandering and the Construction of American Democracy*. Ann Arbor: University of Michigan Press.

Evans, Eric J. 1994. *The Great Reform Act of 1832*. New York: Routledge.

Fleer, Jack. D. 1994. *North Carolina Government and Politics*. Lincoln: University of Nebraska Press.

Furnas, Alexander C., and Timothy M. LaPira, "Political Elites Are More Supportive of Progressive Policies Than the Average Voter", report for Data Progress, at: <https://www.dataforprogress.org/blog/2021/12/9/political-elites-are-more-supportive-of-progressive-policies-than-the-average-voter>

Gimpel, James G. and Laurel Harbridge-Yong. 2020. "Conflicting Goals of Redistricting: Do Districts That Maximize Competition Reckon with Communities of Interest?" *Election Law Journal: Rules, Politics, and Policy* 19: 451-71.

Gimpel, James G., Tristan M. Hightower, and Patrick C. Wohlfarth. 2021. "The Geography of Law: Understanding the Origin of State and Federal Redistricting Cases," *Political Research Quarterly*, 74: 779-94.

Goedert, Nicholas. 2017. "The Pseudoparadox of Partisan Mapmaking and Congressional Competition", *State Politics and Policy* 17: 47-75.

Grofman, Bernard and Thomas L. Brunell. 2005. "The Art of the Dummymander: The Impact of Recent Redistrictings on the Partisan Make-Up of Southern House Seats," in Peter F. Galderisi, ed., *Redistricting in the New Millennium*, Lanham, MD: Rowman, Littlefield, pp. 183-99.

Grynaviski, Jeffrey D. 2013. *Partisan Bonds: Political Reputations and Legislative Accountability*, New York: Cambridge University Press.

Hassell, Hans J.G. 2017. *The Party's Primary: Control of Congressional Nominations*. New York: Cambridge University Press.

Herrnson, Paul S. and James M. Curry. 2011. "Issue Voting and Partisan Defections in Congressional Elections," *Legislative Studies Quarterly* 36: 281-307.

Jessee, Stephen A. 2012. *Ideology and Spatial Voting in American Elections*, New York: Cambridge University Press.

Krasno, Jonathan, Daniel B. Magelby, Michael D. McDonald, Shawn Donahue, Robin E. Best. 2019. "Can Gerrymanders Be Detected? An Examination of Wisconsin's State Assembly," *American Politics Research*, 47: 1162-1201.

Kruman, Marc W. 1983. *Parties and Politics in North Carolina, 1836-65*. Baton Rouge: Louisiana State University Press.

Levitsky, Steven and Daniel Ziblatt. 2018. *How Democracies Die*, New York: Crown.

Levendusky, Matthew. 2009. *The Partisan Sort: How Liberals Became Democrats and Conservatives Became Republicans*, Chicago: University of Chicago Press.

Masket, Seth and Boris Shor. 2015. "Polarization without Parties: Term Limits and Legislative Partisanship in Nebraska's Unicameral Legislature." *State Politics and Policy*, 15: 67-90.

McCarty, Nolan, Keith T. Poole, and Howard Rosenthal. 2009. "Does Gerrymandering Cause Polarization?" *American Journal of Political Science*, 53: 666-80.

McDonald, Michael D. and Robin E. Best. 2015. "Unfair Partisan Gerrymanders in Politics and Law: A Diagnostic Applied to Six Cases," *Election Law Journal*, 14: 312-30.

McElroy, Michael. 2020. "Somebody Voted for Roy Cooper and Donald Trump. Who Are These Voters?" *Cardinal and Pine*, November 30,  
<https://cardinalpine.com/story/somebody-voted-for-roy-cooper-and-donald-trump-who-are-these-voters/>

McLean, Iain and Alistair McMillan, eds., 2003. *Oxford Concise Dictionary of Politics*, 3rd. ed., New York: Oxford University Press.

*New York Times*. 1995. "Last Governor Without Veto Could Get It." February 12,  
<https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:3S89-W820-008G-F1CJ-00000-00&context=1516831>.

Orth, John V. 1992. "North Carolina Constitutional History". *North Carolina Law Review*, 70: 1759-82, 1797-8.

Rodden, Jonathan A. 2015. *Why Cities Lose: The Deep Roots of the Urban-Rural Political Divide*. New York: Basic Books.

Shor, Boris and Nolan McCarty. 2011. "The Ideological Mapping of American Legislatures." *American Political Science Review*, 105: 530-51.

Stephanopoulos, Nicholas and Eric McGhee. 2018. "The Measure of a Metric: The Debate Over Quantifying Partisan Gerrymandering," *Stanford Law Review*, 70:1503-68.

Wang, Samuel S-H. 2016. "Three Practical Tests for Gerrymandering: Application to Maryland and Wisconsin," *Election Law Journal*, 15: 367-84.

## APPENDIX A

## ANDREW JOHN TAYLOR

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### Professional Experience

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Professor of Political Science, North Carolina State University, 2007-Present  
Chair, Department of Political Science, North Carolina State University, 2006-10  
Associate Professor of Political Science, North Carolina State University, 2001-7  
Assistant Professor of Political Science, North Carolina State University, 1995-2001  
Adjunct Instructor of Political Science, University of Connecticut at Hartford, 1991-5

### Education

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Ph.D. Political Science, University of Connecticut, 1995.  
M.A. Government, Lehigh University, Bethlehem, Pennsylvania, 1990.  
B.A. American Studies (Politics and Government), University of Kent at Canterbury, United Kingdom, 1988.

### Publications

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#### Books:

*The End of Consensus: Diversity, Neighborhoods, and the Politics of Public School Assignments* (Chapel Hill: University of North Carolina Press, 2015) with Toby L. Parcel  
(Reviewed in *Teachers' College Record*, *Contemporary Sociology*, *Southern Spaces*, *Social Forces*)

*Congress: A Performance Appraisal* (Boulder, CO: Westview Press, 2013)  
(Subject of New Books in Political Science podcast, Huffington Post piece; reviewed in *Political Science Quarterly*)

*The Floor in Congressional Life* (Ann Arbor: University of Michigan Press, 2012)  
(Reviewed in *Party Politics*, *Political Science Quarterly*, *Congress and the Presidency*, *Perspectives on Politics*)

*Elephant's Edge: The Republicans as a Ruling Party* (Westport, CT: Praeger, 2005)  
(Reviewed in *New York Times*, *Political Science Quarterly*, *Perspectives on Politics*; starred review in *Library Journal*, highly recommended by *Choice*; discussed in articles in *Los Angeles Times*, *New York Daily News*)

**Publications (cont.):**

**Articles in Refereed Academic Journals:**

“The Individual-Level Origins of Congressional Corruption Scandals,” *American Politics Research*, 48 (July 2020): 442-54. (with Michael D. Cobb).

“Partisan Affiliation in Political Science: Insights from Florida and North Carolina,” *PS: Political Science and Politics*, 52 (October 2019): 706-10 (with Lonna Rae Atkeson).

“Legislative Seniority in the Partisan Congress,” *Social Science Quarterly*, 100 (June 2019): 1297-1307.

“The Revolution in Federal Procurement, 1980-Present,” *Business and Politics*, 21 (March 2019): 27-52.

“Proximity and the Principle-Policy Gap in White Racial Attitudes: Insight from Views of Student Assignment Policies in Wake County, North Carolina,” *Social Science Research*, 79 (February 2019): 95-103 (with Toby L. Parcel).

“Which U.S. House Members Present Their Legislative Records? Models of Electoral Accountability and the Content of Press Releases,” *Congress and the Presidency*, 44 (1, 2017): 102-19.

“An Absence of Malice: The Limited Utility of Campaigning Against Party Corruption,” *American Politics Research*, 43 (November 2015): 923-51 (with Michael D. Cobb).

“Bill Passage Speed in the U.S. House: A Test of a Vote-Buying Model of the Legislative Process,” *Journal of Legislative Studies*, 3 (September 2014): 285-304.

“Paging Congressional Democrats: It Was the Immorality Stupid,” *PS: Political Science and Politics*, 47 (April 2014): 351-6 (with Michael D. Cobb).

“When Congress Asserts Itself: Examining Legislative Challenges to Executive Power,” *The Forum*, 10:2 (Article 2), July 2012.

“Does Presidential Primary and Caucus Order Affect Policy? Evidence from Federal Procurement Spending,” *Political Research Quarterly*, 63 (June 2010): 398-409.

“Strategic Inter-cameral Behavior and the Sequence of Congressional Lawmaking,” *American Politics Research*, 36 (May 2008): 451-74.

“The Presidential Pork Barrel and the Conditioning Effect of Term,” *Presidential Studies Quarterly*, 38 (March 2008): 97-110.

“Size, Power, and Electoral Systems: Exogenous Determinants of Legislative Procedural Choice,” *Legislative Studies Quarterly*, 31 (August 2006): 323-45.

**Publications (cont.):**

**Articles in Refereed Academic Journals (cont.):**

“The Personal and Political in Repeat Congressional Candidacies,” *Political Research Quarterly*, 58 (December 2005): 599-607. (with Robert G. Boatright).

“Conditional Party Government and Campaign Contributions: Insights from the Tobacco and Alcoholic Beverage Industries,” *American Journal of Political Science*, 47 (April 2003): 293-304.

“Are Women Legislators Less Effective? Evidence from the U.S. House in the 103<sup>rd</sup>-105<sup>th</sup> Congresses,” *Political Research Quarterly*, 56 (March 2003): 19-27. (with Alana Jeydel).

“The Ideological Roots of Deficit Reduction Policy,” *Review of Policy Research*, 19 (Winter 2002): 11-29.

“A New Democrat? The Economic Performance of the Clinton Presidency,” *The Independent Review*, 5 (Winter 2001): 387-408. (with John W. Burns).

“Congress as Principal: Exploring Bicameral Differences in Agent Oversight,” *Congress and the Presidency*, 28 (Fall 2001): 141-59.

“The Mythical Causes of the Republican Supply-Side Economics Revolution,” *Party Politics*, 6 (October 2000): 419-40. (with John W. Burns).

“The Congressional Budget Process in an Era of Surpluses,” *PS: Political Science and Politics*, 33 (September 2000): 575-80. (Reprinted in, Michael LeMay, *Public Administration: Clashing Values in the Administration of Public Policy*, (Belmont, CA: Wadsworth/Thomson Learning, 2005)).

“Explaining Government Productivity,” *American Politics Quarterly*, 26 (October 1998): 439-58.

“Domestic Agenda Setting, 1947-1994,” *Legislative Studies Quarterly*, 23 (August 1998): 373-97.

“The Legislative Strategies of Independent and Third Party Executives,” *Southeastern Political Review*, 26 (March 1998): 3-23.

“The Ideological Development of the Parties in Washington, 1947-1994,” *Polity*, 19 (Winter 1996): 273-92.

“The Ideological Development of the Modern Republican President,” *Presidential Studies Quarterly*, 26 (Spring 1996): 374-9.

“Historical Analogies in the Congressional Foreign Policy Process,” *Journal of Politics*, 57 (May 1995): 460-8. (with John T. Rourke).

## **Publications (cont.):**

### **Chapters in Edited Volumes:**

“Legislative Speech in Presidential Systems,” in Hanna Back, Marc Debus, and Jorge M. Fernandes (eds.) *The Politics of Legislative Debate*, (New York: Oxford University Press, 2021), pp. 51-71.

“Leading the Minority: Guiding Policy Change through Legislative Waters,” in Sean Q. Kelly and Frank H. Mackaman (eds.) *Robert H. Michel: Leading the Republican House Minority*, (Lawrence: University Press of Kansas, 2019), pp. 115-139.

“A Study in Contrasts: Race, Politics, and the History of School Assignment Policies in Charlotte-Mecklenburg and Wake County, North Carolina,” in Roslyn Arlin Mickelson, Stephen Samuel Smith, and Amy Hawn Nelson (eds.) *Yesterday, Today, and Tomorrow. School Desegregation and Resegregation in Charlotte*, (Harvard Education Press, 2015), pp. 85-100. (with Toby L. Parcel and Joshua A. Hendrix).

“Voting on the Floor: Members’ Most Fundamental Right,” in Jamie Carson (ed.), *New Directions in Congressional Politics*, (New York: Routledge, 2011), pp. 143-62.

### **Other Academic Publications:**

“The 2020 Elections in North Carolina”, *Political Economy in the Carolinas*, forthcoming.

“The Expert in American Life”, *National Affairs*, (Fall 2021, No. 49), 141-55.

“Reforming the Appropriations Process”, *National Affairs* (Spring 2019, No. 39), 33-49.

“How Far Is Too Far? Gender, Emotional Capital and Children's Public School Assignments”, *Socius*, 2 (2016) (with Toby L. Parcel and Joshua A. Hendrix).

“The Challenge of Diverse Public Schools,” *Contexts*, 15 (Winter 2016): 42-47 (with Toby L. Parcel and Joshua A. Hendrix).

“Power Divisions in Governments,” in Frank N. Magill (ed.), *Survey of Social Science: Government and Politics Series* (Pasadena CA: Salem Press, 1995), 1578-83.

“Teaching Politics Panoramically: American Government and the Case Method,” *PS: Political Science and Politics*, 27 (September 1994): 535-7.

“A Proper British Revolution? How the Public Views Constitutional Reform,” *The Public Perspective*, July/August 1994, 31-4. (with W. Wayne Shannon).

### **Conference Papers**

---

American Political Science Association, 2021, 2018, 2017, 2015, 2014, 2013, 2010, 2006, 2005, 2004, 2003, 2002, 2001, 1999, 1998, 1997, 1996, 1994.

Midwest Political Science Association, 2021, 2018, 2017, 2015, 2013, 2012, 2011, 2010, 2008, 2007, 2006, 2005, 2003, 2002, 2001, 1996, 1994, 1992.

Southern Political Science Association, 2021, 2020, 2019, 2017, 2016, 2001, 1998, 1997.

Western Political Science Association, 2019.

Citadel Symposium on Southern Politics, 2020.

Northeastern Political Science Association, 1992, 1991.

New England Political Science Association, 1992.

North Carolina Political Science Association, 2003, 1999, 1996.

World Association for Public Opinion Research, 1994.

### **Selected Major Grants and Other Revenue Generated (Extramural and NCSU Intramural)**

John William Pope Foundation and Charles G. Koch Charitable Foundation for, “The Free and Open Societies Project” - \$327,250 total: 2022, (\$73,000), 2021 (\$98,750), 2020 (\$155,500).

U.S. Embassy, London, “Build Your Own Campaign” program for British high school students, 2016 - \$56,138.

John William Pope Foundation for, “The Economic, Legal, and Political Foundations of Free Societies” (with Steve Margolis) - \$1.638 million total: 2014, (\$426,000 overall, \$268,000 for teaching and research in political science); 2009 (\$700,000 overall, \$274,200 for political science), 2004 (\$511,500 overall, \$214,000 for political science).

Fidelity Investments, support for NCPSA meeting, 2014 - \$5,000 (in kind).

Dail Endowment in Political Science, 2013 - \$145,800.

NCSU School of Public and International Affairs Summer Grant - \$10,000 total: 2013 (\$5,000), 2012 (\$5,000).

Charles G. Koch Charitable Foundation, “Programs in the Classical Liberal Tradition,” and other projects (with Steve Margolis before 2017) - \$219,500 total: 2018 (\$63,000); 2017 (\$74,200); 2015 (\$23,300); 2014 (\$19,000); 2013 (\$18,000), 2012 (\$9,000), 2011 (\$9,000), 2010 (\$4,000).

NCSU Distance Education and Learning Technology Applications IDEA Grant, \$10,500 total 2009 (\$8,000), 2003 (\$2,500).

U.S. Department of State for, “U.S. Elections Program for Brazilian Fulbrighters” (with Michael Bustle, David McNeill, and Richard Kearney), 2008 - \$75,000.

Dirksen Congressional Center Congressional Research Award - \$3,663 total: 2003 (\$3,163), 1994 (\$500).

NCSU University and College of Humanities and Social Sciences (CHASS) Summer Grants - \$17,000 total: 2003 (\$5,000), 1999 (\$4,000), 1997 (\$4,000), 1996 (\$4,000).

### **Invited Academic Talks**

---

University of North Carolina at Chapel Hill, 3/03.

East Carolina University, 10/04.

University of North Carolina at Greensboro, 9/09.

University of Surrey (UK), 5/11.

NC State College of Education, 2/13, 3/15.

Shanghai Jiao Tong University (China), 4/16.

Wake Forest University, 10/16.

National Affairs (Capitol Hill, Washington DC), 6/19.

## **Principal Administrative and Leadership Appointments**

---

Director, Free and Open Societies Project, 2019-Present

- Approx. \$100k annual budget
- Speaker series, student group, student seminars, free speech conference, research assistants, undergrad research grants, internship support, social media presence

Co-Director, The Economic, Legal and Political Foundations of Free Societies program, 2004-2018;  
Director 2018-2019

- Approx. \$85k annual budget
- Speaker series, student group, student seminars, faculty and grad students research support, undergrad research grants, internship support

Chair, Department of Political Science, 2006-10.

- Instrumental in establishment of School of Public and International Affairs
- Managed \$2 million budget
- Approx. 600 majors
- Quadrupled the number of women in tenure-track positions
- Demonstrable improvement in majors' experiences according to exit surveys
- Established formal and transparent rules on program assessment, faculty annual evaluation processes, teaching loads, promotion and tenure guidelines, adjunct and summer school pay

Director, M.A. Program in Political Science, 1997-99; 2000-5

## **Professional Honors**

---

NCSU CHASS's Outstanding Research Award, 2013-14.

Nominated for NCSU Alumni Association Outstanding Research Award, 2013-14.

President of North Carolina Political Science Association, 2012-13.

John W. Pope Center for Higher Education Policy's "Spirit of Free Inquiry" Award (for course, Public Choice and Political Institutions), 2010.

NCSU Libraries "Fantastic Faculty" honoree, 2008-9.

NCSU Outstanding Extension Service Award, 1999-2000, 2003-4.

NCSU CHASS's Lonnie and Carol Poole Award for Excellence in Teaching, 1998-9.

Nominated for NCSU CHASS's Outstanding Junior Faculty Award, 1997-8, 1998-9.

Oral Parks Award for best Faculty Paper presented at the 1996 North Carolina Political Science Association meeting, 1997.

Phi Kappa Phi 1995.

Phi Beta Kappa 1995.

University of Connecticut Excellence in Teaching Award, 1993.

## Teaching and Mentoring

---

North Carolina State University, Fall 1995-Present.

Courses taught:

- Introduction to American Government (Undergraduate, honors, distance ed., UNC Global Blended Learning Program in China)
  - The Presidency and Congress (Undergraduate, distance ed.)
  - American Parties and Interest Groups (Undergraduate)
  - Public Policy Process (Doctoral program)
  - Seminar in American Politics (Undergraduate and graduate)
  - Legislative Process (Undergraduate)
  - Workshop in Politics (Undergraduate)
  - Public Choice and Political Institutions (Undergraduate)
  - The Classical Liberal Tradition (Undergraduate and honors)
  - The Conservative Tradition in the West (Undergraduate and honors)
  - Election 2020 (Honors)
- 
- Ph.D. dissertation committees (Public Administration & Economics at NCSU, Political Science at UNC): 9 (including one chair)
  - Master's theses supervised: 5
  - Undergraduate honors thesis supervised: 12 (including runner-up Pi Sigma Alpha national competition for best Honor's thesis)
  - Park Scholars Mentor: 2010-16
  - Taught distance education courses since 1997-8, pioneer in the development of such courses at NC State

University of Connecticut, Spring 1991-Spring 1995

Courses taught (in addition to those taught at N.C. State):

- Constitutional Interpretation
- Introduction to Comparative Politics

## Fellowships

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American Political Science Association Congressional Fellow (Steiger Fellow), 1999-2000:

- Steiger fellow, named for Rep. Bill Steiger (R-WI), who served 1966-78
- given to fellow best equipped to promote the interests of Congress as an institution and who best represents Steiger's values; a man of "exceptional talent, drive, and integrity"

University of Connecticut Pre-Doctoral Fellowships, 1990-1, 1991-2, 1992-3 (\$6,000 each).

## Select University and Professional Service

---

Heterodox Academy Political Science Community Co-Leader, 2021-Present  
School of Public and International Affairs, Executive Committee, 2021-Present  
Campus Conversations Project, 2021-Present  
Chair, Presidential Politics Division, Southern Political Science Association, 2022, 2001  
Secretary, Classical Liberals of the Carolinas, 2019-Present  
Apex High School Academy of Information Technology, Board Member, 2018-Present  
Institute for Humane Studies (IHS), Graduate Student & Early Career Mentoring, 2017-Present.  
NCSU Faculty Advisor, Leaders for Political Dialogue, 2017-Present.  
Senior Editor, *Political Economy of the Carolinas*, 2017-Present.  
NCSU School of Public and International Affairs Task Force Chair, Methods 2015-16; F&A Distribution, 2015-16.  
NCSU Honors Advisory Board & Admissions Committee, 2014-2018.  
Treasurer, North Carolina Political Science Association, 2014-Present.  
Program Chair, North Carolina Political Science Association Meeting, 2014.  
Co-Chair NCSU CHASS Dean's "Heart of the Matter" Initiative, 2013-15.  
NCSU Reappointment, Promotion, and Tenure Committee, 2012-14.  
Chair NCSU CHASS Reappointment, Promotion, and Tenure Committee, 2011-12.  
NCSU CHASS Associate Director of Development Search Committee, 2011.  
American Political Science Association's Albert Dissertation Prize Committee, 2009-10.  
The Foundation for Ethics in Public Service, Advisory Board, 2009-12.  
NCSU CHASS Committee on Extension, Engagement, and Economic Development, 2008-12.  
Coordinator, RTI-NCSU CHASS initiative, 2006-12.  
American Political Science Association's Legislative Studies Section Fenno Book Prize Committee, 2015-16, 2005-6.  
NCSU Department of Political Science and Public Administration/School of Public and International Affairs Dean's Head/Director Search Committee, 1997-8, 2005-6, 2011-12.  
NCSU Department of Political Science and Public Administration Scholars, Honors, and Study Abroad Committee, 2004-6.  
NCSU CHASS Research Committee, 2004-7.  
NCSU Washington Internship Committee, 2004-7.  
NCSU CHASS Curriculum Committee, 2002-4.  
Faculty adviser, Truman Scholars Program, NCSU, 2001-4.  
NCSU Courses and Curricula Committee, 2002-4.  
NCSU Department of Political Science and Public Administration "Structural Issues" Committee (recommended the creation of School of Public and International Affairs), 2000-2.  
NCSU CHASS Graduate Studies Committee, Chair, 1998-9.  
NCSU Department of Political Science and Public Administration Ph.D. Steering Committee, 1998-2001.  
Faculty advisor, NCSU College Republicans 1996-9, 2000-Present; North Carolina Student Legislature, 2005-2012; Young Americans for Liberty 2016-18, 2020-Present; College Libertarians 2018-Present; Society for Politics, Economics, and the Law (SPEL), 2019-Present; Young Americans for Freedom, 2020-Present; The FreePack, 2021-Present.  
NCSU Department of Political Science and Public Administration/School of Public and International Affairs Faculty Search Committee, 1995-6, 1998-9, 2000-1, 2001-2 (chair), 2007-8 (chair), 2011-12, 2013-14 (chair).

## Book Reviews

---

*The Polarizers: Postwar Architects of our Partisan Era*, by Sam Rosenfeld, *Party Politics*, 26 (2020): 264-5.

*The Coddling of the American Mind: How Good Intentions and Bad Ideas are Setting Up a Generation for Failure*, by Greg Lukianoff and Jonathan Haidt, *Political Economy in the Carolinas*, 2 (2019): 118-20.

*Politics Over Process: Partisan Conflict and Post-Passage Processes in the U.S. Congress*, by Hong Min Park, Steven S. Smith, and Ryan J. Vander Wielen, *Congress and the Presidency*, 46 (2, 2019): 344-45.

*Defying the Odds: The 2016 Elections and American Politics*, by James W. Ceaser, Andrew E. Busch, and John J. Pitney, Jr., *American Review of Politics*, 36 (2, 2018): 109-10.

*The Rise and Fall of the Voting Rights Act*, by Charles S. Bullock III, Ronald Keith Gaddie, and Justin J. Wert, *The North Carolina Historical Review*, 84 (January 2017): 120-1.

*Legislating in the Dark: Information and Power in the House of Representatives*, by James M. Curry, *Congress and the Presidency* 43 (3, 2016): 401-3.

*The Senate Syndrome: The Evolution of Procedural Warfare in the Modern U.S. Senate*, by Steven S. Smith, *Perspectives on Politics*, 13 (December 2015): 1168-9.

*Seeking a New Majority: The Republican Party and American Politics, 1960-1980*, edited by Robert Mason and Iwan Morgan, *Party Politics*, 21 (May 2015): 494-5.

*The Challenge of Congressional Representation*, by Richard F. Fenno, *Perspectives on Politics* 12 (June 2014): 490-1.

*The Tea Party: Three Principles*, by Elizabeth Price Foley, *American Review of Politics* 34 (Spring and Summer 2013): 151-3.

*Painting Dixie Red: Where, When, Why and How the South Became Republican*, ed. by Glenn Feldman, *The North Carolina Historical Review*, 79 (October 2012): 457-8.

*The Roots of Modern Conservatism: Dewey, Taft, and the Battle for the Soul of the Republican Party*, by Michael Bowen, *The North Carolina Historical Review*, 79 (April 2012): 231-2.

*On Thinking Institutionally*, by Hugh Hecllo, *Modern Age*, 52 (Spring 2010): 158-60.

*The New Politics of North Carolina*, edited by Christopher A. Cooper and H. Gibbs Knotts, *The North Carolina Historical Review*, 76 (January 2009): 108.

*The Paradox of Tar Heel Politics: The Personalities, Elections, and Events that Shaped Modern North Carolina*, by Rob Christensen, *The North Carolina Historical Review*, 75 (October 2008): 451-2.

*The Right Talk: How Conservatives Transformed the Great Society into the Economic Society*, by Mark A. Smith, *Perspectives on Politics*, 6 (September 2008): 611-12.

*Politics and Religion in the White South*, ed. by Glenn Feldman, *The North Carolina Historical Review*, 73 (April 2006): 288-9.

*Vicious Cycle: Presidential Decision Making in the American Political Economy*, by Constantine J. Spiliotes, *The Independent Review*, 8 (Summer 2003): 135-8.

*The Political Party Matrix: The Persistence of Organization*, by J.P. Monroe, *American Political Science Review* 96 (June 2002): 430.

*Party Decline in America: Policy, Politics, and the Fiscal State*, by John J. Coleman, *Congress and the Presidency* 24 (Spring 1997): 97-9.

*Cultivating Congress: Constituents, Issues, and Interests in Agricultural Policymaking*, by William P. Browne, *Journal of Politics* 58 (November 1996): 1222-4.

## Other Professional Activities

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### Media Commentary:

Hundreds of appearances on television and radio; source for and quoted in hundreds of print stories. Principally: *The News and Observer* (Raleigh, NC), WRAL-5 (Raleigh, NC), WTVD-11 (Raleigh, NC), WPTF-680 (Raleigh, NC), WUNC-TV (RTP, NC), Public Radio WUNC (Chapel Hill, NC), News Channel 14 North Carolina, Curtis Media Group radio stations (particularly *Carolina Newsmakers* and *The Commentators*) Carolina Journal, NC Spin.

Other Appearances: *The Hartford Courant*, *The Washington Times*, WLFL-22 (Raleigh, NC), Australian Broadcasting Corp., BBC Radio Humberside, Knight-Ridder Newspapers, *The Fayetteville Observer-Times*, *Apex Herald*, WTRG 100.7 (Raleigh, NC), *The Citizen-Times* (Asheville, NC), *The Winston-Salem Journal*, Associated Press, *Durham Herald-Sun*, *Laurinburg (NC) Exchange*, *Triangle Tribune* (Durham, NC), *McDowell News* (Marion, NC), *Hendersonville (NC) Times-News*, *Transylvania Times* (Brevard, NC), *Kiplinger Letter* (Washington, D.C.), *Charlotte Observer*, Fox News Channel (national cable news), *Greensboro (NC) News and Record*, Cox Newspapers, WQDR 94.7 (Raleigh, NC), WXIT-1200 (Boone, NC), *Wilmington (NC) Star-News*, *Congressional Quarterly*, Reuters, *Christian Science Monitor*, *Boston Globe*, *Rocky Mount (NC) Telegram*, National Public Radio (“All Things Considered”, “Marketplace”, “1A”), NBC-6 (Charlotte, NC), *The Los Angeles Times*, *North Carolina Political Review*, *The New York Times*, *Dallas Morning News*, *Burlington (NC) Times-News*, *National Journal’s Congress Daily/A.M.*, *The Cook Report*, Open/net (NC state government tv show), *Dagens Nyheter* (Swedish newspaper), *Politics in America*, Elizabeth City (NC) *Daily Advance*, Freedom Newspapers, Greenville (NC) *Daily Reflector* (Reflector.com), *Triangle Business Journal*, *Eastern Wake News*, Vermont Public Radio, *Daily Herald* (Roanoke Rapids, NC), *High Point (NC) Enterprise*, *Wall Street Journal*, *Pittsburgh Post-Gazette*, NewsTalk 106 (Dublin, Ireland), *The Sunday Times* (of London), Nippon tv. (Japan), State Government Radio (NC), Fairchild Publications, Scripps-Howard, ABCNews.com, *Washington Post*, Newhouse Newspapers, *Nubian Message*, CNBC-Asia, *Carolina Journal Radio*, *The Pamlico (NC) News*, *New York Daily News*, Public Radio WFAE (Charlotte), *Atlanta Journal-Constitution*, Salon.com, *Chattanooga Times Free Press*, WTN 99.7 (Nashville), *US News and World Report*, News Radio 1020 KDKA (Pittsburgh), *Indianapolis Star*, *Virginia Pilot*, Bloomberg News, *National Journal*, WBT 1110 (Charlotte news), *Daily Dispatch* (Henderson, NC), *Time Magazine*, *Correio Braziliense* (Brazilian newspaper), C-SPAN, News Talk WDBO-580 (Orlando), Public Radio WHYY (Philadelphia), CNNMoney.com, *O Estado de Sao Paulo* (Brazilian newspaper), VoterRadio.com, *Frankfurter Allgemeine Zeitung* (German newspaper), *Charlotte Magazine*, Delaware Talk Radio, *The Guardian* (U.K. paper), *The Weekly Standard*, Waterbury (CT) *Republican-American*, *USA Today*, EFE (Spanish language news agency), BBC Radio 4, *The Scotsman* (Scottish national paper), *Tax News and Analysis*, *Triangle Tribune*, *San Francisco Chronicle*, Agence France Press, Moneynews.com, *Arab Times* (Kuwaiti English newspaper), *The Gulf Times* (Qatari English newspaper), *The Khaleej Times* (English newspaper out of UAE), *The County Compass* (Bayboro, NC), CashWorks Productions (documentary, “Obama in NC”), *Pravda* (Slovakian newspaper), WXII-12 (Winston-Salem), Voice America Talk Radio, *The Independent Weekly*, *Politico*, WRAL-FM 101.5 (Raleigh), *The Daily Beast*, *Lee County (NC) Star-Tribune*, Carolina Journalism Network, *Excelsior* (Mexican newspaper), *Globe and Mail* (Canada), WERC-AM 960 (Birmingham, AL), WRDU 106.1 (Raleigh, NC), *Wilson (NC) Times*, *Christian Post*, Investor Place media, *World Magazine*, BBC.com, *Cary News*, *The State* (South Carolina), *Clayton (NC) News-Star*, *Governing Magazine*, WRAL.com, *Raleigh Public Record*, *Business Journal* (Charlotte), *Walter Magazine*, *Wake County Times*, *Roll Call*, *Duplin (NC) Times*, CNN, *National Review Online*, *Creative Loafing* (Charlotte), WSJS-600 (Greensboro, NC), *East Wake News*, *Charlotte Business Journal*, Jewish Telegraphic Agency, Brookings Institution, msnbc.com,

## Other Professional Activities (cont.)

### Media Commentary (cont.):

*Irish Times*, NC SPIN, GreenWire, *International Business Times*, *The Hill*, FoxNews.com, WCHL (Chapel Hill), *Daily Signal*, CNNPolitics.com, FoxNewsLatino.com, *CQ Weekly*, *The American Prospect*, *Talking Points Memo*, Townhall.com, *Rhino Times* (Greensboro, NC), Ozy.com, *Philanthropy Journal*, EnergyWire, *Garner-Cleveland Record*, *Politico Magazine*, Freedom Action Network Radio, Domecast, *Route Fifty*, *Chapel Hill News*, *Raleigh Magazine*, *Slate*, *North State Journal*, *NC Capital Connections*, *Mother Jones*, *Sierra Magazine*, Alhurra, tvnewscheck.com, Market Watch, *The Atlantic*, *Inside Higher Ed*, *Modern Healthcare*, BBC North America, CBC French Language Service, Inside Climate News, WLOS-ABC 13 (Asheville), HBO, *Piedmont Sundial*, *Asheboro Courier-Tribune*, *School Reform News*, *Robesonian*, *Sanford Herald*, NBCNews.com, *Clarín* (Argentine newspaper), NC Policy Watch, Martin Center for Academic Renewal, *Allegheny News*, *Education Week*, WWNC (Asheville, NC), Sinclair Broadcast Group, *The Hill*, Pew-Stateline, Ifobae (Argentinian news website), WGHP Fox 8 (Greensboro, NC), E&E News, States Newsroom.com, *New Statesman* (UK), CNBC.com, YLE (Finnish tv), France 24, Americans for Limited Government, WNCT (Greenville, NC).

### Major Contributions:

- Called “the leading talking head of Tar Heel politics,” *News and Observer*, 11/05.
- Stories on which I have provided extensive analysis: presidential, congressional, gubernatorial, and local elections; presidential impeachments; UK politics including elections and Brexit; North Carolina politics; policy issues including education, government spending, taxes, health care, agriculture etc.
- Newspaper op-ed topics (mainly for *News and Observer* and prior to 2010) include: establishment of Connecticut income tax, Republican party politics, the flat tax, third party politics, North Carolina tobacco politics, reform of North Carolina legislature, John Edwards as possible Gore vice president, effect of 2000 election on voting procedures, ability of George W. Bush to govern, proposals for political reform in North Carolina, U.S. and war on terrorism, 2002 North Carolina U.S. Senate race, John Edwards 2004 presidential campaign, reform of NC House, 2006 election, 2008 North Carolina presidential primary, earmarks in Congress, land-use law in North Carolina.
- Column in *Carolina Journal* 2009-13, 2015-21 (monthly), 2021-present (periodic) (40,000 print subscribers, 40,000 unique monthly visitors to website, picked up by newspapers all over North Carolina with est. 300,000 circulation), topics include: NC and the stimulus, financing of elections, legislative term limits, merit pay for teachers, institutional thinking, tobacco industry, political leadership in NC, health care reform, American and French economic models, the role of a public university, 2010 elections, Newt Gingrich, the filibuster, 2010 NC Senate race, Wake County school board politics, 2012 primaries, “bailout fatigue”, Obama performance, donors to conservative causes, education reform, NC congressional delegation, 112<sup>th</sup> Congress, conservatism today, conservatives and foreign policy, municipal government, election administration, Anglo-American relationship, performance of NC General Assembly, Washington debt deal, income and voting, 2012 presidential race, ethics in politics, Romney presidential candidacy, NC same-sex marriage amendment, juridical democracy, runoff elections, Romney’s choice of Ryan, errors in conservatives’ thinking, 2012 election postmortem, gender differences in politics, UNC system, the Tea Party, unemployment in NC, Margaret Thatcher, Republican governance in NC, polarization in NC, voter identification, classical republicanism,

## **Other Professional Activities (cont.)**

### **Media Commentary (cont.):**

Major contributions (cont.)

- higher education funding, William F. Buckley Jr., party competition, diversity on campus, growth and equality, Trump candidacy, ideology in 2016, Brexit referendum, Republican strategy in 2016, China's challenge, conservative values, science politics, Democrats' "electoral lock", Obama and race, Trump election win, McCrory election loss, advocacy and force in politics, fake news, border-adjustment tax, public's sour mood, Millennials and politics, technocracy, 2018 midterm forecast, state Republicans' economic performance, the party system, political language, viewpoint diversity, Trump and Britain, partisan gerrymander, NRA in politics, Facebook, citizenship and census, NC teacher rally, counties in NC politics, 2018 referendums, Steyer and Trump, political nostalgia, NC's important members of Congress, 2018 midterm analysis, ballot harvesting, Trump's deals, direct democracy, federal deficit, slavery and the Electoral College, Corbynism, 2019 Supreme Court term, 2020 Democratic presidential contest, NC redistricting case, politics of 1970s, impeachment, partisan foreign policy, NC budget stalemate, 2020 NC Senate race, coronavirus and the Establishment, coronavirus in NC, slavery reparations, 25 years of NC politics, 2020 House elections in NC, Fed and inflation, 2020 election, Electoral College reform, Democrats' advantages, NC school districts, Biden's economics, UNC and Hannah-Jones, felon voting rights.

### **Periodic Reviews:**

*Policy Studies Journal, Southeastern Political Review, St Martin's Press, Legislative Studies Quarterly, American Politics Quarterly/Research, Worth Publishers, Journal of Politics, American Journal of Political Science, Social Science Quarterly, Houghton-Mifflin, Political Studies, Political Research Quarterly, The Independent Review, National Science Foundation, American Political Science Review, Praeger, Political Behavior, Compass Point Books, Journal of Agricultural and Resource Economics, Congress and the Presidency, Public Choice, Congressional Quarterly Press, University of Michigan Press, Politics (U.K.), Journal of Public Administration and Policy Research, State Politics and Policy Quarterly, Oxford University Press, John F. Blair Publishing, Palgrave MacMillan, Journal of Political Marketing, W.W. Norton, Government and Opposition, PS: Political Science and Politics, Emerald Press, American Behavioral Scientist.*

### **Testimony and Consultancy:**

- NC House Committee on Elections
- Coalition to End Gerrymandering
- *CSI v. Moore*

### **Tenure and Promotion Reviews:**

University of Minnesota-Morris, UNC-Greensboro, Clark University, Lehigh University, Clemson University, University of Arkansas, University of Houston-Victoria, UNC-Charlotte.

### **Group Membership and Professional Activism:**

- Foundation for Individual Rights in Education (FIRE) – instrumental in securing NC State "Green Light" status
- Heterodox Academy

### **Periodic Blog Entries:**

- LSE American Politics and Policy Blog, IHS Learn Liberty Blog, LegBranch, The James G. Martin Center for Academic Renewal, Brookings Institution's FixGov Blog

**Public Addresses:**

- Triangle International Visitor's Council/International Focus (1996-2015), numerous and regular talks on American politics given to academics, journalists, practitioners, and politicians from all over the world.
- NCSU Presbyterian Campus Ministry Peace Lunch Forum, 9/95, 11/98, 11/00, 11/04, 2/06, 3/08, 11/08, 11/16.
- CHASS Dean's Advisory Board, 4/96, 11/98.
- B'nai Brith, 10/96, 12/98, 3/04.
- Area elementary schools, 11/96, 11/00, 10/09, 6/11.
- Beth Myer Jewish Women's Group, 11/96.
- Area Rotary clubs, 11/96, 3/99, 5/99, 6/08x2, 1/10, 2/16, 9/16, 7/18, 3/19.
- NCSU Alumni Association, 10/96, 11/96, 1/99, 4/99, 9/00, 4/01, 3/04, 10/08, 5/09, 8/12, 9/16.
- NCSU Osher Lifelong Learning Program, 10/96, 10/98. 10/00, 1/08, 9/08, 10/19.
- International Visitor's Council moderator in debate between British M.P.s and North Carolina state legislators, 9/98.
- Area high schools, 1/98, 3/99, 9/00, 9/02, 10/02, 2/03, 09/04, 12/04, 2/16, 10/16, 1/18, 2/18, 9/18, 11/18, 1/19, 3/19, 5/19x2, 12/19, 10/20, 11/21.
- Wake County Men's Democratic Club, 11/98.
- Wake County Young Republicans, 3/99, 9/99.
- Wake County National Association of Retired Federal Employees, 4/99, 9/04, 9/14.
- John Locke Foundation, 6/99, 10/05, 1/08, 10/08, 6/09, 1/13, 7/15, 2/18, 2/19, 3/21, 10/21, 11/21.
- Hugh O'Brian Youth Leadership Seminar, 6/99, 6/01, 6/02, 6/09.
- Russian Leadership Program, 9/99, 5/02.
- Research Triangle English Speaking Union, 9/99.
- Canadian Parliamentary Interns, Washington, D.C., 4/00.
- Raleigh Jaycees Political Forum, 10/00.
- St. Augustine's College, 10/00.
- Area residents' association, 10/00.
- NCSU honors/scholars students/Caldwell Fellows/student leadership, 10/00, 4/02, 1/04, 2/04, 2/06 (D.C. trip), 10/08, 10/10, 10/12, 3/15, 9/15, 3/16, 10/16, 11/16, 11/18, 9/19, 10/20.
- Wake County Republican Men's Club, 11/00, 5/06, 1/07.
- Wake County Republican Women's Club, 11/00, 3/02, 9/05, 10/15, 10/19.
- Raleigh Chamber of Commerce, 11/00, 11/08, 3/12, 4/13.
- NCSU retired faculty, 1/01, 3/04, 11/08, 2/16.
- Area Kiwanis clubs, 3/01, 12/06, 2/17, 11/21.
- NCSU Graduate School Board of Directors, 3/01.
- Republican Club of Fearington Village, 10/01.
- North Carolina Youth Legislative Assembly, 3/02.
- Westinghouse Retirement Group, 8/02, 2/03.
- NCSU CHASS-sponsored public event, 9/02, 10/08, 11/16, 9/19.
- North Carolina World Trade Association, 10/02.
- European Marshall Memorial Fellowship Program, 10/02.
- Area Optimist club, 1/03.

## **Other Professional Activities (cont.)**

### **Public Addresses (cont.):**

- Wake Forest Daughters of the American Revolution, 4/03.
- Adventures in Learning, 5/03.
- Wake County Citizens for Effective Government, 2/04.
- Moderator, North Carolina Republican Party gubernatorial debate, 4/04, 11/07.
- Group of Fifty, 11/04.
- NCSU Society for Politics, Economics and the Law, 11/04, 10/05, 2/08, 9/11, 9/12, 3/13, 4/14, 9/14, 9/15, 9/16, 10/18, 9/20.
- NC Leadership Forum, 11/05, 11/08, 11/09, 11/18, 11/19, 11/20.
- Quail Ridge Books, 1/06, 4/15.
- North Carolina Young Lobbyists Association, 5/06, 1/07.
- Raleigh Public Relations Society, 5/06.
- Western Wake Republican Club, 6/06, 1/08, 11/08, 10/10, 5/12, 10/14, 4/16, 4/18, 11/20.
- Young Presidents' Organization, 10/06, 11/19, 12/19.
- Adventures in Ideas, UNC-CH, 2/07.
- North Carolina Association of Electric Cooperatives, 3/07, 9/12.
- Raleigh Exchange Club, 9/07.
- North Carolina Aggregates Association, 6/08.
- U.S. Small Business Administration, 9/08.
- North Carolina Professional Lobbyists Association, 10/08, 11/14, 10/17, 10/19.
- NCSU CHASS "Back to School" Day, 10/08.
- Canadian Consulate, 10/08, 8/09, 2/10.
- NCSU's Friends of the Libraries, 10/08.
- Fulbright Visitors, 10/08.
- NC FREE, 10/08, 6/21.
- UNC Leadership Seminar for State Legislators, 11/08.
- NCSU Harrelson Lecture, 1/09.
- North Carolina Bar Association, 2/09.
- Garner First Presbyterian, 3/09, 3/11.
- NCSU University Club, 3/09.
- Foundation for Ethics in Public Service, 11/09.
- North Carolina Retail Merchants' Association, 4/10.
- Civitas Institute (now merged with Locke Foundation), 6/10, 12/18, 6/20.
- NCSU Office of International Affairs, 7/10.
- UNC System Council on Federal Relations, 8/10, 9/12.
- North Carolina Association of County Commissioners, 8/10, 11/10, 5/14.
- Wake Tech Community College Retirees, 10/10.
- North Carolina Free Enterprise Foundation, 10/10, 10/14, 4/16, 9/16.
- North Carolina Institute for Constitutional Law, 11/10.
- NCSU Development Coalition, 1/11, 10/16.
- Carolina Country Club History Group, 3/11, 10/11, 1/12, 9/12, 10/12, 11/12, 1/14, 2/14, 3/14, 10/14, 11/14, 9/15, 2/16, 3/16, 11/16, 3/17, 10/17, 2/18, 9/18, 11/18, 3/19, 11/19, 1/20, 2/20, 9/21.

## **Other Professional Activities (cont.)**

### **Public Addresses (cont.):**

- Morgan Stanley, 6/11, 10/16.
- NCSU Constitution Day, 10/11.
- Carolina Country Club, 1/12, 8/16.
- Cisco Systems, 3/12.
- National Council for International Visitors, 8/12.
- North Carolina Housing Finance Agency, 8/12.
- National Guard, 9/12.
- North Carolina Museum of History, 10/12, 8/13.
- North Carolina School of Science and Mathematics, 10/12.
- Japanese Embassy, 10/12, 2/20.
- NCSU Lawyers' Association, 11/12.
- AARP, 11/12.
- Bailey and Dixon LLP Election Conference, 10/13.
- UNC Law School, 9/14.
- North Carolina Community College Conference, 10/14.
- International Center for Journalists, 10/14.
- Poole College of Management, 11/14, 12/16.
- NC Beverage Association, 5/15.
- Martin Center (previously Pope Center) for Academic Renewal, 7/15, 10/15, 6/16, 7/17, 6/18, 9/18, 7/19, 8/20, 3/21, 8/21.
- NCSU Holtzman Forum, 11/15.
- Central Carolina Community College, 11/15.
- Great Decisions, Foreign Policy Association, 2/16.
- NCSU Cultural Exchange Network, 3/16.
- VFW-NCSU Leadership in the Public Sector panel, 4/16.
- Durham Central Park Cohousing Community, 5/16.
- Golden Corral group, 9/16.
- Singaporean Embassy, 9/16.
- American Forest and Paper Association, 11/16.
- NC League of Municipalities Board, 12/16.
- North Carolina Public Health Association, 5/17.
- NCSU Department of Social Work Spring Summit, 3/18.
- National Speech and Debate Association, 6/18, 5/19.
- Carolina Preserve, 2/19.
- National Affairs & R Street Institute, 6/19.
- Issues Confronting Our Nation, 10/19.
- British Embassy, 11/19.
- British American Business Council, 6/20.
- Hindu Society of North Carolina, Seniors' Club, 9/20.
- UK Political Tours, 10/20.
- Life Plan Group, 11/20.
- Foundation for Economic Education, 4/21.
- Carolina Meadows, 4/21.
- Sigma Chi NC STEM Fellowship, 7/21.

**Other Professional Activities (cont.)**

**Public Addresses (cont.):**

- Citizen Redistricting North Carolina, 10/21.
- Meridian International Center, 12/21.