

Virginia Supreme Court Strikes Down Democrats' Gerrymander in Midterm Game Changer

The Virginia Supreme Court ruled on Friday that the state's congressional redistricting ballot referendum, passed last month, violated the state's constitution.

The new map could have netted Democrats up to four new U.S. House seats.

The decision is a blow to the Democrats' hope of retaking the House in the fall and comes after the U.S. Supreme Court ruled last week that districts drawn based on racial preferences are unconstitutional. Republican controlled states have already begun redrawing their districts, which will likely cost the Democrats more seats.



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The Virginia Supreme Court held in a 4-3 decision that Democrats "submitted a proposed constitutional amendment to Virginia voters in an unprecedented manner" that violated the state's constitution.

The constitution requires that an amendment be approved by two separate votes of the legislature, with an election between the votes. Early voting in last fall's election was already underway when the proposed amendment passed the legislature.

"This violation irreparably undermines the integrity of the resulting referendum vote and renders it null and void," the justices concluded.

The ruling is on the basis I predicted: failure of the Va. Gen. Assembly to pass its proposed gerrymandering amendment on both sides of an intervening election.

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Virginians voted last month, approximately 51.7 percent to 48.3 percent, to permit redrawn congressional districts, taking the current party breakdown from a 6-5 split to a potential 10-1 Democratic Party advantage.

5 districts in Virginia now start in this circle...

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Justices writing in the dissent argued, “[T]oday the majority has broadened the meaning of the word ‘election,’ as used in the Virginia Constitution, to include the early voting period. This is in direct conflict with how both Virginia and federal law define an election.”

President Donald Trump responded to the ruling, posting on Truth Social, “Huge win for the Republican Party, and America, in Virginia. The Virginia Supreme Court has just struck down the Democrats’ horrible gerrymander.”

In a statement, Virginia House of Delegates Speaker Don Scott, a Democrat, expressed disappointment and frustration in the ruling, Politico reported.

“Three million people voted in a free and fair election,” said

Scott. He continued “We gave this decision to the voters – exactly where it belongs – and they spoke loud and clear. They voted YES because they wanted to fight back against the Trump power grab.”

Former Virginia Republican Gov. Glenn Youngkin posted on social media after the ruling, “Justice has been served. From the beginning, this was the most obvious violation of Virginia’s Constitution. Abigail Spanberger and Democrats in Richmond knowingly violated our constitution to disenfranchise millions of Virginians.”

Politico noted that nationwide, “In a maximalist scenario, Republicans could net more than 10 seats from redrawn lines alone – with several Southern states in the midst of redrawing their own districts following a recent U.S. Supreme Court decision that gutted much of the Voting Rights Act.”

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