

Concerns Over the Census Citizenship Question Reemerge in Trump's Executive Order

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Ending the hotly contested battle over the citizenship question, the Trump Administration changed course last week, foregoing the census approach and replacing it with an executive order. The Commerce Department, in charge of the Census Bureau, initially cited aims to promote fair voting rights practices as the driving force behind the redesigned decennial questionnaire. Skeptics, however, criticized that the proposed change masked the real intentions of the Republican party to subvert the Congressional redistricting system.

Following each census, the population of each state determines the distribution of seats in the House of Representatives. Using that data, voting districts are remapped. Changing the census promised new figures that could manipulate the redistricting system in favor of red states.

Late last month, the U.S. Supreme Court blocked the citizenship question sensing the ingenuity behind the proposal. Chief Justice Roberts, siding with the four conservatives, did in fact determine the question is constitutional. However, Roberts ruled against the department citing that the Census Bureau gave facetious explanations that were “contrived.”

The Bureau's rational that that the citizenship question will strengthen voting rights was not convincing. The Trump Administration and Department of Commerce Secretary Wilbur Ross built a patchy argument that if citizens are counted, the Voting Rights Act of 1965 can be better enforced to protect minorities and marginalized communities. Section 2 of the Act prohibits “voting practices or procedures that discriminate on the basis of race, color, or membership in one of the language minority groups identified in Section 4(f)(2) of the Act.”

The proposed citizenship question contained subsections about place of origin, date of entry and naturalization. Accordingly, it could identify minority groups marginalized by voting standards and procedures including insufficient bilingual support. Proponents further argued it provides data for educational support; language barriers and students' needs could be better known to schools thus qualifying them for specific programming grants. In addition to tracking discriminatory practices, advocacy groups and policy makers would need the data in evaluating immigration policies.



The Bureau argued similar data has been collected in the past and was essential to the census' goals. Starting in 1820, the census did include the citizenship question and later that century, the census added place of birth and time of entry. Today, these questions have been removed from the census' short-form surveys and transformed into the American Community Survey. The ACS is conducted nationwide, contains all immigration and citizenship questions and offers data for research purposes.

Abreast the numerous suspicions that the citizenship question has thus originated for a different purpose, there are concerns that it hampers the original intent of the census. As written in the constitution, the census must count every person residing in the United States. The ideal is to include every person regardless of whether they are citizens, non-citizen legal immigrants or unauthorized residents, and with this data, to assign the number of representatives. With the risk of an undercount, the fundamental task of counting the entire population is rendered impossible.

Advocates of minority groups claimed the proposal would sow fear into immigrant communities, deterring those households from answering the survey and therefore, resulting in an inaccurate census. Though the Commerce Department repeatedly reassured that the Bureau will not release information to government agencies, it did not alleviate the worries of many undocumented immigrants. The Trump Administration, enacting anti-immigrant policies including the recent ICE raids, continues to refuel the floods of immigrants' concerns.

Pundits also point out that the Census Bureau assisted in the exclusionary practices against Japanese immigrants and citizens during the Internment of Japanese Americans. In 1943, the Bureau released data to the government, contributing to the collection of Japanese residents and their detention. Migrant detention facilities today resemble the concentration camps and recapture the inhumanely unjust and aggressive anti-immigrant rhetoric. The citizenship question, though no longer appearing on the census, presents prevalent scare tactics that will dent the responses recorded in 2020.

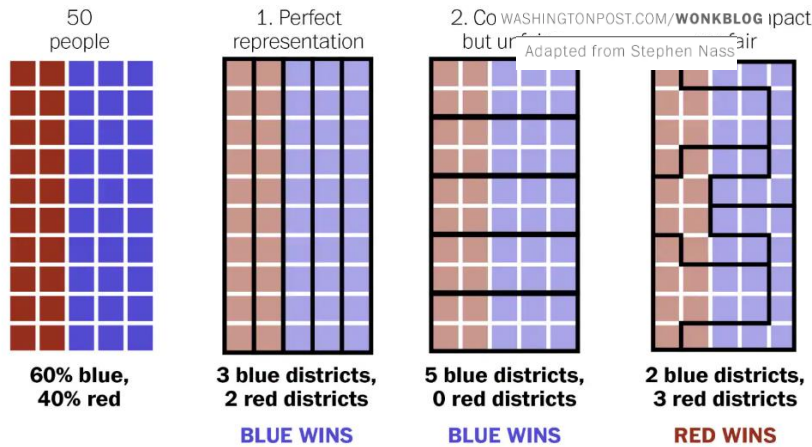
An undercount of Hispanics and other minorities heavily impacts democratic states like California and New York. Blue states would consequently receive fewer seats in the House. Some taxpayer dollars are distributed using population-based formulas. For populous states, specifically those with high volumes of immigrants, crucial federal funding will be severed.

Following President Trump's announcement last week, the census conversation has come to an abrupt stop. Trump's executive order demands that all government agencies and departments furnish citizenship and immigration data to the Department of Commerce. The Administration conceded to the Supreme Court's decision ending the census battles. Their new strategy, compiling a citizenship data file, provides the results the Administration initially sought.

Trump's announcement did not once mention the initial intent of the citizenship question to enforce the Voting Rights Act but admitted the new data collection will make a fairer Congressional process. Using only citizen data to revamp governance will unequivocally advance the political agenda of a whiter, older and conservative demographic. Blue states, while tasked with the influx of both legal, non-citizen residents and unauthorized immigrants, would receive fewer federal dollars and democratic support.

Gerrymandering, explained

Three different ways to divide 50 people into five districts



each district needs a relatively equal number of people. Previously, unfair methods have influenced district lines to benefit one group over another. If the citizenship database becomes the new standard for redistricting, it is necessary to ask how that may impact the voting power of marginalized, poor and immigrant communities.

The practice is named after Congressman Elbridge Gerry who, during his 1812 tenure as governor, drew a congressional district in a convoluted, salamander shape so to maximize votes in his party's favor. Essentially, gerrymandering concentrates voters into one district to create an outcome most favorable to a specific party or interest. Overtime, this practice has gotten complex with newer strategies and technological advances that can map out winding boundaries in unnatural ways. Inch-perfect lines currently carve out some states' geography based on minority group membership or party affiliation. This can dilute the voting power of minority groups. If the Trump Administration utilizes the citizenship database in this manner, a threat to the nation's democracy is slowly being sketched in the future Congressional map.

For more information, please visit:

<https://www.justice.gov/crt/section-2-voting-rights-act#sec2>

<https://apps.npr.org/documents/document.html?id=4426784-Planned-Questions-2020-Acs#document/p11/a414610>

<https://www.vox.com/2019/6/27/18759621/supreme-court-census-decision-citizenship-question-ruling>

<https://www.npr.org/2019/02/15/692656180/supreme-court-to-decide-if-2020-census-includes-citizenship-question>

<https://www.washingtonpost.com/opinions/2019/07/14/real-reason-census-should-include-citizenship-question/>

<https://www.cnn.com/2019/07/16/politics/judge-permanently-blocks-citizenship-question-2020-census/index.html>

https://www.washingtonpost.com/news/wonk/wp/2015/03/01/this-is-the-best-explanation-of-gerrymandering-you-will-ever-see/?noredirect=on&utm_term=.11f8234834ce

A state's total population has an essential function in determining the number of congressional seats. However, the complication presented is not only an issue of a numerical advantage in representatives but also an impending exercise of gerrymandering. Currently, congressional districts are mapped out using the state's population. In part, this is what the founders intended the census to do. In every state,