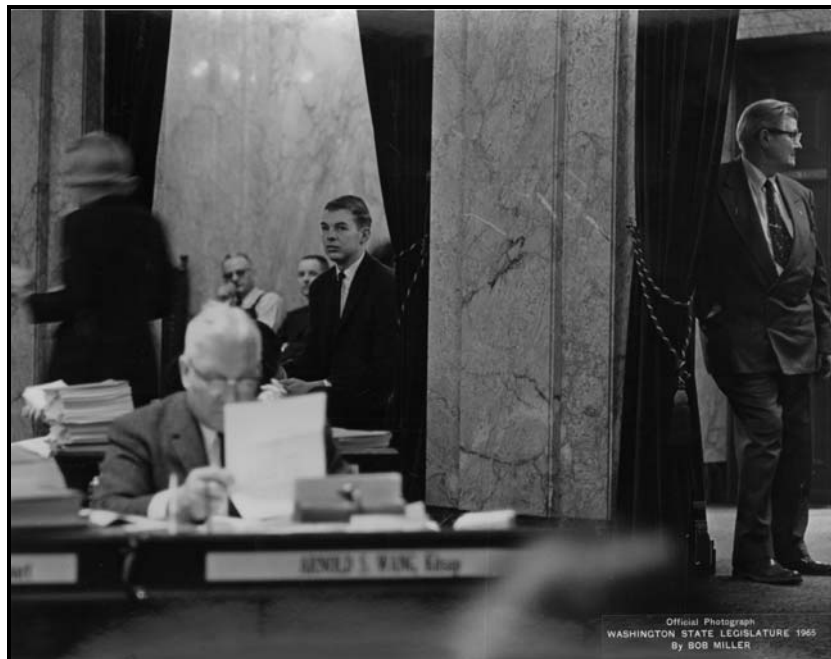


Howard E. McCurdy, a former aide to then-Representative Slade Gorton, has graciously given us permission to reprint his account of the redistricting battles of the 1960s, *A Majority of the People: Factional Politics and Redistricting in Washington State* (1970).

Scroll down to read excerpts related to 1963 or [read the entire manuscript](#).

About the Author

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A young Howard McCurdy observes the legislative proceedings during the 1965 session.

A Majority of the People

A Case Study in the Redistricting of Washington State

by Howard E. McCurdy



Syracuse, N.Y.: Inter-University Case Program, 1967
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With their own bill, Republicans hoped to provide legislators with a major alternative to what Greive was proposing, win over Greive's opponents in the Senate, and form a new majority. It was easy for them, after the success of the coalition, to conjure up visions of overthrowing the Senate leadership, which would allow them to negotiate redistricting with the intellectual liberals in the Senate without reference to Greive.

The bill would also serve a second major purpose for the Republicans: it might become a guide for a court-drawn redistricting. In January nearly all legislators believed that the judges would redistrict if the legislators did not. This frightened Greive. But it almost pleased Gorton, for he thought that the court would surely draw a plan quite acceptable to the Republicans, perhaps along the lines of the LWV initiative. Gorton was little interested in negotiating with Greive until he became less adamant in his demands for a Democratic bill.

By the end of the first week of the session, each side was committed to a strategy for enacting its own redistricting bill—Greive by wooing away a few House Republicans, the “new breed” by dividing the Senate Democrats.

Two Opposing Bills

The two redistricting bills were even more opposing than the two strategies, simply because of the disparate manners in which the two men approached the redistricting task.

Greive's overriding interest in drawing his redistricting bill was the legislators who would vote for it. He was an expert in the interests in the districts of most legislators. To him redistricting was a job of piecing those interests together while insuring his supporters in and outside of the Senate the most favorable treatment. He was no umpire, but a powerful arbiter.

Gorton, on the other hand, insisted (at least initially) that the primary objective of his bill was achievement of the “one man, one vote” requirement. Greive agreed to this only to the extent necessary to satisfy the court. Furthermore, Greive had a somewhat unique interpretation of what the court might require. Whereas Gorton and most other legislators figured Senate representation separately from that of the House, Greive lumped both together. Everyone believed that the court

would allow population deviations no greater than two-to-one, and Greive, using his unique interpretation, could stretch the actual population extremes far beyond those of others.² He was convinced that the court would have to accept whichever interpretation the legislature adopted, and thus argued for his, since it allowed the most leeway in drawing the new districts.

Gorton's second objective, the crux of the battle between the two, was to change the overall political complexion of the districts. A majority of the people, Gorton argued, should be able to elect a majority of the legislators. This was impossible now, he said, pointing to the last election, in which Republican candidates for the House had polled 53 per cent of the total vote yet had won only 48 of the 99 seats. In effect, Gorton was insistent upon Republicans' receiving immediate gains under the new redistricting, thus correcting the obvious bias in the existing scheme, and the creation of more "swing" districts where either party could win. He feared that Greive's concern with individual legislators would produce a preponderance of "locked-up" districts, insuring that one party would always win a certain minimum number of seats.

This overall political perspective baffled Greive, who saw redistricting on a piecemeal, district-by-district basis. Furthermore, Greive considered the existing scheme, which he had drawn in 1957, most equitable. And if any party was to benefit under the new bill, Greive thought it should be the Democrats, since the voters had elected more of them.

Greive and Gorton were in agreement on one objective, however; both tried to draw "clean" districts that were compact and followed geographic and political boundaries. Most legislators insisted that their district lines run along mountain ranges, rivers, county lines, city limits, etc. This was largely a fetish, but it also tended to absolve individual legislators from the criticism that their district had been "gerrymandered." Gorton was fairly successful in achieving this objective, but it constantly plagued Greive, whose bills always contained a few weird-shaped districts (or, as in his first bill, two districts that spanned the massive Cascade mountain range that runs north and south and divides the state psychologically as well as physically).

A Little Federal Plan

Rural legislators came to Olympia openly sympathetic toward establishing a “little federal plan” for the Washington legislature. However, this effort to put one or both houses on an “area” basis never overrode other redistricting considerations, mainly because cleavages between rural and urban legislators were not as divisive as those between party and faction. That the rural legislators never rebelled was due largely to the influence of their titular leader, Republican Representative Donald W. Moos, a rancher and farmer from rural Lincoln County in eastern Washington.

As soon as the session began, Gorton and Moos worked out a redistricting constitutional amendment. It promised to pacify the unhappy rural representatives, but would not violate either Gorton’s population standards or the consciences of the urban legislators. The plan provided that House seats be apportioned to those rural counties having just enough population under the two-to-one rule, insuring that rural areas would always be represented through the smallest districts in the state. To this Gorton and Moos added provisions for “automatic redistricting,” removing the task from the legislature and setting up a special commission to draw the district lines.

Lars Nelson, master of the State Grange, immediately objected to Moos’ moderate plan. Since the beginning of the redistricting battle, Nelson had fought to give the Grange a major role, first by asking to be made a party to the Thigpen v. Meyers suit, and later by opposing the LWV initiative. He had failed to join the suit, but had succeeded in influencing the election. The rural areas of eastern Washington, where the Grange had its base among the small, marginal farmers, had voted strongly against the initiative.

In January Nelson came to Olympia to press for a “little federal plan” that would guarantee each county, no matter how small, at least one representative. Moos thought the proposal hopelessly doomed and, when a rural legislator introduced it, buried the proposal in the House redistricting committee.

Then Greive entered the battle, asking why the senators should support Moos’ plan, which changed only the House districts and did nothing for the Senate. Under pressure from rural senators, Greive began to draft his own constitutional amendment. It divided the state into fixed areas and

guaranteed in the constitution at least one senator and one representative for each unit. Additional legislators would go to units with more population.

Moos, who had hoped to resolve the constitutional amendment before it became mired in the redistricting battle, was highly irritated by Greive's seeming attempt to make the constitutional amendment a partisan issue. He attacked the boundaries of the fixed units, insisting that Greive was writing a "partisan gerrymander" into the state constitution, and predicted that the boundaries of the units would cause Greive's scheme to violate the two-to-one population rule.

The Leadership Stalls

The legislators waited. In the beginning, neither Greive nor Gorton was willing to lose his strategic advantage by moving his own bill first. If the Senate, for example, amended any House bill—and Greive would surely "scalp" Gorton's bill—the Senate version would go immediately back to the floor of the House for a final automatic vote, thus essentially forcing the representatives to vote on Greive's bill whenever he chose to send it over. Of course Gorton could reciprocate on any redistricting bill originating in the Senate, but Greive showed no inclination to make any move either way until he knew he had enough Republican votes in the House.

So everyone waited. Outwardly it appeared that nothing was happening, although in corners and behind closed doors the legislators kept very busy. Greive did most of his waiting in the House chambers, where he sought out Republican votes.

Gorton, upstairs in his committee room, worked to educate the House Republicans on the politics of redistricting. Gorton warned them of the danger of hoarding votes and explained how Greive was trying to concentrate Republican strength in a handful of seats, then spread Democratic strength into the remaining districts, and thus always insure legislative majorities for his party. Gorton admonished the representatives not to "sell the party down the river" in exchange for individual gain, but to bargain together and let the leadership spread Republican voter strength into many districts.

A few Republican representatives, frightened at any cut in their winning margins, were reluctant and continued to bargain with Greive. The others, however, were fanatic in their support of the party, and two even insisted that Gorton abolish their seats rather than spoil larger Republican gains in adjoining districts. No one broke from the caucus, all 48 supported Gorton's leadership on redistricting, and the key to the Republican's success—their unity—continued and became more firm.

The first month of the session passed, as Greive and Gorton refined their redistricting bills, sought out support, and fought over what guidelines to follow. Gorton knew that Greive's interpretation of the population requirement would ruin the two-to-one rule. He and Senator Wilbur G. Hallauer (Dem., Douglas County), who had helped the LWV draw its initiative, asked for guidelines from State Attorney General John J. O'Connell (Democrat). O'Connell, in an opinion issued in early February, indirectly refuted Greive's position, cautioning the legislators against deviating from the two-to-one population rule except where they could show some overriding national basis—a regional, social, or economic factor, he suggested. Greive was furious with the opinion but could not shake O'Connell from it.

Not until the second month of the session did Greive and Gorton meet. And negotiations, when they did begin, faltered badly.

The first redistricting talks were an accident. On Wednesday, February 20, Greive happened to meet Gorton on the House floor. At first they chatted amicably, searching out each other's ideas. Greive seemed confident that he could pass his bill through the House, but Gorton asserted that Greive would have to work with the coalition and could not "break" it. As they parted Greive suggested they meet again soon.

Representative Day, anxious to build his image as a Speaker who could "get things done," had been pressuring Gorton for nearly a month to begin negotiations with Greive. When he heard of the chance meeting on the House floor, he pressured the reluctant Gorton again. The result was two short and very inconclusive meetings between Day, Greive, Gorton, and Pritchard on February 21 and 22.

In the meetings the four argued first whether Greive could protect certain senators, Republicans as well as Democrats. Later Greive sketched out his redistricting plan and tried to convince Gorton that it contained many concessions to the Republicans. He suggested that they begin informal negotiations, using his plan as the basis for discussions. Gorton balked. He told Greive that the plan was gerrymandered in favor of the Democrats and insisted that Republicans would never start negotiating from a position that denied them so much.

Greive's anxiousness for informal negotiations prompted the Republicans to review and finally abandon their waiting strategy. Informal talks would surely strengthen Greive, the "new breed" thought. They still wanted to divide the Democrats and defeat Greive, and suspected that Greive feared both formal negotiations and prolonged floor fights. Either could be forced on him if the Republicans moved their redistricting measures first. In addition, Gorton could see no end to Greive's stalling and suspected that the court would eventually assume redistricting responsibility. It seemed likely that if the Republicans passed their bill through the House, it would then become the only redistricting scheme approved by either chamber. The court, Gorton hoped, might then adopt it as a partial basis for drawing its plan.

Yet Gorton was quite reluctant to send Greive the Republican bill, for he feared that the dissidents and the Republican caucus might not vote together if Greive "scalped" and shot the bill back to the House. But that weekend Speaker Day, who was anxious that the House take any action, assured Evans that the dissidents would not desert the Republicans during the crucial vote. On Tuesday, February 26, Gorton and Moos went before the House caucus with the redistricting bill and the constitutional amendment. After a detailed review of the plans and a pep talk on the need for caucus unity, two questions were put to the members: Would each vote for the Republican measures? Would each vote against any bill Greive sent back? Evans said that any member taking this pledge could change his mind, but only after meeting with the full caucus. Gorton promised to sign no formal agreement with Greive before caucus consideration. The two questions were asked separately, and each member answered yes.

It took a week to prepare the bills for House passage. During that time Day increased the pressure for informal negotiations. On Sunday evening, March 3, he staged a mass meeting of eleven legislators and three aides in Gorton's committee room. It was totally disastrous, mainly because of the uproar created when Greive and Gorton unveiled their separate plans. Although the session was one and one-half months underway, each side was seeing the other's proposal in detail for the first time. The two sides denounced each other's plan, predicted its defeat, and accused each other of "cheating" on statistics that described the political complexion of the districts. When the talk turned to individual seats, the gap between the two sides widened. Greive and his lieutenants insisted that Gorton reveal "how many seats" he wanted. But Gorton would only discuss general guidelines and tried to explain a statistical test for checking whether any bill would let a majority of the legislators. Gorton remained adamant, Greive threatened to pass his bill through the House, and the argument shifted to the solidarity of the Republican caucus. Finally Gorton shouted that he was ready to go to the court, to which Greive replied that the court would never redistrict the state.

Each side went away from the meeting more convinced of its own strategy—the Republicans hoping to force a floor fight and formal negotiations on Greive, and Greive hoping to crack the Republican caucus and enact his own bill.

The Waiting Continues

Three days later, on Wednesday, March 6, the Republicans put both Gorton's and Moos' redistricting measures before the House. It gave most Democrats their first opportunity to study Gorton's bill. House Democrats reacted caustically. The outburst continued through Thursday night, despite Greive's pleadings that the bubbling representatives let the measures pass and thus gave the Senate some bills to "scalp." That evening the coalition put both measures to a final vote. All the Republicans voted with the caucus. Gorton's bill polled the votes of all the dissidents—eight of them—plus one independent Democrat, while Moos' constitutional amendment polled only 15 dissenting votes, all regular Democrats.

That night Speaker Day, who was not a part of the “new breed” strategy to weaken Greive, again pressed for informal talks. At first Gorton simply stalled. Later, rather than directly confront Day with a strategy probably unacceptable to him, Gorton agreed to new talks. The two redistricting leaders, plus Pritchard, Moos, and Perry, met Tuesday evening, March 12. The meeting instantly collapsed. First Greive announced that the court would never redistrict the state but would threaten to make all legislators run together on an at-large ballot, thus frightening them into staying in Olympia until they produced a satisfactory redistricting bill. Still adamant in his position that the court would redistrict, Gorton impugned Greive’s sources of information and insisted that the Republicans would eventually get a better bill from the court. At that Greive stormed out of the meeting.

Two days later the constitutionally prescribed 60-day session ended. Virtually no major legislation had been enacted. Governor Rosellini quickly called a special session, as had become common practice, and the lawmakers continued their work without any noticeable break in legislative activity. Both House and Senate immediately began reconsidering and passing pending legislation, since it all had died at the end of the regular session.

Their strategy unchanged, the Republicans repassed their redistricting measures. At first Moos tried to untie his constitutional amendment from the redistricting bill and pass it before Gorton reintroduced his measure, but House Democrats, on the advice of Greive, insisted that the two accompany one another. On Monday, March 25, the Republicans put both measures before the House. To prove Moos’ dependence upon the Democrats, O’Brien instructed his caucus to hold back extra votes, and the constitutional amendment passed with only a bare majority, 66-31. Gorton’s slightly revised redistricting bill (House Bill 56) passed 57-41, with support from all Republicans and dissidents.

Speaker Day, still hoping to start informal negotiations, called Greive, Gorton, and Perry into his office on Monday night. The deadlock continued, with Greive insisting that Gorton tell him “how many representatives” he wanted, and Gorton wanting to negotiate from his general criteria and “count up” the representatives after the bill was drawn. Hearing the news of the deadlock,

Democratic Lieutenant Governor John A. Cherberg suggested that Gorton and Moos withdraw from the negotiations and be replaced by more amicable Republicans. On Gorton's prompting, Evans agreed, but only with the condition that Greive also withdraw. This Cherberg rejected.

The waiting continued. Hoping to nullify the appearance that nothing was happening, Greive asked Senator Dewey C. Donohue (Dem., Columbia County), chairman of the Senate redistricting committee, to stage hearings on the various constitutional amendments before the legislature.³ Public hearings, held on March 19 and 27, were confusing, inconclusive, and generally ignored, but provided the only forum for outside groups to be heard on redistricting in that session. The only non-legislators to appear were Grange Master Nelson and State Superintendent of Elections Kenneth Gilbert, both already deeply involved in the struggle over the redistricting constitutional amendment.

Greive continued to pressure House Republicans for commitments, but none would yield. Finally he shifted his strategy and began to woo the dissidents. By giving most of the dissidents safe districts, he hoped that they, plus one or two Republicans, would provide him with his margin of victory in the House.

A Compromise is Found

Activity on the redistricting constitutional amendment had been gradually increasing during the second month of the session. At first Moos and Greive had simply attacked each other's plans, with Moos arguing that Greive's was too static, and Greive saying that Moos' was too vague. Election official Gilbert and Grange Master Nelson had sided with Greive, although Moos thought their reasons were more political than technical.

By early March, Moos and Greive had begun to meet regularly to try to resolve their differences. Gilbert, Nelson, and Representative Thomas L. Copeland (Rep., Walla Walla) had sometimes joined the talks. Greive, pleased to be negotiating with Moos, had thought that a compromise constitutional amendment could be used as a bargaining device for forcing redistricting negotiations. He had not been particularly concerned with the details of the constitutional amendment, so long as it did not radically upset the existing districts.

Moos had tried to free the constitutional amendment from the redistricting issue. On Wednesday, March 20, he had put his plan before House, asking the representatives to approve it before they re-approved Gorton's redistricting bill. Moos had gone onto the floor that day with 66 sponsors signed to his plan, exactly the required two-thirds majority, but O'Brien had intervened at the last moment and suddenly none in the Democratic caucus would vote with Moos until Gorton's bill was also on the floor. By Friday Moos still had not won enough votes to move his plan independently. He had gone directly to O'Brien. He and Gorton had argued with O'Brien and two other Democratic caucus leaders that they should drop their support for Greive's constitutional amendment, but O'Brien had not yielded. Finally, on Monday, March 25, the Republicans had put both redistricting and constitutional amendment before the House, and both had passed together.

By Wednesday, March 27, the negotiations between Moos and Greive had become almost continuous. That night Greive suggested that each put their plan before the voters—Greive's that year and Moos' in 1964. Drawing out the two plans, they discovered that they could reduce their disagreements to just two areas in the state. Moos immediately tried to resolve the disagreements, appealing to Greive to forget the two-plan solution. He called Gorton over, and both urged Greive to accept the Republican position in one of the areas, arguing that their differences were really minor.

On Thursday, Greive suddenly agreed to Moos' position on both areas. The compromise was set. The final product strongly resembled the bill that Moos and Gorton had devised in January, although Greive had insisted that they remove the provision for "automatic redistricting."

Greive had given Moos' supporters the constitutional amendment they said they wanted but had won his major aim: before the constitutional amendment became law, the legislators had to enact Greive's redistricting bill or a compromise he approved. This was written into the constitutional amendment. And although the constitutional amendment put only the House on an area basis, it increased the size of the Senate from 49 to 51 seats. The beneficiaries were two Republican senators from rural areas who would otherwise lose their seats. Their votes would be more crucial in the coming week than Greive could imagine.

The Bills Move

During the week of March 25 the Senate Democratic caucus told Greive to pass his bill over to the House. Their sudden decision surprised most legislators, although Greive had known for some time that his caucus was growing impatient with the stalling strategy. Most Democratic senators felt that if Greive had the votes in the House, he had them now. If not, many wanted to leave time for passing a modified bill, and little time remained. The budget would pass in less than two weeks; the pressures and frustrations accompanying settlements on other bills would make the legislators edgy and burning with “go-home fever.” Not even redistricting could hold them from adjourning after they disposed of the budget.

The settlement to bring out Greive’s bill and “scalp” it onto Gorton’s was tied in closely with the growing impatience over the whole redistricting issue. Many Democratic senators, both Greive’s opponents and supporters, wished they could wait until after 1964, when, they thought, the Democrats would win landslide majorities and not have to deal with the coalition. They were unhappy with Greive’s bill—it stretched so far to placate so many that it actually pleased very few. And they were even more unhappy with the prospect of a Greive-led compromise with the coalition.

The chief proponent of delay was Governor Rosellini. He had not intervened openly in the redistricting battle, had not offered suggestions or guidelines, but had privately urged old-line Democrats to make no compromise with the Republicans. Rosellini told them the state could probably delay court action for two years, thus holding the issue for the 1965 legislature, which he expected to be overwhelmingly Democratic.

The tensions of delay encouraged Greive’s opponents to strike at his redistricting leadership. As early as mid-February Senators Hallauer and Mike McCormack (Dem., Richland) had begun to plan an amendment that would displace Greive’s bill for the eastern Washington districts. They had first met with Gorton on February 25, hoping to win Republican support for their amendment. During March, when some senators from southwest Washington had shown interest, the two had started to write a whole bill, one that would “scalp” Greive’s as he was “scalping” Gorton’s.

At first Gorton had enthusiastically received the senators' requests, hoping that they could collapse Greive's bill and with it his whole network of fragile agreements and expectations. But by the end of March, when he was meeting almost daily with Hallauer and McCormack, Gorton had begun to doubt the utility of his strategy. They might defeat Greive temporarily, but they could not exclude him from any negotiations. Nothing, he thought, would prevent Lieutenant Governor Cherberg from appointing Greive to any conference committee.

Gorton's compatriots in this strategy—Pritchard and freshman representative Mary Ellen McCaffree, the LWV leader—tried to encourage the two senators and assure Gorton that a victory would allow them to negotiate a bill with Greive's opponents. On Thursday, March 28, Gorton agreed to pursue the strategy, told his aide to draw up the bill for Hallauer and McCormack, and set out to secure the votes of all 17 Republican senators.

Greive's bill was generally available Friday evening, March 29, the night before it was scheduled to pass the Senate. Gorton was astonished, for the bill was certainly unconstitutional; it seemed to follow to an extreme Greive's odd interpretation of the population mandate.⁴

Saturday

Late Saturday morning, when McCormack began distributing copies of his plan to the Senate, he believed that he had eight Democratic votes. He could, by a bare majority, upset Greive's redistricting leadership if he had the votes of all 17 Republicans.

Apparently only McCormack realized how close the vote would be. Gorton was too busy trying to unify the Senate Republicans to make a count. Greive was embroiled in preparing his bill for passage and rushing it through committee system. He was relying on the count he had made the night before, when he put at least 27 or 28 votes behind him, including some from the Republican side.

All morning the 17 Senate Republicans had been urged to unify and vote together on the redistricting issue. The effort was chaotic. Gorton could not hold the attention of the Republican senators, who were frantically scanning their just-received copies of Greive's bill, wandering off to

talk to Greive or his aide, or going to the redistricting committee meeting. When the Republicans were finally assembled in their caucus room, Gorton explained the McCormack amendment and asked them all to vote for it. A few hedged and would not commit their votes. All felt the pressure to get back on the Senate floor. The caucus broke up, with no one sure whether the 17 would vote together. Gorton, Pritchard, Evans, “new breed” senators, and the state party chairman argued with the recalcitrant Republicans in the wings of the chamber. (Gorton had done very little until then to educate the Senate Republicans. The “new breed” leadership had spent the entire session building a unified Republican caucus in the House. Unity was more important in the House, and there the “new breed” had spent their effort.)

In the jumbled Democratic caucus Greive brushed aside objections to his bill. He planned to override all opposition during the opening minutes of debate.

The Senate first considered the compromise constitutional amendment. Argument was deliberately kept short, as the senators wanted to get to the redistricting bill. The roll call began. Greive and Moos feared a loss, for their margin lagged. At the end of the voting they were three votes short of the necessary 33. But slowly, as the anxious supporters waited, three senators changed their votes from “nay” to “aye.” The constitutional amendment was safe.

The senators were now ready for the redistricting bill. Lieutenant Governor Cherberg presented the report of the redistricting committee, which asked the Senate to replace Gorton’s bill with Greive’s redistricting plan. McCormack moved that his bill be considered first, as an amendment to Greive’s amendment. Greive responded with a motion to lay McCormack’s request on the table.

All 49 senators were present for this test vote. Over 50 representatives were scattered around the Senate chambers and in the wings, and there was no room in the galleries. No one called for a roll call. The voice vote was inconclusive, and Cherberg called for a division. The Democrats stood up to support McCormack! Only 15 of the 17 Republicans stood with them, but that was enough. Greive’s move was defeated, 25-24.

Greive worked frantically to regroup his Democrats, and the “new breed” pleaded with the two recalcitrant Republicans, the two Greive had saved with the constitutional amendment, to desert Greive and vote with their party.

It was all over in a few minutes, and Greive prevailed. Two McCormack supporters changed their position; the two recalcitrant Republicans would not. McCormack was defeated.

The Senate reader droned through the various amendments to Greive’s bill, all small changes in individual districts. Greive defeated the unacceptable ones, 26-31. Late in the afternoon, the McCormack amendment was considered, and lost by a 27-22 vote. All but one of the Republicans voted for it, but by then McCormack had lost the support of all but six Democrats.

The battle was not yet over. Although they had failed to enact the McCormack amendment, the opposition could still kill Greive’s bill and win a new chance to test his leadership. The Republicans needed to break the position of their remaining recalcitrant, hold all 17 Republicans (many of whom were frantic to bolt), and find, among the Democratic senators disgruntled with Greive’s bill, eight unhappy enough to vote against it.

There were eight. They were joined by all 17 Republicans, voting as a bloc against the final passage of Greive’s bill.

For a moment it appeared that the Republicans had accomplished the impossible and defeated Greive’s bill on the floor of his own house, but Cherberg waited. Then Senator William A. Gissberg (Dem., Snohomish County), the man who would have been majority leader if Greive were not, stood and changed his vote from “nay” to “aye.” The bill now had the necessary 25 votes, and three other senators changed their votes, leaving the final tally at 26-23.

The House Coup Fails

Greive’s plan went directly to the House floor for the automatic vote.

Greive and his associates began to collect on all the debts they felt were owed them by certain House members. They told Day and Perry that the bill was a fair one and deserved the support of the dissidents. Greive dealt in the “soft” political currency of unwritten expectations and

mutual obligations. There were no specific favors or deals that he sought to have honored. Like most of the other Washington legislators, Greive dealt in the “softer,” more long-term understandings. No “signed contracts” guided his relations with the dissidents and the Republicans.

Saturday night, six hours after the Senate passage, Greive thought he had enough House votes to enact his bill. He knew he had the support of from three to five House Republicans and all but perhaps one of the dissidents. His bill met the requests they had made.

The Republicans were unaware of any imminent coup. Later that night Evans reviewed the new bill with Speaker Day, telling him that the bill was unacceptable to the Republicans. He reminded Day that the redistricting issue had influenced the Republicans to elect him Speaker and pointed out that the bill would take the seats of two dissidents.

Some Republicans were suspected of wavering. “New breed” leaders sat up with them that evening, while Evans and state party officials contacted political leaders in the districts of four. Throughout the night and the next morning these four Republicans were barraged by telegrams and telephone calls from friends back home, pleading with them to stick by the caucus and not “sell the party down the river.” At the Republican caucus the next afternoon two of the four lashed out at the leadership, angry that anyone would question their loyalty. Evans asked the caucus if anyone was going to back out on his pledge. No one replied.

Sunday afternoon Greive concentrated on unifying the regular Democrats. Most of them were ready to vote for Greive’s bill; others said they would provide the fiftieth vote if it were close. Greive assured them that it would be, that on the floor the dissidents would leave the coalition and a few Republicans would desert their caucus.

The House convened early Sunday evening, and with it a great crowd of senators, spectators, press, and state officials. To most, the outcome was fairly certain. Each thought his own side would win.

Day presented the “scalped” H.B. 56, and Gorton asked the House to reject it.

O’Brien moved to approve Greive’s amendments, and, as the more positive motion, this was considered first. Calling the bill fair and equitable, O’Brien implied that any move to set up a conference committee would send the issue to the court.

Then dissident Perry rose. The bill was not reasonable, he said; the issue could be resolved by Greive and Gorton in a conference committee.

Democrats wondered if Perry spoke for all the dissidents. He did. The magnitude of Greive's defeat was astounding. The regular Democrats could muster only 38 votes. The coalition amassed 59 votes—all 48 Republicans, the six original dissidents plus the two who had joined their ranks, independent Democrat Jack Dootson (Everett), and two regular Democrats who would not vote for the districts Greive had drawn them.

Gorton moved that the House send the bill back to the Senate for reconsideration. Another regular Democrat broke, and the House approved Gorton's motion 60-37.

Greive left after the first vote. Later that night in the Speaker's office he assailed Day for supposedly breaking his word. As he left he shouted, "I don't mind telling you, I've been double-crossed. Some of the people I've been dealing with haven't kept their word." He claimed that he was through with redistricting.

IV. The Doomed Negotiations

The legislators had one week to reach a redistricting compromise. Already they had been in session for 77 days, and even the least weary was looking toward adjournment. Final-hour negotiations were geared for that week, and by the weekend the last compromise on the budget and other major legislation would be made. If redistricting remained unresolved, the fatigued legislators would probably adjourn and deliberately send the issue to the court.

The bill was back in the Senate on Monday morning, April 1. When Greive went before his caucus, what happened surprised nearly everyone. Only six supported him. The others, led by Senator Gissberg, bitterly attacked the redistricting progress over the past 11 weeks. Most of the caucus members did not like Gorton's bill or Greive's bill, did not want to spend another month in Olympia, waiting for Greive and Gorton to work out a compromise, and probably would not accept the compromise, could it be reached, because it would have to grant too much to the Republicans. Behind the caucus doors they told Greive that they were not afraid of the court; if it drew the districts, it would probably draw a better bill.

Greive blasted away, arguing that if they didn't do the job now, the court would make them all run at large. There would be no waiting until 1965 without some penalty. But the majority of the caucus, encouraged by Governor Rosellini, did not believe that the court would draw the districts; indeed, they thought the matter could probably be postponed until the 1965 session. They believed that by then the Democrats would have swept the 1964 election and would come to Olympia ready to write their own redistricting bill without any compromise.

On the Senate floor the Democrats moved to postpone H.B. 56 indefinitely. Greive and Minority Leader Perry Woodall (Rep., Toppenish) valiantly tried to keep the issue alive. (Earlier Gorton had urged Republicans to vote for conference negotiations. If redistricting were killed, he argued, they should make the Democrats take the blame).

Greive, who needed nine Democratic votes, could not find them. Twenty-four Democrats and one Republican voted to shut off debate and vote immediately. Then the same 25, plus another Democrat, approved the move to postpone H.B. 56 indefinitely. Greive, hoping that the senators would reconsider what they had done, changed his vote, along with Woodall, to “aye.”

The representatives, especially the Republicans, were stunned by the unexpected Senate action. Few understood what it meant. They could not believe that the senators had killed redistricting. At first Gorton thought this was a caucus revolt against Greive, so he asked McCormack to bring his amendment before the Senate again. But Hallauer and McCormack replied that the battle was an inner-caucus affair and refused Gorton’s request. Gorton, convinced that redistricting was finished for that session, began to think toward 1965 and perhaps convincing the LWV to sponsor a new redistricting initiative.

Negotiations Are Approved

The margin of the opposing senators was too thin. Before his caucus Tuesday morning Greive made a dramatic plea for support, asking for a “few days” to get Gorton to compromise. He needed only to change a few votes to win approval for conference negotiations.

On the floor that afternoon Greive and Woodall asked the senators to reconsider the fate of H.B. 56. Again Greive argued that the court would act if the legislature did not and would probably make all legislators run at large in the next election. Again the opposing senators argued that the conference effort would be futile. Senator Nat Washington (Dem., Grant County) expressed the private frustrations of the senators:

There have been too many concessions made already to allow us to reach a solution in a few days. Any plan would be just too political...my own district would be better served by sending it to the court. That is the final concession, that someone outside of the legislature should do the job.

After much debate 16 Democrats and 16 Republicans approved the conference effort. Greive had won back eight senators. Nevertheless, a hard core of 16 Democrats still opposed any

negotiations. This was half the caucus, and Greive could make no major move on redistricting without support from a clear majority of the Democrats. Conference negotiations were probably doomed from the start, for if those 16 continued to oppose any settlement, Greive was powerless to bring any settlement before the whole Senate. But few legislators were thinking that far ahead. The leadership was almost entirely preoccupied with merely getting the conference underway.

The next obstacle was the appointment of the conferees. Everyone knew that either Cherberg or Day, in appointing the three conferees from each house, could stack the conference committee by choosing legislators who would not reflect the views of their leaders. Cherberg might appoint one of the recalcitrant Republicans who had voted with Greive until the end. Day might ignore O'Brien and the regular Democrats and appoint only coalitionists. All Tuesday each side tried to gain commitments from the other as to who the conferees might be, but neither succeeded.

That night Day appointed Gorton, Perry, and regular Democrat K.O. Rosenberg (Stevens County), who was loyal to O'Brien, although not one of the caucus leaders.

Many worried that Cherberg would delay his appointments, leaving no time for negotiations, but after consulting with Democratic leaders on Wednesday, Cherberg announced the Senate conferees: Greive, Michael J. Gallagher (Dem., Seattle), and one of the Republican leaders, Marshall A. Neill (Pullman). Legislators hoping for a compromise were alarmed only by Gallagher's presence on the six-man committee. Gallagher was a hard-boiled "old line" Democrat and very close to the Governor, and many feared that he would represent the sentiment to delay redistricting until 1965.

Greive and Gorton Bargain

The six conferees met for the first time late Wednesday afternoon, April 3. The two redistricting aides were asked in and attended all the conference meetings. Discussion was erratic, as Greive and Gorton jumped from one district to another. They agreed on lines in a few uncontroversial rural areas, but could not even come close to solving the knottier problems. The stalemate remained.

The conferees met again Wednesday evening, still hopelessly deadlocked. The meeting lasted only half an hour. Before leaving, Gallagher advised the other conferees that an agreement had to be reached by the following afternoon if anything were to be done that session. As the remaining five lingered in the committee room, Greive began to press Gorton for some agreement, but they could reach none.

When it became evident to everyone that the conference effort was dead, Gorton presented a “stopgap” plan designed to placate the court for two years. He suggested they draw a plan eliminating the four smallest districts and dividing the four largest. Calling the whole idea ridiculous, Greive told Gorton, “Either you redistrict or you don’t.” He felt that he would not satisfy the court and that the Attorney General would probably tie up the issue in the courts until 1965.

By the next afternoon the frazzled conferees were fighting among themselves. They began to throw the blame for the deadlock on Senator Gallagher. Greive complained privately to Cherberg that Gallagher was slowing the negotiations, Gorton made statements to the press, and Gallagher roundly blasted back at the two.

Late Thursday afternoon only Greive and Gorton and their aides remained in the committee room. They were close to agreement on two key districts. But this was overshadowed by new and intense disagreement over another district—Greive’s own. In the 1962 election the voters in Greive’s district had ousted one of the two long-time Democratic incumbents in favor of conservative Republican D. Eberle (Seattle). The district had sent only two Republicans to Olympia during the previous 25 years, and Greive was determined that Eberle should not return in 1965. Greive added Democratic voters to his district and took out Republicans. Gorton did not object as long as he could draw Eberle into a separate subdistrict within the senatorial district, one that would be no more Democratic than the old district. Greive objected vehemently.

The discussion seemed hopelessly muddled. Gorton sensed this and, realizing that the legislators were almost ready to adjourn, decided to move on his own. He put his brief stopgap plan before the House, thinking that this might force Greive into more concessions.

Greive had, in fact, been preparing a new proposal that day. It was a Democratic stopgap plan, less sweeping than his previous bills, but nonetheless comprehensive in that it affected nearly all of the districts. He hoped it would revive interest in the failing negotiations.

In the evening Greive and his aide put the new plan before Gorton and the other conferees. All attention quickly centered on District 10, the smallest in the state. Greive wanted to save its Senator, Dewey Donohue, and Gorton wanted to eliminate the district. For an hour the two redistricting leaders bickered and bargained, and finally Gorton agreed to Greive's solution. It was a classic gerrymander, a dumbbell-shaped district one-half mile wide at the middle, but it would elect Senator Donohue. In return, Gorton won the Republican district he wanted for the adjoining tri-cities area.

The disposition of the pivotal Donohue district, plus general agreements made earlier on Spokane, set the pattern for all of eastern Washington. The conferees could thus concentrate their attention on the 34 districts west of the Cascade Mountains. Essentially that meant Seattle. Before anything could be done on Seattle, the Eberle issue had to be settled. Just before midnight Greive, as part of a package proposal for western Washington, offered half of the Republican demands in their Seattle strongholds in exchange for "half of Eberle's scalp." Gorton said he would study the proposal. Before the conferees broke up they told the two sides to draw a complete bill on the basis of the negotiations.

Gorton took about half an hour to leave the Capitol and walk to where the Republican leadership was gathered. In that time he decided that Greive's proposal was better than risking a showdown with the court. He was no longer confident of his earlier belief that the court would redistrict; he feared that the judges might force another special session, whose pressures might splinter Republican unity and allow Greive to pass his own bill.

When Gorton arrived at the Republican meeting he told Evans and Pritchard that he had received as good an offer as they could expect. The three presented the compromise to the rest of the Republican leadership. All agreed it sounded like an acceptable plan.

Greive, still unaware of the Republican commitment to the compromise, stayed on at the Capitol, watching over the work of the two aides. After talks with Gorton's aide, Greive decided to give Eberle a separate subdistrict. It would be harder on Eberle than the old district, but easier than having to run in the entire new senatorial district.

The Conference Plan Dies

By Friday morning the general agreement had been translated into district lines. The conferees met briefly, then adjourned to study the rough draft and show it to their supporters. Their optimism was suddenly sobered. Seeing all the definite district boundaries was not the same as talking about the agreement in abstract terms; the vagueness of the general agreement had clouded controversies quite apparent now that the lines were mapped. Simultaneously, the conferees encountered fierce resistance from legislators whose expectations had been crushed, particularly from the opposing Democratic senators, who were amazed that Greive had compromised so much.

The conferees met again late Friday afternoon, April 5. Both sides wanted to win some gains to make the compromise palatable. Gorton planned to ask for a revision of the Spokane districts, since he felt they did not reflect Thursday's agreement. Greive and Gallagher wanted minor changes to benefit their supporters. But neither side was willing to retreat from its own advantages. Both Greive and Gorton knew the way out of this deadlock—involve more districts in the compromise and widen the scope of the bargaining. But the conferees hardly discussed this. The separate subdistrict for Eberle captured their attention and they argued over what it would do to him. Gorton hardly mentioned the Spokane problem.

That evening legislators continued to pressure the conferees with arguments against the compromise, with pleas for changes in the agreement. The strongest Republican opposition came from the Spokane representatives, who cried they would never be able to capture a majority of their county's delegation. Senate Democrats, in a special caucus, denounced both the plan and Greive's redistricting leadership. Greive had "sold out" the party and given control of the legislature to the Republicans, Gissberg argued. Senator Gallagher announced coldly that he had serious doubts about

the acceptability of all 19 Seattle and Everett districts. Many suspected that Greive had again lost control of his caucus.

Greive wanted desperately to save the compromise. He thought he had to win some concessions from Gorton, but Gorton had grown disenchanted with the plan and was totally unwilling to consider changes in it. Both redistricting leaders were harried and weary. They left the Capitol early Friday evening, telling their sides to prepare the final bill, without any new changes, by the next morning.

The bill was completed early Saturday morning. Few thought it would reach the floor of either house. The Senate Democratic caucus might prohibit Greive and Gallagher from signing the conference report, and that alone would keep the bill in the conference committee, although there were possibly enough votes on the floor to enact it.

Little time remained. The compromises on the budget were almost finished and would probably pass that day.

Greive knew that his caucus was evenly split. He thought he had a chance to win over any of six senators, if only he could bolster their districts. In the conference meeting that morning Greive insisted upon removal of a dozen Republican precincts from the Kitsap County district. Gorton flatly refused. He said that the district had been left alone in the original compromise, and if Greive wanted to make the district smaller, he could take out Democratic precincts.

Gorton wanted the compromise to fail. He thought he was being forced to sacrifice Republican compatriots such as Eberle to protect “Greive and his cronies.” When the Republican representatives caucused to consider the compromise, Gorton insisted that any member’s “nay” should kill the plan—he said he owed the caucus at least that much for its unity and support. But the leadership overruled Gorton and, after a secret ballot of 35-12, instructed him to sign the conference report.

When the conferees met that afternoon, both Greive and Gallagher again insisted on advantages in the Kitsap district, and in the new Republican district in North Seattle. Gorton, under much the same pressures, had his own demand: he had insisted Republicans be given advantages he said were in the original agreement but had been omitted from the bill.

When no one would yield, Greive said he would take the bill in its present form. But Gallagher again insisted in some changes, Greive asked for more, and Gorton refused. Rosenberg and Neill suggested that the six check with their caucuses before voting on the plan. As the meeting broke up, Gallagher remarked that he “wouldn’t do a selling job” before the senators.

In the Senate Democratic caucus that followed, Gallagher, Gissberg, and August Mardesich (Everett) led an assault against the compromise. Greive argued forcefully that it was an honorable compromise, as good as they could expect, but most of the senators didn’t want a compromise. They had come to Olympia expecting to enact their own redistricting bill and still thought (as Greive had for most of the session) that the coalition had to be broken or there would be no bill. Greive, having finally accepted the reality of the coalition, thought that a compromise was required, but most of the senators wanted to put off the task until 1965 or spare themselves the agony of a compromise by letting the court do the job. By a one-vote margin they rejected the conference committee plan.

Shortly after that, a bitterly divided House Democratic caucus also rejected the compromise, 23-20. They did not know the outcome of the Senate caucus when they did so, and the news of their decision was anticlimactic.

The Legislature Adjourns

The session was in its final hours. Earlier that day Gorton and Moos had hoped to start the stopgap plan and a new constitutional amendment, but it was too late for that now. In a last-ditch effort for the farms, Moos brought out the old compromise constitutional amendment. (It had lain dormant in the Rules Committee for a week awaiting the outcome of the conference negotiations.) Moos hoped that the state courts might strike off the conditional clause that had buried it alive with H.B. 56 and that victory now might improve chances for a new constitutional amendment in 1965.

Chances for passage at this late hour were slim. The Republicans had been released from their pledges, the intransigent O’Brien was fighting to have all regular Democrats vote against Moos, and urban representatives from both parties wanted to go on record against the area scheme.

Debate was personal and biting. Finally Moos called for an oral roll call, and the legislators gathered in knots so they could keep running tallies of the vote.

Coalition unity lasted even at the end. Halfway through the vote it was apparent that every Republican and every dissident would stand by Moos, and he was pulling a few votes from the Democratic side. The outcome was in doubt until the very end, when, with one more vote to be cast and one more needed to pass, Speaker Day voted “aye” and put the measure across.

Moos was visibly moved by the personal tribute from legislators. But it was little more than that, for the plan went down with H.B. 56 and the legislature never again saw another redistricting constitutional amendment.

In the last remaining hours, Greive tried to revive the compromise. He implored opposing senators to change their position, sought out Republican legislators, and argued for some concession. That evening, just before the budget went to the Governor, Greive called the conferees together. The six met in the Speaker’s office with Day, Evans, and Copeland. Gallagher wanted the Republicans to give in on the tri-cities district. He suggested, but did not promise, that this could win Senate support for the bill. Gorton, who had remained silent during the discussion, began listing the areas where the Republicans had already made concessions. Greive, saying he couldn’t give in any more, left with Gallagher. Two hours later the legislature adjourned.

V. Between the Sessions

Three weeks later the court threw redistricting back at the idle legislators. The judges revealed their plans at the March 25 hearing, the first since December. When Donald Vorhees, attorney for LWV, called on the court to take over the redistricting job, Judge Gilbert H. Jertberg interrupted and told Vorhees that if the court did the job, the legislators would probably never redistrict themselves again. Instead, the court indicated that it would force an at-large election of all legislators. Five days later the judges issued the formal order. Judge William T. Beeks explained that redistricting was a political act, and judicial power to redistrict should be used rarely, and only under exceptional circumstances. Such circumstances did not then exist.

Most observers felt that an at-large election would force the legislators to reassemble and draw new districts. That, at least, was the court's idea. But only an order from the Governor could call the legislators into special session, and Rosellini was in no mood to be bothered by 148 bickering legislators—especially while there was any chance of delaying the court order until 1965. The legislators, fearing the upheavals of an at-large election, wondered if delay were really feasible. Although many wished for the special session, they were powerless to do any more than berate the Governor.

In April O'Connell announced that he would appeal to the U.S. Supreme Court. Four months later he filed the state's brief. He argued, as he had at the court hearings in March, that the at-large election was inappropriate, too complicated, and violated the provision in the state constitution requiring single districts for state senators. In addition, he noted that redistricting was not required in Washington since in 1962 the voters had rejected the LWV initiative.

Most legislators thought these were obscure points. Gorton said they were ridiculous. All knew that O'Connell was merely attempting a delay, and few felt he could succeed. Nearly all the legislative leaders, including Greive and Gorton, began to prepare for the inevitable special session, which they expected Rosellini to call for January. They hoped that their pre-session activities would

yield an acceptable agreement that could be hastily enacted, thus avoiding another deadlock and a special session that might drag on forever, to the disgust of the voters and the embarrassment of the politicians.

But Gorton wanted one kind of agreement and Greive wanted another. Greive was willing to work for a compromise by revising the old conference committee bill. At the prompting of Speaker Day, Gorton met with Greive to discuss this—first in late July, then in October and November, and finally during the first week of 1964. The effort was futile. Neither side was willing to make any new concessions; moreover, Gorton actively stalled these negotiations. He believed, as a result of secret talks with Hallauer and McCormack, that a new agreement, based on the McCormack amendment, could be enacted by Greive's opponents. They had begun to draft their plan in May. Their biggest advance came during the summer, when Democratic senators from Seattle agreed to ignore Greive and draw their own proposal for the Seattle districts. By then Hallauer thought he had support from eleven Senate Democrats, and Gorton had grown so optimistic that he predicted openly that redistricting could be accomplished in two days if Rosellini would call the special session

Greive and Day, meanwhile, were unaware of the extent of Hallauer's activities. As the delay continued, with no reply coming from the court, they and others began to question the advantages they had seen in calling a special session.

O'Connell Wins A Delay

It was now 1964. The U.S. Supreme Court had taken no action on Attorney General O'Connell's appeal. Washington was still threatened by the at-large election, for, lacking any response from the high court, the district court ruling remained in effect.

O'Connell began to worry. In June the state would have to activate machinery for the at-large election. In February, hoping to prevent this, he asked the Supreme Court to set aside the at-large election until it could hear the appeal.

Two weeks later Justice William O. Douglas signed the court order granting the stay. O'Connell and Rosellini hailed the action: no special session would be necessary; another election could be held under the old districts.

Legislators were less optimistic. Many feared that the high court would uphold the district court, throwing the case back to the state just before elections and thus forcing state officials to choose between a sudden, disorganized at-large election or a frantic special session during the election campaign. The Governor should call a special session immediately, some urged. Rosellini balked at this request, insisting that the court would never suddenly disrupt the state election machinery. He added that the legislators were too far from agreement; a special session would be lengthy, costly, and wasteful; and the Supreme Court might be preparing new redistricting guidelines, standards that would make all existing proposals unconstitutional.

Washington State prepared for another election under the unconstitutional districts. The U.S. Supreme Court prepared its landmark redistricting opinion for Reynolds v. Simms, handing down their “one man, one vote” decision on June 15. One week later, only 14 days before the state opened filings for campaigns in the old legislative districts, Thigpen v. Meyers came back to Washington. The high court, with a simple unsigned order, upheld the district court ruling.

The effect of the order was not cataclysmic, for by the rules of the federal court system this new order did not go into effect for 25 days. For 25 days Justice Douglas’ old order setting aside the at-large election remained in effect.

O’Connell wanted to use all 25 days. He advised state and local officials to continue under the old order, with the machinery of the old legislative districts. Then he waited. On July 6 the state began to accept filings for a normal election under the old unconstitutional law.

Gorton was frantic. With his aide and Mrs. McCaffree, he put the Hallauer proposal into bill form, while Hallauer worked to gather new support for the plan. Both were frustrated by Rosellini’s not calling a special session. When Rosellini had said that a special session would be fruitless, Gorton had retorted that the Governor could expect a redistricting bill on his desk within 72 hours after convening the legislators.

Rosellini wanted very much to avoid a special session. It would come during his campaign for a third term. Minority leader Evans and an ex-minister, Richard G. Christensen, were battling for the chance to run against him; either was favored to oust him in November. A special session would give Evans and the Republicans a pulpit for publicity; the coalition might revive the dormant

Legislative Council and begin to investigate and embarrass his administration. The special session would keep him in Olympia and off the political stump. He could call the legislators to Olympia, but he could not send them home. Furthermore, neither he nor Greive knew the extent of the activities of Hallauer and Gorton. Greive predicted that Hallauer could defeat redistricting bills, but couldn't muster the votes necessary to pass a bill. Both, like most of the Democrats, were anxious to wait until after the election.

Frustration with the 25-day delay became more general. There was disgust with Rosellini's and O'Connell's apparent defiance of the court. There was anxiety, especially among legislative candidates, fostered by the uncertainty about what the court might do. More legislators demanded a special session. The other parties in the court case insisted that O'Connell waive the 25-day period. And two men from Tacoma sued the state, hoping to halt the election machinery, but the state courts would not accept the case.

In desperation, Thigpen's attorney called Justice Douglas. O'Connell, he explained, was using the waiting period to prevent court action before the election. Justice Douglas' response was swift. He signed an order putting the Supreme Court's new ruling into effect immediately. On July 9, after 18 days of delay, O'Connell told state and local officials to stop the election machinery. Four days later, on Monday, July 13, O'Connell appeared before the district court. The state, he explained, was in the middle of its candidate filing period, and to terminate it now would incur a hardship on candidates who had not yet filed. He asked the court to let the state reopen the filing period for the old legislative districts. The court agreed, but not before Judge Beeks told O'Connell to return in four days with constructive suggestions for preventing unconstitutional government.

The court met on Thursday, July 16, to seek some remedy. Its chambers were flooded with spectators, official and otherwise. O'Connell, ignoring Judge Beeks' earlier admonishment, argued for another election under the old districts. Judge Jertberg interrupted O'Connell to say that the Governor should have authorized the Attorney General to tell the court that there would be a special session. O'Connell pleaded that a special session could not produce a redistricting solution; even if it could, the election machinery could not be revamped in time for the September primary. He asked

why the delay would be harmful, since most of the people weren't aware that they were being discriminated against.

O'Connell's arguments angered the other attorneys. Vorhees retorted that the Attorney General was more interested in protecting state officials than in representing the people of the state. Both Vorhees and Thigpen's attorney argued for definite action, each separately presenting the court with temporary stopgap redistricting schemes and urging the court to order his plan into law for the 1964 election.

Then Judge Beeks proposed the court's own stopgap plan. The legislators, he said, could run again in the old districts, but during the 1965 legislative session each legislator would have his vote "weighted" in accord with the number of people he represented. Some legislators would have one-half a vote, some two and one-half votes. Which did O'Connell prefer, Beeks asked, weighted votes or an at-large election? O'Connell asked for a few minutes to think it over, then answered that any change in the state election machinery was unacceptable. He would have to take the weighted vote.

One week later the court issued its order. It did not approve the weighted vote, but merely threatened, indicating that it might enact the scheme sometime before 1965.

The next day Rosellini answered the court. He had been given two alternatives, he said, and he chose the weighted vote. The state and county election officials whom he had consulted had told him that they could not revise the old districts in time for the September primary.

Later, when the election campaigns were fully underway, O'Connell went before the court to ask it to modify the weighted vote scheme. He proposed that the court permit normal voting for the first thirty days of the session. The judges, discouraged that the plan had not forced a special session, and disturbed by the technical problems in the scheme, never again mentioned weighted votes. Instead, the court ordered the 1965 legislature to pass an acceptable redistricting bill before acting on any other legislation except "housekeeping" matters.

Greive Prepares a Blitz

Throughout the nation, on November 9, 1964, Republican candidates for state offices suffered heavy losses. In most respects Washington State was no exception. Riding on the massive Democratic landslide, the regular Democrats gained decisive control of the State House of Representatives—60 seats to the Republicans' 39. In the State Senate, although two seats changed hands, the Democrats kept their previous margin of 32 to 17. All six original dissidents were reelected to the House, but the regular Democrats now had enough votes to elect their own man to the Speakership.

The one exception to the general Republican losses was the nation's only Republican governor. Evans had routed his primary opponent, Christensen, then ousted incumbent Rosellini by the most decisive margin for that office in 25 years.

Evans wanted to be a strong Governor. He wanted to use all the powers of his office, not just to protect Republicans with his veto, but to strengthen Republican leadership, especially in the legislature. His first priority was redistricting.

But Evans might never see the redistricting bill. A legal quirk in the state constitution gave the Democrats two and one-half days to pass their own measure. By constitutional prescription, the legislature convened on the second Monday of January. But by legislative enactment, the Governor was not inaugurated until the following Wednesday. Governor Rosellini would retain all his powers, after the new Democratic legislature convened, for two and one-half very long days—two and one-half days for Greive to get a Democratic redistricting bill onto Rosellini's desk for his signature.

Republicans could do little more than worry and hope that two and one-half days was too little time for the badly divided Democrats to agree on 49 legislative districts. The Democrats might also fall apart over the choice of a successor to Speaker day, particularly if O'Brien moved to win back his old post. Or perhaps they might divide over the reelection of Greive as Senate majority Leader.

O'Brien did not make his bid. Instead he threw his support behind Vancouver attorney Robert M. Schaefer. All factions at the caucus meeting in November united behind Schaefer. Redistricting would put that unity to an immediate test.

In the Senate Greive's opponents made their strongest bid to overthrow him and failed by two votes. If Greive was to retain a working majority for redistricting, he would have to reforge his Senate following. He had two months to assemble the Chinese puzzle of redistricting into a bill that the Democratic legislators could accept at first sight. It was a nearly impossible task, but all respected the fact that only Greive could do it, if anyone could.

In November Greive was not entirely committed to "blitzing" a Democratic redistricting bill through the legislature. He was curious to learn whether Gorton was ready to negotiate now that the Democrats were firmly in control. Day provided Greive with the opportunity when he assembled the two redistricting leaders and five additional legislators. The group met only once, on January 2. A few general guidelines were discussed, and little else. Gorton was still convinced that he and Hallauer could upset Greive's leadership. He also knew that at this point Greive was willing to discuss only Republican concessions.

The meeting was complicated by the entrance of a third redistricting power. The newly powerful House Democrats has set in motion Representative Gary Grant, a young, second-term legislator from Renton. He was hurrying about the state, promoting a new proposal, and deeply annoying Greive and Gorton. The new Democrats were determined to play a major role and were intractably aggressive in their demands for Democratic advantages from redistricting.

The standoff at the meeting encouraged Greive to test his power. On January 5 he told Day to forget the redistricting meetings and began to polish the nearly-completed "blitz bill."

The Republican hopes to stop the blitz rested largely on the Democrats' inability to unite. There was little positive action that Evans and Gorton could take. It was useless for them to talk compromise when the blitz was imminent. Evans had tried this in December and the Democrats had ignored him. Even Gorton's relationship with Hallauer dissolved. Hallauer simply could not catch the attention of the more militant Democrats.

VI. THE BLITZ

The fight began in the House. Just before the noon convening on January 11, Greive assembled all the Democrats in the large Highway Committee room to set out the strategy for enacting the bill blitz. Most were Democrats with Greive, but not enough to make a working majority.

The stakes and the tension were high. Instead of a calm, committed majority in the caucus, Greive found a situation that reflected the chaos in the Capitol that morning. Nothing seemed organized. Some of Greive supporters deliberately stayed away from the meeting. The House leaders would not agree to Greive's battle plan.

Greive wanted neither house to adopt any rules, thus avoiding the hurdles that normally slowed the path of the bill. In essence, on the floor the majority would rule. But O'Brien and Schaefer refused, setting out instead to change the House rules to reduce from two-thirds to a simple majority the margin necessary to shut off debate and bring the bill to a final vote.

This was a more elaborate undertaking, and on the floor Schaefer and O'Brien almost lost their strategy. Greive's weak showing in the caucus had encouraged Democratic opponents of the Blitz, and nine now voted against the rules change. Since one Democrat was absent, these votes were all Schaefer could spare. Another one-half dozen might have bolted, immediately killing the blitz, had not Schaefer and O'Brien been able to convince the dissenters that a vote for the rules amendment was not a commitment to vote for the bill.

The hard core of nine who opposed the blitz, primarily because they thought there out to be a compromise, were the six original dissidents, motivated by old loyalties; independent Dootson, who admired and trusted Gorton's redistricting principles; independent Democrat Jack Rogers (Bremerton); and rural conservative Eric D. Braun (Chelan).

Republicans were heartened by the close vote and by Day's and Perry's assurances that the blitz could not succeed, but they were far from confident. Forty-six hours remained. As one Republican legislator remarked wistfully, "The Democrats usually come up with votes when they are needed."

The Republicans had found good reasons to worry about the blitz bill when they saw it that morning, for it was hard on Republican incumbents. Perhaps ten additional House seats would be lost automatically. Gorton predicted that it would make Republican control of the legislature impossible even in landslide years. Moreover, the blitz bill was definitely constitutional, shattering Gorton's hopes for stopping it in the courts. Always before he had felt that Greive was incapable of drawing a redistricting bill that fell within the guidelines of the court.

The Democrats Divide

Greive worked all afternoon to regroup the Democrats in the Senate. The blitz bill gave benefits to both his allies and his opponents; it was the best most Democrats could hope for. Greive helped them to realize this, and by late afternoon he had the votes. The Republicans hoped that Greive's opponents could stop the blitz, but the bill was too good, Greive was too clever.

At five in the afternoon Greive moved that "the rules of the Senate are that majority rules." Minority Leader Charles P. Moriarity (Seattle), who earlier had urged Republicans to stall the proceedings, objected, calling the new rules "unconventional" and "a device to push through the blitz bill." He asked Lieutenant Governor Cherberg to rule on the propriety of lack of rules. Cherberg replied that the majority would rule, "subject to certain provisions of the State Constitution."

Moriarity tried other delaying tactic when the Senate reconvened at nine, but Greive had the votes. Greive planned to hold the senators in session until they passed his bill. After six hours of continuous objections, amendments, and debate, the Senate approved the bill, 28-19. At three in the morning the blitz fight moved back to the House.

At ten on Tuesday morning the representatives convened; by ten that evening the outcome had been determined. It was 12 hours of turmoil. When the Democratic leadership had arrived at the Capitol they had thought they lacked only one vote. Someone else said he counted 44 votes, six short, while another Democrat claimed 50 votes if only the leadership would put the bill on the floor.

The Republicans worked steadily, twisting arms, promising better districts, calling up past debts, and strengthening old friendships. If a wavering Democrat was disgruntled with his district, Gorton or Pritchard would hint that better things might come from negotiations later. Moos

criticized the partisanship of the blitz when talking with rural conservatives and independents. And the Republican leadership called in lobbyists, from Boeing and the Association of Washington Industries, who, Democrats claimed, threatened reprisals against Democratic legislators whose paychecks or campaign funds depended on Republican-oriented industries. Gorton later denied that the lobbyists were in any position to threaten anyone, but the Republicans fought hard, since the blitz would be hard on their aims.

Just before noon Schaefer and O'Brien called the Democratic representatives into a caucus. They could spare nine votes. Eight Democrats opposed the blitz—the six original dissidents, Dootson, and Rogers. Six more seemed to be holding out for better districts. Frank J. Warnke (Auburn) wanted to be a state senator. W.S. Traylor (Port Angeles) disliked the way Greive had drawn the district of his friend Warnke and did not like his own district either. Sam Smith (Seattle) was totally erratic in his own demands, and no one would count on his vote. Three more Democratic representatives—Horace W. Bozarth (Douglas County), Joe D. Haussler (Okanogan County) and Eric Braun (Chelan County)—would not support the bill because Greive had merged their two districts. The new representative from Greive's own district, George Pierre, who had just defeated Representative Eberle, said he would not vote for anything with Greive's name on it. He accused Greive of trying to force him out of his seat. Pierre had achieved wide notoriety because of a post-election letter that had offered his "services" as a legislator in exchange for campaign cash. Pierre said Greive had written the embarrassing letter in order to pressure him into resigning. Greive hotly denied any implication in the incident.

Opposition at the House caucus was too strong. That afternoon Greive began to rewrite the bill, hoping to meet or modify the demands of representatives unhappy with their districts.

Republicans were jubilant. The blitz, even if approved by the House, would now require reapproval by the Senate. And the changes Greive made for the House Democrats might lose him support among the senators.

The strong House opposition continued. Schaefer called another caucus at 3:30, but it revealed no changes. This was an unstable opposition, one of confusion and indecision. Somehow, Greive knew, he had to break the logjam of dissatisfaction with the blitz.

In desperation, the House Democratic leadership took Representative Paul H. Conner (Port Angeles) from the Port Angeles hospital bed where he had lain for a week. His bleeding ulcer and subsequent absence was costing them one precious vote, and they were desperate to show any gain of support. House leaders brought Conner 121 miles to Olympia and stopped in the redistricting committee room to show him his district before he made them take him back to the hospital.

The Democrats' disappointments continued all that afternoon. On the evening news the Republicans heard one of the House leaders announce that the blitz effort was off.

Still Greive persisted. The key votes, he knew, had to come from the two districts he had merged in eastern Washington. He and his aide met with Bozarth, Haussler, and Braun. Finally, in the early evening, Bozarth and Haussler gave tentative support to a new plan. Greive, who believed he would be just one vote short, quickly sent word to the House leaders that the switch had begun.

Moos, Gorton, and Pritchard dropped their effort to hold Bozarth and Haussler, but intensified their attention on the other undecided Democrats. A few more defections would truly put Greive just one vote down, and in that case they could expect a floor fight that night. In extreme secrecy the Republicans prepared their final defense, to be used only if all else failed. They would inaugurate Evans prematurely.

Evans could be sworn in at any time on Wednesday, they thought. The statute designated only Wednesday, in the legislative chambers. Already the governor-to-be and his advisers had contacted a sympathetic State Supreme Court Justice, and Evans' family was traveling to Olympia so they could witness the ceremony. A secret cabal of advisers and legislators were ready to take over the administration of the state.

At one minute past midnight Evans and his entourage would step into the gallery of whichever house was then considering the redistricting bill. The minority leader would read a prepared speech, advising the legislators of Evans' presence and intention to be sworn in and asking the Democrats to forget the blitz and adjourn. The Democrats might balk at this, and Washington would have two governors for twelve hours, likely Rosellini with the redistricting bill and Evans in the state court trying to take it away from him.

That evening the Democratic leadership leveled intense pressure on Pierre, Smith, and Braun. Lobbyists from the Central Labor Council were called in to counter the work of Boeing and the Association of Washington Industries. Greive argued with undecided Democrats to give him the fiftieth and final vote.

At ten that evening the House Democrats went into caucus for the third and last time that day. Bozarth and Haussler would support the bill, and apparently, Smith would, too. Rogers, part of the hard-core nine, announced that he would provide the fiftieth vote. If both Braun and Pierre would support the bill, Greive had the votes.

But they would not. Braun would vote against the blitz no matter what they did to his district, and Pierre was immutable.

Anxious Republicans gathered around the caucus doors. When the downcast Democrats moved slowly through the Republican ranks to the other side of the chambers, the Republicans happily clasped each other's hands and adjourned the House until just before the inauguration the next day.

VII. INCHING TOWARD A COMPROMISE

Governor Evans took his oath of office at noon on Wednesday. In his inaugural address he made a short statement on redistricting that Gorton had drafted earlier in the morning. Evans urged the legislators to promptly enact a redistricting bill the insured that “the party which wins a majority of the votes will win a majority of the seats in the legislature.”

With Evans in the Governor’s chair, the Republicans again held a veto over any Democratic action, and they set out to mold this into a powerful weapon and to take the initiative on the major legislative issues. The Republicans were unified; they organized themselves like an army. Evans was commander-in-chief; below him responsibility was divided, with each legislator carrying the weight on part of the issues and tasks.

Evans plunged into the legislative melee. He met frequently with his House and Senate leaders, usually early each morning, to map the day’s strategy. He met more frequently with the “new breed” leaders, often at the end of the day in the Governor’s Mansion. He was in constant contact, directly and indirectly, with other legislators.

Gorton Presents a Plan

Gorton and his aide moved into the expansive offices of the new Republican Secretary of State, “new breed” leader A. Ludlow Kramer, and began to prepare a Republican redistricting bill. They worked from the proposal drawn the previous summer with Senator Hallauer; it was essentially the same plan. Relying upon a preponderance of “swing” districts, the bill was designed so that a moderate increase in Republican votes would produce a landslide of new Republican legislators. Only through swing districts, Gorton argued, could the voters really affect the composition of the legislature. Only in this way could “a majority of the people elect a majority of the legislators.” To do this Gorton had to cut Democratic margins in Democratic districts, and although the bill eliminated few Democrats, it did weaken many by creating these swing districts.

Gorton insisted that any bill reflect standards of political fairness, and proposed a statistical test for this. The statistics were complex, but the standards were elementary—each political party

should win that proportion of seats roughly corresponding to its share of the total vote for all legislative candidates.⁵

Many Democrats showed genuine interest in the test as Gorton and Moos lobbied for its use before all who would listen. On January 18 Speaker Schaefer asked Gorton to present the test to him, Grant, and two other House Democrats. House leadership was curious to see if Gorton had something they could use, and the test seemed to anticipate the Governor's demands.

After the meeting the four Democrats took Gorton's arguments, along with the redistricting bill he had left them "as an example of political fairness," to Greive. Greive, who had not yet seen the bill, was startled. He called in his aide and freshman Representative Hayes Elder (Dem., Seattle), who had been his assistant when he rewrote the LWV initiative in 1957. All three examined Gorton's bill and agreed that would be disastrous for the Democrats.

Greive immediately called a press conference and lambasted Gorton's bill as horribly unfair, saying that it would cost House Democrats alone 15 to 17 seats at the next election. This alerted newsmen, who were scheduled to hear Gorton explain the bill and the statistics on Tuesday. As a result, Gorton faced a hostile press the next morning and after that was never able to convince anyone but fellow Republicans of the utility of the test.

To most Democrats it seemed that Gorton was using the test simply as a shield to obscure a very partisan bill, and it irritated the most militant that Gorton should make such demands. Privately Greive expressed dismay that Gorton had even introduced the matter. Redistricting bills, Greive observed, were written by politicians, not political scientists, and Gorton, he lamented, was slowing progress by playing the wrong role. Furthermore, Greive held no stock in the test. He dismissed the talk about "statewide trends" with the observation that legislative elections depended almost entirely on the individual district and the personality of the candidate running it. One party, he said, might win all the seats with just 51 per cent of the total vote, if that was their margin in each of the 49 districts.

Democrats Pass the Blitz Bill

The controversy over Gorton's statistical test roused the militancy of many Democrats. After all, they argued, they had won the election and were entitled to write the redistricting bill.

The intransigent view was strongest in the House, where the new Democratic leadership provided fresh troops for the redistricting battle. Their strategy was aimed, as Greive and Gorton had earlier aimed theirs, at total defeat of the opposition, in this case through forcing Evans to abandon his veto. Grant and Schaefer confidently assumed that Evans' veto was a tool that dulled with use. They planned to bombard the Governor with redistricting bills, all constitutional, all acceptable to the court, and all Democratic. Evans could veto only so many of those bills, they reasoned, before an angry public would cast him as an obstructionist and a politician, and he would be forced to capitulate.

House Democrats began redistricting Greive's old blitz bill, which Schaefer had sent to the redistricting committee, now chaired by Grant. Grant appointed a number of bipartisan subcommittees to study parts of the bill, and for a few days there was frantic activity that stopped soon after both parties realized that neither was willing to consider any serious concessions.

Grant made a few changes in the blitz bill (S.B. 2) and prepared to put it before the house. His biggest preoccupation was defending the constitutionality of the act, the keystone of his strategy to embarrass the Governor. Grant asked Attorney General O'Connell for an opinion on the bill, and O'Connell happily supplied a lengthy brief justifying the constitutionality of S.B. 2 on the basis of the population figures that Grant had supplied.

The opinion confirmed the "new breed's" suspicions that the Democratic Attorney General could not be trusted to represent the Republican Governor and Secretary of State before the court. As a popularly elected official, the youthful Attorney General was now the major contender for Evan's chair. Evans and Kramer began a move to drop O'Connell and have their defense presented by a private attorney. The only result was a general increase in hostilities between the two parties.

On Wednesday, January 20, Grant put S.B.2 on the House floor and distributed O'Connell's opinion. Gorton made a lengthy statement, stressing that it was not enough that the bill meet the

standards of the court; it must also meet the standards of political fairness. No bill that failed either test would get by the Governor. He admonished Democrats to begin a dialogue with Republicans, and moved the Republican bill as a substitute for S.B. 2—a starting point for a bipartisan compromise, he said. The Democrats, unmoved by Gorton’s speech, defeated the Republican bill. Grant insisted that his bill was both fair and constitutional. At the end of the lengthy debate the House, by a vote of 54-43, approved S.B. 2.

Now Grant and Schaefer had to convince the senators of their strategy, but one of the major reasons for their militancy meant nothing to the senators. Grant and Schaefer feared negotiations because they knew Greive and Gorton would dominate them and resist the intrusion of the new House leadership. Still, the Democratic senators were interested in the House strategy because, by approving S.B. 2, they could test Evans’ intentions. Many suspected that he might never wield his veto. Without approving either the House strategy or Grant’s and Schaefer’s reasons for it, the Senate Democratic caucus agreed to approve the House changes to S.B. 2, and send the bill to the Governor. Greive argued for conference negotiations, but the Democrats ignored this.

Greive put S.B. 2 before the Senate on Friday, January 22. The senators quickly approved it on a party-line vote, but, for reasons that at first mystified the Republicans, adjourned for the weekend and refused to send the bill to the Governor. In fact, the Democrats hoped that Evans would think about the matter for two days and decide not to veto the bill.

Evans did not need the document to make his intentions known. He assembled the Capitol press and lambasted the Democrats for delaying a redistricting solution. The Republicans, he said, were ready to begin meaningful negotiations any time. He attacked S.B. 2 as a partisan bill that simply obstructed rapid settlement of the redistricting issue, and announced he would veto it and all other bills like it, regardless of which party passed them. The Democratic delay entirely backfired, delighting the newsmen, and gave Evans his first major victory in the press, strengthening, especially in Evans’ mind, his stature as governor of all the people.

House Democrats Defy Greive

Cherberg and Schaefer sent S.B. 2 to the Governor shortly after the legislators reassembled on Monday, January 25. At that time, the Democratic leadership enacted a Joint Resolution asking Evans to meet with them before vetoing the bill. Evans called them into his office that afternoon. He dismissed Greive's carefully prepared defense of S.B. 2 (Greive said that it met Gorton's statistical test) and pointed out to the Democrats, precinct by precinct, why he would veto it.

The veto message, filed the following day in the Senate, spurred on an angry debate. Evans was cast as an obstructionist and a partisan, and Senator McCutcheon offered a Joint Memorial asking the court to enact S.B. 2. The legislature, he said, had done what the court asked it to do. The senators approved McCutcheon's motion, but the House leadership, fearing that the court might draw an entirely new act, refused to even consider it.

On Wednesday Greive was ready with another redistricting bill. It contained substantial changes from S.B. 2, and was designed to be a starting point for negotiations. The Democratic senators, however, rejected the changes and insisted that Greive not wander from the basic structure of S.B. 2. Greive brought the altered act to the Senate floor that night, expressed the hope that the bill would precipitate a conference committee, and won Senate approval for measure, 27-70.

Meanwhile, differences between the House and Senate Democrats widened. Grant rejected the new form of S.B. 2, feeling that it caused his forces to lose all opportunity to devise their own proposal. Anxious to act independently, he invited the Republicans who had served on the subcommittees to renew negotiations.

At first this intramural activity amused Gorton and Moos, who had never taken Grant seriously. But soon the militancy of the new Democrats began to irritate Moos, who lost his temper before Grant's committee on Wednesday:

Talk all you want, but don't kid yourself that you are writing the redistricting bill—any redistricting bill. The subject is too important to waste on a bunch of freshmen and third-stringers [Grant was in his second term and four of the other nine Democrats on the committee were serving their first term]. If this committee was going to do the actual writing of the bill, this committee would be made up of big boys. And if you Democratic freshman think anybody is really looking after you, you've got another thing coming because when this

bill finally is written it's going to be written by a lot of wheeling-dealing senators—not you. And they don't know you either, so guess whose blood is going to come rolling out from under the conference door. Not theirs—yours.⁶

Grant tried to revive the negotiations the next day, Thursday, January 28. Moos and Gorton decided to test Grant's willingness to negotiate, preparing what they thought to be wholly innocuous requests, and put them before the new Democrats on the committee. Grant and his associates flatly rejected all three requests. Calling this a waste of time, Moos walked out of the committee, leading the bloc of Republicans.

Grant finally decided to go it alone; he would be Greive's equal and draw up a House bill for House Democrats (and do it in only two days). The news of the new bill spread quickly, and legislators hurried to tell Grant of their demands and supervise the drawing of their own districts. They overflowed Grant's committee room and harassed his staff, but Grant heard them all. Essentially the legislators reiterated the positions that Greive had already led them to. Thus the bill Grant produced was replica of S.B. 2, although it did have a new number—H.B. 196. It was a very important number, one Grant would never forget.

Grant put H.B. 196 before the House on Saturday, January 30. Most saw the bill as more fuel for the Governor's veto, and O'Brien argued that Evans must take the blame for obstructing the House proposal. Gorton again urged the Democrats to begin a dialogue. The bill passed, 57-40.

Greive Opens Negotiations

Serious talks started that day. Greive opened them by sending Representative Elder to arrange an informal meeting with Gorton. Gorton, however, felt that his attendance would encourage Greive to think that the Republicans were ready to give in, so he sent Moos in his place.

The Republican strategy called for negotiations only after the Democratic position had softened. They hoped to hasten this softening through pressure from the Governor's office. On Thursday, January 28, Evans had startled the Democrats by promising drastic action if the legislature did not begin to move toward a redistricting solution. That drastic action, he explained the following day, meant a letter from him to the court asking it to take over the redistricting job. Most Democrats,

especially Greive, dreaded court involvement, fearing that the judges might ignore incumbent legislators.

Greive's strategy, on the other hand, called for softening the Republicans by negotiating with them. Talk began Saturday evening, with Moos and Senator Neill (the 1963 Republican conferee) gathering with Greive, his aide, Elder, and Representative Wesley C. Uhlman (Dem., Seattle). All areas of the state were discussed generally, with each side saying what it "had to have." Moos and Greive could set down common lines for only a few of the rural districts, but they were practically the same under each party's bill anyway.

The group met again Sunday afternoon, January 31, and this time Gorton was present. The result was nothing less than a shouting match between Greive and Gorton over the parceling out of the 26 districts for the state's three major urban centers—Seattle, Tacoma, and Spokane. When the legislators reassembled Sunday night, without Gorton, Greive offered to soften his demands in Seattle in exchange for additional gains in Tacoma and Spokane. At that point Moos began where Gorton had left off, reproaching Greive for taking away Republican margins with S.B. 2, then having the audacity to claim a concession when he handed those margins back in negotiations. Greive admonished Moos to remember that his party was outnumbered in the legislature. Any redistricting bill, Greive insisted, would have to please far more Democrats than Republicans.

The negotiations languished for the next few days, despite Greive's almost constant attempts to keep them going. The Republicans deliberately slowed them. Furthermore, Greive was plagued with a series of frustrating obstacles. He could not keep all the negotiators together. When he ran out to find one, another would escape. He was pestered by unwelcome Democrats who kept intruding on the talks, and his always-overworked staff could not meet the increased demands for information brought on by the negotiations, a problem made worse by Gorton's refusal to allow his staff to assist in any way.

Besides these problems, Gorton was busy developing a new strategy, designed to shake the Democrats' confidence in their legislative majority and put even more pressure on Greive. Gorton, his aide, Evans, and Mrs. McCaffree were secretly preparing an executive-request redistricting bill.

It would be submitted to the House with bipartisan sponsorship, with the full weight of the governor's prestige behind it.

Gorton optimistically predicted that he could even find the 11 Democratic votes necessary to win House approval. Ironically, the rules of the blitz still existed, and with those 11 Democrats Gorton could avoid the whole committee system and promptly put the bill to a final vote.

All these conditions might have produced a standoff, but Greive continued to extract progress from the talks. It was not substantive progress, although some agreements were made for a few rural districts. Rather, each side was educating the other about its own priorities and the alternative plans it favored. Slowly the two sides began to see the problems around which any bipartisan solution must pivot. This was no small accomplishment, for the scope of the changes wrought by the new redistricting would have to be more substantial than any yet considered by the legislature.

The Governor Intervenes

The Republicans made their fist package proposal on Thursday night, February 4. It was a seven-point ultimatum, presented at the negotiations that night because the Governor would announce his bill the next day and Republicans hoped the Governor's move would pressure Greive into accepting the seven-point position.

Moos explained the proposal to Greive and the other negotiators. He began with minor points, to which Greive mildly objected. The Moos touched on an open sore. He insisted the Republicans retain the two districts they already controlled in Tacoma. Strangely enough, Greive accepted the Republican demand. It was strange because Republican solutions for Tacoma always eliminated one of the area's five Democratic senators, but Greive's acceptance was even odder. The one Tacoma senator whom Greive would gladly sacrifice was safely barricaded behind miles of solidly Democratic precincts. Greive, however, devised a weird gerrymander, making the senator swap his district with another Tacoma senator, most vulnerable and most powerful. Moos, gazing at the shapes of the districts, gasped, "Why, we couldn't show up on the floor with that."

Moos skipped on to the next trouble spot, Spokane. He insisted on no Democratic gains in the county, since Republicans wanted to retain the chance to unseat two vulnerable Democratic