# Drawing the Fine Line: Redistricting or Gerrymandering?

**Historical Thinking Skills Assessed:** Corroborating, Contextualizing

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**Course:** American Government
**Level:** High

## Task Question: How have redistricting and gerrymandering affected Congressional representation and law-making?

**Learning Outcome**:
Students should be able to evaluate, take, and defend positions on issues regarding the purposes, organization, and functions of the institutions of the national government.

**Standards Alignment:**
**Common Core Standards for Literacy for History/Social Studies**
RH.9-10.2     Determine the central ideas or information of a primary or secondary source; provide an accurate summary of how key events or ideas develop over the course of the text.
RH.9-10.9     Compare and contrast treatments of the same topic in several primary and secondary sources.

**National History Standards**
Era 10:  Contemporary United States (1968 to the present)
        Standard 1: Recent developments in foreign policy and domestic politics

**College, Career, and Civic Life (C3) Framework for Social Studies Standards**
D2.Civ.1.9-12     Distinguish the powers and responsibilities of local, state, tribal, national, and international civic and political institutions.
D2.Civ.8.9-12     Evaluate social and political systems in different contexts, times, and places, that promote civic virtues and enact democratic principles.
D2.Civ.13.9-12     Evaluate public policies in terms of intended and unintended outcomes, and related consequences.

**Materials:**
- RS #01: *Gerry-mander*
- RS #02: Associated Press Study
- RS #03: Congressional Map, Maryland 2010 (109th Congress)
- RS #04:  Maryland Congressional District Map, (113th Congress)
- RS #05: Elements of a Political Cartoon
- RS #06: ARCH Historical Thinking Skills Rubric - Secondary

**Background for the Teacher:**

Once every ten years, states are required to redraw the boundaries of their congressional districts to take into account population changes as reflected in the decennial census of US population conducted at the beginning of each decade. The total of 435 congressional districts in the nation remains the same, but some states add House districts as they gain people through births and migration, others lose districts, and others yet draw new congressional boundaries to account for internal population transfers.

There are only a few rules for the design of congressional districts. All districts must have roughly the same number of people, though there are inevitably wide variations. According to the Census Bureau, the average district in 2010 had 710,767 people, ranging from the largest (994,416 in Montana) to the smallest (527,624 in Rhode Island).  Under the Voting Rights Act, states cannot design districts that reduce the representation of minority voters. Many states also have laws that require that districts must be geographically unified or adhere to local electoral boundaries.

In a few states, district boundaries are drawn by independent, non-partisan commissions. However, in most states (including Maryland) this work is undertaken by the state's General Assembly. Since state assemblies are usually controlled by one political party or the other, this has led to the well-established practice of "gerrymandering," the drawing up of congressional districts in order to maximize the electoral success of the majority party within the state. This may be done by arranging district boundaries so as to crowd the other party's supporters into super-majorities in a smaller number of districts, while spreading one's own voters into majorities in as many districts as possible. Since the Constitution is silent on the issue and political parties in power benefit from gerrymandering, the practice has prospered.

As our ability to identify and track the political preferences of individual voters has improved, so has our partisan ability to gerrymander. The result has been a rapid growth in the numbers of politically predictable districts that have an almost guaranteed majority for one party or the other, together with the elimination of districts that are truly contested between the two parties.  According to the Cook Political Report, while there were 63 competitive congressional contests in 1994, there are only 17 toss-up races around the country for this election.

Such gerrymandering leaves voters with few real options: to go along with the carefully crafted partisan majority in their district, or waste their vote by voting for the candidate of the pre-selected minority party. Political analysts are concerned that the lack of competition is discouraging voter interest and participation, since many are persuaded that their vote does not count. There is also the growing concern that non-competitive districts generate partisan extremism in the House, since congressmen worry less about the concerns of the marginalized opposition voters and far more about the preoccupations of their own party activists.

However, perhaps the biggest recent concern related to gerrymandering is that it may begin to undermine confidence in representative democracy itself. Both Democrats and Republicans have long practiced gerrymandering. However, in the re-districting after the last census in 2010, the GOP brought this practice to an entirely different level of sophistication. Because their strength at the state level had been greatly boosted in the elections of 2010, Republicans were able to accomplish the historic feat of so arranging the redesign of congressional districts in the states under their control that they managed to beat the popular vote in the 2012 election. That year, Republicans achieved a 33-seat majority in the House, even though GOP congressional candidates as a group received 1.4 million fewer votes across the nation than their Democratic opponents. This congressional map will remain in effect until after the 2020 census.

However, it is not only Republicans who practice gerrymandering. The dominant Democratic Party in Maryland has also used its majority to design the state's congressional districts to its advantage. Most recently, the boundaries of congressional districts #6 and #8 were redrawn after 2010 in order to create

democratic majorities in both districts. This was accomplished by moving portions of the Democratic-leaning population from the DC suburbs in Montgomery County (previously in district #8) into the previously Republican-majority in Western Maryland (district #6), leading to the defeat in 2012 of Rep. Roscoe Bartlett, longtime Republican congressman from Western Maryland, by his Democratic challenger. This Democratic gerrymander effectively reduced Republican congressional representation in Maryland to a single seat. Prior to the 2012 election, Maryland had six Democrats and two Republicans in the Congress. After the election, Maryland had seven Democrats and one Republican. According to an article in the *Baltimore Sun*: "The resulting product involves boundaries so splayed that a report by the Philadelphia-based consulting firm Azavea concluded that three of Maryland's districts are among the most gerrymandered in the nation."

Sources:

ABC News, "Congressional Redistricting 101," Oct 16, 2014. Accessed on October 18, 2014 at http://abcnews.go.com/Politics/wireStory/congressional-redistricting-101-26252380

Stephen Ohlemacher and Donna Cassata"GOP has a built-in advantage in fight for US House," Associated Press, Oct. 16, 2014. Accessed on October 18, 2014 at http://bigstory.ap.org/article/5418cb982e6f42ee8d5c7c1e7a44cf5d/gop-has-built-advantage-fight-us-house

Stephen Ohlemacher, "6 states show how GOP tilted House playing field," Associated Press, Oct. 16, 2014. Accessed on October 18, 2014 at http://bigstory.ap.org/article/230f5be27f11416c9d76a257825e66c8/6-states-show-how-gop-tilted-house-playing-field

Linskey, Anne. "Congressional map draws tepid support, even opposition, from some Democrats." *Baltimore Sun.* 8 Oct. 2012. http://articles.baltimoresun.com/2012-10-08/news/bs-md-congrssional-map-20121008_1_congressional-map-new-map-maryland-democrats

## Procedures

### Context Setting:
- Explain the requirements of redistricting and the practice of gerrymandering.
- Project RS#01: *Gerry-mander*. Explain the etymological origins of the term "gerrymandering" by examining this 1812 cartoon of the "Gerry-mander" in Massachussetts.
- Have students play "The Redistricting Game" http://www.redistrictinggame.org/index.php during a previous class period. This is an online game that simulates the redistricting process and helps students understand the basic premises behind the concept. (optional)
- Ask students: *Is there a difference between gerrymandering and redistricting?*
  Write their responses on the board or screen in the form of a t-chart.

### Document Analysis, Corroborating Evidence, Constructing Interpretations – *Close Analysis*:
- Distribute RS#02: Associated Press Study, a comparison of popular vote by Republicans and Democrats against the breakdown of the results in congressional districts in six Republican-controlled states in 2012. Lead a class discussion using the following questions.
  - Who draws the congressional districts? (state legislatures)
  - How do a state's political leanings influence the drawing of the district lines?
  - What impact do you think redistricting has on Congress?
  - What impact do you think gerrymandering has on voters?
  - What impact do you think gerrymandering has on our confidence in representative democracy?
- Show and distribute to students the maps of Maryland's Congressional Districts, 109th Congress (2009-11), and the one used for 113th Congress (2013-15) (RS#03 & 04). Group students into pairs.

- o Have student pairs identify the changes in the districts between 2010 and 2012.
  Ask: *Do the districts seem to be gerrymandered or redistricted?*
- o Have students describe how the Democrats in control of the Maryland General Assembly re-drew lines of Congressional Districts 6 and 8 to favor their party.
- o Pose the question: *Are Maryland's congressional districts gerrymandered, or is this a fair reapportioning?*

## Thoughtful Application:

Tell students:
- So, we've just put Maryland's redistricting plan into context—we understand that this is something that states across the nation do to strengthen or gain a majority in the House of Representatives.
- Now it's time for you to use this information and what you already know about Congress to draw a political cartoon.
- First, let's review the basic components of a political cartoon. (Distribute RS#05: Elements of a Political Cartoon. At this point, it would be helpful for the teacher to share sample political cartoons to examine the key elements.)
- Now, I'd like you to draw your own political cartoon. Your cartoon needs to show your understanding of the effects of redistricting, and communicate a clear perspective on redistricting.

Score the political cartoons using RS#06: ARCH Historical Thinking Skills Rubric – Secondary (corroboration and contextualizing).

**Resource Sheet #01**

## *Gerry-mander*

 "Gerrymander" is a political practice that was named for an oddly-shaped congressional district, which was said to have resembled a salamander. The term was coined by opponents of Elbridge Gerry, who was the governor of Massachusetts in the early 1800s. Gerry's supporters in the Massachusetts legislature were said to have created the district to favor members of the governor's party, leading his opponents to call the move a "Gerry-mander" or gerrymander.



Source:  Tisdale, Elkanah. 1812.  *Boston Centinel.* Web, accessed Oct. 22, 2014. http://en.wikipedia.org/wiki/File:The_Gerry-Mander_Edit.png

**Resource Sheet #02**

# Associated Press Study

A study by the Associated Press can help to explain how congressional redistricting after 2010 produced a Republican majority in the House in 2012, despite the fact that more votes were cast for the Democratic Party nationally. The study divided the votes from the 2012 presidential election into all 435 congressional districts. In six Republican-controlled states (Florida, Michigan, Ohio, Pennsylvania, Virginia, and Wisconsin) Republican Mitt Romney won more House districts than Barack Obama, even though Obama won the statewide vote in each state. Nationally, Romney won 17 more House districts than Obama, even though Obama received nearly 5 million more votes.

These six states show how it happened:

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Florida vote: Obama, 50 percent; Romney, 49 percent.

Congressional districts: Obama, 11; Romney, 16.

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Michigan vote: Obama, 54 percent; Romney, 45 percent.

Congressional districts: Obama, 5; Romney, 9

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Ohio vote: Obama, 51 percent; Romney, 48 percent.

Congressional districts: Obama, 4; Romney, 12.

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Pennsylvania vote: Obama, 52 percent; Romney, 47 percent.

Congressional districts: Obama, 5; Romney, 13.

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Virginia vote: Obama, 51 percent; Romney, 47 percent.

Congressional districts: Obama, 4; Romney, 7.

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Wisconsin vote: Obama, 53 percent; Romney, 46 percent.

Congressional districts: Obama, 3; Romney, 5.

**Source:** Stephen Ohlemacher, "6 states show how GOP tilted House playing field." Associated Press, Oct. 16, 2014. Accessed on October 17, 2014 at http://bigstory.ap.org/article/230f5be27f11416c9d76a257825e66c8/6-states-show-how-gop-tilted-house-playing-field

**Resource Sheet #03**

# Congressional Map, Maryland 2010 (109th Congress)

Maryland Congressional Districts - 8 Districts Total



109th Congress of the United States

USCENSUSBUREAU
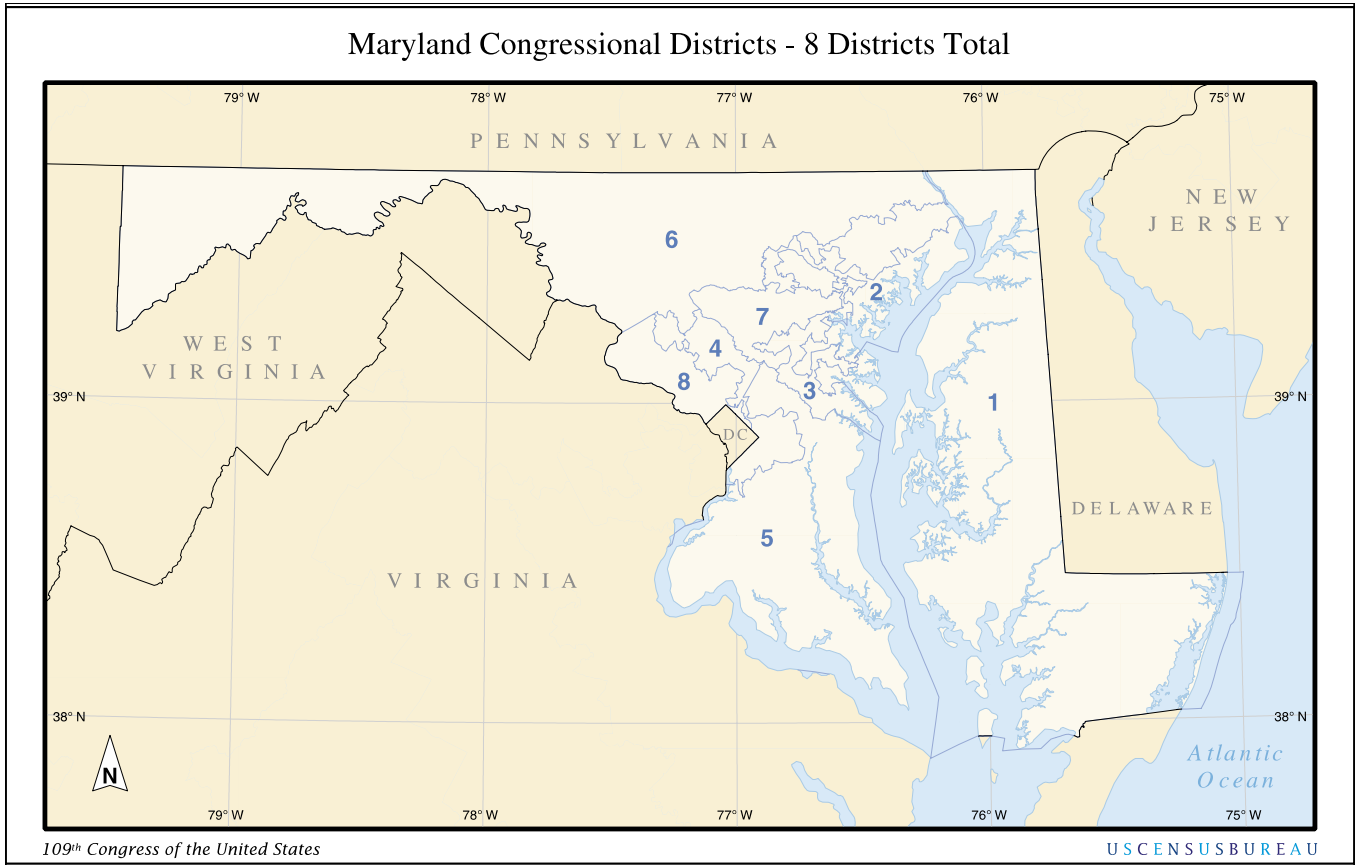
Source: http://www2.census.gov/geo/maps/cong_dist/cd109_gen/cd_based/Maryland/cd109_MD_loc.pdf

**Resource Sheck #04**

# Congressional Map, Maryland 2013 (113<sup>th</sup> Congress)
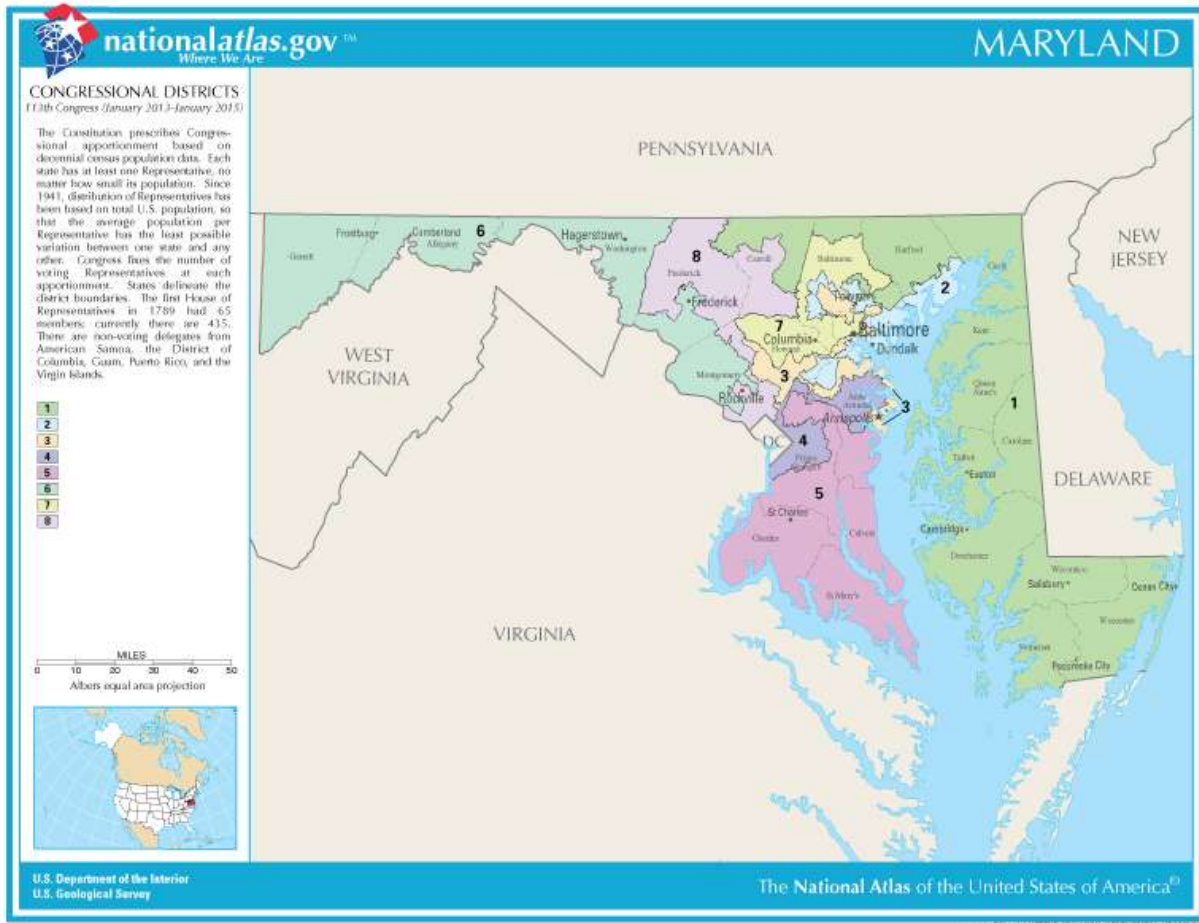
**Resource Sheet #05**

# Elements of a Political Cartoon

- Symbols to represent ideas and concepts

- Text in the form of labels, captions, speech or thought bubbles, etc.

- Irony, or a depiction that is contrary to how it is supposed to be

- Exaggeration of physical characteristics of individuals, a problem or situation, a habit, a trend, etc.

- Analogy or comparison of two different or conflicting people, ideas, or concepts

- Stereotypes to make generalizations about people, countries, etc.

- Title to express the big idea of the cartoon, often in a humorous manner

*Some common symbols in American political cartoons:*

- Uncle Sam to represent the United States

- Dove to represent peace

- Bomb to represent war

- Heart to represent love

- Donkey to represent the Democratic Party

- Elephant to represent the Republican Party

- Skull and crossbones to represent death

- Scales of Justice to represent legal issues or legal system

**Resource Sheet #06**

# ARCH Historical Thinking Skills Rubric - Secondary

| Criteria | Strategies/Procedural Concepts | |
| --- | --- | --- |
| | **Corroboration** | **Contextualizing** |
| **4** | Constructs an interpretation of events using information and perspectives in multiple sources. Identifies consistencies and inconsistencies among various accounts. | Applies prior and new knowledge to determine the historical setting of sources. Uses that setting to interpret the sources within the historical context as opposed to a present-day mindset. |
| **3** | Explains similarities and differences by comparing information and perspectives in multiple sources. | Applies prior and new knowledge to determine the historical setting of the sources. May attempt an interpretation of some sources with a present-day mindset or with a limited application to the historical context. |
| **2** | Identifies similarities and differences in information in multiple sources. | Attempts to determine the historical setting of sources without fully understanding the historical context. |
| **1** | Demonstrates little to no attempt to examine sources for corroborating or conflicting evidence. | Demonstrates no attempt to understand the historical setting of sources. |