

Legislative Redistricting

National Overview

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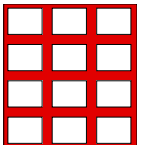
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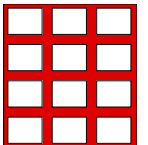
Warm-Up Question #1

- Please describe your current knowledge base when it comes to legislative redistricting:
 1. Thorough
 2. Increasing
 3. Limited
 4. Nonexistent



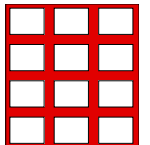
Warm-Up Question #2

- How important do you think it is for your students to understand the redistricting process?
 1. Imperative
 2. Very
 3. Somewhat
 4. Limited
 5. Not important



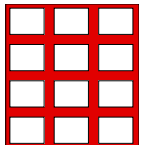
Warm-Up Question #3

- How often do you address redistricting in your curriculum?
 1. Annually
 2. Periodically
 3. Once a decade
 4. Never



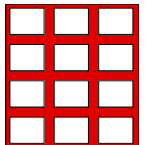
Warm-Up Question #4

- For those who teach redistricting, which course is it included within?
 1. U.S. History
 2. American Government/ Civics
 3. AP U.S. History
 4. AP American Government
 5. Other



Warm-Up Question #5

- What do you most want to take away from today's seminar?
 1. Greater content knowledge about the national redistricting process
 2. Greater content knowledge about the redistricting process in Illinois
 3. Redistricting lesson plans and exercises for immediate use in my classroom
 4. Working knowledge of map drawing for replication in my classroom



Overview

- Why we should teach redistricting
- Constitutional underpinnings
- Process overview
- The “Redistricting Revolution”:
Consequences and complications
- Back to the future: “Bushmanders and Bullwinkles”

Why we should teach redistricting

Six promising approaches outlined by the Campaign for the Civic Mission of Schools:

1. *Formal instruction in US Government, history, law, and democracy using interactive methods and opportunities to apply learning to “real-life” situations.*
2. *Discussion of current local, national and international events that students view as important to their lives and controversial political and social issues within political and social context.*
3. Service learning linked to the formal curriculum and classroom instruction.
4. Extracurricular activities that encourage greater involvement and connection to school and community.
5. Authentic voice in school governance.
6. *Participation in simulations of government structures and processes.*

McCormick Foundation Conference Series

Creating A Civic Blueprint
for Illinois High Schools



Educating for Democracy

Why we should teach redistricting

Communities, Political Context, and Socialization (Gimpel et al, 2003)

- “Local political diversity...serves as an accelerant to the diffusion of political information.” (54)
- Greater tolerance in politically heterogeneous communities
- One-party systems with low turnout breed negativity and cynicism of government performance
- “The most dubious places to attempt to cultivate good citizens are one-party Democratic cities and suburbs, where we found considerably less political communication and lower knowledge scores.”(104)

Local Political Parties and Young Voters (Daniel M. Shea in Youniss and Levine, 2009)

- Link between decline of local political parties and youth voter turnout
- Redistricting as a means of invigorating youth recruitment by local political parties
- “Schools might underscore foundational knowledge, the media could highlight important and often complex issues, and parties might draw young citizens into the process.” (182)

Constitutional Underpinnings

Article I, Section 2:

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.

Constitutional Underpinnings

14th Amendment, Section 2:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

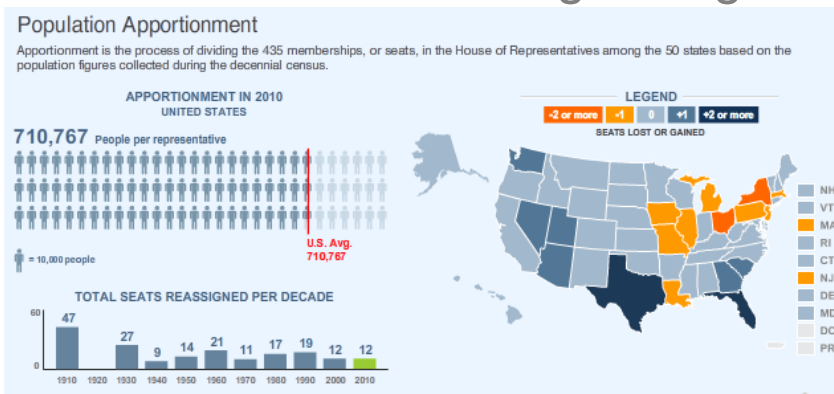
Process Overview

- House expanded after each census from 1790-1910 with one exception
- Reapportionment vs. redistricting
- Prior to the 1960s, redistricting occurred sparingly
- In 37 states, the state legislature is primarily responsible for drawing its own districts
 - 39 states with multiple congressional districts are drawn by the legislature
 - 11 states use an independent commission to draw district boundaries, while 8 others use commissions as a default measure



House Apportionment

- 435 House seats apportioned every ten years by population—fixed since 1910
- Actual enumeration vs. statistical sampling
 - Should the U.S. Census Bureau discontinue its actual headcount and instead rely solely on statistical sampling models?
 1. Yes
 2. No
 - Everyone living in the US, along with those serving abroad, counted
- Shift from Frost Belt to Sun Belt: Should benefit GOP, but gains most often attributed to growing Latino populations



Apportionment in Illinois

Population Apportionment

Apportionment is the process of dividing the 435 memberships, or seats, in the House of Representatives among the 50 states based on the population figures collected during the decennial census.

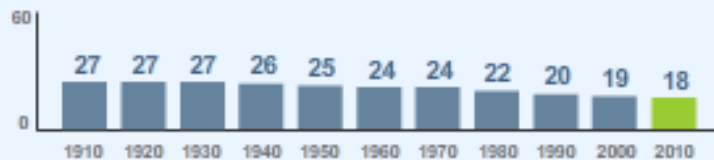
APPORTIONMENT IN 2010 ILLINOIS

714,688 People per representative



= 10,000 people

REPRESENTATIVES IN ILLINOIS



LEGEND

-2 or more -1 0 +1 +2 or more

SEATS LOST OR GAINED



Illinois has emerged with fewer seats in every census since 1930 with one exception.

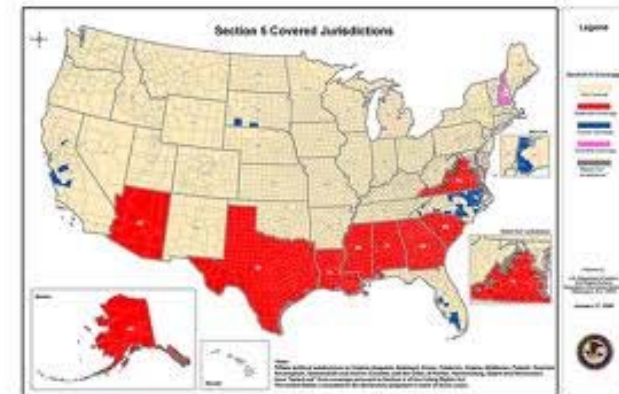
Redistricting Revolution: Equality

- *Baker v. Carr* (1962): TN state legislative districts not redrawn since 1901
 - SCOTUS relies upon 14th Amendment's equal protection clause
- *Reynolds v. Sims* (1964): Applies Baker in AL, “one person, one vote” (does not require absolute equality)
- *Wesberry v. Sanders* (1964): Extended earlier rulings to congressional districts in GA
 - GA districts last redrawn in 1931; largest district 3 X the size of smallest
- *Karcher v. Daggett* (1983): NJ districts varied by .7%; SCOTUS deemed too high given competing plans with lower margins
 - GIS software has eliminated population deviations
 - Consequence has been the division of city and county boundaries



Redistricting Revolution: Minorities

- Shift of legislative districts to cities enabled the election of black officials for the first time since Reconstruction
- Section 5 of the Voting Rights Act ensured that districts would not be drawn to eliminate black majorities (Nonretrogression)
 - Affirmative action gerrymandering resulted in the creation of new majority-minority districts
 - It also required preclearance in Southern states
 - Latinos pushed for the inclusion of language minorities; representation increased as a result

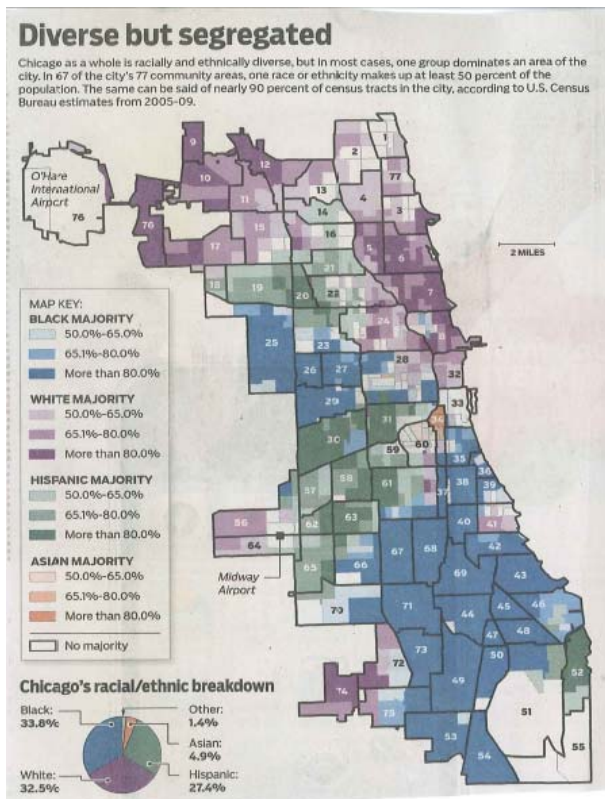


Redistricting Revolution: Minorities (cont.)

- Congress rewrote Section 2 (Nondilution) in 1982, lowering the burden of evidence on plaintiffs to challenge discriminatory districts
 - Need not prove intent
- Preclearance eventually involved the rejection of plans that could have added additional majority minority districts
 - Often involved the linking of geographically separate minority populations
- The emergence of influence districts
 - While unlikely to elect a minority representative, community has significant sway in affecting election outcomes
- *Bartlett v. Strickland* (2009): Jurisdictions must consider race when drawing districts only if a single minority group could constitute a majority

Redistricting Revolution: Minorities (cont.)

- Chicago as a case study



Redistricting Revolution: Minorities (cont.)

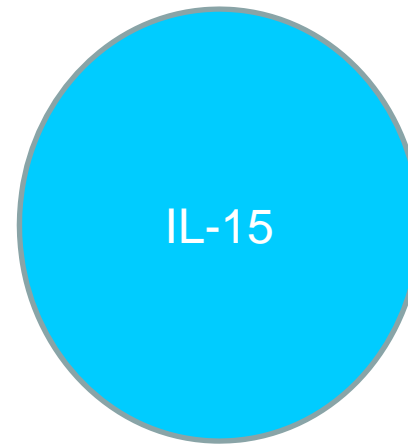
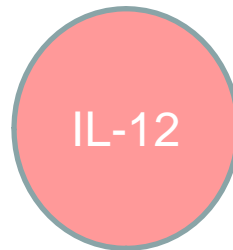
- Race and political party intertwined
 - CNN Exit Poll: 2010 Illinois U.S. Senate Race

Vote by Race

Total	D Giannoulas	R Kirk	G Jones	O Other/No Answer
White (69%)	31%	64%	3%	2%
African-American (20%)	94%	3%	1%	2%
Latino (8%)	63%	27%	7%	3%
Asian (2%)	N/A	N/A	N/A	N/A
Other (2%)	N/A	N/A	N/A	N/A

Redistricting Revolution: Other Parameters

- Contiguity: "...The idea that a person could go from one end of the district to the other without leaving the district."
(Bullock, 2010)
- The most compact geographic shape is a circle
 - Dispersion scores



Redistricting Revolution: Other Parameters (cont.)

- Dividing counties widely accepted in urban areas given identification with cities; not true in rural areas



- The myth of the incumbency advantage (Cox and Katz, 2002)
 - Incumbents tend to scare away strong challengers and vice versa
 - Incumbents more likely to exit when their party's vote prospects are poorer
 - Parties lose more often when incumbents leave voluntarily

Redistricting Revolution: Other Parameters (cont.)

- The myth of the incumbency advantage (cont.)
 - Incumbents most likely to leave voluntarily the first election after redistricting
 - Strong challengers also more likely to enter at this time
- The value of a House seat...
 - Premised upon likelihood of being in the majority
 - Prior to 1994, GOP exits were premised upon this calculation
- Conclusion: Democrats never had an incumbency advantage during 30-year period studied
 - GOP's advantage grew conversely with the size of their delegation

- Why?



Back to the Future: Bushmanders and Bullwinkles

- Political scientists favor competitive districts because they:
 - Make legislative bodies more responsive to shifting public preferences
 - » Studies show that incumbents who win reelection in altered districts modify their role call votes to align with constituent preferences
 - Produce more moderate legislators (debatable)
- Arizona's constitution and standards in Washington call for politically competitive districts
- Plans constructed by commissions more competitive than those drawn by legislatures
- “Bushmanders”: “By creating safe districts in which minority candidates were likely to win, the Bush Republicans added white voters to formerly Democratic districts, which responded, as hoped, by electing Republicans.” (Monmonier, 2001)



Back to the Future:

Bushmanders and Bullwinkles

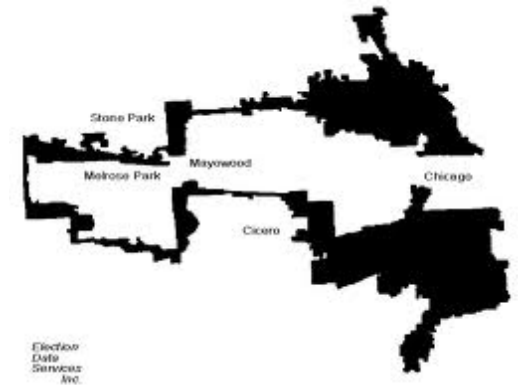
- Which do you consider the most “bizarre” congressional district?



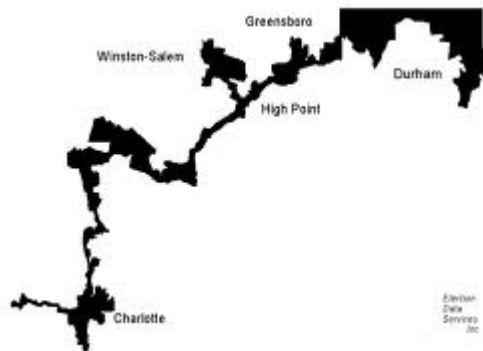
1. Zorro District (LA)



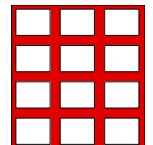
2. Bullwinkle District (NY)



3. Earmuff District (IL)



4. I-85 District (NC)



Concluding Question

- What do you consider the most important criteria when drawing legislative districts?
 1. Numeric equality
 2. Creation of majority-minority districts
 3. Respect for geographical boundaries
 4. Compactness
 5. Political competitiveness