

**Subject:** Civics and Government

**Grade Level:** 9–12

### Standards:

#### ***Indiana DOE***

#### *Academic (7)*

#### **USG.1.9 The Nature of Politics and Government**

Evaluate how the United States Constitution establishes majority rule while protecting minority rights and balances the common good with individual liberties.

#### **USG.2.4 Foundations of Government in the United States**

Explain the history and provide examples of foundational ideas of American government embedded in the Founding-Era documents such as: natural rights philosophy, social contract, popular sovereignty, constitutionalism, representative democracy, political factions, federalism, and individual rights.

#### **USG.3.7 Purposes, Principles, and Institutions of the Government of the United States of America**

Explain the relationships among branches of the United States government and Indiana government, which involve separation and sharing of powers as a means to limited government.

#### **USG.3.15**

Examine the progression of political parties and their ideologies and the broad political spectrum in the American governmental system and analyze their functions in elections and government at national, state, and local levels of the federal system.

#### **LH.1 Learning Outcome for Literacy in History/Social Studies Learning**

Read and comprehend history/social studies texts independently and proficiently, and write effectively for a variety of discipline-specific tasks, purposes, and audiences.

#### **LH.2: Key Ideas and Textual Support (Reading)**

Extract and construct meaning from history/social studies texts using a variety of comprehension skills.

#### **LH.7 The Research Process (Writing)**

## LESSON PLAN – WHAT IS GERRYMANDERING?

Build knowledge about the research process and the topic under study by conducting short or more sustained research.

### ***Nationwide***

#### *National Standards for Civics and Government (3)*

#### **III.E.1.2 How does the American political system provide for choice and opportunities for participation?**

To achieve this standard, students should be able to describe how the public agenda is shaped by political leaders, political institutions, political parties, interest groups, the media, individual citizens.

#### **III.E.4.5 Students should be able to evaluate, take, and defend positions about the roles of political parties, campaigns, and elections in American politics.**

To achieve this standard, students should be able to describe the role of political parties in channeling public opinion, allowing people to act jointly, nominating candidates, conducting campaigns, and training future leaders

#### **V.B.2.5 Students should be able to evaluate, take, and defend positions on issues regarding political rights.**

To achieve this standard, students should be able to evaluate contemporary issues that involve political rights, e.g., proportional voting, "hate speech," access to classified information, changing the boundaries of congressional and state legislative districts

### **Materials Needed:**

Students will need access to:

A computer or laptop or a way to show video in class

Students may need headphones

Access to PBS Learning Media

Access to the internet

### **Learning Objectives:**

- Consider how political parties use gerrymandering to dominate state politics.
- Consider the national impact of gerrymandering.

## LESSON PLAN – WHAT IS GERRYMANDERING?

- Understand why the U.S. Supreme Court is unwilling to address partisan gerrymandering at the national level..

### Introduction/Anticipatory Set:

Founders of our country expected our population to grow as settlers moved west, yet they wanted to be sure that all citizens would have an equal voice in government. Therefore, they specified in the Constitution that each member of Congress would represent specific districts, and districts would be redrawn every decade according to the current census population count. Politicians soon learned how to manipulate this process to assure their party would keep its power, even when they fell out of favor with voters. This manipulation is called *gerrymandering*.

### Body of Lesson:

1. Show the video, “What Is Gerrymandering?”
  - a. Note that most state legislatures to redraw their districts. If one political party dominates the legislature, the redistricting process is likely to result in gerrymandering.
    - i. Gerrymandering tends to keep one party in control of the legislature and the state’s choice of presidential electors and members of Congress.
    - ii. This is why some states have become known as “red states” (Republican) and others are known as “blue states” (Democratic).
    - iii. Elections should enable voters to choose their politicians, but critics say that gerrymandering lets politicians choose their voters.
  - b. A few states have entrusted their redistricting to non-partisan commissions to avoid the distortions of gerrymandering.
    - i. This is a recent development, so it’s too early to confirm whether it will release partisan locks on state legislatures and national elections.
    - ii. However, non-partisan redistricting should avoid both of the distortions of gerrymandering.
      1. “Cracking” splits similar voters across multiple districts, so that they are not a majority in any district.
      2. “Packing” puts similar voters in a few large districts, so that they can elect only a few legislators or presidential electors.
  - c. Learning Activity:
    - i. Have students research why news commentators call your state red or blue. In which recent elections has your state voted consistently in favor of one party’s candidates?

## LESSON PLAN – WHAT IS GERRYMANDERING?

- ii. District allocation may account for this, but discuss other reasons (economic forces, political movements, etc.) that might have yielded such results.
2. Consider two 2019 lawsuits that attempted to eliminate gerrymandering nationwide.
  - a. Voters in North Carolina and Maryland challenged their state legislatures' redistricting after the 2010 census.
    - i. North Carolina voters believed the new district map discriminated against Democrats, while Maryland voters believed their new map discriminated against Republicans.
    - ii. Both states' supreme courts ruled in favor of the plaintiffs and ordered their legislators to revise the new district maps.
    - iii. Both state legislatures appealed these rulings to the Supreme Court, which remanded these cases to those states because they involved "political questions beyond the reach of the federal courts."
  - b. Learning Activity:
    - i. Have students read the Syllabus of the Court's rationale for remanding this case (<https://www.law.cornell.edu/supremecourt/text/18-422>).
    - ii. Have each student write a one-page summary (about 250 words) of
      1. Why the Court did not rule on this case, and
      2. Other ways that the voters of North Carolina and Maryland could change their states' redistricting practices.

## Summary/Closure

From the Supreme Court decision in *Rucho v. Common Cause*: "Partisan gerrymandering was known in the Colonies prior to Independence, and the Framers were familiar with it at the time of the drafting and ratification of the Constitution. They addressed the election of Representatives to Congress in the Elections Clause (Art. I, §4, cl. 1), assigning to state legislatures the power to prescribe the "Times, Places and Manner of holding Elections" for Members of Congress, while giving Congress the power to "make or alter" any such regulations...To hold that legislators cannot take their partisan interests into account when drawing district lines would essentially countermand the Framers' decision to entrust districting to political entities. The "central problem" is "determining when political gerrymandering has gone too far." (*Vieth v. Jubelirer*, 541 U. S. 267, 296).

### Extension Activities

The Brennan Center for Justice at New York University is one of many organizations calling for a complete overhaul of the redistricting process. Read the Center’s article, “Redistricting: Why It Matters” (<https://www.brennancenter.org/issues/gerrymandering-fair-representation/redistricting>) and discuss (1) why this organization believes that partisan gerrymandering undermines our republic and (2) what practical steps they recommend to correct this problem.

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