

Race and Redistricting: What the Print Media Conveys to the Public about the Role of Race

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In a series of voting rights cases, the U.S. Supreme Court held that race-based redistricting, particularly the intentional formation of majority–minority districts (districts in which voters of color constitute a majority of eligible voters) may be unconstitutional if race was the predominant factor in the formation of the district. The Court stated that “redistricting legislation that is so bizarre on its face that it is unexplainable on grounds other than race” may violate the Constitution because of the messages such districts send to the public (Shaw v. Reno, 1993). Yet neither the Court nor social scientists have examined whether the existence of race-conscious majority–minority districts sends messages to voters and what the nature of these messages may be. This research begins to address this scientific issue. In a quantitative content analysis, we examined messages about racial redistricting conveyed to citizens via the print media. Our sample consisted of 355 newspaper articles about redistricting included in the Lexis–Nexis database between 1990 and 2005. We found that newspaper coverage of racial districting contains messages to citizens about the motives involved in redistricting, the individuals and groups who are responsible for it, and its actual and expected effects. This finding is consistent with the Supreme Court’s assumption that districts, particularly bizarrely shaped ones, convey distinct messages to voters. The specific messages communicated varied in important ways across the articles. Newspapers in states subject to

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Section 5 of the Voting Rights Act because of their history of discrimination against voters of color covered racial redistricting differently than states not subject to Section 5. We discuss the legal and theoretical implications of these findings for understanding the role of race in legislative redistricting efforts.

Controversy over voting rights and political representation for voters of color¹ has a long and sordid history in the United States. For much of this country's past, voters of color, in particular African American voters, were subject to outright disenfranchisement (U.S. Department of Justice, n.d.). For the most part, the tide began to change with the passage of the 1965 Voting Rights Act ("VRA"), which declared racial discrimination in the electoral process illegal and provided a proactive enforcement mechanism. Specifically, Section 4 of the VRA, the "trigger formula," singled out those jurisdictions that had used a literacy test and in which voting registration or turnout rates did not reach 50%. Section 5 of the VRA required those jurisdictions that were subject to the trigger formula to preclear any election-related changes with the Department of Justice or to seek a declaratory judgment action in the U.S. District Court for the District of Columbia that the proposed changes were not racially discriminatory.

The disenfranchisement of minority groups in general and African Americans in particular as well the creation of the VRA and its amendments and the Supreme Court cases that followed illustrate the tensions among majority rule, minority rights, and democratic principles of equality and agency (Pildes & Niemi, 1993). Redistricting is ultimately tied to the broad concept of democratic representation, but more specifically to issues such as accountability of a representative government to the electorate, individuals' right to participate, and group-based representation. Guidance for the creation and modification of voting districts appears in the U.S. Constitution, which the Court has interpreted as safeguarding the right to vote and the right to equal representation (*Reynolds v. Sims*, 1964; *Westberry v. Sanders*, 1964).

Furthermore, traditionally, political representation has been organized around geography. Voters are grouped together in a legislative district on the basis of their physical proximity to one another. More recently, however, political representation has increasingly been organized around interests that are defined by group membership rather than physical proximity (Pildes & Niemi, 1993). In modern voting rights cases, particularly those that involve racial considerations, geographical and group-based conceptions of representative government must often be carefully balanced in order for a district to withstand a legal challenge. Perhaps most

¹We refer to minority groups and group members generally throughout the article. Although in most cases redistricting issues concern African Americans, the news coverage of the issue does not always distinguish between specific groups. The news articles in this study focused mostly on African Americans (90.4%) but also mentioned Latino/Hispanic (47.6%), and Asian voters (8.7%).

important, redistricting and associated issues raise questions about the perceived legitimacy of political processes (Issacharoff, 2002).

Below, we review the VRA, which attempted to change the conditions for minority voters. Then, we review the Supreme Court's doctrine on the matter. We suggest that the Court has made specific assumptions about the harms associated with racial redistricting, particularly when the district in question is bizarrely shaped, which have yet to be empirically tested. We undertake an initial effort to investigate the validity of these assumptions by examining the way in which the print media communicates messages about racial redistricting to the public.

Voting Rights Act: Impact and Subsequent Amendments

Once the VRA was implemented its effects were immediate and dramatic. For example, in South Carolina, on the date of the Act's passage in 1965, only 37% of Black South Carolinians were registered to vote. By 1966, over 50% of Black South Carolinians were registered to vote (Fuentes-Rohwer & Charles, 2006). For almost 20 years, Section 5 served as the primary means to prevent race-based disenfranchisement and, as a consequence, the VRA's effects were mainly limited to those jurisdictions covered by the trigger formula. Similarly, results under the VRA were centered on impressive gains in registration numbers but relatively few gains in office-holding by candidates of color; it was not until the amendment of Section 2 of the VRA that these gains in office-holding became substantial.

Section 2 of the VRA specifically prohibited voting practices and procedures that discriminated against voters on the basis of race, color, or membership in language minority groups. In 1980, the Supreme Court decided *Mobile v. Bolden*, in which the Court held that Section 2 was violated only when the state intentionally implemented a voting change that diluted voting rights on the basis of race. Congress disagreed and, in 1982, amended Section 2 of the VRA to state that any standards, practices, or procedures with respect to voting that have the effect of diluting voting rights on the basis of race are prohibited. This amendment broadened the reach of Section 2 and breathed new life into that provision. The amendment of Section 2 was particularly vital because Section 2, unlike Section 5, applies nationwide and therefore has greater impact.

In 1986, the Supreme Court had its first opportunity to interpret the amended Section 2 in a suit that challenged the legality of multimember districts under Section 2. In a multimember district all voters of a community or electoral jurisdiction can vote separately on each candidate. Such a procedure, in effect, allows a voting majority to control every seat in an election (Aleinikoff & Issacharoff, 1993). The Court concluded that a multimember district constitutes racial vote dilution if (a) the minority group challenging the district is large and compact enough to form a majority in a single-member district (where a single elected official represents each geographically distinct voting district); (b) the minority group members vote

in a similar fashion; and (c) Whites vote as a bloc, enabling Whites to defeat the minority group's preferred candidate at the polls (*Thornburg v. Gingles*, 1986). The ruling suggested that if an alternative district map would provide a better chance for minorities to achieve their goals under the three *Gingles* factors, then the proposed map is unsatisfactory.

The 1982 amendments, as interpreted by the Court in *Gingles*, were first implemented following the 1990 U.S. Census, which was the first redistricting opportunity following the amendments. Many redistricters and civil rights activists argued that amended Section 2 and *Gingles* required states to create as many majority-minority districts as possible. In such districts, members of a minority group make up more than 50% of the voting population, giving them a greater chance to elect a representative of their choice, presumably but not always, a representative from their minority group.

The amended Section 2 was tremendously successful. Many majority-minority districts were created, and they had the intended effect of allowing the election of many more minority representatives. In the 1992 elections, after the creation of majority-minority districts across the country, the number of African American representatives in Congress jumped from 26 to 39 (*Brown v. Board of Education 50th Anniversary*). Almost all of the members of the House of Representatives who are individuals of color were elected in part due to majority-minority districts created under amended Section 2.

Growing Controversy over Race-Conscious Redistricting

As successful as amended Section 2 has been in promoting the election of candidates of color through the use of majority-minority districts, the practice has been similarly controversial. In the 1993 case of *Shaw v. Reno* ("*Shaw I*"), the Supreme Court heard a challenge to North Carolina's congressional district plan that had elected two Black representatives from North Carolina to Congress in 1992 for the first time in 90 years.

An issue in *Shaw I* was whether North Carolina's 12th congressional majority-minority district violated the Constitution. White plaintiffs filed suit arguing that the intentional formation of majority-minority districts violated the Equal Protection Clause. The plaintiffs in this case did not make a vote-dilution claim. In fact, White residents made up 76% of the population and 78% of the voting age population (Pildes & Niemi, 1993). Rather, they focused on the shape of the district, which they characterized as intentionally "bizarrely shaped" in order to separate White voters from Black ones. The district was described by both commentators and the Court as "snakelike" and was widely derided as a legislative folly. Although the plaintiffs in *Shaw I* could not demonstrate to the Court that their votes had been diluted, they were able to make a claim that focused on the perceived legitimacy of the voting system rather than the actual distribution of group power

as a consequence of the state's use of race in redistricting (Pildes & Niemi, 1993). The Court generally agreed, holding that bizarrely shaped majority-minority districts can implicate and violate the Equal Protection Clause. With this ruling, the Court cast doubt on the primary device responsible for diversity in legislative assemblies across the country.

Shaw I is significant for our purposes because it established a new type of voting rights claim that does not require proof of tangible harm. In contrast to the majority of traditional constitutional violations, the constitutional harms vindicated in *Shaw I* are "expressive harms." Pildes and Niemi (1993) use the term *expressive harms* to contrast this latter type of claim with traditional claims of "material harm." Whereas claims of material harm come from minority group members who allege that their votes have been unfairly diluted, claims of expressive harm are based on the perceived harm from a district, rather than actual vote dilution, and are primarily advanced by White plaintiffs, which was the case in *Shaw I*. The constitutional violation centers around the public meaning of the state's action and the message that is communicated by the state.

Thus, beginning with the *Shaw I* decision, the Court showed new concern for public perceptions of the legitimacy of the redistricting process and by extension, the voting system. Specifically, the Court's main concern reflected its opinion that bizarre majority-minority districts "convey the message that voter identity is, or should be, predominantly racial" (*Bush v. Vera*, 1996). The district in *Shaw I* and others in later cases (*Bush v. Vera*, 1996; *Miller v. Johnson*, 1995) were struck down on related grounds.

While out of sync with previous redistricting doctrine, the logic behind the Supreme Court's reasoning in redistricting cases in 1993 and thereafter is consistent with the Court's position that race-based classifications are harmful to democracy and harmful in that they may exacerbate racial tensions in society. The Court considers racial categorizations to be more suspect than those based on other social categories, and their "strict scrutiny" standard requires that racial classifications are "narrowly tailored" to serve a "compelling" government interest. The *Shaw I* decision established that a majority-minority district may be subject to challenge under the Equal Protection Clause if, "on its face," it has no rational explanation other than a deliberate effort to separate voters on the basis of their race.

On its face in this context implies that the district in question is bizarrely shaped. Thus, the Court is not concerned with majority-minority districts per se, only with those that send a powerful message via their shape, that race has taken over the process of government decision making. Furthermore, the Court is not concerned with bizarrely shaped districts that are drawn to benefit groups that are not race based, such as political parties. In fact, for a successful claim, race must be shown to be the predominant factor in drawing the district (*Bush v. Vera*, 1996). It is clear in the Court's reasoning that it is the co-occurrence

of a *majority-minority district* with a *bizarre shape* that signals to the public that racial classifications may have been used inappropriately. In its redistricting doctrine of expressive harms, the Court offers the empirically testable claim that bizarre-shaped majority-minority districts communicate messages to the public about the nature of political identity, specifically, that it is inherently linked to race. According to the Court, these districts “reinforce the perception that members of the same racial group—regardless of their age, education, economic status, or the community in which they live—think alike, share the same political interests, and will prefer the same candidates in the polls” (*Shaw v. Reno*, 1993). In addition, the Court assumes that such messages might engender negative public perceptions of the political system and exacerbate racial polarization.

This Study

Up to now, such assumptions by the Court about the public meaning of the use of race in redistricting have not been empirically examined. This research takes the first step to examine the nature of messages that are conveyed to the public through print media sources, one important source of the messages on racial redistricting about which the Court is concerned. Specifically, we examined newspaper coverage of redistricting from 1990, when the first U.S. Census after the 1982 amendment to the VRA occurred, to 2005, the year of our data collection. To be sure, televised media and the Internet are also news sources that are increasingly used by the public.

In addition, print media coverage represents institutionalized cultural statements, and examination of this news source allows us to study explicit messages about redistricting as they are conveyed to the public. Such an approach is characteristic of research in cultural psychology that suggests newspaper coverage in particular and media coverage in general provides a “mirror” of the type of frames and content that the public itself prefers (e.g., Markus, Uchida, Omoregie, Townsend, & Kitayama, 2006; Mendelberg, 2001). In addition, a recent study by two economists indicates that rather than printing top-down messages that reflect the beliefs and biases of the source, the frame and content of newspaper coverage may be tailored to some extent to match the preferences of the audience of readers (Gentkow & Shapiro, 2006). Thus, examining news coverage of racial redistricting also may provide insight into the kinds of messages the public wants to hear.

In our examination of news coverage of racial redistricting, we sought to gain information about several aspects of the messages that newspapers conveyed to their readerships. First, we examined what information is communicated to the public about redistricting: the reasons for redistricting, the actors involved in constructing districts, and the expected and actual outcomes of redistricting. In addition, we investigated several potential sources of variability in the news coverage. States that have a history of minority disenfranchisement are required

by Section 5 of the VRA to submit redistricting plans to the U.S. Justice Department, which provides “preclearance” before districts are implemented to ensure that minority-vote dilution has not occurred. We examined differences in news coverage between articles published in newspapers from states that are covered by this preclearance requirement versus those published in states not covered by the requirement. In addition, we expected that the location of the district discussed in the article would affect the types of messages conveyed about redistricting. The use of race in redistricting is expected to be covered differently in states with and without a history of Justice Department oversight of its voting system, and in articles that discuss districts within and outside of those states.

We also expected that different sections of newspapers (op-eds vs. news stories) would convey different kinds of messages. For example, op-eds are traditionally the location in a newspaper for more independent and opinionated stories than news articles, and less bound to present balanced viewpoints. For this reason, we expected that more polarized statements about the role of race in redistricting would appear in op-eds than in news articles.

The first set of statistical analyses examine differences in article content based on the state in which the article was published (preclearance vs. nonpreclearance), providing clues about the dominant frameworks for coverage of redistricting between states that have an established history of racial disenfranchisement in their voting system versus those that do not. The second set of analyses reflects the differences in coverage based on the state that is the focus of the article being coded (preclearance vs. nonpreclearance).

Method

We selected the set of newspapers from research by Hutchings, McClerking, and Charles (2004), who investigated congressional representation of Black interests, from the Lexis–Nexis database. When the Lexis–Nexis database did not include the specific newspaper Hutchings et al. (2004) used, we selected a similar paper from the same state. These replacement papers (available from the authors upon request) were circulated in a similar region as the original newspaper and reached an approximately equally sized readership.

Our search covered the 15-year period from 1990 to 2005. We searched for articles from our sample of newspapers using a variety of keyword combinations focusing on race and redistricting.² Once the set of articles was selected, the

²For example, we sought to identify articles that mentioned *district** (where, * signifies other words that begin with the same stem, e.g., *districting*), *redistrict**, or *gerrymander**, and *rac** (for race and its variants), majority, minority, references to shape (e.g., bizarre, irregular, odd). A complete list of keywords used for our searches is available from the authors.

researchers selected a random 5% of the articles, which they used to design the preliminary coding categories. The coding scheme that resulted was tested on another randomly chosen 20% subset of the articles. Coders then revised the codebook, which was used to code a random 50% of the articles ($n = 569$) in the entire sample ($N = 1,137$).

Two members of a three-person coding team read each article and selected those articles for coding that were “about redistricting.” Articles that were selected by the search terms were not “about redistricting” when the keywords matched a homonym of the intended term. For example, the keyword *race* might select an article about an electoral “race” rather than a racial minority group. Articles that were not about redistricting were excluded from the sample. Coders also excluded letters to the editor and articles about racial issues that did not focus primarily on redistricting. Letters to the editor were excluded because they are not representative of either the paper’s content coverage or the views of the readership. Furthermore, letters to the editor do not represent the same kind of institutionalized cultural statements that news articles and op-ed statements embody. From the sample of 1,137 articles selected from Lexis–Nexis using search keywords, 569 articles were read, and 355 were classified as “about redistricting” and coded. Those articles constitute the sample analyzed in this study. The average intercoder reliability for the 355 coded articles was .84. If two coders disagreed on specific codes to be assigned to an article, then they resolved these disagreements and arrived at a mutually agreed-upon code to be included in the final data set.

The coding scheme³ addressed three key aspects of the news stories: motives for redistricting, actors responsible for redistricting, and expected and actual outcomes. Articles were coded for the state and the newspaper in which the article was published and the year of publication. We coded articles for their focus on single or multiple districts, in addition to the current status of the district in question: whether it is under consideration by the courts and whether it is accepted or challenged. The codebook also included the following categories: identification of race and partisanship in drawing and evaluating the districts, claims about fairness of the process, mention of concepts important to the legal decision making such as compactness or contiguity, the VRA (or the 15th Amendment), and the Equal Protection Clause (or the 14th Amendment). We also coded for claims about the status of minority representation, for the type of entity that was responsible for redistricting (e.g., the courts, legislature), and the impact of redistricting on a variety of outcomes (e.g., representation of minorities and Whites, democratic ideals, and racial and/or political polarization).

In coding the articles, we assigned a code of “1” when an article explicitly mentioned that code’s topic. If, however, an article explicitly mentioned that the code topic was not a factor, then the article received “2” for that code. If the article

³Available from authors upon request.

Table 1. Newspaper of Publication and State of Preclearance Articles and Districts

| | <i>n</i> | % |
|--|----------|-------|
| From papers in preclearance states | 194 | 54.6 |
| Published in <i>Washington Post</i> | 41 | 11.5 |
| Published in <i>New York Times</i> | 26 | 7.3 |
| Published in a Florida paper | 51 | 14.4 |
| Published in a North Carolina paper | 34 | 9.6 |
| Discussed districts in preclearance states | 139 | 72.0* |
| Districts in North Carolina | 52 | 26.9* |
| Districts in Florida | 24 | 12.4* |
| Districts in Georgia | 20 | 10.3* |
| News stories | 221 | 62.3 |
| Op-eds or Editorials | 96 | 27.0 |
| <i>N</i> = 355. | | |

Note. *Percentage of articles (*n* = 193) that discuss a specific district or map.

did not mention anything about the code topic, then it was assigned a “0.” For articles with noncodeable contents, we used a value of “9.” Codes of “2” and “9” were excluded from all subsequent analyses.

Results

Description of Sample

Key characteristics of the sample are summarized in Tables 1–3. The articles included in the sample were published in 43 newspapers across 24 states (see Table 1). Of the articles, 161 were from papers published in states that are not subject to the Section 5 preclearance requirement and 194 were from papers published in states with a preclearance requirement. Among articles that covered a specific district (*N* = 193), most of the districts discussed (72.0%) were in states in which U.S. Justice Department preclearance is required for some or all counties,⁴ particularly North Carolina (26.9%), Florida (12.4%), or Georgia (10.3%). In total, the sample of articles covers districts in 26 states. The newspapers represented in the sample range from large, national papers like the *New York Times* to more local papers such as the Ft. Lauderdale, Florida *Sun-Sentinel*. The largest concentration of articles came from the *Washington Post* (11.5%) and the *New York Times* (7.3%). There were also concentrations of publications in Florida (14.4%) and North Carolina (9.6%). Around 62.3% of the articles in the sample are local or national news stories and 27.0% are op-eds or editorials.

⁴Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, Virginia, California, Florida, New York, North Carolina, South Dakota, Michigan, and New Hampshire.

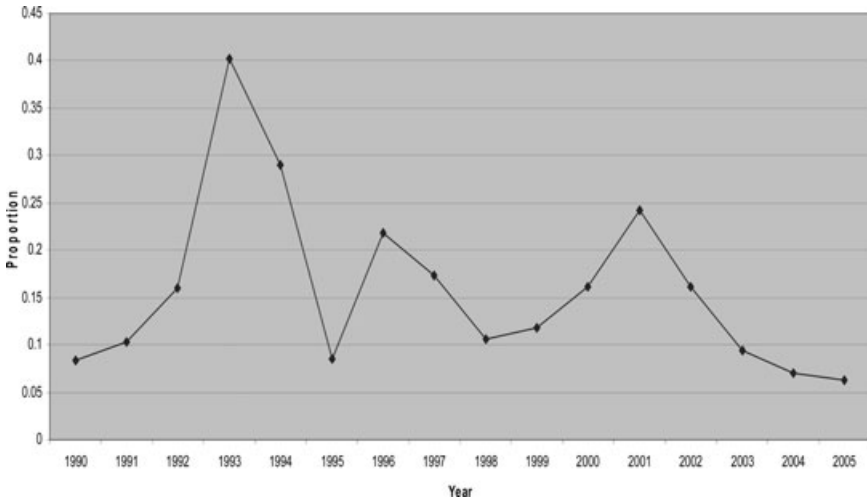


Fig. 1. Proportion of articles about redistricting that are also about race.

As Figure 1⁵ suggests, the proportion of articles about racial redistricting to articles about redistricting in general increases in the years of a major Court decision about racial redistricting. Around 13.2% of the articles in our sample were published in 1993, the year of the *Shaw I* decision, and 15.2% shortly thereafter, in 1994, 19.7% were published in 1996, the year of *Shaw v. Hunt (Shaw II)* and *Bush v. Vera*, and 13.0% were published in 2001, surrounding *Easley v. Cromartie* (2001). The highest proportions of articles dealing with race also occur in these years, with 40.2% of redistricting articles dealing with race in 1993, 21.8% in 1996, and 24.3% in 2001. Court decisions appear to drive much of the news coverage about the use of race in redistricting.

Motives for Redistricting and Actors Involved

Our codes provide information about the prominent motives for redistricting, actors involved in redistricting, and the actual and expected outcomes of redistricting identified in news coverage of the issue. As shown in Table 2, a slight majority (53.0%) of articles mentioned improving minority representation as a motive for redistricting, and about half that number (25.4%) mention court decisions as a motive. The courts were also identified in 12.7% of articles as the actor responsible

⁵Number of articles is based on a Lexis–Nexis search. Articles about redistricting were identified using keywords *redistrict** and *gerrymander**. Articles about race and redistricting were identified using keywords described in footnote 2.

Table 2. Main Motives and Actors Involved in Redistricting

| | <i>n</i> | % |
|--|----------|------|
| Improving minority representation was motive for redistricting | 188 | 53.0 |
| Court decision was motive for redistricting | 90 | 25.4 |
| Party concerns were motive for redistricting | 138 | 38.9 |
| Courts/judges-created redistricting plan | 45 | 12.7 |
| Democrats-created redistricting plan | 34 | 9.6 |
| Republicans-created redistricting plan | 56 | 15.8 |
| <i>N</i> = 355. | | |

for creating a redistricting plan. In some cases, the courts may generate a district map when parties involved in a case cannot reach an agreement about which map would be best. Although not mentioned in as many articles as minority representation, party concerns or partisanship was identified as a motive in 38.9% of articles. About 9.6% of articles mentioned that Democrats were responsible for the redistricting effort, while 15.8% identified Republicans as the creators of a district plan. In sum, these results demonstrate that improving minority representation and associated legal issues were prominent motives for redistricting in our sample of articles, with partisanship playing a comparatively minor role.

Actual and Expected Effects of Redistricting

The articles discussed a wide range of potential, expected, and actual effects of redistricting. As seen in Table 3, most of the articles (78.9%) said that redistricting would affect or had affected minorities, but those that mentioned this were divided on whether the effect was positive (20.8%) or negative (16.3%); the rest were divided between mixed and not mentioned. A small number of articles mentioned that redistricting has an effect on Whites (18.0%) and were much more likely to claim that effects on Whites were negative (13.0%) than positive (1.4%). The Supreme Court assumed that race-conscious redistricting would increase racial polarization, and the news coverage of racial redistricting seems to provide support for that concern. About 24.8% of articles identified an effect on polarization and/or racism and were more likely to characterize the effect as negative (15.8%) than positive (3.4%). News coverage also tended to portray redistricting as politically more favorable for Republicans than Democrats. Also, 11.8% of articles claimed that redistricting negatively affects Democrats, while a smaller number (5.9%) said there would be a positive effect, 23.4% of articles identified a positive effect on Republicans, compared to a mere 2.0% that claimed redistricting would have a negative effect.

In addition to motives and actors behind redistricting, and its expected effects, codes for themes relevant to the Court’s reasoning also provide information about how the issue is covered in the news. Minority representation, a central element

Table 3. Actual and Expected Effects of Redistricting

| | <i>n</i> | % |
|--|----------|-------|
| Redistricting will affect/has affected minorities | 280 | 78.9 |
| Redistricting has positive effect on minorities | 74 | 20.8* |
| Redistricting has negative effect on minorities | 58 | 16.3* |
| Article mentions minority representation | 141 | 39.7 |
| Minority representation is improving | 52 | 36.9* |
| Minority representation is declining | 59 | 41.8* |
| Redistricting will affect/has affected Whites | 64 | 18.0 |
| Redistricting has positive effect on Whites | 5 | 1.4* |
| Redistricting has negative effect on Whites | 46 | 13.0* |
| Redistricting will affect/has affected racism/polarization | 88 | 24.8 |
| Redistricting increases polarization/racism | 56 | 15.8* |
| Redistricting decreases polarization/racism | 12 | 3.4* |
| Redistricting has a positive effect on Democrats | 21 | 5.9 |
| Redistricting has a negative effect on Democrats | 42 | 11.8 |
| Redistricting has a positive effect on Republicans | 83 | 23.4 |
| Redistricting has a negative effect on Republicans | 7 | 2.0 |
| Mention of shape of district | 214 | 60.3 |
| Mention of the Voting Rights Act | 216 | 60.8 |
| Mention of the Equal Protection Clause | 63 | 17.7 |
| <i>N</i> = 355. | | |

Note. *Percentage of articles do not add to 100% as there were articles that mentioned mixed effects and that mentioned no effect.

of the debate surrounding majority–minority districts, was mentioned in 39.7% of articles. Of these, 36.8% claim that minority representation is improving as a result of redistricting efforts, and 41.8% say that it is declining; that is, practically an even split. The reason for this split may be that some articles discuss adopting a redistricting plan that establishes a majority–minority district, while others cover redistricting efforts that overturn majority–minority districts.

Another source of information about the coverage of the issue is the references made to specific concepts and words such as the shape of a district, the VRA, and the Equal Protection Clause. These references allow us to gauge the prevalence of a factor like “shape” in the coverage, in light of the integral role the Court attributes to shape. In fact, the physical shape of a district was mentioned in 60.3% of articles. The VRA, the constitutional backdrop for the interplay of race and redistricting, was also a prominent theme, mentioned in 60.8% of articles. The Equal Protection clause was mentioned in only 17.7% of articles.

Summary. Our content analysis so far suggests that improving minority representation was often mentioned as a motive for redistricting. Court decisions and partisanship concerns also led to redistricting efforts, although these were mentioned less often than improving minority representation. Even though most of the articles mentioned that redistricting affects minorities, there was not a clear

trend for the direction of these expected effects. Interestingly, however, the small number of articles that mentioned redistricting affects Whites claimed that this effect was negative. Furthermore, about a quarter of the articles mentioned that redistricting would affect polarization and more often described this effect as negative. References to shape of the district, a factor the Supreme Court considers very important, were quite common.

Sources of Variation in News Coverage

Location of newspaper. To investigate whether the content of newspaper articles varied by preclearance status of the state where the article was published, we performed chi-square tests between preclearance status and various motives for redistricting, actors involved in redistricting, and redistricting effects. To quantify the size and direction of significant differences, we computed follow-up odds ratios for all tests with a significant chi-square. The odds ratio is the ratio of the odds of an event occurring in one group compared to the odds of it occurring in another group (Powers & Xie, 2000). Our odds ratios were computed between the group of articles published in preclearance states and the group published in other states. If the odds ratio is greater than one, then this indicates that the odds are greater in the first group; if it is less than one, then the odds are greater in the second group.

Chi-square results and odds ratios are summarized in Table 4. The chi-square tests revealed that articles published in papers located in preclearance states were less likely to mention that redistricting affected minority groups. Articles published in papers based in states that are not bound by the preclearance requirement were 1.61 times ($\chi^2 = 2.92, p = .09$) more likely to mention that redistricting would affect minorities (although they did not differ in terms of their portrayal of how minorities will be affected). These articles published in nonpreclearance states also described redistricting as driven by concern over minority representation. The odds that these articles would mention improvement of minority representation as a motive behind redistricting were 1.55 times greater ($\chi^2 = 3.96, p = .05$). These articles were also 1.59 times more likely ($\chi^2 = 2.82, p = .09$) to mention that redistricting affects Whites. The odds that articles about redistricting from papers in nonpreclearance states would be located in opinions or editorials rather than the news section of the paper were 1.71 times greater ($\chi^2 = 4.81, p = .03$) than in preclearance states, where articles were more likely to be news articles. Perhaps articles on redistricting covered its more contentious, race-related aspects more prominently in papers from preclearance states because such a critical perspective is more typical of the opinion page than the news.

Preclearance status of district. While results based on the location of the newspaper provide information about differences between newspapers, there may

Table 4. Analyses Based on Preclearance Status of the Publication and the District in Focus

| Sources of Variation | χ^2 | <i>p</i> Value | Odds Ratio | 95% C.I. |
|---|----------|----------------|--------------------|----------------|
| I. State of Publication Preclearance Status | | | | |
| Covers a district in a preclearance state | 73.23 | .00 | 32.9 ^a | (12.09, 89.55) |
| Redistricting affects minorities | 2.92 | .09 | 1.61 ^d | (.93, 2.79) |
| Minority representation is a motive for redistricting | 3.96 | .05 | 1.55 ^d | (1.01, 2.39) |
| Redistricting affects Whites | 2.82 | .09 | 1.59 ^d | (.92, 2.74) |
| Located in op-ed/editorial section | 4.81 | .03 | 1.71 ^d | (1.06, 2.77) |
| II. District Preclearance Status | | | | |
| Race is a factor in drawing districts | 6.86 | .01 | 3.44 ^a | (1.31, 9.05) |
| Race is a factor in evaluating districts | 3.79 | .05 | 2.87 ^a | (.96, 8.62) |
| Status of minority representation | 11.75 | .02 | 3.27 ^{ab} | (.99, 10.76) |
| Redistricting affects Whites | 4.94 | .03 | 3.29 ^a | (1.10, 9.87) |
| Mention polarization/racism | 7.51 | <.01 | 4.88 ^a | (1.42, 16.71) |
| Court decision as motive to redistrict | 8.91 | <.01 | 4.14 ^a | (1.54, 11.14) |
| Decisions about redistricting affect future cases | 14.03 | <.01 | 4.72 ^a | (1.99, 11.19) |
| Redistricting affects Democrats | 6.27 | .10 | 4.21 ^{ac} | (.44, 39.85) |
| Redistricting affects Republicans | 1.31 | n.s. | | |

^aMultiple by which the odds are greater in articles about preclearance districts.

^bOdds that minority representation was improving compared with declining.

^cOdds that article stated redistricting improved electoral conditions for Democrats, versus making them worse.

^dMultiple by which the odds are greater in articles published in nonpreclearance states.

also be differences in article content due to the location of the district that is the focus of the article. To determine whether the preclearance status of the district discussed in the article was associated with differences in content, we performed another series of chi-square tests. Where there were significant differences in the news coverage between articles about districts in preclearance and nonpreclearance states, nearly all coded content was more likely to be mentioned in articles about districts in a state with a preclearance requirement. The exception was the code for an independent commission responsible for redistricting, which was significantly more likely to be mentioned in articles about districts not covered by the preclearance requirement ($\chi^2 = 9.42$, $p < .01$). The odds that an independent commission was identified as an actor in redistricting were 14.09 times greater in those articles covering districts in states that do not require preclearance.

Racial considerations were more likely to occur in articles about districts in preclearance states. Articles focusing on preclearance districts were more likely to mention race as a factor in both drawing districts ($\chi^2 = 6.86$, $p = .01$) and evaluating districts ($\chi^2 = 3.79$, $p = .05$). The odds of identifying race as a factor to consider when drawing districts were 3.44 times greater in preclearance articles than nonpreclearance articles, and the odds of mentioning race as a factor in evaluating districts, once drawn, were 2.87 times greater. Articles about districts in preclearance states were more inclined to portray redistricting as good for minority groups and bad for Whites. Articles focusing on preclearance and nonpreclearance

districts also made different claims about the state of minority representation ($\chi^2 = 11.75, p = .02$). The odds that an article would state that minority representation was improving compared to declining were 3.27 times greater in articles about preclearance districts. Preclearance articles were also more likely to state that redistricting affects Whites ($\chi^2 = 4.94, p = .03$), with the odds of mentioning 3.29 times greater in those articles. Although not mentioned often enough to perform a valid chi-square test, the effect on Whites was much more likely to be characterized as negative about preclearance districts (17.4%) than nonpreclearance articles (0%). Not surprisingly, then, the odds of mentioning polarization and/or racism was 4.88 times more likely for articles about preclearance districts ($\chi^2 = 7.51, p < .01$). Preclearance articles were much more likely to discuss effects on polarization as negative (16.8%) than nonpreclearance articles (3.7%).

Content about legal and political aspects of redistricting was also found more often in articles about districts in preclearance states. These articles were more likely to identify a court decision as a motive for redistricting ($\chi^2 = 8.91, p < .01$); the odds of mentioning a court decision as a motive were 4.14 times greater in those articles. Articles focusing on preclearance districts were also more likely to mention that decisions about redistricting would affect future court cases ($\chi^2 = 14.03, p < .01$). Odds of mentioning precedent were 4.72 times greater in these articles. Articles about preclearance districts and nonpreclearance districts also differed marginally in their discussion of the effects of redistricting on Democrats ($\chi^2 = 6.27, p = .10$). The odds of an article stating that redistricting improved electoral conditions for Democrats (vs. making them worse) were 4.21 times greater for articles about districts that require preclearance. There were no significant differences in the way effects on Republicans were discussed ($\chi^2 = 1.31, n.s.$).

Op-ed and news articles. Chi-square tests were also performed to determine whether coverage of redistricting in op-eds and editorials differed from that in local and national news stories. There were no significant differences between op-eds and news stories in their statements about the status of minority representation, or in how frequently they mentioned representation for minorities as a motive to redistrict. Both types of articles were equally likely to mention actual or expected effects of redistricting on the democratic ideals of the nation and polarization and/or racism. Although there were no statistically significant differences between op-eds and news articles, there may be subtle differences that our explicit coding scheme was unable to detect. The decision to limit our study to the explicit content of the newspaper articles was based on our goal to achieve the maximum levels of objectivity and interrater reliability in coding. However, as a result, we were less able to detect subtleties and nuances in the tone of coverage about race and redistricting that may matter for how some readers process these messages. In a similar vein, the majority of our codes were more likely to be mentioned in articles

published in and focusing on districts in preclearance states. This suggests that our codes possibly did not capture the kind of content that was more common in nonpreclearance states. Subsequent research is needed to develop a coding scheme that reliably assesses content tone, and captures more of the content of the redistricting debate outside areas covered by Section 5 of the VRA.

Discussion

In this article, we examined how the print media conveys messages about racial redistricting. As with the issue domain of affirmative action (Crosby, Iyer, & Sincharoen, 2006), racial redistricting is a real-world context in which the extent and nature of race-based decision making can be empirically examined (see Hutchings & Valentino, 2004). Racial redistricting is a context in which partisan motivations, geographic proximity, and other traditionally accepted principles for redistricting (e.g., incumbent protection) are pitted against racial considerations. Our overarching goal was to investigate the extent to which race plays a role in print media coverage of redistricting and what type of coverage is prevalent.

Our analyses demonstrate two important points. First, we find that the print media sends some important messages about the use of race in redistricting. For example, we find that improving representation for voters of color is frequently identified as a motive for redistricting.

The second important implication of this study is highlighted by the analyses that show that media coverage of racial redistricting cases differs by the states in which the districts of interest are located. Articles published within and about states that are subject to Section 5's preclearance requirement cover racial districting disputes in ways that differ from articles and districts in other states. Those articles about districts located in preclearance states and articles published in nonpreclearance states were more likely to mention our code topics in almost every case. Consistent with the Supreme Court's reasoning, we found that redistricting is conveyed to the public in racial terms more frequently in articles about preclearance districts, and potential effects with which the Court is most concerned (such as racial polarization) are also more likely to be communicated.

Many commentators have questioned the Court's holding in *Shaw I* on the grounds that its empirical assumptions were not likely to bear out. Our findings begin to address those initial skeptical reactions. We found mixed support for this in the print media. Sometimes the print media communicated a positive message about the use of race. Sometimes a negative message was communicated. To be sure, this research does not examine the extent to which racial attitudes may have been polarized, or how readers process messages, or the Court's assumption that media messages will affect the political behavior of voters. Nevertheless, given our findings that messages are being conveyed to the public, our focus was on the nature of those messages.

The Court's decisions in recent redistricting cases seem to indicate that its members are more concerned about the potential negative effects of the use of race in redistricting than the potentially positive effects. Majority-minority districts were created in order to address vote dilution of minority populations and to enable voters of color to elect representatives of their choice. The formation of the majority-minority districts successfully increased the number of Black-elected officials nationwide. Empirical evidence from social psychology suggests that exposure to members of minorities in positions of power may weaken stereotypes (explicit, self-reported, as well as less controllable, automatically activated stereotypes) about minority group members, especially those concerning minorities' competence and intelligence (Dasgupta & Asgari, 2004; Dasgupta & Greenwald, 2001). Furthermore, having minority group members as representatives may increase the representativeness of government and its legitimacy in the eyes of minority group members. These are considerations that the Supreme Court does not address; instead it focuses on race and the potentially polarizing consequences of race-based decision making. In view of the mixed messages communicated by the print media, the Court's assumption that coverage of racial districting will have a negative impact on the public's views of the role of race in political identity may not be empirically supported.

Finally, our findings also have implications for understanding the recent extension of the VRA. In 2006, Congress reauthorized Section 5 of the VRA, which was due to expire in 2007. In reauthorizing Section 5, Congress did not change the preclearance formula or the regulatory scheme. Thus, the same states and localities that were covered by Section 5 prior to reauthorization remain covered postreauthorization. Some commentators have argued that Congress should have either extended Section 5 coverage nationwide or allowed Section 5 to sunset altogether. This is because, commentators have argued, there is no longer any difference between the jurisdictions covered by Section 5 and those not subject to Section 5's preclearance requirement. Our findings in this article do not support that contention. At least with respect to the manner in which the media covers racial districting controversies, we found a clear difference between jurisdictions covered by Section 5 and those not covered by Section 5. Thus, if the extension of Section 5 is based upon an assumption that the covered jurisdictions are qualitatively different, that assumption is borne out by the research reported in this article.

In sum, in a series of important cases, the Supreme Court concluded that race-based districting, especially where districts are bizarrely shaped because of race, may violate the Constitution. The Court's concern includes the assumption about the types of messages conveyed to voters about the use of race in the redistricting process. The content analysis presented here represents the first effort to scientifically investigate this controversial claim. Our findings support some of the Court's conclusions, though further work needs to be done to empirically

examine the Court's assumption that race-based districting will lead to racial polarization.

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