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Malapportionment, Gerrymandering, and Party Fortunes in Congressional Elections

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The number of congressional seats either the Democrats or the Republicans win in national elections depends not only on the party's share of the aggregate vote but also upon how the party's supporters are distributed among congressional districts. If there is a systematic tendency for a party's voters to reside in overpopulated districts (malapportionment) or in districts where their votes go "wasted" (gerrymandering), then the party will win less than its "fair" share of seats. Of course, given single-member district elections, we cannot expect that a party's proportion of the seats should be its proportion of the vote. But one reasonable standard of "fairness" is that the party with the majority of the votes should also be the party with the majority of the seats. Moreover, an equitable arrangement would provide that the relationship between the two-party division of the vote and the partisan seat division be symmetrical: that is, if one party wins y seats for x per cent of the vote, the other party should also win approximately y seats for x per cent of the vote.

This paper examines the effect of congressional districting on the partisan distribution of northern seats in the U.S. House of Representatives over the period from 1952 through 1970. Nationwide, the Democrats are the party most likely to win a majority of the seats with only a minority of the votes, because the low turnout rate in the traditionally Democratic South allows the Democrats to win many seats (often uncontested) with relatively few votes.[1] But for the North alone, there has been a strong pro-Republican bias in congressional districting up until at least the most recent congressional elections. This Republican advantage can be seen from a glance at Table 1. This table presents both the aggregate two-party vote division and the resultant partisan seat division in the North, for each congressional election from 1952 through 1970.[2] Some simple comparisons indicate that the Republicans had once been able to win more northern seats than the Democrats could with the same proportion of the northern two-party vote. For example, in 1960 the Democrats won a slight majority of the northern two-party vote yet obtained only a minority (45 per cent) of the northern seats; in contrast, in 1954 and 1962, respectively, the Republicans translated slim vote majorities into 65 per cent and 54 per cent of the seats. Similar comparisons can be made between the results in 1956 and 1958 and between the results in 1952 and 1964. These comparisons indicate that over the 1952–1964 period, the Republicans were able to win about ten per cent more of the northern seats than the Democrats were able to when the polarity of the aggregate vote division had been reversed. Only after 1964 does the appearance of partisan equity emerge. In 1966 and 1968, the Republicans won slight majorities of both the northern votes and the northern seats; when the Democrats won a slight majority of the northern votes in 1970, they also won a slight majority of the northern seats.

In Figure 1, the data of Table 1 are presented graphically. The solid regression line is based on the seven observations from 1952 through 1964 (the solid dots). The partisan inequity during the 1952–1964 period is revealed by the fact that according to the regression estimate, the Democrats had to win almost 52 per cent of the vote in order to expect even half the seats. Moreover, had the aggregate vote division been a 50–50 partisan split, the Democrats could have expected to win only about 44.6 per cent of the seats instead of the "fair" value of 50 per cent. Two of the three 1966–1970 observations (the hollow dots) depart appreciably from the regression line based on the earlier elections. Although the

[1] Andrew Hacker, *Congressional Districting* (Washington: The Brookings Institution, 1963), p. 45; the most thorough examination of the nationwide relationship between the popular vote and the partisan seat division is found in James G. March, "Party Legislative Representation as a Function of Election Results," *Public Opinion Quarterly*, 21 (1957–1958), 521–542.

[2] For the measure of election results for Table 1, and in the subsequent analysis of this study, slight adjustments are made for uncontested seats and at-large seats. These adjustments are discussed in the Appendix. Throughout this study, the "North" is defined so as to exclude from analysis those districts in the former Confederate States and in the Border States of Kentucky, Maryland, Missouri, Oklahoma, and West Virginia.

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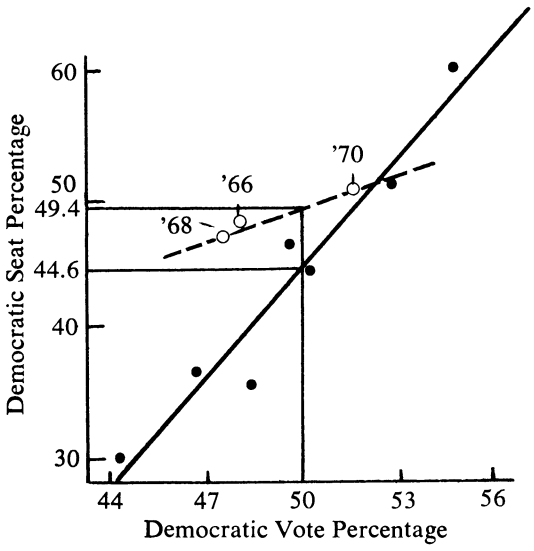

Figure 1. Relationship between the Democratic percentage of the northern two-party vote and the Democratic percentage of northern seats, 1952–1970

1952–1964 regression line "predicts" the 1970 results with reasonable accuracy, it underestimates the proportion of Democratic seats in both 1966 and 1968 by about 9 per cent.[3] For reasons that will become clear, it makes more sense to treat all three post-1964 observations as manifestations of a new pattern rather than to treat the 1966 and 1968 results as temporary aberrations. Consequently we draw a new regression line (the broken line) through the 1966–1970 observations. This 1966–1970 regression line departs from the 1952–1964 regression line in two ways. First, it is less steep, which indicates that partisan swings of the aggregate vote produce smaller shifts in the partisan distribution of northern seats than before. Second, according to the 1966–1970 regression line, the expected vote division when the votes are split 50–50 is now virtually an even partisan split (49.4 per cent Democratic). This implies that the relationship between the partisan vote division and the partisan seat division has become "fair," in the sense that each party now can expect to win the majority of seats when it wins the most votes.

Figure 1 poses two puzzles. First, why was there a pro-Republican imbalance or advantage during the 1952–1964 period? Second, why did the relationship between votes and seats change between 1964 and 1966 in a way that reduced the pro-Republican imbalance? The Republican imbalance could have been caused by malapportionment in favor of Republican areas, by a Republican gerrymander, or by some combination of these two factors. If the pattern of malapportionment had discriminated against the Democratic party, then the most Democratic districts would have tended to be the most populous districts. If, on the other hand, a gerrymander had been responsible for the Republican imbalance, it would be evident from an examination of the way the two-party vote division had been distributed across districts. Before looking at the gerrymandering possibilities, let us see whether Democratic areas had been underrepresented prior to reapportionment.

[3] Given the close fit of the regression line to the 1952–1964 observations ($r = .97$, $\sigma_{y/x} = 2.6$ per cent), departures from the regression line as great as those for 1966 and 1968 should occur less than one time in 100.

Malapportionment and Partisan Imbalance

A "malapportionment" explanation for the Republican imbalance and its decline is intuitively plausible. Prior to the extensive reapportionment on a more exact population basis in the 1960s, the state legislatures that drew congressional district lines were themselves often malapportioned in favor of rural Republican interests. Moreover, the timing of the decline in the Republican congressional advantage (1964–1966) coincides exactly with the period of greatest congressional reapportionment, as shown in Table 2. The major breakthrough in congressional redistricting occurred between the 1964 and 1966 elections, since this period saw the greatest dropoff both in the number of 1962 districts remaining, and in the standard

Table 1. Partisan Divisions of the Popular Vote for the U.S. House in the North[a] and of Northern House Seats, 1952–1970

Year	Popular Vote		Seats	
	% Dem.	% Rep.	% Dem.	% Rep.
1952	44.3—55.7		29.7—70.3	
1954	48.4—51.6		35.4—64.6	
1956	46.6—53.7		36.4—63.6	
1958	52.8—47.2		51.4—48.6	
1960	50.3—49.7		44.7—55.3	
1962	49.7—50.3		45.7—54.3	
1964	54.9—45.1		60.1—39.9	
1966	48.1—51.9		47.4—52.6	
1968	47.5—52.5		46.8—53.2	
1970	51.6—48.4		50.5—49.5	

[a] See the Appendix for adjustments made for uncontested seats.

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Table 2. Evolution of Northern Congressional Reapportionment, 1962–1970

Election Year	Standard Deviation of Northern District Population (in thousands)	Percentage of 1962 Districts Remaining[a]
1962	87	100%
1964	73	86%
1966	43	42%
1968	34	15%
1970	33	11%

[a] Excluding at-large districts in states with one Congressman.

deviation (as an indicator of the range) of district population.

But despite the circumstantial evidence pointing to reapportionment as the cause of the decline in the Republican imbalance, a direct test forces us to reject this hypothesis. Table 3 shows the correlation between district population and the Democratic percentage of the two-party vote for two pre-reapportionment elections (1960 and 1962) and for two elections after reapportionment was well under way (1966 and 1968). As can be seen, the correlations between Democratic voting and district population were slightly negative for the pre-reapportionment years but virtually nonexistent for the two latter years. Thus, reapportionment corrected a very slight tendency for Democratic districts to be underpopulated and overrepresented.[4] Moreover, as Table 3 also shows, the correlations between the number of *actual voters* and the Democratic percentage of the two-party vote has been consistently negative, with magnitudes ranging from −.18 to −.39. The number of voters has therefore been consistently lower in the most Democratic districts—both before and after reapportionment. The reason appears to be that Republicans in the electorate vote more frequently than Democrats do, since in the four elections examined, the correlation between the Democratic vote and the turnout *rate* (percentage of eligible voters who vote) was in the range of −.4.[5]

The slight "overrepresentation" of Democratic voters because of the differential partisan turnout rate pushes the mean vote division per district about one percentage point more Democratic (on the average) than the partisan division of the aggregate popular vote. Thus the Democratic percentage of the vote is slightly larger when each *district* rather than each *voter* is given equal weight.[6] If the mean district vote division is now used as the measure of election results, the 1952–1964 Republican imbalance looms even larger. This difference is shown in

[4] This result corresponds with Hacker's earlier finding that northern districts categorized as "safe Democratic" tended to have slightly smaller populations than "safe Republican" districts. Hacker also found districts with "changing" partisan loyalties to be the most overpopulated. See Andrew Hacker, *Congressional Districting*, p. 79. The explanation for the absence of a Republican bias in congressional malapportionment is the familiar thesis that overrepresentation of rural Republican areas was offset by an underrepresentation of the suburbs rather than by underrepresentation of the central cities.

[5] For a discussion of the tendency for Democrats to vote less frequently than Republicans do, see Philip E. Converse, "The Concept of a Normal Vote," in Angus Campbell, Philip E. Converse, Warren E. Miller, and Donald E. Stokes, *Elections and the Political Order* (New York: John Wiley and Sons, 1966), pp. 9–39.

[6] The mean district vote division is what the vote division would be if every vote is assigned a weight in proportion to the "value" of the vote in the particular district, with the "value" of the vote determined by the ratio of the average number of voters per district to the number of voters in the particular district. For example, in a district with half the average number of voters, the "value" of the vote would be two, and each vote would have twice the average weight in the determination of the mean district vote division. For an analysis of the variability of the "value" of the vote in state legislative contests (but based on population rather than turnout), see Paul T. David and Ralph Eisenberg, *Devaluation of the Urban and Suburban Vote* (Charlottesville: Bureau of Public Administration, University of Virginia, 1962).

Table 3. The Relationship Between Constituency Size and the Partisan Vote Division in Northern Congressional Districts

	Correlation with the Democratic Percentage of the Two-Party Vote			
	1960 (N=291)	1962 (N=290)	1966 (N=290)	1968 (N=290)
Population	−.12	−.08	.03	.01
Number of Actual Voters	−.23	−.18	−.30	−.39

Note: Alaska and Hawaii are excluded because their voting age was under 21 years. See the Appendix for adjustments made for uncontested and at-large seats.

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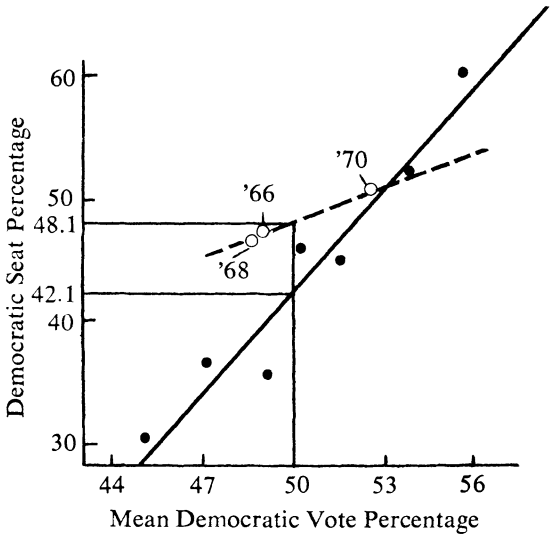

Figure 2. Relationship between the mean Democratic percentage of the two-party congressional vote per northern district and the Democratic percentage of northern seats, 1952–1970

Figure 2, which displays the relationship between the mean northern district vote division (rather than the popular vote division in the North) and the partisan distribution of northern seats. The regression of the seat division on the mean vote division for the seven 1952–1964 observations provides the estimate that had the mean district vote division been 50 per cent Democratic, the Democrats would have won only 42.1 per cent of the seats. This indicates a Republican imbalance of 7.9 per cent of the northern seats (i.e., 50.0 per cent minus 42.1 per cent), which is somewhat greater than the earlier estimate of 5.4 per cent made before the correction for the "overrepresentation" of Democrats.

Had the hypothesized overrepresentation of Republican areas been the cause of the Republican imbalance, the imbalance would have disappeared when the mean district vote is used as the measure of election results. Instead, because a differential partisan turnout rate causes an "overrepresentation" of Democrats, the imbalance increases when election results are measured in terms of the mean district vote. Therefore, we must look for a Republican gerrymander as the explanation for the imbalance.

Gerrymandering and Partisan Imbalance

A "gerrymander" is often defined as the manipulation of the boundaries of districts (which are not necessarily of unequal population) for partisan advantage. Here we will broaden this definition somewhat to include accidental gerrymanders caused by the natural geographic distribution of Republican and Democratic voters in addition to gerrymanders that are intentional creations. The optimum gerrymander for a party is the spreading of the opposition party supporters as thinly as possible across many districts where they cannot obtain a majority, with the remainder clustered in one-party districts. A good Republican gerrymander, for example, would have a majority of districts that are *minimally* safe for the Republican party and a minority that are *very* safe for the Democratic party. In short, the distribution of the vote across districts would be heavily skewed in the direction of the disadvantaged Democratic party so that the *mean* district vote percentage for the Democratic party is greater than its *median* vote percentage. Given such a distribution, when the mean vote division happens to be 50 per cent Democratic, less than half the seats would be won by Democrats. On the other hand, the perfect absence of a gerrymander would occur if the distribution of the vote across districts is symmetrical, such as with a normal distribution. If the distribution is symmetrical, so that the mean district vote division equals the median district vote division, then each party would win half of the seats when the mean district vote division is 50 per cent Democratic.[7]

Table 4 presents the distributions of the two-party congressional vote across congressional districts for each of the ten elections from 1952 through 1970. From 1952 through 1964, the distribution is skewed in the predicted pattern of a Republican gerrymander—with the greatest density of districts in the range about 10 per cent more Republican than the average, or with just enough Republican votes to be normally safe for the Republican party. But for the 1966, 1968, and 1970 elections, the previous form of skewness disappears and bimodal distributions of the vote emerge.

This reduction of the Republican gerrymander explains the change in the relationship be-

[7] Although the manner in which the two-party vote is distributed among congressional districts has received little scholarly attention, a discussion of how the distribution of the vote affects British elections can be found in D. E. Butler, *The Electoral System in Britain Since 1918*, 2nd ed. (London: Oxford University Press, 1963), pp. 198–199. Butler concluded that the British Labour Party has been electorally disadvantaged by the concentration of Labour voters in safe constituencies. For a rigorous mathematical presentation of how the distribution of the vote affects a legislature's party composition, see M. G. Kendall and A. Stuart, "The Law of Cubic Proportions in Election Results," *British Journal of Sociology*, 1 (September 1950), 183–197.

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Table 4. Distribution of the Democratic Percentage of the Two-Party Congressional Vote Across Northern Congressional Districts, 1952–1970

Year	% Democratic (as deviation from the mean)[a]								Percentage of Districts More Democratic Than the Mean
	$\bar{X}-30$	$\bar{X}-20$	$\bar{X}-10$	$\bar{X}$	$\bar{X}+10$	$\bar{X}+20$	$\bar{X}+30$	$\bar{X}+40$	
1952	.000	.069	.333	.292	.168	.086	.041	.010	40.5
1954	.000	.062	.357	.278	.148	.096	.048	.010	37.5
1956	.000	.072	.347	.268	.169	.103	.034	.007	41.2
1958	.000	.089	.363	.209	.182	.116	.034	.007	40.8
1960	.000	.085	.355	.225	.167	.123	.041	.003	40.3
1962	.000	.116	.331	.191	.185	.136	.038	.003	45.1
1964	.007	.126	.307	.185	.205	.113	.005	.003	43.0
1952–64 Mean	*.001*	*.088*	*.342*	*.235*	*.175*	*.110*	*.042*	*.006*	*41.2*
1966	.024	.218	.167	.187	.208	.123	.068	.003	47.8
1968	.020	.198	.232	.143	.198	.140	.049	.017	47.8
1970	.038	.215	.192	.164	.123	.192	.061	.010	46.9
1966–70 Mean	*.027*	*.210*	*.197*	*.165*	*.176*	*.152*	*.059*	*.010*	*47.4*

[a] The categories $\bar{X}$, $\bar{X}+10$, etc. represent midpoints of class intervals; e.g., within 5% of the mean, between 5% and 15% more Democratic than the mean, and so on. Exact cutting points were determined by calculating the mean Democratic percentage to more than one decimal point.

Note: N = 293 for all elections from 1960 on. For 1952 through 1956, N = 291. For 1958, N = 292. The discrepancy is due to the late admission of Alaska and Hawaii. See the Appendix for adjustments made for uncontested seats.

tween the partisan vote division and the partisan seat division. In pre-1966 elections, the average percentage of northern districts more Democratic than the northern mean was 41.2 per cent, a figure very close to the regression-based estimate of 42.2 per cent as the 1952–1964 percentage of the northern seats that would have been won by Democrats when the mean northern division was 50.0 per cent Democratic. Also, the average 1966–1970 percentage of districts more Democratic than the mean is 47.4 per cent, which is very close to the 1966–1970 regression estimate of the seat division accompanying an even partisan split in the mean district vote (48.1 per cent Democratic). Since the 1966–1970 percentage of districts more Democratic than the mean is still less than 50 per cent, the Republican gerrymander has not entirely been eliminated. But the impact of the remaining gerrymander is so slight that it does not even cancel out the impact of the small Democratic "advantage" in district elections that stems from the low turnout rate among Democratic voters.

Why Has the Republican Gerrymander Declined?

We have seen that the Republican imbalance had been a function of a Republican gerrymander. But why did the gerrymander decline as of 1966? Since the decline of the gerrymander in 1966 coincided with the major period of one man-one vote reapportionment, the gerrymander's decline could possibly have been a function of reapportionment. Plausible reasons for this explanation are that reapportionment may have made gerrymandering more difficult by the requirement of equally populated districts and furthermore, in most states the reapportionment agent was a Federal court or a state legislature which was not under Republican control. If reapportionment had been responsible for the decline in the Republican gerrymander in 1966, the decline should be evident only among the districts in states that redistricted prior to the 1966 election. But instead, as shown in Figure 3, the 1964–1966 change in partisan distribution of the vote across districts was no less sharp in states where no redistricting occurred than in states where new districts were created. Thus, it was not reapportionment that produced the sudden decline in the Republican gerrymander between 1964 and 1966.

Another potential explanation that can be eliminated is that a post-1964 partisan realignment of voters created a shift in the relative voting habits of districts (relative, that is, to each other) which reduced the gerrymander.

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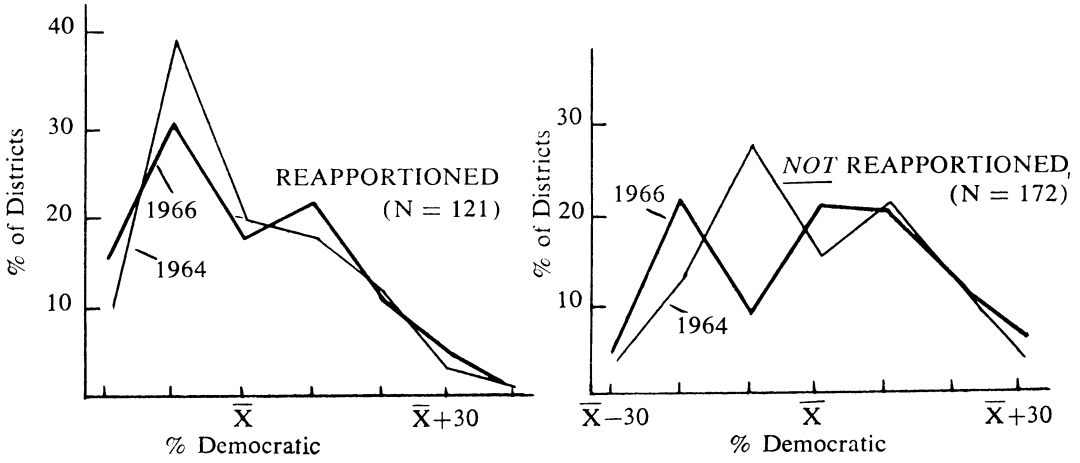

Figure 3. Change, 1964–1966, in the frequency distribution of the congressional vote in northern districts: within states that had redistricted between the 1964 and 1966 elections and within those that had not; the mean vote divisions are calculated separately for the two types of districts.

Any such realignment would have been evident in presidential voting as in congressional voting, so that the distribution of the presidential vote division across congressional districts in the 1968 election would resemble the distribution of the congressional vote for that year. The distribution of the Democratic percentage of the three-party presidential vote in 1968, however, is found to be heavily skewed in the pattern of the strongest pre-1966 congressional gerrymanders, with only 39.6 per cent of the northern districts voting more Democratic than the northern average. Therefore, it appears that the underlying Republican gerrymander remains, modified only by some sort of change in the relative voting habits of districts in congressional elections alone.

Why, then, did the Republican gerrymander decline in the congressional vote but not in the presidential vote following the 1964 election? One clue is that in 1966 the Democrats were able to retain about half of the 43 new seats they had picked up in 1964. All but two of the freshman Democrats thrust into office with the help of the Democratic tide of 1964 ran again in 1966. Their newly won incumbency status gave many of these new Democratic Representatives the necessary electoral leverage for them to hold onto their seats in 1966 and thereafter, overcoming the receding Democratic tide. In the North between 1964 and 1966, the Republican gain was 6.8 per cent of the two-party congressional vote. If this vote swing had been uniform across all districts, the Democrats would have needed to win their newly captured districts with at least 56.8 per cent of the vote in 1964 in order to retain them in 1966. This 56.8 per cent margin in 1964 was attained by only two of the 41 Democrats who captured Republican seats and went on to contest the 1966 election. But instead of a mean loss of 6.8 per cent, these first-term Democrats lost an average of only 3.0 per cent of the vote between 1964 and 1966. (The mean loss was 2.9 per cent if the ten cases with a district boundary change are excluded.) As a result of this partial immunity from the Republican trend, in 1966 the Democratic party was able to retain twenty-one of its new seats instead of the "expected" handful. Moreover, veteran Democratic incumbents as well as first-termers were relatively immune from the 1964–1966 Republican tide. The average Republican gain against veteran Democrats with stable districts was only 4.0 per cent instead of the overall average of over six per cent. Thus a few more veteran Democratic Congressmen retained their seats in 1966 than expected if the partisan tide had been uniform. It follows that relatively weak Republican gains against Democratic incumbents were made up by unusually strong gains in 1966 by Republican Congressmen. Indeed Republican incumbents with stable districts gained an average of 9.9 per cent of the vote between 1964 and 1966. Thus the strong Republican gains in 1966 were concentrated in already Republican districts where the added Republican votes were "wasted."

The net effect of the Democratic tide in 1964 combined with the relative gains by incumbents in 1966 was the destruction of what had been an ideal Republican gerrymander. Among the

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Table 5. Incumbency and the Vote Swing, 1960–1970

Election	Mean Vote Swing from Previous Election (as % Dem.)[a]	Deviation from Mean Vote Swing (as % Dem.)			
		Veteran Democratic Incumbents	Veteran Republican Incumbents	Freshman Democrats and Retiring Republicans[b]	Freshman Republicans and Retiring Democrats[b]
1960	−2.0	+0.1 (77)	−0.1 (100)	+1.5 (66)	−3.5 (22)
1962	−0.8	+1.6 (54)	−0.6 (46)	+0.5 (14)	−1.8 (25)
1964	+5.5	−0.8 (78)	+0.4 (95)	+1.5 (31)	−1.3 (25)
1966	−6.1	+2.2 (69)	−3.6 (53)	+5.0 (42)	−6.1 (7)
1968	+0.5	+1.1 (66)	+0.6 (41)	+10.3 (5)	−4.5 (33)
1970	+4.2	+1.5 (88)	−0.9 (101)	+3.6 (20)	−6.2 (19)
All Cases excluding 1966		+0.6 (363)	−0.2 (363)		
All Cases, 1960–1964				+1.4 (111)	−1.9 (72)
All Cases, 1966–1970				+5.0 (67)	−5.2 (59)

[a] Excluding districts with a boundary change from the previous election, districts with unopposed candidates and districts not classified as having a veteran incumbent, freshman incumbent, or retiring incumbent. All observations for this table are for districts without boundary changes since the prior election.

[b] Excluded are cases with an intervening by-election since the previous general election.

elections examined, only in 1966 did the average vote margins of each party's *veteran* incumbents depart more than trivially from what would be expected on the basis of a uniform swing of the vote from the prior election. The reason for the strong showing by incumbents in 1966 appears to be that the electoral advantage from being an incumbent simply increased suddenly with the 1966 election. The data of Table 5 support this explanation and can be interpreted in the following way. In each election from 1960 through 1970, first-term incumbents tended to win more votes, and replacements for retiring incumbents tended to lose more votes, than would have happened with a uniform swing of the vote from the prior election. But the magnitudes of these departures from the average vote swing were markedly greater in 1966 and thereafter than in the three earlier election years. Apparently in 1966 the gain to a candidate from running as an incumbent for the first time and the loss to a party when its incumbent retires increased from roughly two per cent to about five per cent of the vote.[8] This increase of about three per cent is also the average amount that was gained by veteran incumbents in 1966 beyond what they would have won had the vote swing been uniform. Since veteran incumbents seeking reelection had already gained about two percentage points when they had won their first race as an incumbent, the three per cent boost is what they needed to give them the same five per cent incumbency bonus that first-term incumbents were beginning to receive.

An increased incumbency advantage beginning in 1966 is not so mysterious as it may seem, since the timing of its occurrence coincides with that of the reported erosion of party identification as an electoral force in the late 'sixties.[9] Possibly the electorate's decreasing partisan loyalty, signaled by such indicators as the post-1964 surge in the number of Independent voters, is the cause of the apparent boost in the incumbency advantage. As voters display greater partisan ambivalence, a factor such as the incumbent's visibility is likely to tip the balance in a greater number of voter decisions.

The immediate effect of the 1966 incumbency boost on the distribution of constituency voting is shown in Figure 4, which superimposes the 1964 and 1966 distributions of the vote on one another. The greatest 1964–1966 change in the distribution was a marked decline in the number of districts in the partisan range where contests were close in 1964. Districts with close contests in 1964 would have been marginally safe for the Republican party in a more "normal" election. Those among them that were transferred to the Democrats in 1964 became relatively more Democratic in 1966,

[8] Elsewhere I have argued that during the 'fifties, incumbency status was only worth about an added two per cent of the two-party vote to the congressional candidate. See Robert S. Erikson, "The Advantage of Incumbency in Congressional Elections," *Polity*, 3 (Spring, 1971), 395–405.

[9] Walter Dean Burnham, *Critical Elections and the Mainsprings of American Politics* (New York: W. W. Norton and Company, 1970).

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many beyond the reach of Republican recapture. The marginally Republican districts in 1964 became even safer for the Republican party in 1966 and thereafter. The net effect of the relative gains by each party's incumbents in 1966 combined with the Democratic tide in 1964 was the near destruction of the Republican gerrymander. Although the greatest density of districts had once been in the partisan range where they had been slightly safe for the Republican party, in 1966 this range contained only a scattering of districts.[10]

The 1966 incumbency boost served to "lock in" the 1966 partisan distribution of seats. For example, the seats the Republicans won back in 1966 became even more safely Republican in 1968, as the new Republican incumbents gained the incumbency advantage. Even when the Democratic tide returned in 1970, the Republicans held onto all but one of the nineteen seats they had regained in 1966. Altogether, only eight northern Republican incumbents lost re-election bids in 1970. For comparison, the Republicans lost nine other northern seats between 1968 and 1970 following the retirement of the 1968 Republican victor. Meanwhile, the Democrats who were pushed into Congress with the 1964 tide and held on in 1966 became even more secure in 1968 and 1970. Only two of the nineteen survivors who sought reelection again in 1968 were unable to win. Perhaps because only the "fittest" candidates among the Democrats elected to previously Republican seats in 1964 were able to survive the 1966 hurdle, these Democratic survivors have since increased their vote margins even beyond what their incumbency advantage would allow. For example, the fourteen Democrats who won previously Republican seats in 1964 and survived to contest (and win) the 1970 election gained an average of 9.2 per cent of the vote over the six-year span. There was a quite different pattern in the five districts where a Democrat retired after taking a Republican seat in 1964 and holding on in 1966, as in each instance the district had reverted back to Republican control by 1970.

Interestingly, the 1966 incumbency boost helped the Democrats only because it followed

[10] Because redistricting plans are often suspected of providing safe seats for incumbents, one might also suspect that the extensive shuffling of district lines in the late 'sixties was another source of insulation to incumbents, in addition to the electorate's increased propensity to vote for incumbents. But this did not appear to happen, as the gains of each party's veteran incumbents were about the same amount whether their districts' boundaries shifted or not.

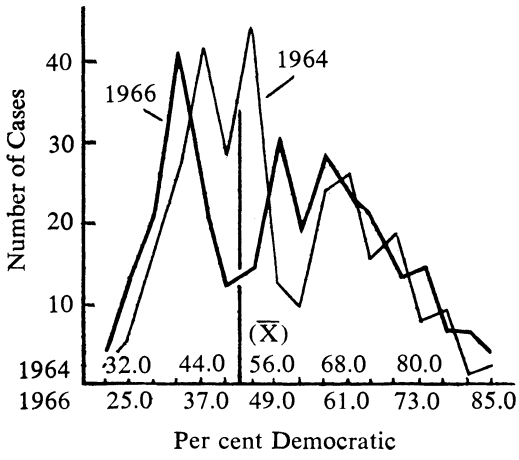

Figure 4. Frequency distribution of the Democratic percentage of the congressional vote in northern districts, 1964 and 1966. Observations are for class intervals four percentage points apart. Alignment of means is approximate, due to rounding of class intervals.

the Democratic election of 1964. Had voting in 1964 been "normal," the incumbency boost would merely have frozen the resultant distribution of seats, with its built-in Republican advantage. Had the Republicans been favored by the 1964 trend the 1966 incumbency boost would have given the Republicans some normally Democratic seats rather than the reverse. We may speculate that as the Democrats representing normally Republican districts retire or are defeated when the next strongly Republican election rolls around, something like the old Republican gerrymander pattern may return. If the gerrymander returns, it could take a stronger Democratic tide than the one in 1964 to dislodge it, for the reason that Republican incumbents would be better protected than in 1964. In short, the restoration of partisan equity in the relationship between the vote division and the seat division manifested in the 1966–1970 period may be shortlived.

Why a Republican Gerrymander?

Prior to 1966, the distribution of constituency vote divisions had been heavily gerrymandered in a pattern favorable to the Republican party. Because the gerrymander's decline had been "artificially" induced by an increase in the incumbency advantage following the 1964 election, the old gerrymander pattern still lurks beneath the surface. For example, as mentioned earlier, the distribution of district presidential voting in 1968 followed the old gerrymander pattern. Consequently the Republican

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gerrymander of northern congressional districts appears to be the "natural" state of affairs. Highly suspect as a cause of the Republican gerrymander is the tendency of Democratic voters to cluster together in large cities, which makes the creation of a large number of very safe Democratic districts difficult to avoid. But it is also possible that this accidental gerrymander has been intentionally reinforced by the districting plans enacted by northern state legislatures, which are more often controlled by Republicans than by Democrats. In the 'fifties, districts in ten of the eleven northern states which last redistricted after either the 1940 or 1950 census had been created by state legislatures under Republican control. Even though recent state legislative reapportionment may have corrected some of this Republican bias, as late as 1970 fourteen northern states (with 138 districts) had districting schemes in force that had been created by Republican legislatures, while only six (with 63 districts) had districts which were drawn by Democratic legislatures. Although occasionally modified by the veto power of a Democratic governor, this Republican advantage in state legislative control could be one source of the Republican's districting advantage *if* partisan legislatures do successfully implement intentional gerrymander.

We can test for the effectiveness of intentional partisan gerrymanders by seeing whether parties increase their seat holdings when they are in a position to manage the districting. The frequent redistricting in the 'sixties provides the data for such a test. For three elections—1962, 1966, and 1970—I examined the effects of new redistricting plans that had been enacted within the previous four years. The 1960 election was used as a baseline, so that for each of the three elections the partisan seat shifts since 1960 were examined to see how they varied depending on which party had controlled the recent redistricting. Redistricting was defined as "partisan" if (1) one party controlled both the legislature and the governorship or (2) the legislature controlled by one party was able to override the veto of the opposition's governor. Redistricting was defined as "bipartisan" if (1) party control of the state legislature was divided at the time of redistricting or (2) one party controlled the legislature but the opposition party's governor signed the redistricting bill into law.[11]

The data, shown in Table 6, offer only sligh and inconsistent indication of the effectiveness of intentional partisan gerrymanders. In two of the three elections, the seat changes from 1960 did vary somewhat in the predicted direction with the party controlling the redistricting. For example, the 1960–1966 seat shift was a 7.7 per cent Republican gain where Republicans had redistricted, a 5.6 per cent Democratic gain where Democrats had redistricted, and no change where redistricting was a product of a bipartisan plan. Between 1960 and 1962 the Republicans gained an additional 3.2 per cent of the seats in states where they had redistricted, while there was virtually no net shift in states where bipartisan plans were put into effect. The biggest change was among the districts the Democrats created for the 1962 election (all in California)—a Democratic gain of 12.5 per cent of the seats. But for the 1960–70 comparison, there is no tendency for parties to make their greatest gains where they managed the redistricting.

Special attention can be given to the seat shifts which followed when one party replaced the opposition's districting scheme with one of its own. One such case was California's switch in 1962 from a Republican scheme (enacted after the 1950 census and then still in force) to a Democratic one. California's 1962 redistricting produced the previously mentioned Democratic gain of 12.5 per cent of California's seats between 1960 and 1962, despite the virtual absense of any statewide voting shift. Although this may be a good example of an effective intentional gerrymander at work, it was short-lived, for by 1966 the percentage of California's U.S. House seats under Democratic control had virtually returned to the 1960 level. In the only other instance of a complete reversal of partisan districting plans in the 1960s not even a short-run partisan shift in seats was produced: When New Jersey Republicans replaced a temporary Democratic districting scheme with one of their own for the 1968 election, the Republicans gained no seats—despite pre-election consensus that they would pick up at least two seats,[12] and despite a slight Republican voting trend in the state. Also only a few seats immediately changed party hands in the four instances where a partisan plan replaced a bipartisan one or vice versa.[13] On the

[11] The necessary information for categorizing the partisan nature of redistricting plans was obtained from *Congressional Quarterly* sources. Excluded are instances of "redistricting" involving the addition of one at-large seat, plans drawn by Federal Courts or nonpartisan legislatures, and the post-1962 "redistricting" in Rhode Island which amounted to the transfer of one small township when it was moved from one county to another.

[12] "Eastern States Roundup," *Congressional Quarterly* (October 4, 1968), 147–148.

[13] The four instances are Pennsylvania, 1960–1962 (Rep. to Bipartisan); California, 1966–1968 (Dem. to

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Table 6. Post-1960 Partisan Seat Shifts as a Function of Partisan Control of Redistricting

Year	Partisan Control of Redistricting[a]	Democratic Percentage of Seats	Democratic Seat %, 1960	Change
1962	Republican (Ia., Kans., Me., N.Y., N.D.)	36.8% (57)	40.3% (62)	−3.2%
1962	Bipartisan (Ill., Mass., N.J., Pa.)	50.0% (78)	50.6% (83)	−0.6%
1962	Democratic (California)	65.8% (38)	53.3% (30)	+12.5%
1966	Republican (Colo., Id., Kans., Mich., O., S.D.)	26.8% (56)	34.5% (55)	−7.7%
1966	Bipartisan (Conn., Ill., Oreg., Pa., Wisc.)	50.7% (71)	50.7% (75)	0.0%
1966	Democratic (Ind., N.J., Utah)	50.0% (28)	44.4% (27)	+5.6%
1970	Republican (Ariz., N.H., N.J., N.Y., O.)	48.2% (85)	42.8% (84)	+5.4%
1970	Bipartisan (Calif., Mass., N.M.)	55.8% (52)	56.5% (46)	−0.7%
1970	Democratic (Hawaii)	Too Few Cases For Analysis		

[a] Includes only redistricting plans enacted within four years prior to the election.

average, the party that presumably should have benefited by such a districting change gained only an additional two per cent of the state's seats, whereas in all four cases there would have been no change had the original districts been retained and the statewide vote swing been uniform across districts.

Although the amount of evidence is slim, these few examples suggest that the partisan control of the districting scheme is not as important a determinant of partisan control of the state's congressional districts as might be thought. Consequently it appears that the tendency toward a Republican gerrymander in the distribution of the constituency vote is more an accident of geography than the intentional creation of Republican legislatures. Further evidence in support of this contention is the fact that even where the districting plan is bipartisan in origin, the Republican "gerrymander" is still found. For example, of the 78 districts in the four states where bipartisan redistricting followed the 1960 census, only one half went Democratic in 1962, even though the Democrats' mean share of the vote in these districts was 54 per cent of the two-party total. More tellingly, of the 164 districts in the eight states with bipartisan districting plans in force in 1968, the Democrats won a majority of the *presidential* vote in only 39 per cent, despite Humphrey's average of 50 per cent of the vote in these districts.[14]

Since the underlying Republican gerrymander persists even where this outcome was not the legislative intent, we must conclude that its major cause is simply that Republican voters are more efficiently distributed geographically than Democratic voters are. Figure 5 illustrates how this occurs. With 1968 presidential voting (a similar pattern could be shown with earlier congressional voting), the distribution of the Democratic vote across "metro" districts (i.e., districts with at least a majority of their population in metropolitan areas of over 600,000 population) and "nonmetro" districts (the remainder) are compared. The Democratic-leaning metro districts are a heterogeneous group, including some of the most Republican districts (essentially suburban) as well as virtually all of the most heavily Democratic districts in the North. On the other hand, the nonmetro districts cluster heavily in the moderately Republican range. Neither distribution by itself is heavily skewed. But when we combine them, we obtain the extreme skewness of a strong Republican gerrymander. To reduce the skewness of the overall distribution, the component distribution would have to be made uniform in spread—either by increasing the spread of the vote division across nonmetro districts or by decreasing the spread of the vote among metro districts. Probably only the latter alternative is even technically possible, and only by the deliberate creation of a series of strangely shaped but competitive districts stretching from the heavily Democratic cores of central cities through their more Republican suburban areas. Any such scheme would be unacceptable, for

Bipartisan); New York, 1966–1968 (Rep. to Bipartisan); and New York, 1968–1970 (Bipartisan to Rep.). Not included are instances of partisan change in the districting plan in which the initial plan was over ten years old at the time of change.

[14] The four states with bipartisan districting plans enacted for the 1962 election are Illinois, Massachusetts, New Jersey, and Pennsylvania. The eight states with bipartisan plans at the time of the 1968 election are California, Connecticut, Illinois, Massachusetts, New York, Oregon, Pennsylvania, Wisconsin.

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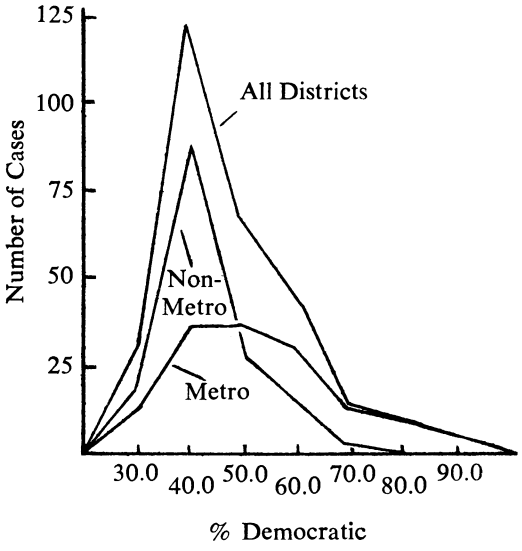

Figure 5. Frequency distribution of the Democratic percentage of the presidential vote in "metro" and "nonmetro" congressional districts, 1968

the reason that it would replace an accidental partisan gerrymander with an obvious racial and ethnic gerrymander that would deprive urban minorities further of their proper amount of representation.

Conclusion

From our attempt to explain the finding that the Democrats have won their "fair share" of northern seats only in the more recent congressional elections, the following conclusions are offered:

(1) Although the one-time malapportionment of congressional districts had no discernible partisan impact, a tendency persists for Democratic voters to be slightly "overrepresented" in congressional elections, in the sense that their low turnout rate makes the number of actual voters in Democratic districts lower than the number in Republican districts.

(2) The pre-1966 overrepresentation of northern Republicans in Congress resulted from a Republican "gerrymander": a pattern of marginally safe Republican seats and very safe Democratic seats. This gerrymander pattern declined considerably between the 1964 and 1966 elections, to the extent that the Republicans' remaining advantage from the distribution of voters is cancelled out by the Democrats' "advantage" from their "overrepresentation" due to the low Democratic turnout rate.

(3) The Republican gerrymander declined as marginal Republican seats became either safer Republican seats or marginal Democratic seats. This change apparently resulted from a heightened incumbency advantage combined with the Democratic landslide of 1964. As the incumbency boost counteracted the Republican trend, the Democrats were able to protect their new holdings following the 1964 election. Meanwhile the incumbency boost gave Republican survivors of the 1964 election even safer seats than before.

(4) The effect of partisan-inspired districting plans does not appear strong enough to permit the conclusion that the Republican gerrymander was the intentional creation of Republican state legislatures. Instead the Republican gerrymander appears to be largely the inevitable result of the way Democratic and Republican voters are geographically distributed.

It is particularly striking that neither malapportionment nor deliberate partisan manipulation of district lines played the major role in the creation of the one-time Republican advantage in congressional districting. Instead, the explanation seems to be that the Republicans are given the edge in the way Democratic and Republican voters are geographically distributed. Possibly the Republican gerrymander is now only in a temporary state of remission, to return once again, following the eventual retirement of the Democratic Congressmen who now survive in normally Republican districts with the help of their inflated incumbency advantage.

Because the Democrats normally control Congress with the help of their southern wing, the inability of the Democrats to win their fair share of northern seats generally escapes notice. But this partisan bias has undoubtedly produced some distortion in the House's "ideological balance," since the best predictor of the "liberalism" or "conservatism" of a northern Congressman is his party affiliation. Certainly the "natural" Republican gerrymander of northern congressional districts must be given consideration as one of the reasons why the House of Representatives has earned the reputation of being more conservative than either the Senate or the typical head resident of the White House.

Appendix

For the variables analyzed in this study, minor measurement problems are created by the existence of at-large seats and congressional contests in which the incumbent candidate is able to run without opposition from a major party candidate. At-large seats and uncontested seats were dealt with in the following way.

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At-Large Seats

An at-large seat in a multidistrict state must necessarily inflate the population of the state's congressional districts. Consequently, the population and the number of voters in the districts of the states with at least one at-large seat and more than one Congressman were adjusted by the formulae:

$$\text{(at-large districts)}\ C_{adj} = C/N$$

$$\text{(non-at-large districts)}\ C_{adj} = C(N-1)/N,$$

where C is the district characteristic in question and N is the state's number of House seats.

Uncontested Seats

For uncontested seats, estimates are made of what the electoral results would have been if there had been a two-party contest. These estimates are based on the district's election results in surrounding congressional election years and the average interelection swings of the turnout rate and the vote division in the North. To estimate the hypothetical number of voters, partisan vote division, and turnout rate, the following formulae were used.

The hypothetical turnout rate is estimated by the formula

$$v_1 = v_0 + (v_1' - v_0'),$$

where v_0 is the turnout rate in the surrounding base year and the quantity $(v_1' - v_0')$ is the northern interelection swing of the turnout rate before adjusting for uncontested seats.

The hypothetical number of voters is estimated by the formula

$$V_1 = (v_1)(E),$$

where (E) is the number of eligible voters in the district.

The hypothetical Democratic percentage of the two-party vote is calculated by the formula

$$d_1 = d_0 + (d_1' - d_0'),$$

where d_0 is the Democratic percentage of the two-party vote in the base year and the quantity $(d_1' - d_0')$ is the northern interelection vote swing before adjusting for uncontested seats.

When a two-party contest is found for both surrounding congressional election years, the averages of the two sets of estimates are taken. (For 1952 and 1970 estimates, only 1954 and 1968 are used as base years.) When the district had no contested election in either surrounding congressional election year, the temporally closest contest election is used. In a few cases the usual estimation procedure could not be employed because of district boundary changes. In such cases the base year vote divisions in the Congressman's old (or subsequent) district were employed.

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