

Chapter

2

The Context

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he most striking feature of modern congressional elections has been the ascendent importance of individual candidates and campaigns. Even in 1994, when national issues had an unusually powerful effect on the results, the congressional campaigns remained largely candidate centered. Although national parties have recently expanded their efforts to recruit and finance candidates, most serious congressional aspirants operate, out of choice and necessity, as individual political entrepreneurs. The risks, pains, and rewards of mounting a campaign are largely theirs. Most instigate their own candidacies, raise their own resources, and put together their own campaign organizations. Their skills, resources, and strategies have a decisive effect on election outcomes. Voters, for their part, are most strongly influenced by their assessments of the particular candidates running in the state or district. The electoral impact of even major national issues depends in good part on how effectively individual candidates exploit them in local campaigns.

The focus on individual candidacies has important implications for every aspect of the political process to which congressional elections are relevant. Many of these implications are spelled out in subsequent chapters. This chapter traces some of the roots of candidate-centered electoral politics. It examines the constitutional, legal, and political contexts in which congressional elections take place, for they are fundamental sources of the present system, and it cannot be understood apart from them.

CONSTITUTIONAL FRAMEWORK

Whether or not to have an elected legislature was never a question during the Constitutional Convention that met in Philadelphia in 1787. The influence of British parliamentary tradition and colonial experience—all 13 colonies had legislatures

with at least one popularly elected house—was decisive. Beyond question, the new government would have one. But not much else about it was certain. Delegates disagreed about how the legislative branch would be organized, what its powers would be, and how its members would be selected.

The matter of selection involved several important issues. The most crucial was the basis of representation: How were seats in the legislature to be apportioned? Delegates from large states naturally preferred representation according to population; otherwise, their constituents would be underrepresented. Those from smaller states were convinced that their interests would be in jeopardy if only numbers counted, so they proposed equal representation for each state. The controversy coincided with another unsettled and unsettling issue: Was it to be a national government representing a national citizenry, or was it to be a federal government representing sovereign states?¹

The conflict was resolved by a quintessential political deal. General sentiment was strongly in favor of a bicameral legislature,² and this made a solution easier. Each side got what it wanted. Seats in one chamber, the House of Representatives, would be apportioned by population; each state's representation would be determined by its share of the population as measured in a decennial census (Article I, Section 2). In the other chamber, the Senate, states would enjoy equal representation, each choosing two senators (Article I, Section 3).

This “great compromise,” as it has been called, opened the way to resolving another dispute. At issue was the extent of popular participation in electing officials in the new government. Most delegates were skeptical of democracy as they conceived it, but to varying degrees. A bicameral legislature allowed different levels of popular involvement in choosing members of Congress. Representatives were to be “popularly”³ chosen in frequent elections. Biennial elections were the compromise choice between the annual elections proposed by many delegates and the three-year term advocated by James Madison.⁴ Broad suffrage and short terms were meant to ensure that one branch of government, the House, remained as close as possible to the people.

The Senate, in contrast, was designed to be much more insulated from momentary shifts in the public mood. The term of office was set at six years (another compromise; terms of three, four, five, six, seven, and nine years had been proposed).⁵ Continuity was enhanced by having one-third of the Senate's membership elected every two years. Senators, furthermore, were to be chosen by state legislatures rather than by voters. The Senate could thus act as a stable and dispassionate counterweight to the more popular and radical House, protecting the new government from the volatility thought to be characteristic of democracies. Its structure could also embody the elements of state sovereignty that remained.⁶

The opposition to popular democracy embodied in the indirect election of senators (and the president) diminished during the nineteenth century. Restrictions on suffrage were gradually lifted, and more and more offices came to be filled by popular election. The Civil War effectively settled the issue of national sovereignty. By the beginning of this century the constitutional method of choosing senators had come to be viewed by most Americans as undemocratic and corrupting,

and it was replaced, via the Seventeenth Amendment, ratified in 1913, by popular election. Members of both houses of Congress are now chosen in elections in which nearly every citizen past his or her eighteenth birthday is eligible to vote.⁷

CONGRESSIONAL DISTRICTS

The Constitution itself apportioned seats among states for the first Congress (Article I, Section 3). Following the initial census in 1790, membership of the House was set at 105, with each state given one seat for each 33,000 inhabitants. Until 1911, the House grew as population increased and new states were added. Congress avoided the painful duty of reducing any state's representation in response to population shifts by adding seats after each decennial census. Eventually a point was reached where further growth could seriously impair the House's efficiency. Membership was set at 435 after the 1910 census, and strong opposition developed to any further increase.

A crisis thus arrived with the 1920 census results. Large population shifts between 1910 and 1920 and a fixed House membership would mean that many states—and members of Congress—would lose seats. Adding to the turmoil was the discovery by the census that, for the first time, a majority of Americans lived in urban rather than rural areas. Reapportionment was certain to increase the political weight of city dwellers and reduce that of farmers. The result was an acrimonious stalemate that was not resolved until 1929, when a law was passed establishing a permanent system for reapportioning the 435 House seats after each census; it would be carried out, if necessary, without additional legislation.⁸

The new system took effect after the 1930 census. Because 20 years had passed since the last apportionment, unusually large shifts occurred. California's delegation went from 11 to 20; other big gainers were Michigan (+4), Texas (+3), and New York, Ohio, and New Jersey (+2 each). Twenty-one states lost seats; Missouri lost three and four other states lost two.⁹ Subsequent shifts have not been so dramatic, but the beginning of each decade still ushers in a period of heightened uncertainty and anxiety among congressional incumbents.

Anxiety is not misplaced. In 1992, redistricting gave 35 incumbents the choice of retiring or facing another incumbent in the primary or general election. Some retired; nine ended up losing contests to other incumbents. As in past decades, the new distribution of House seats reflected population shifts since the previous census, redistributing power among states and regions. States in the East and Midwest lost a total of 17 seats to states in the South and West, which together had controlled a bare majority—218 of 435 seats—in the House during the 1980s. After the 1990 census, this majority increased by another 17 seats, with California (+7), Florida (+4), and Texas (+3) the big winners, and New York (-3), Illinois, Michigan, Ohio, and Pennsylvania (all -2) the big losers.¹⁰

At first federal law fixed only the number of representatives each state could elect; other important aspects of districting were left to the states. Until 1842, single-member districts were not required by law, and a number of states used multi-member or at-large districts. Thereafter, apportionment legislation usually

required that states establish contiguous single-member districts and, in some years, required that they be of roughly equal populations and even "compact" in shape. Such requirements were never, when ignored by map makers, successfully enforced. Single-member districts became the overwhelming norm, but districts composed of "contiguous and compact territory . . . containing as nearly as practicable an equal number of inhabitants," in the words of the 1901 reapportionment act, did not.¹¹

Many states continued to draw districts with widely differing populations. In 1930, for example, New York's largest district (766,425) contained nearly nine times as many people as its smallest (90,671). As recently as 1962, the most populous district in Michigan (802,994) had 4.5 times the inhabitants of its least populous (177,431).¹² Rural populations were usually overrepresented at the expense of people living in cities and suburbs. The Supreme Court's 1964 ruling in *Wesberry v. Sanders* (376 U.S. 1), however, applied the principle of one person—one vote to congressional districts, and since then, malapportioned districts have, under the watchful eye of the courts, become extinct.

The Court's rulings have indeed given more equal weight to each citizen's House vote, but they have also reinforced some less-desirable aspects of the congressional election system. Drawing district lines with an eye to numbers rather than to natural political communities increases the number of districts composed of people with nothing in common save residence in the district. District boundaries are even less likely than before to coincide with the local political divisions—cities, counties, state legislative districts—around which parties are organized. So a greater number of congressional aspirants become political orphans, left to their own organization devices. More will be said later about the widespread irrelevance of local parties to congressional candidates; the structure of House districts is clearly one of its sources.

The requirement of equal district populations has also encouraged another old political custom: Gerrymandering. District boundaries are not politically neutral. Parties controlling state governments are naturally tempted to draw district lines designed to maximize the number of seats the party can win, given the number and distribution of its usual voters. The idea is to concentrate the opposing party's voters in a small number of districts which that party can win by large margins, thus "wasting" many of its votes, and to create as many districts as possible where their own party has a secure, though not overwhelming, majority.¹³ Forced by the Court's strict standard of equality to ignore community boundaries in drawing districts, legislators are freer to pursue naked partisan advantage. The use of computers allows precise integration of partisan with egalitarian objectives.¹⁴

Gerrymandering often produces bizarrely shaped districts; the term itself comes from a cartoon depicting an odd, salamander-like creature suggested by a district drawn under the administration of Elbridge Gerry, an early governor of Massachusetts.

Partisan gerrymanders are easier to calculate than to carry out, however. Arrangements that might add to a party's share of seats often conflict with other political necessities, particularly the protection of incumbents unwilling to increase their own electoral risks to improve their party's collective welfare.¹⁵ Vot-

ers more attuned to candidates than to parties often frustrate partisan schemes.¹⁶ But state legislatures still try, when the opportunity arises, to draw lines favoring their party's House candidates. The redistricting activity that followed the 1980 census offers some examples of what can happen.

Indiana Republicans, in full control of the state government, executed the most flagrant Republican gerrymander. Their intentions were undisguised: "They [the Democrats] are going to have to face the political reality that we are going to do everything we can to hurt them," said the chairman of the state senate's elections committee, Charles E. Bosma.¹⁷ It was no idle threat. Bosma's committee produced one new district that contained the homes of three Democratic incumbents. Two Democrats had their districts chopped up and redistributed to four new districts. All five of the Democrats planning to seek reelection had to move their place of residence to have any chance at all; the remaining Democrat gave up and decided to run for statewide office. The Democrat's 6–5 majority was expected to become a 4–6 or 3–7 minority after the 1982 election (Indiana lost a seat through reapportionment).¹⁸

It did not work out quite that way. All of the Democratic incumbents who sought reelection won; the only losing incumbent from Indiana was a Republican. The split after 1982 was 5–5, and Democrats picked up three more seats during the decade, taking an 8–2 majority into the 1994 election, when Republicans finally won control (6–4) of Indiana's delegation. Moreover, Indiana's example inspired Democrats to retaliate, notably in California, where many more seats (45) were at stake. The California gerrymander, designed by U.S. Representative Philip Burton, helped Democrats to exploit the strongly pro-Democratic tide running in 1982 to raise their majority in the California House delegation from 22–21 to 28–17. The Burton plan was overturned by referendum and so was only in effect for 1982, but its replacement was no less friendly to Democrats, who retained a 27–18 majority through the next three elections.

Republicans blamed the Democrats' more skillful gerrymandering for their failure to realize the sizable gain they had expected from the shift of House seats to states in the South and West after 1980.¹⁹ In fact, it cost them at most three or four seats.²⁰ Ironically, the Republican National Committee, mindful of basic arithmetic, supported a suit brought by Indiana Democrats challenging the constitutionality of the partisan gerrymander. California's congressional Democrats, facing a similar lawsuit filed by California Republicans, sided with the Indiana Republicans.²¹ In 1986, the Supreme Court declared that partisan gerrymandering could be unconstitutional if it were sufficiently egregious, but that the Indiana gerrymander was not flagrant enough to be set aside. Neither, the Court decided in a 1989 case, was the California gerrymander.

The Court has yet to reveal just what would make a partisan gerrymander unfair enough to be unconstitutional. Despite the absence of clear standards, however, the prospect of constitutional challenges probably restrained partisan gerrymandering after the 1990 census; whatever the reason, there is little evidence of systematic partisan bias in the current district lines.²² In the 1990s, a different kind of gerrymandering became far more common—and controversial.

In a 1986 decision (*Thornburg v. Gingles*), the Supreme Court had construed the 1965 Voting Rights Act to require that legislative district lines not discriminate,

even unintentionally, against racial minorities. The decision was widely interpreted as requiring map makers to design districts in which racial and ethnic minorities comprised a majority of voters wherever residence patterns made this feasible. Assiduous pursuit of this goal, backed by modern computer technology, produced some of the strangest looking districts on record.

Perhaps the most audacious modern example of partisan gerrymandering was the 6th Congressional District of California as drawn in 1982 by Philip Burton for his brother, John (who surprised everyone by retiring from Congress before he could enjoy it). The district was composed of three sections connected only by the waters of San Francisco Bay; two parts of one section were linked only by a narrow strip of land underlying some railroad yards. Racial gerrymandering after 1990 inspired some equally creative artwork; the 12th District of North Carolina, for example, stitched together African American communities in several of the state's larger cities using Interstate 85 (northbound lanes in one county, southbound lanes in another) as the thread.

Racial gerrymandering was far more effective than partisan gerrymandering typically is; the 1992 elections raised African American representation in the House from 25 to 38, Hispanic representation, from 10 to 17. In 1993, however, a more conservative Court ruled (in *Shaw v. Reno*) that bizarrely shaped districts designed to concentrate minority voters might violate the constitutional rights of white voters. The Court went further in 1995 (*Miller v. Johnson*), striking down Georgia's districting on the ground that any mapping in which race was the "predominant factor" violated the Constitution's guarantee of equal protection.²³ This decision put several other states' maps in jeopardy, threatening minority gains and, potentially, some Republican seats. Minority voters are primarily Democrats; packing them into minority-majority districts helps Republican candidates elsewhere. Racial gerrymandering was responsible for as many as ten of the seats Republicans gained in the South in 1992 and 1994.²⁴ The future of these districts now rests with an unpredictable, not to say capricious, Supreme Court.

For the Senate, "districts" are fixed by state boundaries, and the question of reapportionment never arises. It is easy to find examples of state boundaries that, like House district lines, cut across natural economic units—greater New York City, with suburbs in Connecticut and New Jersey, forms such a unit—and that are sharply divided into distinct and conflicting political regions (Tennessee, for example). But this matters less because states are, after all, important political units for purposes other than Senate elections. Indeed, this is an important basis for some of the differences between House and Senate elections that are spelled out in later chapters.

States compose an odd set of electoral units for another, quite obvious, reason: Their great diversity in population. A senator from California represents more than 60 times as many people as a senator from Wyoming. The 9 largest states are home to 52 percent of the population but elect only 18 percent of the Senate; the smallest 26 states control 52 percent of the Senate but hold only 18 percent of the population.

Skewed representation in the Senate usually receives little attention because it has not commonly favored one party over the other.²⁵ In the 1980s, however, it was

of considerable political consequence. Republicans won control of the Senate by taking a disproportionate share of the smaller states, winning 22 of 34 Senate contests in 1980 while winning less than a majority of Senate votes cast nationwide.²⁶ Without "malapportionment" there would have been no Republican Senate majority in the early 1980s. The Senate majority in the 104th Congress (1995–1996), in contrast, drew almost equally from large, medium, and small states.

ELECTION LAWS

The diversity that once characterized state election laws has gradually given way to substantially greater uniformity, but important differences remain. Congress was given the constitutional power to regulate all federal elections (Article I, Section 4), but was in no hurry to do so. Initially, states were allowed to go entirely their own way. For example, at one time many states elected members of Congress in odd-numbered years; the practice did not entirely end until 1880. The date of federal elections was not fixed as the first Tuesday after the first Monday in November until 1845 (and states could still hold elections on a different date if their constitutions so required). For a time some states required the winner of a congressional election to receive a majority of all votes cast; now all states permit election by plurality, at least in general elections. Restrictions on suffrage once varied from state to state; constitutional amendments, court decisions, and federal laws have now eliminated almost every restriction on suffrage for citizens who have passed their eighteenth birthday.

The trend toward more uniform election laws is not merely of historical interest. A single date for all federal elections encourages national campaigns, party tickets, and coattail effects. Each election is more than an isolated, idiosyncratic event, or at least it can be treated as such by voters. The removal of formal and informal barriers to voting has substantially altered the political complexion of some areas, notably in the Deep South, where formerly excluded black voters are now an important political force. Lowering the voting age to 18 has made the student vote a key factor in districts encompassing large university towns, such as Ann Arbor, Michigan, and Madison, Wisconsin.

The process of voting itself has undergone important changes. Prior to the 1890s, each local party produced its own ballots, listing only its own candidates, which were handed to voters outside the polling place. The party ballots were readily distinguishable; voting was thus a public act. Because local parties printed the ballots, internal party rivalries were sometimes fought with multiple or competing party ballots, frustrating state party leaders' pursuit of electoral unity and control.²⁷ The system invited intimidation of voters and other forms of corruption, and it was expensive for the parties to administer. It was replaced in a remarkable burst of reform between 1888 and 1896, when about 90 percent of the states adopted what was called the Australian ballot (after the country of its origin). An Australian ballot is produced by the government, lists candidates from all parties, and is marked in the privacy of a voting booth.

Although the Australian ballot has been blamed for weakening party loyalty by making it easier for voters to vote for different parties' candidates for different offices,²⁸ in some forms it increased partisan loyalty, at least initially. In states that adopted the *party column* ballot, which lists candidates by party, ticket splitting diminished. Beyond using the party column format, the ballot could foster straight-ticket voting by allowing voters to mark a single spot (or pull a single lever on a voting machine) to vote for all the party's candidates. On the other hand, where states adopted the *office bloc* ballot, which lists candidates by office, ticket splitting was facilitated. The search for partisan advantage led some states to switch back and forth between the two forms depending on which party or faction was in power.²⁹ Differences among ballot types, and their consequences, persist to this day.³⁰

Again, variations in formal procedures are politically consequential. The effects of ballot formats that make ticket splitting easier run counter to those of uniform election dates. Easier ticket-splitting weakens coattails and other partisan links between candidates. It helps to focus the election on candidates rather than parties.

POLITICAL PARTIES

Without question the most important additions to the institutional framework established by the Constitution have been political parties. [The parties, along with the system of presidential elections that inspired their development, are the formal institutions that contribute most to making congressional elections other than purely local festivals and politicians other than purely independent political entrepreneurs.] The long-term atrophy of party organizations and weakening of partisan ties from the 1950s through the 1970s thus contributed to the detachment of congressional elections from national political forces and to the rise of candidate-centered campaigns. For the same reason, the recent emergence of more vigorous national-level congressional campaign committees, most prominently on the Republican side, shows signs of reversing these trends. I will have more to say about this in Chapter 4.

The decline of parties stemmed from a variety of causes; several of the more important ones are discussed later. A fundamental factor, however, is clearly institutional: the rise and spread of primary elections as the method for choosing party nominees for the general election. Nineteenth-century parties nominated candidates in caucuses and, later, conventions. These were often dominated by self-elected party elites; they came under increasing criticism when the United States entered into a period of sectional one-party dominance following the election of 1896. Parties faced with serious competition found it prudent to nominate attractive candidates; without this constraint—with the assurance of victory because of an overwhelming local majority—they could freely nominate incompetent hacks or worse. With the nomination tantamount to election in so many places, the general election, and therefore the voter, seemed increasingly irrelevant.

The direct primary election was introduced as a way to weaken party bosses by transferring the right to choose the party's nominees to the party's voters and to

allow people to cast a meaningful vote despite meaningless general elections. It was also an effective method for settling disputes over who was the party's official candidate, which became necessary when states adopted the Australian Ballot. In the South, where one-party dominance was most pronounced, most states eventually established a second, runoff primary between the two candidates receiving the most votes when none wins a majority on the first ballot. Today, election laws in every state provide for primary elections for House and Senate nominations—though the rules governing them vary from state to state—and party leaders are able to control the nomination in very few places.

A few states still hold nominating conventions and require that candidates receive a minimum vote at the convention (20 percent is the usual threshold) to be eligible for the primary ballot. But even this may not give the party much control. In one convention state, Colorado, the eventual Republican nominee for the Senate in 1980, Mary Buchanan, did not win support of 20 percent of the delegates, but she got on the primary ballot anyway, by petition. She defeated three other Republicans, all of whom were preferred by party leaders, then lost the general election.³¹

Scattered modern instances of party control over congressional nominations can still be found. When the congressman who represented Illinois' 5th District (in Chicago) died in 1975, state representative John Fary "was called into Mayor Richard J. Daley's office. At 65, Fary had been a faithful servant of the machine; and he thought the Mayor was going to tell him it was time to retire. Instead, he was told he was going to Congress."³² He did, declaring on the night of his special election victory, "I will go to Washington to help represent Mayor Daley. For twenty-one years I represented the Mayor in the legislature, and he was always right."³³ When, in 1982, Fary ignored the party's request that he retire, he was crushed in the primary.

Fary's tale is noteworthy because it is so atypical. The party organization's influence on congressional nominations varies but is generally feeble. Few congressional candidates find opposition from the local party leaders to be a significant handicap; neither is their support very helpful. The nomination is not something to be awarded by the party but rather a prize to be fought over (when it seems worth taking) by freebooting political privateers.

Primary elections have largely deprived parties of their most important source of influence over elected officials. Parties no longer control access to the ballot and, therefore, to political office. They cannot determine who runs under the party's label and so cannot control what the label represents. National parties have never had much influence in the nominating process, and this has long been an important barrier to strong party discipline in Congress. American parties lack a crucial sanction available to their European counterparts: The ability to deny renomination to uncooperative members. Now state and local parties typically have few sanctions and little influence.

The primary election system also complicates the pursuit of a congressional career. Candidates must be prepared to face two distinct, if overlapping, electorates, the first of which is likely to be considerably more partisan and ideologically extreme than the second.

Differences in primary election laws underlie much of the diversity among congressional election processes across states. The date of the general election may be fixed, but primaries are held at any time from March through October. The runoff primary used in ten southern states has already been mentioned; where two-party competition has finally developed, candidates must sometimes win three serious contests to gain office. Louisiana has a unique system in which candidates of both parties compete in the same primary; if no candidate receives an absolute majority of votes, the top two vote-getters compete in the general election—even if they are from the same party. Rules governing access to the ballot differ: Some states require only a small fee and virtually anyone can run; others require a larger fee or some minimum number of signatures on a petition. Third-party and independent candidacies are thus encouraged or discouraged to differing degrees.

This discussion of the legal and institutional framework of congressional elections has necessarily been brief; filling in all the details would demand volumes. But it is sufficient to alert us to some of the important ways in which reference to the formal context is required to account for the activities of candidates, voters, and other participants in congressional elections.

It is important to remember that the formal context does not arrive mysteriously from somewhere outside the political system. Rules and institutions are consciously created and shaped by politically active people to help them achieve their goals. Rules that encourage members of Congress to pursue their aims independently of their party evolve because voters and politicians value independence. Although in the short view it seems that the formal framework establishes a set of independent parameters to which political actors are forced to adapt, it does not. Rather, the framework itself reflects the values and preferences prevalent among politically active citizens, and it changes as these values and preferences change.

SOCIAL AND POLITICAL CONTEXTS

Rules and customs controlling districting and primary elections may contribute to the large idiosyncratic component of congressional elections, but the contribution is hardly decisive. Idiosyncracy is deeply rooted in the cultural, economic, and geographical heterogeneity of the United States. A few short examples will suggest the astonishing variety of electoral conditions that would-be candidates must be prepared to face. States and districts vary in:³⁴

Geographical Size

Simple geography is an abundant source of variation. House districts are as small as 10 square miles (New York's 11th District) or as large as Alaska's 586,000 square miles, where campaigning by airplane is essential and occasionally fatal.³⁵ Even Michigan has a district that is more than 450 miles from end to end (the 1st District). The range among states is smaller but still enormous. The purely physical problems of campaigning or representing constituencies differ greatly and can be quite severe.

Population

Obviously, states vary widely in population, and both districts and states also vary in population density. Imagine the problems faced by California's senators, who are expected to represent more than 30 million people living more than 2,500 miles from Washington, D.C. It is probably no coincidence that in the last 50 years only two of California's senators have won more than two terms. Alaska's senators serve only 587,000 people, but they are even further from the capitol and are scattered over a far larger area. Rhode Island, in contrast, is a "tidy little city state,"³⁶ compact, with a relatively small population.

Economic Base

Most of the workers in the 9th District of Michigan get their paycheck from auto manufacturers, mainly General Motors; nearly a third of the payroll in South Carolina's 1st District comes directly or indirectly from the Defense Department; 60,000 federal employees live in Maryland's 8th District.³⁷ Delaware is the home of DuPont, with far greater revenues than the state government. At the other extreme are states and districts with thoroughly heterogeneous local economies.

Income

According to the 1990 census, the second poorest district in the nation is Kentucky's 5th; its median family income at that time was \$17,798. The wealthiest is Maryland's 8th, with a median income of \$64,199. The Kentucky district is represented in the House by a Republican; the Maryland district gave Bill Clinton 53 percent of its votes in 1992.

Communications

Districts such as Kentucky's 6th (Lexington) and Nevada's 1st (Las Vegas) coincide with media-markets and are covered efficiently by newspapers and television and radio stations. Compare them with any of the 35 or so districts that fall into the New York City media market or to a state such as Wyoming, with multiple media markets. Or consider New Jersey, a state of more than 7.7 million people, all of whom live in media markets centered outside the state (in New York and Philadelphia). Campaigning—and representing—are largely communication. It is easy to see how media-market structure determines which tactical options are available to candidates and how easily they can attract public attention.³⁸ But more subtle influences operate as well. In some districts, for example, a member of Congress is a newsworthy politician; in others, he or she is lost in the crowd.

Ethnicity

Some districts are overwhelmingly of one racial or ethnic group; 74 percent of the residents of New York's 11th District are African American; 84 percent in the 33rd

District of California are Hispanic. As of 1994, 31 districts had African American majorities, and 20 districts had Hispanic majorities. Other districts are an ethnic patchwork. California's 8th was, in 1990, 13 percent African American, 16 percent Hispanic, 28 percent Asian; 5 to 10 percent each of the rest reported Italian, Irish, English, and German ancestry.³⁹ States, too, have very different ethnic mixes: The political importance of Jews in New York and Irish in Massachusetts and Hispanics in New Mexico are familiar examples.

Age

The median age in Florida's 13th District (Sarasota) was 47 in 1990; 37 percent of the eligible voters were over 65. Compare this with a district such as Utah's 3rd, where the median age is 24, or with Wisconsin's 2nd, which includes 43,000 university students. Imagine how the dominant political concerns differ among the three.

Political Habits

Some districts have historic traditions of strong loyalty to the candidates of one party or the other; others are characterized by intense two-party competition. Still others seem perversely contrarian; the 12th District of Ohio expelled a Republican incumbent amid the Republican sweep in 1980 and a Democratic incumbent amid the Democratic sweep in 1982. Turnout in recent House elections in which both major parties fielded candidates has been as low as 12 percent (California's 33rd District, 1992) and as high as 79 percent (Minnesota's 3rd District, 1992). The range for Senate elections is narrower—45 to 69 percent in 1992, 33 to 55 percent in 1994—but is still striking.

These categories and examples do not begin to exhaust the possibilities, but they are sufficient to make the point: Politically relevant conditions vary enormously across states and districts and are a potent source of localism and idiosyncracy in the electoral politics of Congress. The problem for each congressional aspirant is to devise a strategy to win and maintain the support of voters in a particular state or district, and it is not surprising that no common formula has been discovered. Nor is it surprising that candidates try to nurture an image of independence. But recognition of the heterogeneity among states and districts cannot explain why political fragmentation and independence increased during the 1960s and 1970s, nor why it has diminished since then.

NOTES

1. See James Madison, Alexander Hamilton, and John Jay, *The Federalist*, ed. Edward Meade Earle (New York: Modern Library, 1937), Nos. 37 and 39.
2. Ten of the 13 colonies and, of course, Britain, had bicameral legislatures.
3. The Constitution specifies that "Electors in each State shall have the Qualifications requisite for the Electors of the most numerous Branch of the State Legislature" (Article I, Section 2). Property and other qualifications were, in fact, common in the early years of the nation; universal suffrage was a long time in arriving.

4. *Electing Congress* (Washington, D.C.: Congressional Quarterly, 1978), p. 135.
5. *Ibid.*
6. Madison, Hamilton, and Jay, *The Federalist*, No. 62.
7. The exceptions are people in penal and other institutions and, in many states, former felons. Senate seats vacated by retirement, death, or resignation before the end of the term may be filled by gubernatorial appointment until the next regular general election; vacated House seats are filled by special elections.
8. *Congressional Quarterly's Guide to U.S. Elections* (Washington, D.C.: Congressional Quarterly, 1976), pp. 530–534.
9. *Ibid.*
10. "Final Count Will Shift Seats to Far West and South," *Congressional Quarterly Weekly Report* 48 (September 1, 1990), p. 2794.
11. *Guide to U.S. Elections*, p. 528.
12. *Ibid.*, p. 530.
13. Bruce E. Cain, *The Reapportionment Puzzle* (Berkeley: University of California Press, 1984), pp. 148–150.
14. Rob Gurwitt, "Judgment on Gerrymanders Expected from Indiana Case," *Congressional Quarterly Weekly Report* 39 (September 28, 1985), p. 1939.
15. Cain, *Reapportionment*, pp. 151–157.
16. Richard Born, "Partisan Intentions and Election Day Realities in the Congressional Redistricting Process," *American Political Science Review* 79 (1985), p. 317.
17. "Redistricting: Gov. Gerry's Monuments," *Congressional Quarterly Weekly Report* 39 (May 9, 1981), p. 811.
18. "Classic Gerrymander by Indiana Republicans," *Congressional Quarterly Weekly Report* 39 (October 17, 1981), p. 2017–2022.
19. Alan I. Abramowitz, "Partisan Redistricting and the 1982 Congressional Elections," *Journal of Politics* 45 (1983), pp. 767–770.
20. Andrew W. Robertson, "American Redistricting in the 1980s: The Effect on Midterm Elections," *Electoral Studies* 2 (1983), pp. 113–129.
21. Gurwitt, "Gerrymanders," p. 1940.
22. Richard G. Niemi and Alan I. Abramowitz, "Partisan Redistricting and the 1992 Congressional Elections," *Journal of Politics* 56 (1994), pp. 811–817.
23. Holly Idelson, "Court Takes a Harder Line on Minority Voting Blocs," *Congressional Quarterly Weekly Report* 53 (July 1, 1995), pp. 1944–1946.
24. Kevin A. Hill, "Does the Creation of Majority Black Districts Aid Republicans? An Analysis of the 1992 Congressional Elections in Eight Southern States," *Journal of Politics* 57 (1995), pp. 384–401. Professor Hill kindly provided the 1994 update (personal communication).
25. An exception may be the years 1876–1892, when Republicans were able to win the Senate more consistently than the House or the White House by winning a disproportionate share of newly admitted, less-populous states in the West. See Charles H. Stewart III, "Lessons from the Post–Civil War Era," in *The Politics of Divided Government*, ed. Gary Cox and Samuel Kernell (Boulder, Colorado: Westview Press, 1991).
26. John T. Pothier, "The Partisan Bias in Senate Elections," *American Politics Quarterly* 12 (1984), pp. 89–100.
27. Lisa A. Reynolds, "Reassessing the Impact of Progressive Era Ballot Reform" (Ph.D. dissertation, University of California, San Diego, 1995), pp. 23–27.
28. Jerrold G. Rusk, "The Effects of the Australian Ballot Reform on Split Ticket Voting: 1876–1908," in *Controversies in Voting Behavior*, ed. Richard G. Niemi and Herbert F. Weisberg (San Francisco: W.H. Freeman, 1976), pp. 485–486.
29. Reynolds, "Progressive Era Ballot Reform," pp. 77–106.

30. Rusk, "Australian Ballot Reform," pp. 493-509; Angus Campbell, Philip E. Converse, Warren E. Miller, and Donald E. Stokes, *The American Voter* (New York: John Wiley, 1960), p. 276.
31. "The Outlook: Senate, House, and Governors," *Congressional Quarterly Weekly Report* 38 (October 11, 1980), p. 2999.
32. Michael Barone, Grant Ujifusa, and Douglas Matthews, *The Almanac Of American Politics 1980* (New York: E.P. Dutton, 1979) p. 246.
33. Alan Ehrenhalt, ed., *Politics in America: Members Of Congress in Washington and at Home* (Washington, D.C.: Congressional Quarterly Press, 1981), p. 333.
34. All of the examples discussed are, unless otherwise noted, taken from Michael Barone and Grant Ujifusa, *The Almanac of American Politics 1994* (Washington, D.C.: National Journal, 1993).
35. House Majority Leader Hale Boggs and Alaska Congressman Nick Begich were killed in a plane crash while campaigning in that state in 1972.
36. Barone and Ujifusa, *Almanac*, p. 1128.
37. *Congressional Districts in the 1990s* (Washington, D.C.: Congressional Quarterly, 1993), pp. 349, 669.
38. Richard G. Niemi, Lynda W. Powell, and Patricia L. Bicknell, "The Effects of Congruity Between Community and District on the Salience of U.S. House Candidates," *Legislative Studies Quarterly* 11 (1986), pp. 190-198.
39. *Congressional Districts in the 1990s*, p. 71.