

## **CHAPTER 11 - Choosing the Congress**

### **OVERVIEW**

Members of the House of Representatives are typically reelected at a rate of 90 percent or higher. Citizens reelect the incumbent because they are so responsive to their constituents' demands. The rate of reelection for Senators is somewhat lower due to the more diverse constituency they represent, their greater media coverage exposure, and the stronger competition they have to face.

Why do Americans keep reelecting Congressmen if they are so critical of Congress? The answer has to do with the different standards by which Americans judge Congress and its members.

The single-member district simple plurality (SMSP) electoral system dilutes the impact of minorities in House elections. Attempts to draw district lines so as to correct for this have been struck down by the Supreme Court.

### **OUTLINE**

#### **I. The Electoral Evolution of the Congress**

- As outlined in Article I of the U.S. Constitution, voters elected representatives and state legislators elected senators. The Seventeenth Amendment allowed the voters to directly elect senators. Clearly, representatives were to be more responsive to the voters.
- Turnover levels were as high as 50 percent in the House until the Civil War. This was due to factors other than defeat in elections: the office and location were not attractive and some states used rotation.
- Today, members of Congress serve for so many terms that Congress is described as a professional legislature. In fact, this trend explains why some people advocate term limits, but it is because members of Congress are so sensitive to voters that they serve numerous terms.

#### **II. Reapportionment and Redistricting**

- The Constitution mandates a census every 10 years, after which seats in the House are apportioned and states, if necessary, redistricted (redraw district lines). Lines may be drawn to favor a candidate or party (gerrymandering). Racial gerrymandering has been ruled unconstitutional by the courts.
- The Supreme Court has also ruled that districts must be equal in population (as close as possible). Recent population shifts have favored Republicans in the House.

#### **III. The Congressional Nomination Process**

- Most candidates for Congress are nominated by the primary system. The hardest-fought primaries occur in open seats. Few incumbents lose primaries.

#### **IV. Contemporary House Elections**

- Party affiliation is the most important factor in getting elected to the House of Representatives. Incumbency is second. In House elections, 70 percent or more of all voters who identify with a party typically support the House candidate of that party.

### **A. Party Decline**

- Incumbency has increased in importance in recent decades, primarily because of the weakening of parties at the national levels.

### **B. Expanding Member Resources**

- The growth in size of congressional staffs, increasing perks including the franking privilege, and technological advancements have also helped incumbent reelection rates.

### **C. Change in Importance of “Representative” Behavior**

- Members of Congress perform several functions other than making laws: district service and constituent assistance. These constituent services, by benefiting lots of people regardless of party, and being more prevalent today, help incumbents get reelected.

### **D. Campaign Funds**

- The role money plays in the election of incumbents is complicated. Part of the reason is the law of diminishing returns: money matters, but at some point, it stops making much of a difference.
- There is a hidden impact of campaign money: since it takes so much to run for office, many don't try. In other words, money doesn't buy an election, it keeps competition away. It also hinders voter turnout.
- The public is clearly upset with campaign financing. The most talked about reform is public financing of congressional elections. One point often missed is that the current system does allow challengers to offset the current financial advantage held by incumbents who are writing the campaign finance laws.

### **E. More Responsive Incumbents**

- One reason members of Congress are reelected today more than ever before is because of the emphasis they place on pleasing constituents.
- Technological advancements have made it much easier for members to stay close to their constituents. The fact that members' votes are watched more closely is another factor. Finally, with parties weak, members are freed up to vote as they want, making them more responsive to constituents' wishes.

## **V. Contemporary Senate Elections**

- There are several ways in which the Senate differs from the House of Representatives, and they explain why reelection rates are lower for Senators.

### **A. Party Competition**

- Because senators represent entire states, their constituency is usually more diverse and that makes for stronger party competition.

### **B. Uncontrolled Information**

- Senators receive far more media coverage than Representatives. Because of this, senators are more vulnerable to attack.

### **C. Better Challengers**

- The Senate is seen as a more attractive office and thus it attracts better challengers. Also, there are only 33 seats up for election every two years compared to 435 in the House, meaning fewer credible challengers are needed for competitive challenges.

### **D. High Ambitions**

- Senators (and presidents) lay the groundwork for this; they must get involved in more controversial issues, making them vulnerable to attack.

## **VI. National Forces in Congressional Elections**

- A force means many members of Congress have concerns that are parochial and no longer tied to national trends.

### **A. National Forces in the 1990s: A New Era?**

- The 1994 congressional elections in which 57 Democrats lost were somewhat of a throwback to earlier times when incumbents were not as insulated, but not as much as one would think. Ninety percent of incumbents won! Republicans in Congress are now performing as Democrats had to win reelection.

### **B. Congressional Elections in the 2000s: Neck and Neck**

- Republicans retained control of the House and Senate (but just barely, and only by the vice president's vote in the Senate). Exit polls showed that voters may have been influenced by national trends.
- In 2006 a national tide appears to have run almost as strongly as it did in 1994, but in the opposite direction. Although the economy was in good shape by historical standards, the conflict in Iraq worsened in the late summer and fall. President George W. Bush's approval ratings were stuck in the 35-40 percent range and by the time Congress adjourned and the campaign began in earnest, the majority of Americans had come to believe that the war had been a mistake and had not made American safer.
- The 2008 elections saw Republicans lose an additional twenty seats in the House and six seats in the Senate. The economic downturn and the Democratic presidential-nominee's popularity helped Democrats widen their majority in the US Congress.

### **C. Why Have National Forces Grown Stronger?**

- Two reasons may explain why congressional elections are becoming more nationalized. One is more unified political parties. Another is soft money and independent expenditures used to promote national issues.

## **VII. Do Congressional Elections Produce a Representative Body?**

- The Congress is overwhelmingly composed of white male professionals. For some, this failure to be descriptively representative of the population is unacceptable. Others argue that you don't have to be a woman to represent women's interests, to use one example of a group underrepresented.

### **A. Women**

- Societal prejudice against women serving in public office is diminishing. The most common base for congressional candidates is the state legislature, and women are making rapid progress in this arena.

### **B. Minorities**

- The prospects for further lessening of minority under- representation in Congress are less favorable than for women, especially the prospects for African Americans. African Americans have the most success when a district is mostly made up of African Americans.
- Federal law sought to speed up the representation of minorities by mandating the creation of majority-minority districts (sometimes called affirmative-action redistricting). The Supreme Court has declared some such efforts to be unconstitutional racial gerrymanders.
- Democrats are ambivalent about such districts since they are philosophically in favor of them, but it also costs them seats won by Republicans.
- Some question the desirability of such districts because it locks in the number of minorities that can win by block voting, and it places them in a kind of political ghetto.

### **C. Elections, Parties, and Group Representation**

- One reason minorities go under-represented in Congress is due to the single-member district, simple plurality rule.
- In addition, the weakened party structure today creates an environment in which candidates fend for themselves without any regard for how race might further the party's interests.