The Center for Voting and Democracy

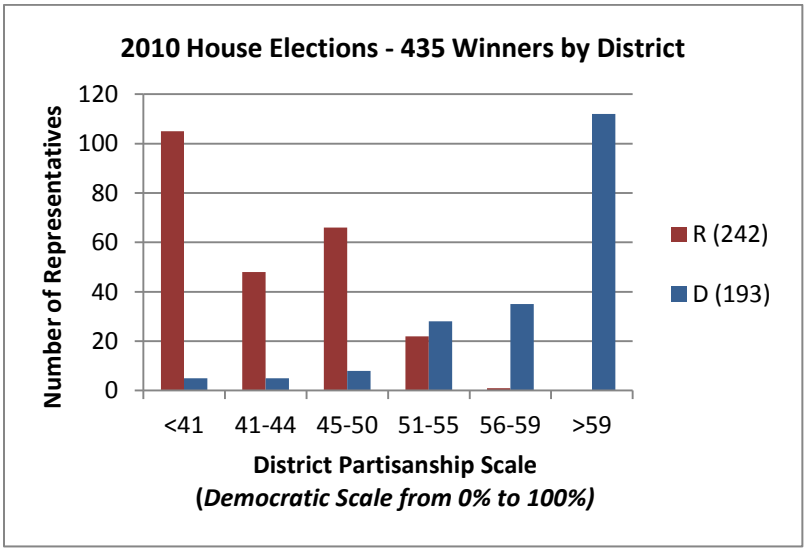
October 2012

PARTISANSHIP AND WINNER-TAKE-ALL ELECTIONS

ANALYZING THE 2010 ELECTIONS TO THE U.S. HOUSE

FairVote grounds its analysis of congressional elections in district partisanship. In 1997, we developed our definition of district partisanship for the first edition of our *Monopoly Politics* series. After reporting on *Monopoly Politics*, Charlie Cook then adapted our methodology for his partisan voting index, or PVI. While Cook's PVI measure is based on results from the past two presidential elections, we determine partisanship on the basis of only the most recent election, as doing so gives weight to new partisanship shifts. Otherwise, our approach is the same, with partisanship determined by comparing the major party presidential candidates' vote percentages in a district with their percentages of the vote nationwide. The closer a district's outcome in the presidential race is to the national popular vote outcome, the closer the district's partisanship is to a 50-50 division between the major parties.

Our simple measure of a district's underlying partisanship in federal elections is an extremely powerful tool for projecting which party will win a district. As shown in on the following page,, district partisanship is a far more potent predictor of electoral outcomes than any nonpartisan factor such as incumbent voting records or amount of campaign money spent. This chart provides an overview of the predictive power of partisanship.



Understanding chart: *This chart summarizes where each major party won U.S. House seats in the 2010 elections. A partisanship rating of 50 means that the presidential candidates' shares of the district vote in 2008 exactly mirrored their national vote percentages. A Democratic partisanship of 40 means that Barack Obama's share of the 2008 district vote was 10% behind his national percentage (and John McCain's share was 10% ahead). A district partisanship of 55 means Obama ran 5% ahead of his national average and McCain ran 5% behind.*

FairVote's 2010 election analysis underscores our politics' sharp partisan divide one that now permeates our partisan elections, from president down to state and local races. It also shows our system's extreme susceptibility to partisan gerrymandering as a result of electing our representatives according to winner-take-all voting rules. In U.S. House elections today, the only category of districts in which both parties can win in any substantial numbers are those

within 5% of an even 50-50 partisanship – and, as the 2010 elections demonstrated particularly clearly, even a slight advantage in district partisanship gives a significant advantage to the candidate of that party.

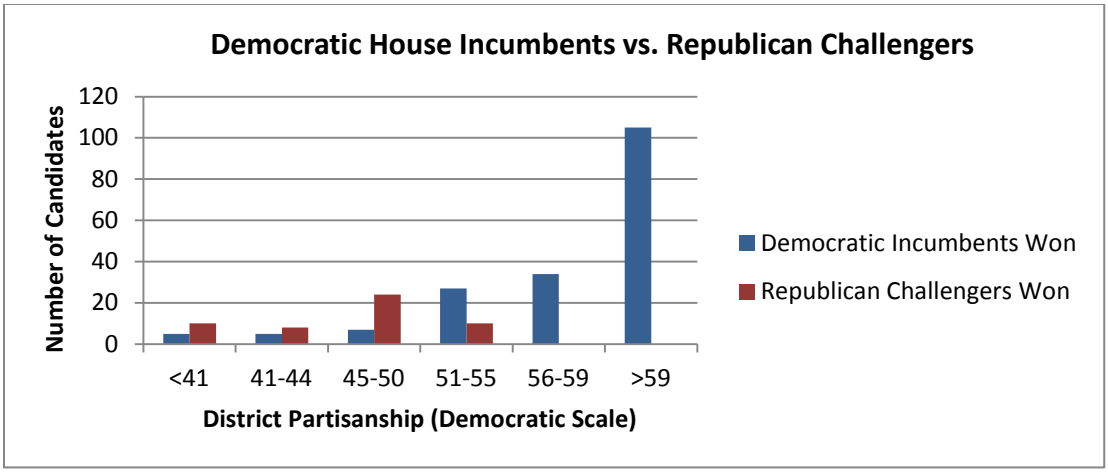
After two consecutive House elections in which Democrats had the national advantage – gaining 31 seats to take over the House in 2006 and 24 additional seats in 2008, often by necessity in Republican partisan territory – Republicans reversed their partisan gains in 2010. They won their largest-ever majority in the modern era, earning 242 seats to the Democrats' 193 seats.

Instructively, however, Republican gains were far from randomly distributed across partisanship groupings. Republicans overwhelmingly took seats from Democrats in districts with a Republican-leaning partisanship. Republicans had limited success in Democratic-leaning districts when the Democratic partisanship was less than 55% – consistent with Republicans having an edge of about 54%-46% in the national vote – but failed to defeat a single Democratic incumbent in a district with a Democratic partisanship edge greater than 54%-46%.

U.S House Elections in 2010: The Dominant Role of Partisanship in Outcomes

Table: Number of winners by party and candidate status / Democratic Partisanship, 0 - 100

	<41	41-44	45-50	51-55	56-59	>59
All Seats						
R (242)	105	48	66	22	1	0
D (193)	5	5	8	28	35	112
Total (435)	110	53	74	50	36	112
All Incumbents						
R (153)	74	37	33	9	0	0
D (183)	5	5	7	27	34	105
Total (336)	79	42	40	36	34	105
Defeated An Incumbent						
R (52)	10	8	24	10	0	0
D (2)	0	0	0	0	0	2
Total (54)	10	8	24	10	0	2
Won An Open Seat						
R (37)	21	3	9	3	1	0
D (8)	0	0	1	1	1	5
Total (45)	21	3	10	4	2	5



Analysis of Partisanship of Districts, Incumbency and Open Seats

The most partisan districts have now been almost entirely "purged" of candidates from the other major party. Nearly half of the House (110 Republican-leaning seats and 112 Democratic-leaning seats) is elected from districts where the partisan tilt is greater than 58% to 42% for one of the major parties. Democrats won all 112 districts that were more than 58% Democratic, and Republicans won 105 of 110 districts that were more than 58% Republican, including defeating 10 of 15 Democratic incumbents who had won in these districts in 2008.

The correlation between partisanship of district and party label of the winning candidate continued even in districts that less obviously favored one party. Of the 44 remaining Democratic incumbents running in Republican-leaning districts in 2010, only 12 were re-elected – with Democrats going from holding a total of 59 seats in Republican-leaning districts to holding only 17 such seats. Republican challengers were far less successful in Democratic-leaning districts. Only nine Democratic incumbents lost in Democratic-leaning districts, and every single one of the 139 Democratic incumbents in districts with a partisanship of more than 54% Democratic were re-elected.

The pattern persisted in open seats as well. Republicans swept all but one open seat among the 34 open seats in districts with any Republican tilt and won three of four open seats in districts up to 55% Democratic. But Democrats won six of seven open seats in districts leaning more than 55% Democratic and knocked out the only two Republican incumbents in such districts (both of whom had recently won in "fluke" elections).

Entrenched Incumbents

Candidates elected for the first time since 2006 won their seats on average by much narrower margins than other incumbents. That fact is unsurprising when factoring in the value of incumbency (with incumbents typically earning a "bump" to their vote total of 5% to 7% more than what a nominee of their party would likely receive in an open seat, which translates into a victory margin gain of 10% to 14%), the partisan nature of their districts (long-term incumbents

usually represent districts heavily tilted toward their party) and the fact that these incumbents had survived both strong Democratic years in 2006 and 2008 and the Republicans' big year in 2010.

As this chart shows, of the 50 winning incumbents in 2010 who had first been elected before 1990, all but one had a comfortable win of 10% or more – with 38 winning by landslides of more than 20%.

2010 Margin of Victory by Year First Elected

	<10% Margin	**10-20% Margin**	**>20% Margin**
Elected Before 1980	1 (7%)	3 (20%)	11 (73%)
Elected 1980's	0 (0%)	8 (23%)	27 (77%)
Elected 1990's	11 (10%)	11 (10%)	89 (80%)
Elected 2000-2007	21 (15%)	21 (15%)	96 (70%)
Elected 2008-2009	7 (19%)	4 (11%)	25 (69%)
Elected 2010	46 (46%)	25 (25%)	29 (29%)

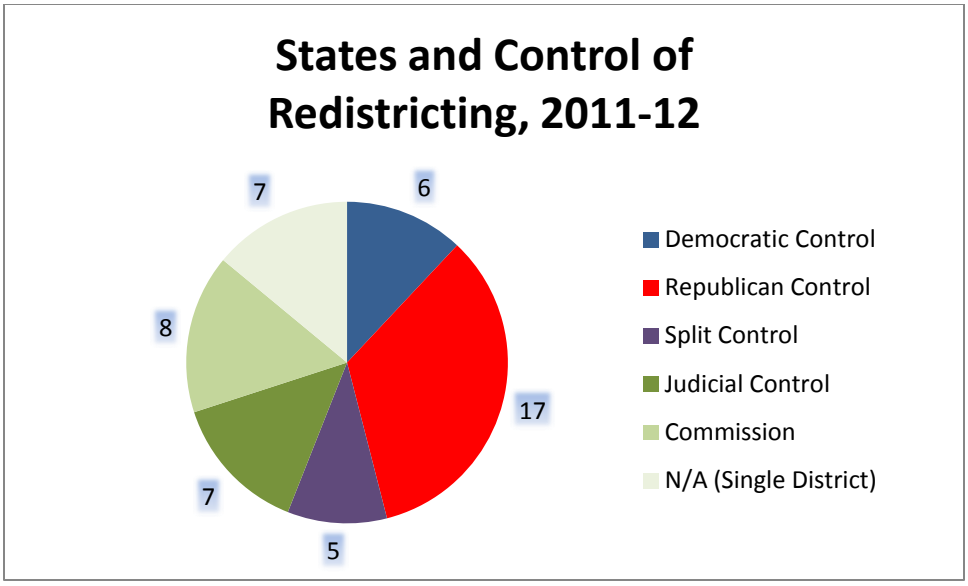
Table: margin of victory for 2010 winners by year candidate was first elected.

Implications for Electoral Reform: Independent Redistricting and Winner-Take-All

In our hyper-partisan political climate - -one that is showing no indication of changing – partisan gerrymandering has become an even greater problem. Most congressional turnover in upcoming elections is likely to occur in a narrow band of districts with a partisanship of 45% to 55%. As a result, gerrymandering is becoming an even more powerful political tool than in the past, especially when combined with more precise data and more efficient tools for drawing districts.

Assuming that recent partisan voting trends continue – and all indications are that partisan divisions are strengthening, not weakening – legislators in charge of redistricting can protect political allies and hurt political enemies with even greater precision. Very minor changes to district partisanship can place a district solidly in the hands of a party incumbent, absent a personal scandal or a sweeping national partisan wave against that party. Such tactics are useful both to partisans seeking to consolidate their party's power in a district and as bipartisan "sweetheart deals" focused on entrenching incumbents regardless of party.

Both parties show every indication of pursuing partisan gerrymanders when given the chance. The timing of the 2010 election was particularly good for Republicans. First, their 2010 electoral success meant that that they had many first-term members who could use help for the 2012 election. Second, they won the ability to control redistricting in many states due to victories in races for governor and state legislature. Here is a summary of which part ended up in control of redistricting and the number of districts affected in those states.



Seats in states with Republican Control:	179
Seats in states with Democratic Control:	46
Seats in states with Split Control:	21
Seats in states with Judicial Control:	88
Seats in states with Commission:	94
Seats in states with One U.S. House District:	7

A close review of state redistricting plans shows just how effectively Republicans in general used this power– sometimes seeking to pick up new seats, as in North Carolina, but more often shoring up potentially vulnerable incumbents. Democrats had their states where gerrymandering boosted them – especially Illinois – but far fewer. Republicans now have 11 more Republican-leaning districts, for an overall edge of 238 to 189 (along with eight evenly balanced districts). Of the Members of Congress who had a close election in 2010 (meaning they won by less than 10%), 21 (11 Republicans and 10 Democrats) were helped in redistricting b y a partisanship gain for their party of more than 3% (which translates into a margin gain of 6%). Only seven now have districts that moved toward the opposition party. Of Members of Congress elected in 2010, 21 were helped by redistricting and only eight were hurt.

Redistricting matters, obviously, but at the same time, FairVote's analysis underscores how little an independent redistricting commission would affect the fundamentals of most U.S. House elections. Redistricting rarely changes district partisanship by more than 5% -- meaning an effect on victory margin of less than 10% -- but the average House district is won by more than 30%. As a result, incumbents in the great majority of districts are entrenched no matter who draws the lines or how much money their challengers spend – at least as long as we maintain winner-take-all elections in which earning 51% of the vote earns 100% of representation.

That leaves reformers with one clear solution to the lack of voter choice and distortions in representation in so many U.S. House elections: adoption of American forms of proportional representation. There is no constitutional mandate to use winner-take-all elections in one-seat districts, and we in fact have a long history of states using multi-seat "super districts" to elect Members of Congress and state legislatures and of cities using fair voting alternatives to winner-take-all elections. Fair voting systems also are used, in some form, in nearly all well-established democracies around the world.

Fair voting is the only sure way to ensure that *every* voter in *every* state participates in a meaningful race in *every* election. Voters would have real choices and a chance to change their representation (at least states with at least three House Members, which is the precondition for use of an effective fair voting method). But even as they experience meaningfully contested elections, every voter in a fair voting election would be nearly certain to end up with representatives of both major parties. Independent and minor party candidates would also be better positioned to hold the major parties accountable. We can achieve fair voting for congressional elections by simple statute – and an unbending focus on the best way to create a level playing field in our elections for "the people's house."

> *"[A legislature]…should be an exact portrait, in miniature, of the people at large, as it should feel, reason and act like them."* - *John Adams, 1776*