APGov
Unit 2, Lesson 1 SR

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CONGRESSIONAL ELECTIONS

Congressional elections are demanding, expensive, and, as you will see, generally foregone conclusions—yet members of Congress are first and foremost politicians. Men and women may run for Congress to forge new policy initiatives, but they also enjoy politics and consider a position in Congress near the top of their chosen profession. Even if they dislike politics, without reelection they will not be around long enough to shape policy.

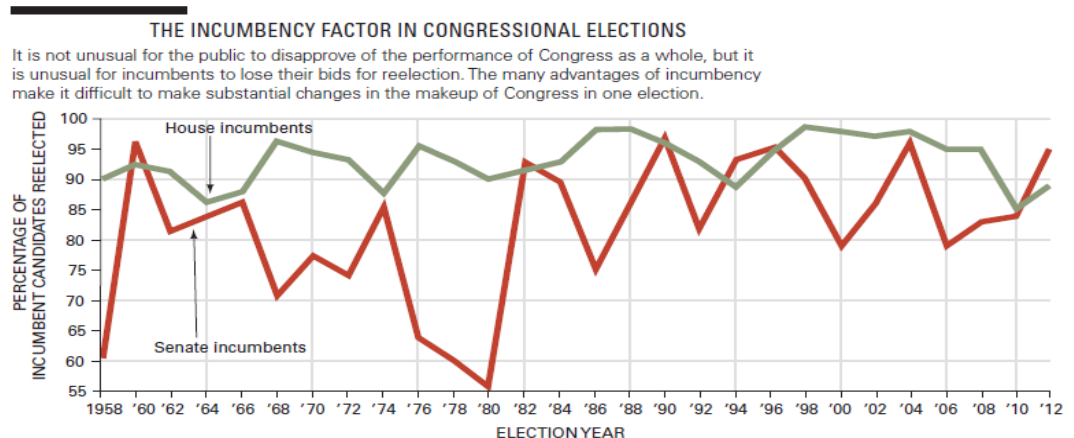
When Are Congressional Elections Held?
Every two years on the first Tuesday after the first Monday in November, voters elect all of the members of the House and one-third of the Senate (who serve for six years). Although the Constitution lays out certain rules about how members of Congress should be elected, the states determine the details of elections, such as who can vote, how the votes will be counted, and the appearance of the ballots. There are three types of congressional elections:

- Primary elections - Contest between candidates within a party to choose the party's nominee
- General elections - Contest between all party nominees and independent candidates; the winner becomes a member of Congress
- Special elections - Contest to replace a member of Congress who leaves office in between regular elections

Congressional elections are held every two years. There are elections for 1/3 of the Senate (who sit for six years) and for all of the House of Representatives who all stand for re-election after two years. Midterm elections are general elections that fall between presidential elections (or in the middle of the president's term). The general election of 2010, for example, was a midterm election because it fell between the general elections of 2008 and 2012 in which Barack Obama was elected and then reelected president.

Who Wins Elections?
Incumbents are individuals who already hold office. Sometime during each term, the incumbent must decide whether to run again or to retire voluntarily. Most decide to run for reelection. They enter their party's primary, almost always emerge victorious, and typically win in the November general election, too. Indeed, the most predictable aspect of congressional elections is this: incumbents usually win. Even in a year of great political upheaval such as 2010, in which the Republicans gained 6 seats in the Senate and 63 seats in the House, 84 percent of incumbent senators and 85 percent of incumbent representatives won their bids for reelection.

In the case of the House, not only do more than 90 percent of incumbents seeking reelection usually win, but most of them win with more than 60 percent of the vote. Perhaps most astonishing is the fact that even when challengers' positions on the issues are closer to the voters' positions, incumbents still tend to win.



The picture for the Senate is a little different. Even though senators still have a good chance of beating back a challenge, the odds of reelection are often not as handsome as for House incumbents; senators typically win by narrower margins. One reason for the greater competition in the Senate is that an entire state is almost always more diverse than a congressional district and thus provides a larger base for opposition to an incumbent. At the same time, senators have less personal contact with their constituencies, which on average are about 10 times larger than those of members of the House of Representatives. Senators also receive more coverage in the media than representatives do and are more likely to be held accountable on controversial issues. Moreover, senators tend to draw more skilled and visible challengers, such as governors or members of the House, whom voters already know and who have substantial financial backing—a factor that lessens the advantages of incumbency.

Despite their success at reelection, incumbents often feel quite vulnerable. Thus, they have been raising and spending more campaign funds, sending more mail to their constituents, visiting their states and districts more often, and staffing more local offices than ever before.

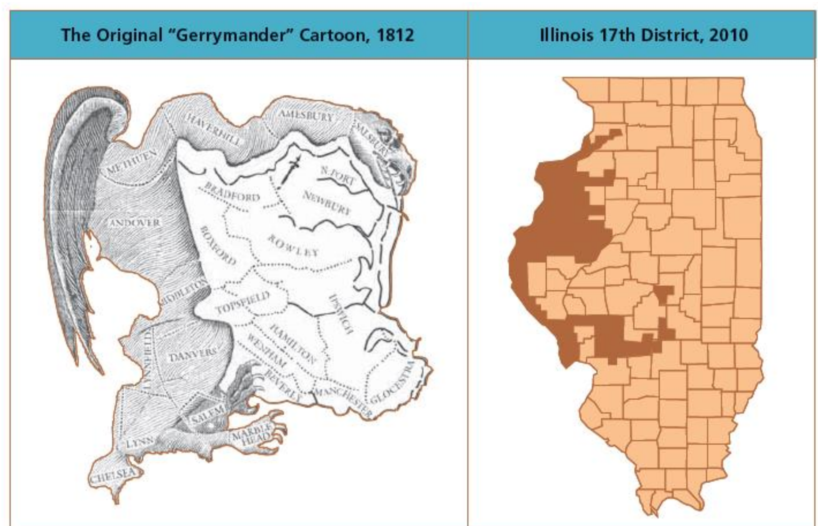
Incumbency helps members stay in office once they are elected. It is often very difficult for outsiders to win because they don't have the advantages enjoyed by incumbents, including name recognition, access to free media, an inside track on fund-raising, and a district drawn to favor the incumbent.

It is not surprising, then, that an average of 96 percent of the incumbents who seek reelection win their primary and general election races. In 2010, only 87 percent of House members were reelected. Almost all who lost were Democrats, and this was the lowest reelection percentage since 1970. In the Senate, however, 90 percent of members were reelected, the highest rate since 2004.

What Are the Advantages of Incumbency?

- ***Name recognition***. Members' names have been on the ballot before, and voters may associate their names with programs or social services they have brought to the district.
- ***Credit claiming***. Members may claim to be responsible for federal money brought to the district.
- ***Casework***. Members and their staffs help constituents solve problems with the government, including navigating red tape and tracking down federal aid.
- ***Franking privilege***. Members may send mail or newsletters for free by using their signature in place of a stamp.
- ***Access to media***. Members and their staffs may have relationships with reporters and be easily able to spin stories or give quotes.
- ***Ease in fund-raising***. Incumbents' high reelection rates make them a safe bet for individuals or groups wanting to give donations in exchange for access.
- ***Experience in running a campaign***. Members have already put together a campaign staff, made speeches, and come to understand constituent concerns.
- ***Redistricting***. In the House, a member's district may be drawn to enhance electability.

The process of redrawing congressional districts to reflect increases or decreases in seats allotted to the states, as well as population shifts within a state, is called redistricting. Redistricting is a largely political process. In most states, districts lines are drawn by partisan state legislatures. As a result, the majority party in the state legislature uses the redistricting process as an opportunity to ensure formation of voting districts that protect their majority.



The Original "Gerrymander" Cartoon, 1812 | Illinois 17th District, 2010

The redistricting process often involves gerrymandering—the drawing of congressional districts to produce a particular electoral outcome without regard to the shape of the district. Because of enormous population growth, the partisan implications of redistricting, and the requirement under the Voting Rights Act of 1965 for minorities to get an equal chance to elect candidates of their choice, legislators end up drawing oddly shaped districts to elect more members of their party. Redistricting plans routinely meet with court challenges across the country. Following the 2000 Census and the subsequent redistricting in 2002, the courts threw out legislative maps in a half-dozen states, primarily because of state constitutional concerns about compactness.

The U.S. Supreme Court for a long time considered political redistricting based on partisan considerations to be a political question that was not a matter of constitutional law, but rather a question to be worked out through the regular political process. But, in recent years the Supreme Court has involved itself in some such cases and has ruled that:

- Congressional as well as state legislative districts must be apportioned on the basis of population.
- District lines must be contiguous; you must be able to draw the boundaries of the district with one unbroken line.
- Purposeful gerrymandering of a congressional district to dilute minority strength is illegal under the Voting Rights Act of 1965.
- Redrawing districts to enhance minority representation is constitutional if race is not the "predominate" factor.
- States may redistrict more than every ten years.