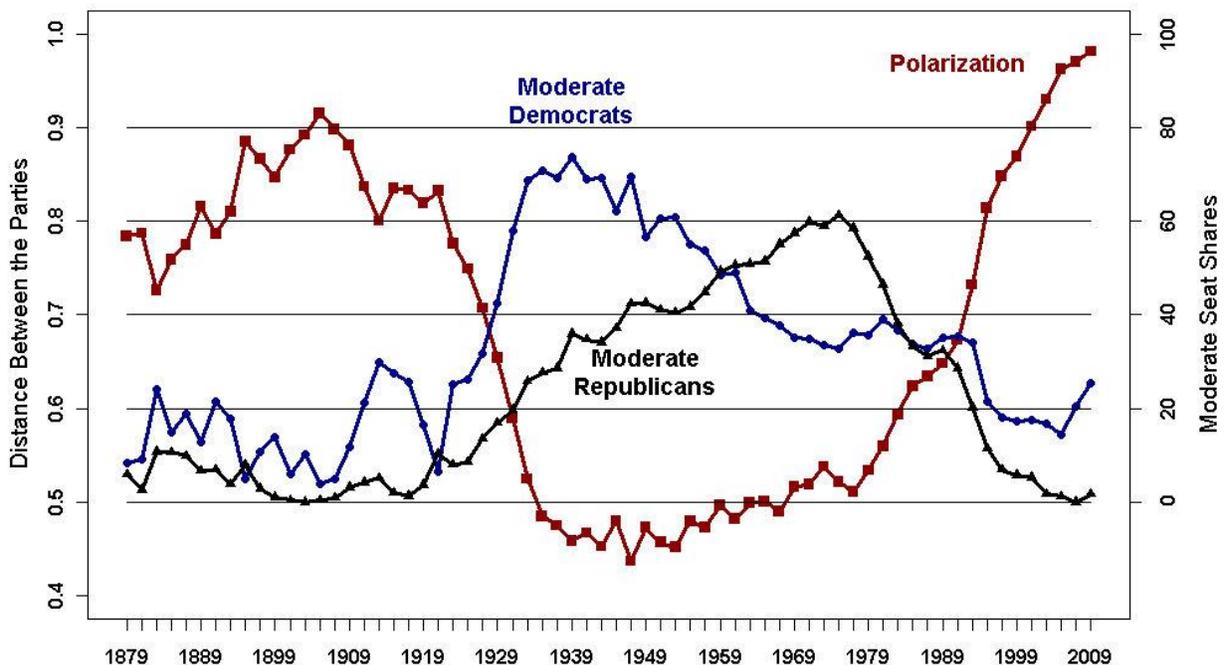


# CROSSOVER VOTING AND DISTRICTS

## DISTRICT PARTISANSHIP AND VOTES IN CONGRESS

Crossover voting – where representatives of one major party vote against the majority of their party -- is a disappearing phenomenon in the U.S. House of Representatives. Most long-time observers of Congress agree that Democrats and Republicans two decades ago were more likely to take issues on a case by case basis, with an ideological ordering of Congress showing a great deal of mixing within the parties. Today, however, Members of Congress vote almost exclusively on party lines, with the most liberal Republicans [still to the right](#) of the most conservative Democrats and vice versa. [According to](#) political scientists Keith Poole and Howard Rosenthal, Congress in 2010 was more polarized than it had been at any point since the end of Reconstruction, and the percentage of House centrists has plummeted to about 10%.

**House: Party Polarization 1879-2010**  
**Distance Between the Parties First Dimension**



Explanations for this change vary. After the 1954 election, for example, Democrats maintained a firm grip on the House that was not seriously challenged for four decades, thereby creating a climate where Members could more easily govern and campaign while following Tip O’Neill’s old adage “all politics is local.” The parties were also in the midst of a slow reversal of their bases of power, with the “solid South” still strongly Democratic in congressional elections and the northeast relatively moderate, resulting in far more conservative Democrats and liberal Republicans winning than occurs today. As recently as 1990, over two-thirds of the congress members representing the South were Democrats, compared to just 28% today. Connecticut, which in 1990 had a split delegation, now has no Republican representatives in Congress,

while New York shifted from always having at least 13 Republicans from 1980 to 1998 to having only two in 2009 (New York Republicans had a good year in 2010, but nearly all are vulnerable in 2012).

Today, a single seat can be critical in determining control of the House, making each election one in which voters factor in which party they want to run Congress, not just who they want to represent them locally. The parties have settled into regional strongholds where their general ideology and that of voters are more consistent. As a result, the divide between the parties has widened, in turn reinforcing voters' perception of the differences between the parties and the greater likelihood of partisan consistency in how Members of Congress vote. With this increased partisanship have also come fervent partisans who are frustrated by representatives who don't "stand up" for the party. Those partisans are now able to boost primary challengers to centrist Members, often with the grassroots energy and sufficient resources to win.

The end result is that congressional elections today operate far more like a traditional parliamentary system than the congressional elections Americans had grown accustomed to in the 20<sup>th</sup> century. Representatives are more likely to vote along party lines. They almost always represent districts in which the majority supports their party, knowing that they are at least theoretically vulnerable to a well-financed primary challenge, but have little fear in the general election.

The Members of Congress who are most likely to vote against their party almost all have a good electoral reason to do so. While they may also differ from their party in ideology, the partisanship of the district they represent is the objective data point that best predicts their voting patterns. That is, crossover Members tend to belong to the party that is in the minority in their district. These Members of Congress must vote with the other party in order to survive electorally. But given how difficult it has become to get elected from a district with opposing partisanship, such outcomes are increasingly rare.

To underscore the point that those engaging in crossover voting are likely to come from districts that lean strongly toward the other major party, and thus have incentives grounded in strategic electoral interests, we looked at a key recent vote in the House and at overall voting records.

**The Eric Holder "Contempt" Vote:** On June 28, 2012, seventeen House Democrats voted with nearly all House Republicans to hold Attorney General Eric Holder in criminal contempt of Congress, relating to the Department of Justice's "Fast and Furious" operation in the Southwest. That these Democrats voted with the Republican majority underscored some revealing facts.

- Of the 17 Democrats joining with Republicans, 16 (94%) represent districts with a Republican partisanship in the upcoming November election. Only three Democrats running for re-election in Republican-leaning districts voted against the Republicans on the Holder vote.
- Eleven (65%) of the 17 Democrats who voted with Republicans represent *strongly* Republican districts (meaning districts with a Republican partisanship greater than 58% Republican).
- One of the three Democrats from Republican-leaning districts not joining the Republicans in the criminal contempt vote, Ron Barber, chose to join with the Republicans on a vote to hold Holder in *civil* contempt, a more moderate position. The only two remaining Democrats to do so are New York's Tim Bishop, representing a 52% Republican district, and Ohio's Betty Sutton, who faces a tough bid for re-election against a Republican incumbent in a 56% Republican district.

**How Most Centrists Represent Opposition Turf:** We also analyzed the partisan makeup of the districts of the Members of Congress who were rated by the *National Journal* as being between the 181<sup>st</sup> and 200<sup>th</sup> on an ideological scale of Congress, according to the *Journal's* well-respected [“Vote Ratings” system for 2011](#). Instructively, the *Journal's* ratings of the 178 most liberal Members are all Democrats, and its ratings of the 233 most conservative Members are all Republican. That means there are 18 Members who make up a center of Congress where there is a mix of Members from both parties. However, Walter Jones, a Republican who is the 179<sup>th</sup> most liberal Member, is something of an outlier, as the next Republican on the list is Ron Paul, the 191<sup>st</sup> most liberal (with this noted conservative’s placement here showing that a two-dimensional definition of liberal vs. conservative has its limitations, as it is grounded more in partisan positioning on key issues than ideology).

A “center” of Congress can instead be created around the Member rated 190<sup>th</sup> on the liberal-conservative axis, as there are currently 190 Democrats and 240 Republicans serving in the House (with five vacancies as of August 2012).

The following list reviews the district partisanship of the 181<sup>st</sup> to 200<sup>th</sup> most liberal Members of Congress.

CANDIDATE	2010 DISTRICT PARTISANSHIP	2012 DISTRICT PARTISANSHIP
<b>Ben Chandler, KY (D)</b>	<b>60% Republican</b>	<b>58% Republican</b>
Henry Cuellar, TX (D)	52% Democratic	55% Democratic
<b>John Barrow, GA (D)</b>	51% Democrat	<b>59% Republican</b>
<b>Collin Peterson, MN (D)</b>	<b>55% Republican</b>	<b>55% Republican</b>
Joe Donnelly, IN (D)	51% Democrat	<i>U.S. Senate, GOP-Leaning</i>
<b>Tim Holden, PA (D)</b>	<b>55% Republican</b>	<i>Lost in primary</i>
<b>Mike McIntyre, NC (D)</b>	<b>56% Republican</b>	<b>62% Republican</b>
<b>Jason Altmire, PA (D)</b>	<b>59% R: Strong Rep</b>	<i>Lost in primary</i>
Steven LaTourette (R)	54% Republican	54% Republican
<b>Jim Matheson, UT (D)</b>	<b>63% Republican</b>	<b>64% Republican</b>
Ron Paul, TX (R)	70% Republican	<i>Retiring from House</i>
Justin Amash (R)	54% Republican	53% Republican
<b>Mike Ross, AR (D)</b>	<b>63% Republican</b>	<i>Retiring from House</i>
Tim Johnson, IL (R)	55% Republican	<i>Retiring from House</i>
Chris Smith, NJ (R)	56% Republican	58% Republican
<b>Dan Boren, OK (D)</b>	<b>70% Republican</b>	<i>Retiring from House</i>
<b>Charlie Bass, NH (R)</b>	<b>53% Democratic</b>	<b>53% Democratic</b>
Richard Hanna, NY (R)	52% Republican	54% Republican
<b>Robert Dold, IL (R)</b>	<b>58% Democratic</b>	<b>60% Democratic</b>
<b>Michael Fitzpatrick, PA (R)</b>	<b>51% Democratic</b>	50% Democratic

Members of Congress in **bold** were in an opposition party district in 2010 or will be in one in 2012.

**Representing an opposing party’s district matters most in who becomes a centrist– and it is growing more difficult to win in such districts:** Out of these 20 centrists, 11 (55%) Members were elected in 2010 in opposition party districts – including all five of the most heavily Republican districts represented by Democrats and the most Democratic district represented by a Republican (Robert Dold). One Democrat (John Barrow) is running for re-election in a heavily Republican district and another Democrat (Joe Donnelly) is running for Senate in a Republican-leaning state.

Of the remaining seven representatives, two (Ron Paul and Tim Johnson) are retiring, one (Henry Cuellar) is a Texas Democrat representing a narrowly Democratic district, and three (Steven LaTourette, Justin Amash, and Richard Hanna) are Republicans representing relatively balanced districts. The only three in this group not hailing from either an opposition or balanced district have all been in office for at least 10 years, including Ron Paul (who has served since 1976) and Chris Smith (1981).

There are far more balanced districts – 124 within a 45% to 55% partisanship band in 2010 – than there are representatives with these centrist voting records. A far closer correlation exists between centrist records and winning in the other party's turf than simply being in a balanced district, meaning that Members are far more likely to vote against their own party if in the partisan minority in their district than simply in a potentially competitive district.

Even the Members who are willing to cross over find it difficult to survive. In 2010, for example, 42 of the 59 Democrats seeking re-election in Republican districts were defeated. Ten of 37 Democrats in narrowly Democratic districts (51% to 55%) lost. None of the remaining 139 Democrats were defeated, as every Democratic incumbent running in a district that was more than 54% Democratic was re-elected. The result was a devastating blow to the centrist Blue Dog Democrats, who [saw their numbers](#) decline from 54 in 2010 to 26 in 2011, with their number projected to drop further to fewer than 20 in 2013. Meanwhile, the only two Republican incumbents to lose in 2010 notably represented heavily Democratic-leaning districts.

The process of gerrymandering can reinforce such trends, and has contributed to the defeat in primaries this year of centrist Democrats like Tim Holden and Jason Altmire. But the real culprit is winner-take-all elections that allow gerrymandering and reinforce trends towards the increasingly polarized and rigid political parties that prevent Members of Congress from cross-party voting for any reason other than purely strategic electoral concerns.

Partisans understandably want to be represented by not only a member of their party, but a member of their party that also votes consistently with their views. Our federal government structure is not a parliamentary system, however. It is one designed for representatives to reach accommodation and compromise outside their party or other parochial interests. Those seeking more representatives willing to compromise and work with House colleagues of both parties need to examine electoral rules that keep such members from winning – and in turn contribute to partisan gridlock and ineffective government.

Our fair voting proposals would directly change the opportunities for such governance because each “super district” with between three and five total representatives would represent the left, center and right of that district. The resulting representatives would be grounded in the support of those voters. The likely outcome in nearly every district would be at least one traditional partisan from each major party, but also at least one representative grounded in the support of voters interested in a different approach to governance – producing a contingent of representatives in Congress able to think outside partisan boxes and help negotiate policy proposals that represent compromise and problem-solving.