LOW VOTER TURNOUT AND AMERICAN DEMOCRACY

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Paper prepared for presentation at the ECPR Joint Sessions of Workshops
Workshop 9: Low Turnout – Does It Matter?
(Uppsala, April 2004)
INTRODUCTION
Elections are the defining institutions of modern democracy (Katz, 1997, p. 1) and serve many purposes. Perhaps the most fundamental and important purpose is to make decisions. If all eligible participate, votes will be a population in the social science sense. If turnout is less than universal, votes will be a sample. The sample of less-than-all may mirror the population of all more accurately or less accurately. The principles of statistics and sampling apply to elections. The smaller the sample, the greater its potential to differ from the population.

The impact of low turnout on the decisions made by elections is crucial. The lower the turnout, the greater the chance that the election result is not the outcome preferred by the population of potential voters. Low turnout makes it possible for minorities to defeat majorities. The most important impact of low electoral turnout is that decisions are made by a minority of the population.

Participation is a necessary condition but not sufficient for democracy. Effective competition is also necessary. As Eulau and Prewitt (1973) explain,

It is the struggle among candidates for the control of political office that makes of elections not plebiscites but mechanisms for expressing voter choice. Competition for office is a minimum condition if elections are to establish the consent of the governed. Unless men in office are challenged by others who want those offices, there is no way in which the electorate can threaten an ejection. And if eviction is not a potential threat, the chain of events which allows the governed to control the governors lacks a vital link (pp. 229-230).

This essay will first consider the short-term strategic impact of high and low turnout on the outcomes of elections—winning and losing. The argument will begin with the premise that turnout can have an impact on a decision made in a given election only if voters have choice on the ballot. The paper next will consider the rise of low turnout uncompetitive elections and the consequent impact on American politics. While voter choice is necessary for turnout to have an immediate impact on the outcome of a single election, low turnout in combination with safe election districts can have long-term consequences important for American democracy.

TURNOUT IN AMERICAN ELECTIONS
There would seem to be substantial consensus that turnout in American elections is low. It is low compared to that in other nations. It is currently low compared to levels in the past. It is low in an absolute sense. Presidential elections usually generate the highest turnout. Nationwide, turnout in presidential elections was at 85 percent in the 1880s, less than 50 percent in the 1920s, at and above 60 percent in the 1950s and 1960s, and currently close to 50 percent. For the presidential election of 2000, one of the most hotly contested and closest elections in American history, turnout was 51 percent.

Turnout is almost always lower in other elections. It has been estimated that more than 500,000 office holders in more than 80,000 governments are chosen by election in the United States every four years. Generally speaking, there is an inverse relationship between the level of government and turnout. Although there is considerable variation, turnout for state elections in non-presidential election years is approximately 40 percent, and turnout in local elections is approximately 26 percent (Luttbeg, 2001, pp. 93-97).
While the large majority of elections in the United States decide who will hold political office, a small proportion concern public policy. Examples of the latter include state and local government elections to approve or disapprove constitutional amendments, statutory laws, and proposals to tax or spend or borrow. If policy elections are contested on the same ballot as office elections, policy elections have substantially lower turnout. Even lower turnout results when elections are for policy choices exclusively.

It may surprise some that these general figures for turnout in American elections actually overestimate participation. More specifically, the numerators used to calculate turnout fractions are seen as too high when three additional factors are considered. The first involves the confusion that can arise because we use the word election to refer both to a single contest and to a series of contests held at the same time. We normally measure turnout as a single figure for all the contests held at once even though we typically only have information for individual contests. We know that voters frequently choose not to participate in some contests on a ballot. We know that turnout is lower in the “down ballot” contests. Nevertheless, we tend to use the contest with the greatest number of voters as the turnout measure for all contests.

The second reason turnout in American elections is lower than we commonly specify involves primary elections. Election analyses focus nearly exclusively on general elections. However in order to run as a major party candidate in a partisan general election, an aspirant must first win a primary election held by his or her party. The winners of each party’s primary election contest the general election. As a rule, turnout in primary elections tends to be one-half of turnout in the corresponding general election. Primary election turnout for partisan federal, state and local offices is on the order of 10 to 25 percent and lower. Approximately half of primary voters participate in each major party’s contests, 5 to 13 percent. Thus, depending on the division of the primary election electorate between parties, the majority necessary to win a major party’s primary election could be on the order of 2 to 20 percent.

The third reason turnout is even lower than we normally denote concerns runoff elections—held when primary and general elections do not produce winners and special elections—held when a vacancy must be filled by voters. Some elections for office require a winner to garner a plurality of votes cast, but most require a majority. When no one receives a majority the top two finishers compete in a runoff held at a later date. Turnout in runoff matches is even lower than turnout in their antecedent races. The lowest turnout of all typically occurs in runoff primary elections. Runoff contests rarely come to mind when we think about elections in general or turnout in particular. Most special elections occur at unusual times and are the only contests on the ballot. Turnout is unusually low because contests are poorly publicized and potential voters receive little or no stimulus.

The vote totals of many numerators used to calculate election turnout fractions substantially overestimate turnout and neglect the wide range of turnout in various kinds of elections. There are two ways in which vote totals reported by some American governments underestimate turnout, albeit to a very small extent. As a result of the contested results of the presidential election of 2000 in Florida and elsewhere, greater attention was paid to procedures for counting votes. We learned that early and absentee votes sometimes are ignored unless they could change the majority cast on the “designated” Election Day. We were reminded that the choices of those who make
mistakes such as voting for too many candidates, and are not given the opportunity to correct their errors, are invalidated. Those who cast faulty ballots will not be counted as voters if they err in the contest that draws the greatest numbers of counted vote. Luttbeg (1999) reports the same underreporting occurs in partisan and nonpartisan municipal government elections. American governments usually report the number of individuals whose votes are counted for each contest, not the total number of individuals who voted, correctly or erroneously, in at least one contest.

McDonald and Popkin (2001) argue that the denominators used to calculate turnout fractions are too high. Most turnout calculations involve voters as a proportion of the population of voting age. McDonald and Popkin offer an alternative measure that excludes those not entitled to vote such as non-citizens and ineligible felons. Their research documents the populations of non-citizens and citizens incarcerated or on probation have been increasing faster than the rate of population growth since 1972. Their improved measure of turnout shows that turnout in presidential elections has not declined since 1972. This is an important contribution to our understanding of changing turnout in presidential elections. It does not obviate the overestimation of turnout caused by focusing on contests with highest participation, and ignoring primary, runoff and special elections.

Although turnout in American elections is low and lower than we usually state, it is still possible and essential to ask whether it matters when turnout is below the American norm. Given the opportunities to study diverse elections in a variety of settings, American political scientists ought to know a lot about the consequences of low turnout. Yet, we have not taken advantage of these opportunities. Our knowledge of the impact of turnout on election decisions in the United States is fragmented rather than cumulative. One reason is that the study of elections is divided. Scholars of American politics characterize their research as either behavioral or institutional. To my way of thinking, the question of the impact of turnout ought to bridge both areas, but the thinking of most researchers does not. Only rarely do behaviorists and institutionalists engage each others’ concerns (For example, Erikson, Wright and McIver, 1987; Hill and Leighley, 1992; Citrin, Schickler and Sides, 2003). As a result, it is difficult to integrate the findings of behavioral and institutional studies of turnout because they are rarely germane to each other.

In addition to the rift between two intellectual approaches, imbalance in empirical research has impeded progress.

- There is imbalance in attention paid to election turnout in research. The dominant research question is what causes high and low turnout. In comparison, the consequences of high and low turnout have rarely been studied. For some, the notion that voter turnout is causally related to election decisions is self-evident. For others, participation is such an important element of American democratic theory, if not practice, that it is worthy of intensive study.
- There is imbalance in the study of elections using the behavioral and institutional approaches. Turnout has been studied more by behaviorists than by institutionalists. Behaviorists have been concerned almost exclusively with the causes of turnout. Moreover, behaviorists only study elections with the highest levels of competition and turnout in America.
• There is imbalance in the study of elections in the three levels of American governments. Atypical and rare elections, i.e. for President of the United States, have been studied more than all other American elections combined. Contests for other federal offices have been studied more than state and local elections. For some, the importance of local government elections is limited to providing examples of extraordinarily low turnout in a book preface, while the balance of the book examines elections for the presidency or other federal offices exclusively. (Hill, 2002; Wattenberg, 2002)

The upshot is that research knowledge about the most strongly contested elections that have the highest turnout is not likely to apply to contested elections with much lower participation.

DEFINING HIGHER AND LOWER TURNOUT: CROSS-SECTIONAL VERSUS LONGITUDINAL ANALYSIS

There are several ways of defining higher and lower anything. Depending on one’s interests a given methodology may be more or less appropriate. Identifying the conceptual or theoretical interest first is essential to choosing a proper way to measure higher and lower. If using available data is one’s first consideration, an unsuitable methodology choice may ensue.

Several years ago, an associate dean of my college was complementing several colleagues on the high student course evaluations for faculty in the Department of Political Science. The associate dean noted that student appraisals of our courses had been increasing steadily over more than a decade. Further, evaluations of Political Science courses were the highest in the college and among the highest in the university. The typical student rated the typical course between “excellent” and “outstanding.” Yet, one comparison was troublesome to the associate dean.

“In spite of these favorable comparisons, it is still the case that, every semester; evaluations for approximately one-half of the Political Science faculty consistently fall below the departmental mean. When might we expect some improvement on this?”

Our department head undertook the assignment of explaining that we would never have all in the department with ratings above the average for all in the department. No matter what we did, in any given semester about half the evaluation scores would always be above the department average and about half would be below the department average.

There are two fundamentally different ways of measuring turnout, and they lead to different sorts of studies with different findings. The cross-sectional approach compares elections in multiple governments or districts at the same time. Low turnout means lower than average, lower than turnout in other places at the same time. The longitudinal approach compares turnout within the same governments or districts for multiple elections. Low turnout means lower than average or what is typical for a given place over a period of time. In the cross-sectional approach, in each election there are cases of higher and lower turnout. In the longitudinal approach, it is possible for there to be high or low turnout in most or all areas for elections held at a given time.
THE IMPACT OF TURNOUT ON PARTISAN ADVANTAGE: INSTITUTIONAL STUDIES OF COMPETITIVE ELECTIONS

A particularly compelling issue concerning turnout in American elections is its impact on the decisions made in partisan elections, on winning and losing. There is an ongoing debate about whether the candidates of Democrats or Republicans are more likely to win when turnout is high or low in partisan general elections. The party whose candidates are advantaged by high turnout ought to work to stimulate high turnout to maximize their chances of winning. The opposite party ought to work for low turnout. To my way of thinking, the only proper way to define high and low turnout for these purposes is longitudinally within an election district. High turnout has to mean higher than the historical norm; low turnout has to mean lower than the historical norm.

Many have argued that high turnout works to the advantage of Democratic candidates in general elections for the American presidency. To my mind, those articulating strategies for parties to pursue in a contemporary election are speaking of a longitudinal comparison with past elections. Most are thinking of nationwide turnout comparisons. A smaller number are thinking of turnout comparisons in presidential election districts, states. They can’t be thinking in terms of a cross-sectional nationwide comparison of a single election because there is only one cross-sectional nationwide turnout rate for each presidential election. They can’t be thinking of comparing turnout in the American presidential elections with turnout in other nations because American parties don’t have effective means to pursue a strategy of making turnout high or low compared to that of other nations. Moreover, turnout in American presidential elections is almost always lower than turnout for comparable elected offices in other nations.

It is also possible to imagine American political parties seeking to develop strategies for winning contests in the election districts of presidential contests, states. If high and low turnout are measured cross-sectionally, the underlying idea is that one party will tend to win in states with above average turnout and the opposite party will tend to win in states with below average turnout. My educated associate dean can explain why, for this hypothesis, a cross-sectional measure of high and low turnout cannot produce a winning strategy. In every presidential election it must be the case that about half the states will have above average turnout and about half have below average turnout. No matter what the Democrats do, they cannot achieve high cross-sectional turnout in all or almost all states. Neither can Republicans achieve low cross-sectional turnout in all or almost all states. The only way all states (or substantially more than half) can have high or low turnout is if one defines high and low in terms of an historical norm.

If longitudinal definition of high and low turnout is proper, why do so many studies of the impact of turnout on partisan success employ cross-sectional definitions of high and low turnout—either with analysis of cross-sectional data or of pooled data with the emphasis on cross-sectional relationships? Several reasons come to mind.

- Data for a single election are easier to collect than data for multiple elections.
- Cross-sectional statistical models are better developed and more familiar to researchers than longitudinal statistical models.
- Cross sectional and pooled empirical analyses offer a single set of parameter estimates to examine. Longitudinal analysis of multiple election units requires consideration of separate estimates for each unit.
Numerous pundits and political practitioners have concluded that higher turnout defined longitudinally can increase the probability that the Democratic candidate will defeat the Republican candidate for president. Tucker and Vedlitz (1986) have shown that there is a positive longitudinal empirical relationship between turnout and Democratic presidential vote share in some, but not all states, for the period 1932-1980. However, these states are important in winning the Electoral College majority necessary to being elected president. Radcliff (1994) examined state presidential election returns for 1948-1980. Rather than examine fifty separate longitudinal results, he pooled data and controlled for individual states with dummy variables. He concluded that the Democrats can expect increases in turnout to benefit their presidential candidates (p. 268).

DeNardo (1980) has shown that higher turnout defined cross-sectionally works to the advantage of Republican candidates for Congress in 7 to 14 districts in six individual election years (Radcliff, 1994; p. 262). Nagel and McNulty (1996) have studied the impact of turnout on partisan success in 983 elections for U.S. senator and 859 elections for state governor in the period 1928-1994. They employ pooled analyses and longitudinal analyses and report several findings:

- A positive relationship between turnout and Democratic vote share for both senate and gubernatorial elections for the entire period;
- A stronger positive relationship between turnout and Democratic vote share in the period 1928-1964;
- For the period 1965-1994, virtually no relation at all between turnout and the Democratic vote (1996; p. 783).

This brief literature review is not comprehensive. But, it is sufficient for an analytic summary about the impact of turnout on partisan advantage in American general elections. One is likely to find different results depending on:

1. Whether high and low turnout is measured cross-sectionally or longitudinally;
2. What time period is studied;
3. What election districts are studied; and
4. What election contests are studied.

For presidential elections, higher turnout measured longitudinally results in partisan advantage for Democrats or results in no partisan advantage depending on the time period studied. Empirical research supports no single relationship between turnout and partisan advantage in general elections that applies to all contests in all districts for all time. Given one’s data and methodology choices, any and all empirical findings are possible. This is hardly surprising. In retrospect, it would seem that the notion that high turnout would work to the strategic advantage of one party in all elections for all times is a misinterpretation, an exaggeration or a straw man argument.

The best way to analyze the relationship between voter turnout over time and strategic partisan advantage is for specified offices in specified election districts for specified time periods. This will likely never become a popular point of view because it places a severe constraint on research opportunities. States are the only American election districts that are consistent over time. All other election districts in the United States are redrawn every ten years in an attempt to equalize population. The upshot is that, with the exception of elections for President United States Senate, and state offices
contested statewide, districts have a maximum lifespan of ten years. The bad news is fewer than one percent of positions filled by elections in America have enduring districts. The good news is that these offices have been the major focus of research in the past. Changing election districts are the norm, not the exception. And yet, this point seems only important to those who define high and low turnout as a concept to be measured within election districts over time.

The relationship between higher turnout and partisan advantage for Democratic candidates can be powerful when it exists. In my home state of Texas there is a strong positive relationship between turnout and Democratic vote for governor. The current tipping point is turnover of 30% of age-eligible voters. Since 1970, when Republicans began running competitive races for governor, Democrats have won all but one election when turnout was at least 30% and Republicans have won all but one election when turnout was less than 30%. And Republican candidates for governor win big when turnout is small. In 1994 George Bush was elected governor with 53.5% of the vote. In 1998 he was reelected with 68.2% of the vote. Yet, in each election he was supported by only 18% of age-eligible voters in Texas. His great success in 1998 was keeping turnout low rather than convincing partisan Democrats to vote for him.

For now, turnout may be the single most important factor in determining whether a Republican or a Democrat is elected Governor of Texas. This is an important element of Texas politics and my students enjoy resolving the Paradox of the Texas Republican Party—the greater the number of votes the Republican candidate for governor receives the greater the probability the Democratic candidate will win. Important though it is, I certainly do not guarantee that what has been true in the past in Texas will continue to be true in the future. Nor do I pledge that the relationship applies to all elected offices in Texas. I do not argue that what is true in Texas now is necessarily true in other states now or in the past or in the future. And I certainly do not claim that studying the relationship between turnout and partisan advantage in Texas provides any information about a relationship or lack of relationship anywhere else.

THE IMPACT OF TURNOUT ON PARTISAN ADVANTAGE: BEHAVIORAL STUDIES OF COMPETITIVE ELECTIONS

Behavioral studies require data on individuals, typically from surveys. And such surveys in the United States are usually limited to individual presidential elections. While turnout in presidential elections has varied from more than 85% to slightly less than 50%, presidential election turnout in the survey research era has consistently been greater than turnout for other elections in the United States. In short, behavioral study is limited to the highest turnout and least representative elections in America. In most of the political behavior literature, strong competition and turnout are a theoretical tenet and an empirical given. It is reasonable to ask whether the majority of behavioral research is germane to low turnout elections.

The line of behavioral research germane to the question of turnout and partisan advantage asks the question, "What if non-voters voted?" Lijphart (1997; p. 4) concludes that studies show nonvoters not to be different from voters, especially in the United States regarding policy preferences and candidate and party preferences. He cites Teixieria’s (1992; p. 100) summary that the absence of nonvoters from the voting pool probably has little immediate effect on the policy output of government (See also Shaffer,
1982; Bennett and Resnick; 1990; and Gant and Lyons, 1993). Luttbeg (2001) and Citrin, Schickler and Sides (2003) are among the few who recognize that the participation of abstainers can affect election outcomes only if contests are competitive.

Highton and Wolfinger (2001) compare the voting behavior and policy preferences of voters and non-voters in presidential elections reported in National Election Study surveys of 1992 and 1996. They ask whether election outcomes and the substance of public policy in the United States would change dramatically if turnout were universal and conclude that, “contrary to the expectations of many others, we found that universal turnout would bring modest changes (p. 192)”

The conclusions of these studies are well supported by their data. However, at least to those who do not pursue survey research, the quality of data may be inadequate to the task at hand. These researchers readily acknowledge that their survey respondents over-report voting. Highton and Wolfinger (2001) note that their survey respondents report voting in presidential elections at a fifty percent higher rate than actual turnout. Put another way, approximately one-third or more of their respondents give inaccurate information on the key behavior being studied: whether or not they voted. No political science data are entirely free from measurement error. Yet measurement error of 33 percent seems excessive. The juxtaposition of accepting data containing 33 percent known measurement error and testing empirical relationships within the data for statistical significance at the .05 or .01 level of error is curious.

It is to their credit that behavioral researchers do not argue that the low impact higher turnout would have on presidential election outcomes would also apply to other election outcomes. They do not generalize from elections with 49 to nearly 60 percent average turnout to elections with 5 to 30 percent turnout. It is less to their credit that they base their conclusions of low impact on presidential election outcomes on changes in votes nationwide. The name “National Election Study” notwithstanding, the American president is not chosen in a national election. States are the election units in presidential elections. A small change in voting results in a small number of competitive state elections can change an Electoral College outcome and the winner of a presidential election.

Finally, the conclusion that higher or universal turnout would have only modest changes on public policy is questionable. These scholars study policy preferences from national surveys and candidate preferences in presidential elections. I would have no concerns if presidential elections were the only elections in America, if presidential elections were typical of all elections, if the president were the exclusive force determining federal policies or if the federal government were the only government making policy in the United States. However, I see the presidential elections as unique, the president as only one of several involved in making federal policy and the federal government as one of approximately 80,000 in America. I do not think it is the responsibility of respondents in national surveys to be clear about limitations of power within and between levels of government. I anticipate them to be confused or to overlook these distinctions. I do not expect experts on American government to overlook them.

**THE IMPACT OF TURNOUT ON ELECTIONS FOR PUBLIC POLICY**

As noted in the introduction, some elections in the United States are held to make public policy decisions. Examples include state and local government elections to
approve or disapprove constitutional amendments, statutory laws, and proposals to tax or spend or borrow. During a single year, the number of policy election contests may approach 16,000 (Tucker and Zeigler, 1978; Chubb and Traugott, 1972). Sometimes voter approval by election is required by constitutional or statutory law. Sometimes state or local legislative bodies have the power to make decisions but choose instead to have voters decide in referendum elections. Sometimes the election results from an initiative, petition requests that may be independent of legislative body actions. No matter the process that results in an election for policy, such elections are popularly referred to as exercises in direct democracy. Direct democracy elections have lower turnout than indirect democracy elections, contests for office.

Local policy elections can be held for a wide variety of purposes. Most concern taxing and spending: tax rates, tax bases, bond issues, etc. There is a very strong relationship between turnout and decisions made in these elections. As I explain it to my students, the relationship is easiest to understand if we pose the financial ballot question as “Should the government be given permission to tax or spend more?” There is an inverse relationship between turnout and the probability that the majority will vote “Yes.” In other words, low turnout is related to decisions in favor of taxing and spending.

This finding has been documented most thoroughly by Piele and Hall (1973) for school districts. There is evidence that this relationship applies to local governments in general (Tucker and Zeigler, 1978) and continues to be true over time (Yeager and Strober, 1992). However, it is important to make clear that high and low turnout must be defined longitudinally, in terms of normal turnout for similar ballot elections in the same election district.

Cross-sectional comparisons are irrelevant to the turnout-decision relationship. As an example, turnout in Oregon local government bond issue and budget elections is above the national average partly because political participation in Oregon is generally above average and partly because it now conducts voting by mail. Furthermore, in order for local government financial ballot measures to pass, both a majority of voters must approve and at least 50 percent of registered voters must participate. This minimum turnout threshold for passage in Oregon would be extraordinarily high turnout in a Texas local government financial election. Where I live, the turnout norm is less than 15 percent of those registered and less than 10 percent of age-eligible voters. Turnout deemed longitudinally high in Texas would be seen as longitudinally low in Oregon.

Two prominent explanations of the empirical relationship between turnout and approval of financial ballot measures have been advanced. One view is that the relatively few beneficiaries of spending are more likely to be a majority in low turnout elections. This self-interest explanation was more plausible when the baby boom generation was of primary and secondary school age, the 1950s, 1960s and 1970s. There was strong electoral support for public school spending largely because 40 percent or more of families had children of school age or younger. Longer life spans and changing lifestyles have reduced the proportion of families with such children to 25 percent or lower.

Banfield and Wilson (1964) provide an alternative view based on their finding that there are two important citizen orientations toward government. The majority of Americans are private regarding. Their self-interest analysis proceeds from the question “What is good for me?” A minority of Americans are public-regarding. Their self-interest analysis proceeds from the question “What is good for us?” They view
government investment in infrastructure and human capital as beneficial even if they themselves do not benefit directly. Public regarding individuals tend to be from the middle and upper social classes. Private regarding individuals tend to be from lower and working social classes. Only in low turnout elections will the minority who take the larger view of public interest outnumber the majority who take the smaller view of private interest.

Banfield and Wilson’s research dovetails with the findings reported by numerous scholars that there is a relationship between turnout in elections for office and how well the sample of voters represents the larger population of potential voters. Lijphart (1997) summarizes the literature documenting class bias of low turnout elections. As Lijphart notes, there is also research evidence that the unequal voter participation that results from low turnout is associated with policies that favor privileged voters over under-privileged non-voters: Tucker and Zeigler (1978), Hill and Leighley, (1992), Mebane (1994), Leighley (1995). The turnout-bias-advantage relationship has been demonstrated both for office and ballot issue elections.

Political practitioners act as though they believe there is a relationship between turnout and decisions made in ballot issue elections. Scholars tend to focus on the activities of contending interests in an election as the prime factor affecting level of turnout. There is another, less commonly recognized, cause of turnout that is usually within the control of the government affected by a policy election: when the election will be held.

Texas provides a clear example of the choices available and their impact on turnout. Amendments to the Texas state constitution must be proposed by the state legislature and approved or disapproved by voters in an election. The Texas Legislature has broad discretion in choosing election dates. If they put constitutional amendment proposals on a presidential election ballot, turnout might be as high as 50 percent. If they choose the date on which governor and other statewide offices are contested, turnout might be as high as 30 percent. Many Texas government texts observe that the average turnout in constitutional amendment elections has been approximately 15 percent. Halter (2003, p. 27)) explains why: since 1960 more than 70 percent constitutional elections have been held in odd-numbered years with no overlap with state or federal elections.

It is not coincidental that the Texas Legislature chooses dates to stimulate lower turnout when more controversial amendments are to be decided. The most recent regular session of the Texas Legislature met from January to June 2003 referred twenty-one constitutional amendments to voters. The most important and controversial established the constitutional authority for statutory legislation the legislature had passed during the session to limit “non-economic” monetary damage awards (commonly called “pain and suffering”) in medical malpractice suits to $250,000.

The medical malpractice legislation was publicized as an attempt to reduce medical malpractice insurance rates. This, even though insurance company executives testified in legislative hearings that malpractice insurance rates were not solely caused by malpractice settlements determined through company negotiations or by juries. These executives explicitly refused to guarantee that their malpractice insurance rates would be lower after passage of the statutory law and constitutional amendment. A single sentence in the proposed amendment made it even more importance and controversial. Beginning in 2005, the legislature could also apply the same maximum monetary damage award to
any or all civil litigation. This element was identified in the popular media as an attempt by business interests to limit their liability for harm caused by their products and services. The amendment was branded as an attempt by special interests to enrich themselves at the expense of the general public. Voters did not have the option to approve only the limit on medical malpractice awards.

This amendment would almost certainly have been defeated had turnout been high by Texas standards. The legislature specified September 13, 2003 as the election date. Several factors suggest this date was selected to keep turnout low.

- No regular state or federal elections are held in odd numbered years
- No local elections were held on September 13.
- Regularly scheduled state elections are held on Tuesdays; September 13 was a Saturday.

Perhaps even more importantly, the constitutional amendment elections had to compete with Texans’ observance of the state’s secular religion. September 13 was a Saturday when college football games were being played throughout the state and nation.

A total of 1,470,443 votes were cast on the constitutional amendment concerning suits against doctors. This was a turnout of approximately 12 percent of registered voters and 9 percent eligible voters. The medical malpractice/general tort limitation amendment passed with a 51 percent majority. The 21 other constitutional amendments decided that day all passed. Five had majorities less than 55 percent; the others had majorities up to 85 percent. There can be no doubt that the most controversial constitutional amendments passed that day only because the Texas Legislature chose an election date calculated to minimize turnout. Whether because of social science research, capitol and city hall folklore, or their own experiences, political practitioners seem to recognize and act on the empirical relationship between turnout and decisions made in policy elections.

THE RISE OF UNCOMPETITIVE LOW TURNOUT LOCAL ELECTIONS

In the nineteenth century, urban local government elections in the United States were reported as having voter turnout of eighty-five percent and higher. Even allowing for the election fraud of this time, turnout in local elections was close to universal. The consequence of this turnout was municipal and school government that reflected the preferences of the largest segment of the population: lower class and working class citizens, recently immigrated from abroad or relocated from rural America. The majority of voters appreciated the recognition and petty favors they received from machine-style political organizations. Voters knew the political machines were corrupt. However, they had a high tolerance for corruption. Moreover, the machines were politically responsive to their underclass constituents—particularly when one considers that this was an era of minimal expectations for services from government.

The reform movement, from its beginnings shortly after the Civil War to its peak in the early years of the twentieth century, sought to eliminate corrupt machine politics. The reform movement is best understood as itself a political strategy, designed to wrest control from the hands of ‘bosses’ and ‘machines’ with lower-class clientele and to invest power instead in the white, middle class. (Schultze, 1974, p. 223.) The key to success was to make the middle and upper class population and voting minority the majority of voters in local elections.
The reform movement succeeded in reducing lower and working class turnout by convincing state legislatures to make fundamental changes in the nature of local governments and the way their elections were contested. City councils were reduced from dozens of members to fewer than ten members. Neighborhood governing boards were eliminated. Elections were made non-partisan and were held on dates separate from partisan state and federal elections. The Australian ballot system was implemented. Civil service replaced political patronage as the basis of local government employment. The result was lower class dropout and a new voting majority (Banfield and Wilson, 1963; Schultze, 1974; Zeigler and Tucker, 1978; Tucker and Zeigler, 1980a, 1980b).

The victory of reformers was remarkable in its speed and thoroughness. Turnout declined almost immediately from 80 percent to 40 percent and then ultimately to less than 30 percent. Different sorts of people contested and won offices for local government: middle and upper class businessmen. Promoting local business became the business of local governments.

Nonpartisan local government became non-controversial government. This lack of controversy helps explain why, after a century of increasing educational, economic and social opportunity and progress for American citizens, turnout in elections for nonpartisan municipal, school district and special district elections continues to be low. Approximately 25 percent of these nonpartisan elections are uncontested. Uncontested elections have become so common that many states have eliminated holding elections when only one person files for office. Even when there is more than one candidate on the ballot, there is no meaningful choice for voters. Simply put, candidates for nonpartisan offices do not disagree with each other. Candidates for municipal office favor public safety, development of the local business environment, responsible government spending and low taxes. Candidates for school board favor putting children first, providing the highest possible quality education, treating school teachers with respect, spending money wisely and keeping taxes as low as possible.

Zeigler, Jennings and Peak (1974) conducted a national survey of school board members. They asked these incumbents to identify important differences between themselves and those they had defeated in elections. Of those who had faced competition, more than half could name no differences whatsoever. Of the minority who could list differences, most could cite only one. And, of differences cataloged, fewer than half were germane to education policy. Winners could readily identify only differences such age, sex, occupation, religion, length of residence in the community, etc. as distinguishing themselves from election losers.

If those contesting elections see no important differences between candidates, how can voters? Local news media play only a small role in educating potential voters about the options available to them. Broadcast and print news media tend to focus on partisan state and federal elections to the near exclusion of nonpartisan local elections. This is partly because it is more cost effective for them to reproduce material available through national and regional services than to develop their own local news stories. And then there is the reality that local stories, if developed, would not be newsworthy. No matter how many candidates are on the ballot, it is hard to find controversy and stimulate reader and listener interest when all contenders say the same things.

Many cross-sectional studies have found relationships between local government election turnout and local government institutions and policies (Lee, 1963; Eulau and
Prewitt, 1973; Karnig and Walter, 1978; Luttbeg, 1999; Wood, 2002). In my view, the more important phenomenon is the enduring longitudinal relationships between turnout, the people who contest and win elections, and local government policies that can be seen when more than 100 years of American history are considered. Reformers succeeded by reducing voter turnout. Now, the cumulative consequences of reform continue to keep turnout low by minimizing choices available to voters.

THE RISE OF LOW TURNOUT UNCOMPETITIVE STATE AND FEDERAL ELECTIONS

Political scientists posit that political competition offers benefits similar to those economists hypothesize as following from economic competition. Yet, we tend to neglect that the highly-touted advantages of competition accrue to consumers, not to vendors. Businesses and political parties prefer monopoly; given the opportunity, they will work toward that end. Based on this theoretical insight and historical experience, American law forbids private sector organizations from colluding in an attempt to restrain trade and limit economic competition. There is no parallel prohibition to prevent political parties from conspiring to limit political competition. The combination of recent innovations such as inexpensive, high speed computing equipment and massive, detailed data sets on individual patterns of behavior, have given the major parties the resources they need to eliminate effective interparty competition in the majority of partisan general elections.

Perhaps the most important phenomenon in contemporary American politics is the successful collaboration of the Republican and Democratic parties in guaranteeing their market share by carving up the political marketplace. The combination of incumbency advantage and safe districts has made strong interparty competition a rarity, especially in legislative elections. Low turnout in uncontested or poorly contested general elections is an important and well-recognized result. However, low turnout in primary elections, contested or uncontested, is a poorly recognized element of American politics. Were those who participate in primary elections broadly representative of the population of potential voters, low turnout in single-party district elections would not necessarily be a problem. It is the extraordinary low and unrepresentative turnout in primary elections in combination with uncompetitive general elections that creates a crisis for American democracy.

Interparty competition may still be greatest in elections contested statewide. There is always nominal competition for such races—nominees from both major parties are on the ballot. However, these elections are frequently not strongly contested. In 17 of 34 U.S. Senate general elections held in 2000 the winner received 60 percent or more of the popular vote. The presidential election of 2000 was one of the closest in American history. Nevertheless, in 24 states the winning candidate captured more than 55 percent of the vote. In 9 states the winner secured more than 60 percent of the vote.

While statewide interparty competition had declined, interparty competition in district elections within states has become nearly extinct. Scholars have tracked the decline of interparty competition in races for the U.S. House of Representatives and state legislative positions (e.g., Weber, Tucker and Brace, 1991; Squire, 1989, 1995, 2000; Wrighton and Squire, 1997). Recognition of the demise of interparty competition in elections for the U.S. House of Representatives has reached the attention of the popular
media. For example, Toobin (2003) quotes Samuel Issacharoff, a professor at Columbia Law School:

There is a sense of embarrassment about what has happened in American politics. The rules of decorum have fallen apart. Voters no longer choose members of the House; the people who draw the lines do (p. 65).

In 2002, only one out of twelve House elections was decided by ten or fewer percentage points and only four House challengers defeated incumbents in the general election—a record low in the modern era (Toobin, 2003; p. 78).

Aspirants to offices contested in partisan elections must win two contests: first their party’s primary and then the general election. When partisan gerrymandering creates districts in which only the candidate of one party can win the general election, office seekers must only contest primary elections. Primary elections differ from general elections in two important regards: (1) turnout in primary elections is typically one-half that of turnout in corresponding general elections, and (2) voters in primary elections tend to be partisan extremists (Dye and Zeigler, 2003). When there are candidates from both major parties, general elections have a moderating effect on candidates. Candidates who continue to espouse the extreme views necessary to win partisan primaries cannot win general elections. They must appeal to the preferences of the larger, more representative sample of potential voters in the general election. The result of low turnout in partisan legislative elections is that winners are chosen in primary elections by small samples of partisan extremists.

In the Texas, fewer than one-third of general election contests for Congress and the state legislature have candidates from both major parties. This is because some districts have been created so only a Democrat can win; in others only a Republican can win. The district where I live has been constructed so only Republicans can win elections to the U.S. House and the Texas House of Representatives. Democratic candidates rarely run. How extreme are primary election voters? In my experience, they can expect more than perfect adherence to a political ideology.

Several years ago, our state senator ran for Congress and won when his senate seat was not up for election. Our state representative resigned so he could run for the vacant state senate position; the seat he left open was filled in a special election. Two Republican candidates contested the special election. Because Democrats could vote in the special election the more moderate Republican candidate won. At the end of his term, he was challenged by a competitor who complained that the incumbent had not been “Republican enough or conservative enough.” Even though the incumbent had always voted with the Republican majority and was rated 100% conservative by liberal, nonpartisan, and conservative interest groups, the challenger promised that, if elected, he would be even more conservative and more loyal to the Republican Party. He won the seat and has earned my respect and admiration for many of the things he has achieved in office. However, he has not yet fulfilled his promises to be more conservative and more Republican than his predecessor.

Voters who prefer the minority party in such districts are effectively disenfranchised. The moderate members of the majority party are systematically defeated by the smaller group of extreme members of the majority party who comprise the majority of voters in the primary. The winners of these contests take office without
having been subject to the moderating influence of general elections. They campaign only for the favor of their unrepresentative voting constituents. When the United States Congress or a state legislature meets, the majority of its members are strong ideologues chosen by strong ideologues. The problem is that there are ideologues from two different ends of the political spectrum. Legislators from each party lack the skills (and, indeed, the incentive from their district voters) to work and compromise with those of the opposite party.

The result in Congress and many state legislatures has been partisan gridlock. In Congress, the proportion of submitted bills passed has declined from over 15 percent to less than 5 percent. Instead of many narrow bills being passed, a small number of broad, omnibus bills are passed. Legislative committees with policy expertise have become less important as conference committees add incentives to omnibus bills to win majority support in floor votes. The resulting legislation has been characterized as resembling Christmas trees with “ornaments” for each of the “good” members of Congress. The upshot is policy made with less and less concern for the common interest. The minority complain that the majority are “ruling” rather than “governing.”

Normal Americans see the problem as a failure of the individual legislators, of legislative party leaders, or of the legislative process. Few see the problem as safe election districts that have reduced the importance of higher turnout and more-representative general elections and increased the importance of lower turnout and less representative primary elections. The founding fathers could not have imagined the innovations of inexpensive computers and sophisticated data bases that have made this all possible.

Not only have parties have colluded to create safe election districts for legislative seats, they have also cooperated in an effort to keep voter turnout in primary elections low. Republicans and Democrats joined forces to eliminate the blanket primary system in California, Washington and Alaska (Modie, 2003). In the blanket primary system, candidates for both parties are on the ballot and each voter may cast one vote for each office. The winners from each party then appear on the general election ballot. Blanket primaries generated high turnout and centrist candidates because candidates had to appeal to the greatest number of voters in the primary. It was rare for those receiving the greatest number of votes blanket primary elections to lose their general election contests. Elimination of a blanket primary means smaller number of extreme partisan voters will choose nominees. And in safe districts, these low turnout elections of unrepresentative citizens will choose office holders.

The implications for American democracy are essential. Winner-take-all general elections are supposed to guarantee that successful candidates will reflect the moderate views of the majority. Yet, safe districts and low turnout primary elections have resulted in candidates who must appeal to small extremist minorities in order to win elections. Legislatures are the institutional guarantors of responsiveness because of the unique relationship between members and their constituents. There have always been multiple ways for legislators to define their constituents: all people, all citizens, adult citizens, taxpayers, voters. Now, for more than half of federal and state legislators, the reference group is primary election, not general election voters. The gap between legislators and those they are supposed to represent has grown larger.
CONCLUSION

Progress toward cumulative knowledge about the impact of turnout in American elections would be enhanced first by greater balance in research. Our knowledge would be improved by more studies of elections for federal elections other than the presidency, by more studies of elections for offices in state and local governments, and by more studies of ballot issue elections in state and local government. If our goal as a discipline is to develop knowledge general to all elections we have to study all elections. Faster progress would likely result if the distribution of election studies would more closely mirror the distribution of elections.

Progress toward cumulative knowledge would also be promoted by greater balance between behavioral and institutional approaches. It would be ideal if behaviorists would turn their attention to a wider range of elections. Low turnout elections may continue to be a nearly exclusive research concern of the institutional approach. Given the interests of researchers and funders of research, behaviorists may continue to focus exclusively on the highest turnout and most competitive elections. If behaviorists must or choose to specialize in studying presidential elections, it would be helpful if they would specify limits for their theoretical concerns and empirical findings.

Progress toward cumulative knowledge would be furthered by greater recognition of the legitimacy and distinctiveness of different concepts of turnout. One’s perspective may be cross-sectional or longitudinal, contemporary or historical, short term or long term, so long as the measure of turnout is appropriate to the ideas under consideration.

Turnout cannot have an immediate, strategic impact on the decision made in an election unless voters have meaningful choices on the ballot. The major political parties have been extraordinarily successful in reducing electoral competition to the extent that most partisan election contested by districts are weakly contested or uncontested by one of the major parties. The result is the relationship between turnout and partisan success has become a moot issue for the greatest portion of partisan general elections contested by districts. Nevertheless, turnout is one of the most important factors determining the outcome of competitive contemporary elections in the United States.

The threat to American democracy is not just legislative districts that give monopoly control to one party. The trouble is not only that primary elections determine office holders. The problem is monopoly control in combination with low turnout in primary elections that make it possible for unrepresentative voters to choose immoderate legislators. The sample of primary voters can be so unrepresentative because it is so small. The United States is a nation of citizens who identify themselves as ideological centrists. Partisan legislatures are chosen by a small number of voters who are ideological extremists. Those who choose to serve their constituents defined most broadly run the risk of losing to a challenger in the next primary election.

Low turnout can have important consequences in the long term. The ongoing legacy of the reform movement affects not only turnout levels but also the kind of people who vote and who seek office. It has affected attitudes about the proper goals and activities of local governments. Low turnout leads to patterns of behavior that reinforce low turnout. What has been true in nonpartisan American elections for a long time may also apply to partisan elections at present and in the future. This perspective may be best appreciated by those who are willing to study political behavior and institutions of turnout over a long period of time.
Bibliography


