

FEWEST VOTES WINS: PLURALITY VICTORIES IN 2022 PRIMARIES

Released October 2022 | By Rachel Hutchinson

EXECUTIVE SUMMARY

- A “plurality win” occurs when a candidate wins a race with less than 50% of votes. Our election system elects the candidate with the most votes, even if the majority of voters voted for another candidate. A common occurrence in primary elections, plurality wins can send unpopular party nominees to general elections and allow the few to make decisions for the majority.
- 120 plurality winners advanced from US House, US Senate, and statewide primary elections in 2022. Many are seeking “safe” seats in November where a primary win is nearly tantamount to election. 41 million people live in jurisdictions where a plurality winner advanced to a safe seat, and will therefore be represented by someone who was effectively elected by a small portion of primary voters. Other plurality winners are advancing to highly competitive toss-up races without a majority mandate from their own party’s voters.
- Two states use [ranked choice voting](#) (RCV) for congressional primaries, ensuring that nominees have broad support from primary voters. RCV, a voting system that allows voters to rank candidates in order of preference to produce a majority winner, is a strong solution that other states should consider. The [Fair Representation Act](#) (FRA) also presents a federal solution to many of the democratic challenges that plurality winners raise.

► INTRODUCTION: DEFINING A PLURALITY WINNER

Majority rule is a common standard in democracies. Granting authority to the majority opinion allows for the consent of the governed (as in, the minority can accept it as fair when they are not in power) and for factions to be rewarded when they appeal to more than half of voters. It encourages parties to compete to be the majority faction by innovating on policy and delivering results. However, these ideals are not perfectly reflected in modern American democracy. Consent of the governed is particularly in peril.

Perhaps this is because the U.S. is not actually governed by majority rule. Rather, most of our elections use a plurality rule, meaning whichever candidate gets the most votes wins (even when this is not a majority of votes). Many of us perceive our system as majoritarian because, for example, in a general election, we overwhelmingly have a binary choice between one Republican and one Democrat. For one candidate to have more votes than the other, mathematically, that candidate must have 50% of votes (+1). However, if we add a third candidate to the race, such as an independent or third-party candidate, the winner does not necessarily need over 50% of votes to beat the other two candidates. For example, if votes are split 34%, 33%, and 33%, the candidate with 34% wins, despite 66% of voters having voted for someone else.

Many general elections do not include an electable independent or third-party candidate, and therefore, many general election candidates do win with majorities.¹ This can partly be attributed to the “spoiler effect.” Many third party and independent candidates are hesitant to run in fear of “spoiling” the race for an ideologically nearby major party candidate by capturing votes from their base.

However, primary elections invite a potentially unlimited number of competitors. As a result, primary elections open up the opportunity for votes to be split between many candidates, and for a candidate to win the nomination with a small plurality of votes.

The candidate with the most votes is not always representative of their primary electorate. For example, Daniel Goldman (a moderate) recently won a crowded Democratic primary for New York’s 10th Congressional District with 25.7% of votes. Goldman edged out runner-up Yuh-Line Niou by just two percentage points. NY-10 is a progressive district with a [Cook Partisan Index of D+35](#). [Some commentators](#) attribute Goldman’s win to the city’s “institutional left” having split their support between multiple progressive candidates, allowing a moderate to prevail with support from only one-quarter of voters.

► THE CONSEQUENCES OF PLURALITY WINNERS IN PRIMARIES

Plurality wins in congressional primary elections have meaningful consequences because primaries determine which candidates will have the opportunity to compete in November, when the electorate is larger and more diverse. However, while the general election determines who will ultimately serve in Washington, at least 80% of House seats are decidedly Republican or Democratic.² Therefore, a candidate who wins a Democratic primary in a blue district is essentially guaranteed to win the general election (and the same for a Republican candidate in a red district).

¹ Candidates do sometimes win general elections with less than 50%. Between 1992 and 2019, [49 senators from 27 states](#) were elected with a minority of votes.

² [Monopoly Politics 2022. FairVote.](#)

If a candidate wins the dominant party's primary with a plurality (less than 50%) of votes, they have essentially won a seat by appealing to a small group of voters within [an already small primary electorate](#) (and primary turnout is [especially low in midterm years](#)). For example, Shri Thanedar won the recent Democratic primary for Michigan's 13th Congressional District with 22,314 votes (28.3% of the vote). With MI-13 being a safely Democratic district, Thanedar will go on to represent about [720,000](#) people without facing a competitive general election (and was essentially voted in by 3% of people in the district).

It is not just safe races where plurality wins in primaries are consequential. When a plurality winner advances to a competitive general election, parties might deny themselves a good chance of winning a seat with a contentious campaign that nominates a weak candidate (who a majority of their primary electorate voted against). For example, in Pennsylvania, the Republican nominees for Governor, U.S. Senate, and Lt. Governor all won their primaries with less than 50%. Republicans should be favored in these races in a midterm year where Democrats hold the presidency, but [polls show](#) the races as competitive to Democratic-leaning.

However, plurality wins in primaries hurt voters the most. Candidates are not incentivized to reach out to as many voters as possible when they only need a small percentage to edge out competitors. Come November, many voters will look at their general election ballots and have to decide between unpopular candidates – candidates whom a majority of primary voters did not vote for.

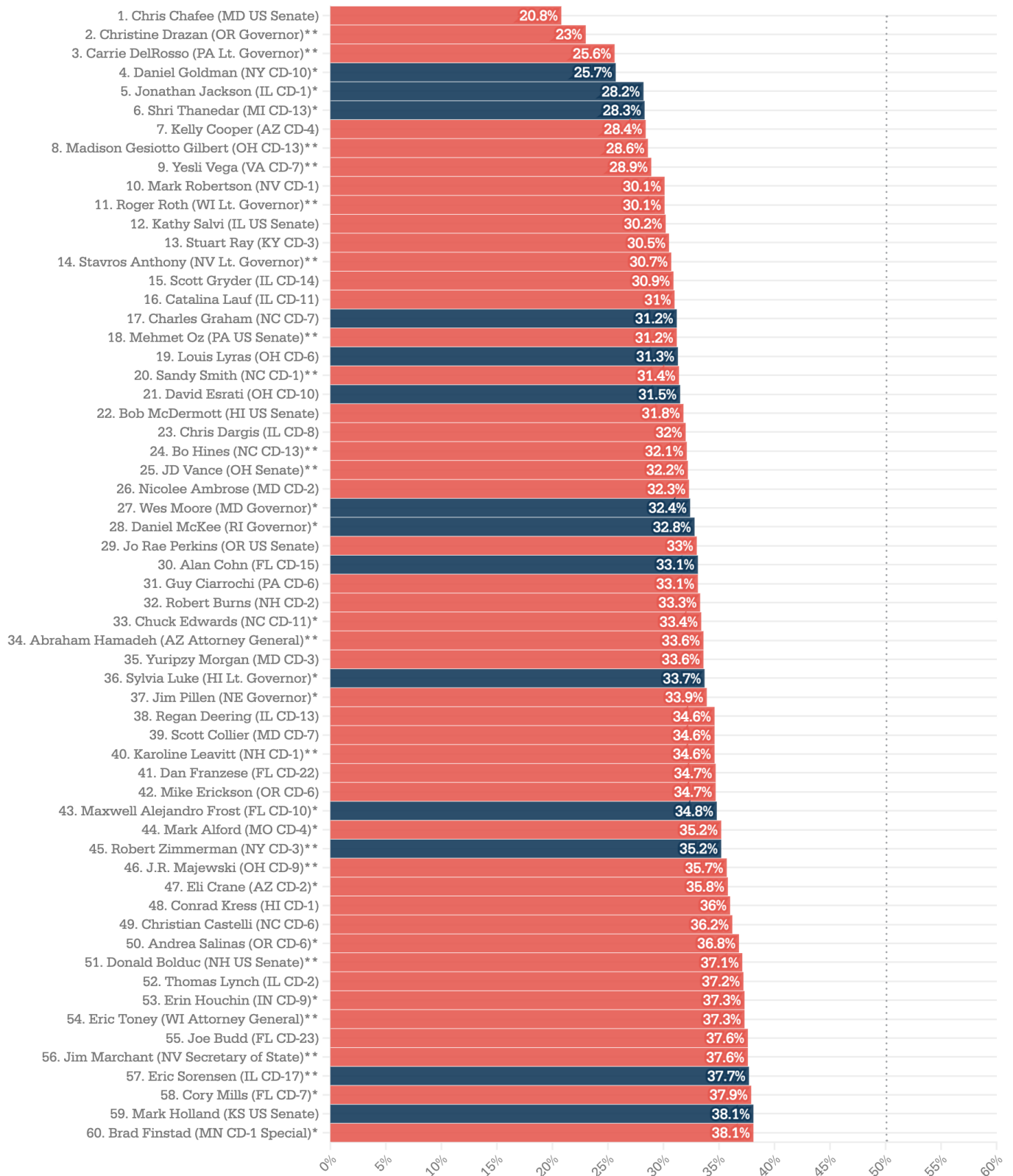
When a plurality winner advances to a general election, a majority of their party's primary voters prefer that a different candidate represent them in the general election, yet have to vote for their party's nominee if they want their party to win. For example, JD Vance won the recent Republican primary for Ohio's US Senate seat despite 67.8% of the primary electorate having voted for another candidate. The 1.3 million Republicans who did not choose Vance have to make the difficult decision of whether to vote for someone they didn't want on the ballot, or to help the Democrat win.

► A LOOK AT PLURALITY WINS IN THE 2022 PRIMARIES

We followed every Democratic and Republican primary election for US House, US Senate, and statewide office in 2022 and recorded every race in which a candidate won a nomination with less than 50% of votes. Our findings are as follows. The graph below shows partial data (the 60 candidates who won their primaries with the fewest percentage of votes). A graph with all of the "plurality winners" can be found [here](#).

Who Won a Primary With the Fewest Votes?

60 lowest plurality wins in 2022 congressional and statewide primaries



*Asterisk indicates the nominee is significantly favored to win their general election. **Double asterisk indicates the nominee will advance to a highly competitive general election.

All results are official.

- 120 candidates won primaries with a plurality of votes. This means there are about 120 races³ this November where one of voters' already few choices is an unpopular candidate – someone whom a majority of primary voters did not want on the ballot.
- Among these 120 plurality winners, the average candidate won with 39% of the vote. This means that, for these races, an average of 61% of one party's voters will be represented on the general election ballot by someone they did not vote for.
- 32 (27%) of these plurality winners won a dominant-party primary (i.e. a Republican primary in a red district or a Democratic primary in a blue district) and are all but guaranteed to win their general elections. Over 41 million people live in these jurisdictions, and will be represented by someone who was effectively elected by a small plurality of primary voters.
- 37 (31%) of these plurality winners are advancing to a highly competitive general election. This means in 37 elections, a party is not putting their best foot forward in an otherwise winnable race. In these 37 races, a majority of that party's voters have to make the difficult decision of voting for someone they did not want representing them on the general election ballot, or helping the opposing party win.⁴
- 69 (58%) of these plurality winners won their primaries with less than 40% of the vote. 32 (27%) won with less than a third of the vote.
- 36 (30%) of these plurality winners edged their competitor out by less than 5 percentage points. Close elections are generally perceived positively since they signify competition (with electoral competition being part of what holds legislators accountable for delivering policy). However, there is a difference between competing to win a majority versus competing to slightly edge out an opponent. In the case of a close plurality win, it is not clear that the winner was truly the candidate with the most support; rather, they may have benefitted from vote-splitting between ideologically similar opponents (such as in the NY-10 example above).

Our findings offer a dim outlook for American democracy. While plurality winners are not unique to 2022 contests, the continual decline in competitive seats makes them all the more concerning. Millions of US voters lack meaningful choice and representation. There is, however, a solution that has been implemented in dozens of jurisdictions across the country.

³ The actual number of general election races where at least one candidate won their primary with a plurality (114) is slightly less than 120. In six races, both the Democratic and Republican nominees won with a plurality (FL-7, FL-15, FL-10, OR-6, IL-1, MO US Senate).

⁴ Our determinations of "competitiveness" were based on our 2022 Monopoly Politics Report data for US House races and a combination of statewide partisanship and polling (generally polling from before the primary) for other races. In some cases, a race we deemed "competitive" will now have polls that indicate one candidate has a much greater chance (perhaps as a result of which candidates emerged from the primary and how they have campaigned). However, both parties had a chance of winning the contest. For methodological consistency, all statewide races within a state generally have the same prediction, though in reality, individual races may vary based on the candidates, incumbency, etc. We made exceptions to this rule for Oregon and Ohio. Both have different ratings for their governor and US Senate races due to the particular dynamics in those states.

► A SOLUTION: RANKED CHOICE VOTING IN PRIMARY ELECTIONS

Some states navigate this problem by holding runoff elections when no candidate has a majority of votes.⁴ While runoff elections offer an improvement by delivering a majority winner, they are [expensive](#) and lead to [major declines](#) in voter turnout. The average decline in turnout in the past 15 years was [38%](#). There is, however, another way to deliver majoritarian results without asking voters to return to the ballot box.

[Ranked choice voting \(RCV\)](#) is a majoritarian voting system that can be used to nominate or elect candidates for any type or level of office. Voters can rank the candidates in order of preference: first, second, third, and so forth. The first choice votes are counted, and if one candidate has 50% of votes, that candidate wins. If no candidate has 50% of votes, an “instant runoff” is triggered. The candidate with the fewest votes is eliminated, and if you voted for that candidate, your vote now counts towards your next choice. This repeats until one candidate has a majority of votes.

RCV has increasingly been used in primary elections. Maine voters have used RCV to nominate candidates for federal and state elections since 2018. The Virginia GOP used RCV in their 2021 nominating convention and for some congressional primaries in 2022. The Democratic Parties of Nevada, Hawaii, Alaska, Kansas, and Wyoming used RCV in their 2020 presidential primaries.

When RCV is used in primaries, candidates must compete for broad support from their primary electorate rather than get by on small pluralities. Nominees go into general elections with a strong mandate from their party's voters – an average of 73% of voters rank the winner of an RCV election in their top three. Parties put their best foot forward for November. Voters have more say in outcomes and meaningful choices between strong candidates.

For example, Virginia Republicans used RCV to nominate their gubernatorial candidate in 2021. They nominated Glenn Youngkin, who was considered the consensus candidate. Youngkin went on to win an extremely competitive general election.

CASE STUDY

A STRONG NOMINEE AND A POSITIVE CAMPAIGN IN VIRGINIA'S 10TH DISTRICT

The Republican Party of Virginia chose to use RCV to select its nominees in three congressional districts in 2022. A recent [survey](#) compares the outcomes in the RCV primary in Virginia's 10th Congressional District to outcomes in a similar nearby district (the 7th) that did not use RCV. The survey found:

⁴ Ten states hold runoff primary runoffs (Alabama, Arkansas, Georgia, Mississippi, North Carolina, Oklahoma, South Carolina, South Dakota only for congressional and gubernatorial elections, Texas, and Vermont only for tie votes).

- **A more favorable nominee advanced in the RCV district.** The Republican nominee in VA-10, Hung Cao, emerged with a higher net favorability rating (+78) than the plurality winner in VA-07, Yesli Vega (+51).
- **Higher favorability for unsuccessful candidates, too.** Unsuccessful candidates in the 10th District had higher favorability than those in the non-RCV 7th District, fostering a deep bench of party leaders who may choose to run for higher office again in the future.
- **A positive nominating contest.** 84% of 10th District respondents said the Republican candidates ran a somewhat or mostly positive campaign, compared to 59% in the 7th District.
- **RCV is popular among those that have used it.** A majority of Republican primary voters from the 10th District approve of RCV for future elections.

Candidate	Round 1	Round 2	Round 3	Round 4	Round 5	Round 6	Round 7	Round 8	Round 9
Hung Cao	42%	42%	42%	43%	43%	44%	47%	49%	52%
Jeanine Lawson	29%	29%	29%	29%	30%	30%	31%	32%	34%
Brandon Michon	10%	10%	10%	11%	11%	11%	12%	12%	14%
Mike Clancy	5%	5%	5%	5%	5%	5%	6%	7%	
Caleb Max	4%	4%	4%	4%	4%	5%	5%		
John Henley	4%	4%	4%	4%	4%	4%			
Dave Beckwith	2%	2%	2%	2%	2%				
Theresa Coates Ellis	2%	2%	2%	2%					
John Beatty	2%	2%	2%						
Jeff Mayhugh	0.42%	0.44%							
Brooke Taylor	0.37%								

The RCV district also invited nearly twice as many candidates as the non-RCV district while delivering a majority winner (whereas the nominee from VA-07 won with 28.9% of votes). Other state parties can look to Virginia for an example of how to advance strong nominees and build party unity through RCV primary elections.

⁴ For more information on the FRA and the “primary problem,” [see here](#).

⁵ A “pick-one” primary with multiple winners is essentially a voting system called single non-transferable vote (SNTV), a special case of limited voting, which is a semi-proportional system.

▶ LOOKING FORWARD: THE FAIR REPRESENTATION ACT WILL TRANSFORM PRIMARY ELECTIONS

According to the Constitution, states usually have power to choose how to run their elections, and Congress also has the [power to establish key rules](#). Thus, as some states adopt RCV for primaries, there is another policy that would help solve the problems outlined above.

The [Fair Representation Act \(FRA\)](#) is a federal bill that would establish multi-winner congressional districts with RCV elections. With multi-member districts, several Republicans, Democrats, and others would compete in each district, and every House race would be competitive. This solves the issue of a small number of primary voters essentially deciding the outcome of a supermajority of House races, since primaries would no longer decide who wins general elections.⁵

The FRA would also allow parties to nominate as many candidates as there are seats in a multi-member district. This means they have more than one opportunity to elect a strong candidate.

The FRA lets the states decide how to conduct primary elections. Imagine a state that does not use RCV in primaries. With single-member districts, if a relatively unpopular candidate wins a party primary, that plurality winner is the party's one chance to win the seat. With, say, a five-member district, that party could nominate five candidates. Even if that party still uses plurality voting in its primary, nominating the top five vote-getters will advance a representative slate of party candidates to the general election.⁶ Proportional RCV would then elect a number of party members in proportion to the share of votes earned by that party.

CONCLUSION

Plurality wins in primary elections are bad for parties, voters, and democracy. They allow for small minorities of voters to decide for the majority. Though many Americans are “used to” plurality voting, it is not baked into our founding documents or principles.⁷ Today, we have the power and momentum to implement a majoritarian system that delivers fair and democratic results: ranked choice voting. RCV primaries send strong nominees to general elections and give us better choices in November. The Fair Representation Act would go even further towards facilitating choice and fair outcomes.

⁵ For more information on the FRA and the “primary problem,” [see here](#).

⁶ A “pick-one” primary with multiple winners is essentially a voting system called [single non-transferable vote \(SNTV\)](#), a special case of limited voting, which is a [semi-proportional system](#).

⁷ For information about the history of plurality voting in America, [see here](#).