

# The Median Voter Theory: Will Post-Dobbs Election Debacles Continue?

*John Pisciotta, Ph.D.\**

**Abstract:** The 2022 mid-term general election brought disappointments for the pro-life movement and for Republicans. The widely anticipated Big Red Wave did not happen. Republicans won far fewer legislative elections than anticipated. Plus, abortion was directly on the ballot in five states. The pro-life position was defeated in all five states, including conservative Kentucky and Montana. This paper uses the median voter theory to seek for explanations for the 2022 election debacle and insights for the political future of the pro-life movement.

\*Founding Director of Pro-Life Waco; Creator of the Facebook group Hometown Pro-Life Action; Baylor Professor Emeritus in Economics (retired 2012)

**M**EDIAN VOTER THEORY STATES THAT ELECTION RESULTS tend to be close to the positions held by the median voter. Candidates and parties that take positions at the fringe or edge of voter thinking on issues should not be surprised when they are punished by the voters.

Following the *Dobbs* decision of June 24, 2022, legislation in more conservative and pro-life states moved dramatically away from the median voter. Some states implemented outright bans on abortion. Others enacted near bans, such as Heartbeat laws. Moreover, the bans did not include exceptions that had been common in the era of *Roe*. The strongest departure from the median voter was complete abortion bans and no exception for pregnancies resulting from rape.

The Christian and the unbeliever do not, and cannot, behave very differently in the exercise of office; for it is the general ethos of the people they have to govern, not their own piety, that determines the behaviour of politicians.<sup>1</sup>

### *1. Abortion Politics in 2022-2023*

The day the *Dobbs* decision was announced, Pro-Life Waco and over 100 other pro-life organizations delivered rallies in their hometowns. Well over fifty attended in Waco on very short notice. The joy and optimism of the day helped us forget the 100-degree temperature. I was not as optimistic about the future as most. However, I did not expect the crushing election results that awaited us in November.

The fall of *Roe* rapidly brought new abortion laws to pro-life states. Thirteen states had “trigger bans” in place prior to the *Dobbs* decision: Arkansas, Idaho, Kentucky, Louisiana, Mississippi, Missouri, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Utah, and Wyoming. The bans were “triggered” into enforcement when the Supreme Court struck down *Roe*.

Six other states have enacted strong abortion restrictions following *Dobbs*. Often the legislation did not include exceptions common in previous legislation, such as for fetal anomalies, pregnancies resulting from rape, and pregnancies resulting from incest.

In the weeks before the November election, polls looked good, and pundits talked about a Big Red Wave sweeping across America. Many thought Republicans would win firm control of the House of Representatives with 15 to 25 seats flipping. Senate control flipping to Republicans seemed like a real possibility.

The election outcome fell far short. Republicans did take over the Speaker’s gavel in the House. However, the margin of the majority was razor thin. Democrats held on the Senate control and gained one seat.

---

<sup>1</sup> T.S. Eliot, *The Idea of a Christian Society* (London: Faber and Faber, 1954), 25.

The most stunning disappointment for the pro-life movement was defeat on all five statewide ballots with a direct vote on abortion. This included progressive California, Vermont, and Michigan. The so-called “codifying *Roe*” in these states wiped out virtually all abortion limitations. These states were left in a pro-abortion stranglehold stronger than at any time during *Roe v Wade*.

Voters also rejected statewide initiatives in conservative Kentucky and Montana. The abortion side won in Kentucky by a 5% margin. By a similar margin, the voters of Montana rejected a modest pro-life initiative that would have required healthcare for babies who survive intended abortions.

A prior warning about potential trouble ahead came from a Kansas vote on August 2, 2022. A pro-life ballot initiative declared that the Kansas constitution could not be interpreted as containing a right to abortion.

Surprisingly, conservative Kansas rejected the pro-life measure. Shockingly, the vote was not even close, 59% to 41%.

Before leaving the 2022 election, there is one statistic that is central to the disappointing election results. Republicans were expected to win the independent vote by 2-3 percentage points. Instead, exit polls showed Democrats won the independent vote by 2-3 percentage points. No political strategy for the future is likely to succeed unless these numbers can be reversed. Pro-life engagement limited to the pro-life choir will not bring a reversal of our political fortunes.

Following the 2022 election, abortion forces have become emboldened on their unequivocal support for abortion. With a 6-0 record in 2022, Democrats are now searching for opportunities to place abortion on the ballot in 2024 in as many states as possible. The pro-life movement plays defense as best it can, while claiming that a strong pro-life stance is the winning position in American politics.

Let us turn to an overview of median voter theory and then consider how the dynamics of median voter theory influenced election 2022 and may continue to influence the trajectory of abortion politics in the post-*Roe* era.

## 2. *The Median Voter Theory*

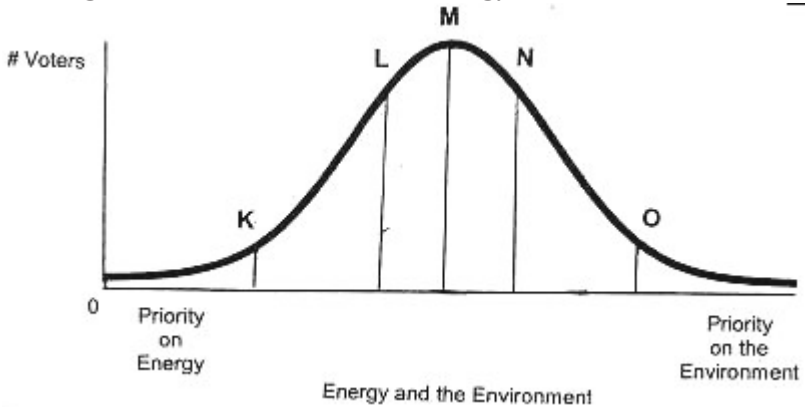
Since I became active in the pro-life movement in the mid-1990s, I have heard and read many of my pro-life allies blasting pro-life politicians for not voting and speaking boldly on life issues. I do not have as high a level of

indignation. The main reason for my being a “moderate” is that I am influenced by the median voter theory that I taught in political economy courses for many years at Baylor University.

The median voter principle holds that government policies resulting from the democratic political process tend to be close to the preference of the median voter within the overall distribution of voters.

Figure 1 presents a hypothetical distribution of voters. The issue used to illustrate the median voter principle is “energy and the environment.” The horizontal axis indicates voter position on energy and the environment. Voters closer to the origin want very substantial development of energy production with minimal safeguards for environmental protection. Voters farther out on the horizontal axis want strong limits on energy development and very stringent environmental protection on any energy development that does take place. The vertical axis shows the number voters holding various positions. Most voters are in the middle. Fewer voters are far to one side or the other.

**Figure 1 Voter Distribution: Energy and the Environment** —



The graph shows a “mirror image” or equal distribution of voters along the horizontal axis. In this situation, the median voter is at the highest level with the greatest number of adherents as measured on the vertical axis. The median voter position is designated as M on Figure 1. Let’s call the median voter “median Martha.” Note that there is no need for the distribution of

voters to be symmetrical. Voters could be skewed to one side or the other. Symmetry is assumed here for the sake of simplicity.

Let's assume the two parties are the Democratic Party and the Republican Party. The Democratic Party and its candidates generally hold strong environmental protection positions to the right of median Martha on Figure 1. The Republican Party and its candidates tend to place stronger emphasis on energy production and take a position to the left of M.

Consider a Democratic and a Republican vying for an open seat in a congressional district. The election is predicted to be close, and the two candidates are carefully crafting their positions to gain voter support. The Democratic candidate has come out of his party primary with a strong environmental protection position, while the Republican has taken a position that has questioned the value of current environmental policies. The Democrat is at position O and the Republican is at position K. The two candidates must now craft their general election positions.

What would happen if the Republican candidate remained at position K in the general election? In doing so, she would offer the Democratic candidate the opportunity to move to position N. A substantial majority of voters would see the Democratic as closer to their position and this would strengthen the Democrat's voter support. The Republican would lose voter support for remaining far from the median voter position. Likewise, the Democrat would risk ballot support by remaining at position O. This would give the Republican the opportunity to move to position L and gain voter support.

With either candidate straying far from median Martha, the other has the opportunity to gain voter support by moving toward the median voter. Indeed, the implication of this simple model is that any significant deviation from the median voter position will result in the loss of voter support if the other candidate moves to the policy preference of the median voter.

The conclusion for representative government and a two-party system is the same as for direct democracy. The policy positions, and therefore expected policy results of the political process, are likely to coincide with policy preference of the median voter.

Again, Median Martha is pleased with candidate policy positions. Voters located in the tails of the distribution of voter attitudes want either a very strong tilt toward energy production or a very strong tilt toward

environmental protection. What the voters in each of the tails have in common is that they are likely to be disappointed with the political process. Their desired policies are shunned in favor of policies closer to the preference of the median voter.

The median voter principle is by no means the sole consideration for understanding the political process. Nevertheless, the principle is a strong force within two-party representative democracy.

While the median voter principle is a reality in American politics, it does not apply in a rigid, mechanistic way. There are several features of the political process that result in policies that deviate from the predicted "rush to the middle." I will briefly mention four of these features.

With the power of incumbency, candidates can stray from the middle on one or more issues. The illustration above was for two candidates contending for an open seat in the U.S. Congress. The pressure to move to the middle is quite strong in this situation. However, once elected, an incumbent has political assets that help insure reelection. With substantial political capital, the incumbent can often stray from the middle without much political risk.

Candidates and elected representatives may have taken positions on issues in the past. Such positions may be far from the position of the median voter. These non-median positions may result from personal convictions, positions taken in party primaries, or positions in past legislative votes. Once a position is taken, the politician's credibility may be damaged by a substantial move to the middle.

The median voter principle does not incorporate the importance of voter intensity. Voters who back up their vote by strong intensity carry more weight in elections than voters with little intensity. Each citizen has only one vote. However, voters with strong intensity can work for candidates, make donations, talk to their friends, place signs on their front yard, etc.

Another factor that can bring deviations from the predicted results of the median voter principle is logrolling or vote trading. A group of legislators may want separate pieces of legislation that deviate from median voter positions. This will often be pork barrel spending within particular states or congressional districts. The legislators may be able to trade votes to win passage of such legislation.

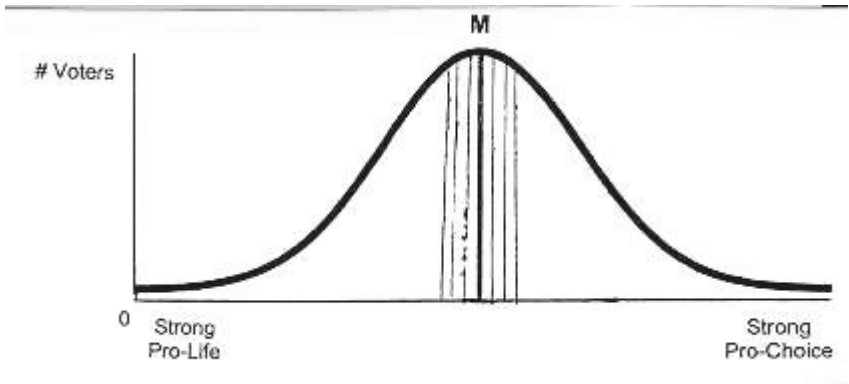
These qualifications counsel against any rigidly determined outcome from the median voter principle. Nevertheless, there is typically an

undercurrent of the forces from the median voter principle in most public policy decisions.

### 3. The Short-Term and the Long-Term Perspectives

What insight can be gained from the median voter principle for building the Culture of Life? To answer this question, it is helpful to distinguish between the short-term and long-term perspectives. The short-term perspective involves **working within the constraints of the existing distribution** of voter attitudes. As stated above, the median voter principle does not work in a way that rigidly determines the outcome on any particular issue. In Figure 2 the bold vertical line shows the median position. The thinner vertical lines show near-median results that could be the policy result depending on the effectiveness of short-term strategies of pro-lifers and pro-choicers.

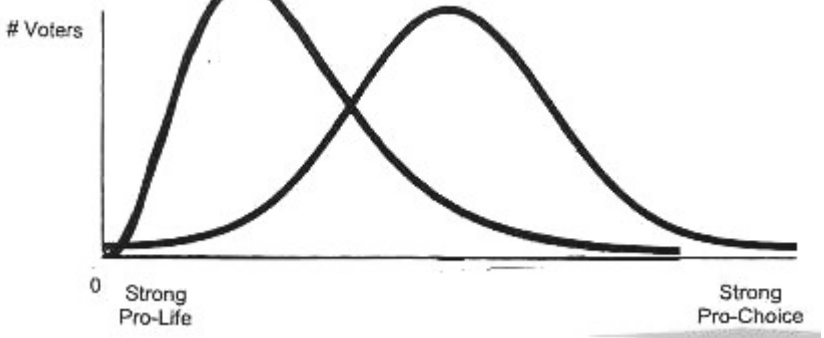
**Figure 2 Short Term: Tendency Toward Median Voter Outcomes**



The long-term perspective of political action involves **changing the distribution** of voter attitudes. The goal of political initiatives within the long-term perspective is to nudge the position of the median voter in the pro-life direction. With enough nudges, the distribution of voter attitudes can shift dramatically in the pro-life direction. If the distribution changes as shown in Figure 3, then actual policy results would also change. An implication of the median voter principle is that a dramatic change in the pro-life policy away from the current median voter position can only be achieved by shifting the

entire distribution of voter attitudes. However, if such a fundamental change in voter attitudes is achieved, policy changes in the pro-life direction are very likely to take place.

**Figure 3 Long Term: Pro-Life Shift in Voter Distribution**



Some pro-life initiatives are distinctly short-term in nature. Other initiatives, some of which may not seem political at all, are within the long-term perspective. A strong pro-life speech to a party convention may generate discussions and have long-term impact. A moving sermon defending the sanctity of human life can change hearts and nudge the voter distribution. Yard signs at our homes and pro-life outreach in the public square shift the voter distribution.

In the long run, negative shifts in the voter distribution will limit and constrain pro-life governmental policies. And positive shifts in the voter distribution provide greater latitude for pro-life policy achievements. An ideal pro-life policy achieves all it can in the short run while favorably shifting the voter distribution for the long run. **However, beware. It is possible that a strong pro-life policy achievement for the short run will result in a negative shift for pro-life in the long run.**

#### *4. Weak, and Largely False, Pro-Life Rationalizations for 2022.*

When we take an election beating, we may say the setback was not all that bad when appropriately understood. Since the 2022 elections, pro-lifers have heard far too many statements from pro-life leaders to explain away the disappointments.

**The pro-abortion side lied profusely in advertising campaigns.** Without a doubt, creators of Democratic ads were shameless liars. Folks who defend baby killing will not hesitate to violate the ninth commandment. This point is a given truth of the American political process. Making this point does nothing to help us do better in the future. **All eight Republican governors who had signed strong anti-abortion laws were reelected.** Over recent decades, 80% of incumbent governors who seek reelection are returned to office. In 2022, just one incumbent governor was defeated, the Democratic governor of Nevada. All but one **pro-abortion Democratic governor** who sought reelection succeeded. Tilling this political soil yields nothing.

**Most Republican candidates who ran strongly on pro-life won their elections.** On the other hand, Republican losers had downplayed their pro-life position. The successful Republican candidates running in more conservative states and districts were close to the median voter position for their state. Republican losers pulled their punches on abortion because in more liberal states a strong pro-life position was far from the median voter. While pro-life was a winning campaign theme in Mississippi, this theme was a loser in Maine.

**Republicans should have strongly attacked the extremism of Democratic candidates.** Yes, there were opportunities in this area. Democrat candidates support abortion through all nine months of pregnancy. And there were no preborn baby protections, for example for disability and sex selection. Twenty percent or less support is in the danger zone. In terms of median voter theory, 20% or less support would place a policy initiative in the “extremist” zone. And extremism in this sense is a possibility for Republican as well as Democrats.

The most problematical pro-life initiative from a median voter perspective is banning abortion when pregnancy results from rape. At times, support for this position has polled at singledigit levels. Additionally, the intensity of opposition is quite strong.

*Median Voter Theory, the Missing Red Wave, and Storm Clouds on the Horizon*

The median voter theory is a helpful tool for understanding election 2022 and beyond. Will pro-life be able to hold ground on the post-Dobbs legislative victories in close to 20 states? Will pro-life legislative gains be possible in more liberal and Democratic states?

The reason Republican candidates did not vigorously attack Democrat extremists is because Republicans were also extremists. By the same polling standards that rightly label Democrat positions as extreme, some Republican positions are also extreme. Republican candidates did not throw stones because they lived in a political house made of glass.

A total ban on abortion throughout pregnancy is supported by less than 20% of American voters. Heartbeat laws poll somewhat better, but nowhere near a majority. Probably the greatest Achilles' Heel for the Republicans is a ban on abortion where pregnancy results from rape. We can make a strong case that such abortions are immoral. However, over the decades of *Roe*, the pro-life side made little progress bringing fellow citizens to our way of thinking and action. We have not shifted the distribution in the median voter graph in the pro-life direction. My state of Texas bans abortion in the case of rape. A poll by the (left leaning) *Texas Tribune* found that 90% of Texans oppose such a ban. This number strikes me as accurate for Texas and the rest of the country.

The other side knows the polling numbers and hammered away strongly (and deceptively) at Republican extremism on abortions in 2022. Democrats present themselves as the only barrier for holding off red state abortion policies from sweeping into purple and eventually blue states. The prospects for such pro-life victories may be very small. However, the scare tactic helps tilt legislative races, elections for governor and special statewide ballots directly on abortion.

*The Ways Forward*

If the concerns raised above in terms of the median voter theory are valid, what are the implications for our way forward in the post-*Roe* era?

I appeal to my fellow pro-lifers not to interpret consideration of moving pro-life policy toward the median voter as taking a pro-abortion position. We should do all we can in the arena of persuasion and support to guide moms pregnant from rape to give life and love to her baby and not endure a second trauma. Our political question here is: What is the prudent path forward to save lives over the long run?

Red states may be able to hold on to the abortion laws that contain extreme provisions in terms of median voter theory. However, the impact of red state laws will spill over to other states. This may result in significant election and policy wins for Democrats in purple and blue states. The overall impact on abortion numbers is unclear.

Some red state legislative bodies may back away from extremist positions. This will be difficult to achieve when laws are already in place. Perhaps legislators will be mindful of the 2022 election in crafting new legislation.

The pro-life movement has placed too much energy on state and national politics compared to cultural engagement. Cultural engagement is valuable in and of itself. Moreover, cultural engagement is the foundation upon which politics plays out. Candidates for election can see the extent to which pro-lifers across the nation are fired up about shifting the bell curve in the pro-life direction. Unfortunately, our efforts and achievements have been feeble. We claim that pro-life is the #1 civil right movement of the 21st Century. However, we do not act like it. Where is our Rosa Parks? Pharmacies entering the baby killing industry do not energize us at the level of segregation of lunch counters. Our engagement to shift the bell curve needs to be strong and continuous throughout each year, not simply an effort at election time.

Some potential initiatives to shift the bell curve are long-term in character. For example, recovering sexual integrity and strengthening family life are hugely important and will require thousands of productive initiatives. We desperately need clergy leadership.

We often hear a lofty proclamation: Let's make abortion unthinkable. "Making Abortion Unthinkable" was the theme of the National Right to Life Conference in 2023 in Pittsburgh. Abortion will not become unthinkable by passing restrictive abortion laws and or shutting down some abortion clinics. Abortion becomes less thinkable with changes in hearts, minds, and souls.

In economics, we often talk about achieving change from the demand side versus the supply side. In the abortion battle, we should reflect on the supply of abortions and the demand for abortions. We've had achievements restricting the supply by regulating abortion clinics, banning certain abortion procedures, and restricting legal abortion to a certain number of weeks. However, making abortion unthinkable is ultimately a challenge on the demand side. Shifting to a vibrant Culture of Life requires a collapse of demand for abortions by changing hearts, minds, and souls. A Culture of Life cannot be built on the foundation of the sexual revolution, family dissolution, and moral relativism.