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The Consequences of Clout:  
Agenda Control in U.S. Legislatures

A Dissertation submitted in partial satisfaction of the requirements for the degree

Doctor of Philosophy

in

Political Science

by

Henry Albert Kim

Committee in Charge:

Professor Gary W. Cox, Chair  
Professor Paul Frymer  
Professor Gary C. Jacobson  
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Professor Thaddeus B. Kousser

2007

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Chair

University of California, San Diego

2007

## DEDICATION

To all my teachers

## EPIGRAPH

水清無大魚，察政不得下和

*(There is no big fish in clear water and there is no harmony in clean politics.)*

-班超

(Pan C'hao, a Han dynasty soldier-politician)

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I gratefully acknowledge the insights that Royce Carroll provided that helped make sense of the Republican majority-era patterns in what became Chapter 3 of this dissertation. Instead of having to bury it in the vault of inexplicable patterns, we managed to make it something that could be presentable before an audience at the 2007 Midwest Political Science Association as: Carroll, Royce and Kim, Henry A., “The Majority Party and the Cohesive Power of Public Plunder,” Presented at Midwest Political Science Association, Chicago, 2007.

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## VITA

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# ABSTRACT OF THE DISSERTATION

The Consequences of Clout:  
Agenda Control in U.S. Legislatures

by

Henry Albert Kim

Doctor of Philosophy in Political Science

University of California, San Diego, 2007

Professor Gary W. Cox, Chair

This dissertation is a study of the underpinnings of party government. The logic of party government brings together the logic of a power-seeking entity that needs to build broad coalitions, whose members often do not agree with each other on policy, and a policy-seeking entity that requires taking a clear position on issues and taking action to advance its chosen cause. Successful party government requires striking a sustainable balance between these conflicting goals.

I contend that, in the U.S. House, the solution lies in the “cohesive power of public plunder,” dispensing targeted particularistic benefits to the policy dissidents in the majority party. These benefits help them counter the ill effects of their party affiliation among their constituents and keep their electoral prospects viable. They, in turn, provide the numbers to keep the majority’s party hold on power secure. The balance between

policy and particularism is struck through the elaborate intra-legislature distribution of procedural privileges and influence that I term clout among legislators that form the framework for complex logrolls. Party government maintains itself by assuring a greater share of clout for its members that can be traded for policy or pork that makes their party affiliation worthwhile.

A key feature in assuring division of clout along the party line and thus providing for a stable party government is the centralized agenda setting regime that is answerable to the entire party. Such institutional setup provides majority party members with a privileged position in intralegislative bargaining over the minority. This dissertation investigates the consequences of centralized vs. decentralized agenda control regime for party government through the lens of partisan ties in state legislatures.

## **Chapter 1: A Theory of Party Government**

### **1. Overview**

Party government is a concept pregnant with a fundamental internal contradiction, for the political logic behind “government” and “party” requires simultaneous pursuit of seemingly mutually incompatible *collective* aims. The logic of “government” requires putting together large, broad-based coalitions to help the party seize and maintain power, as long as they are willing to cooperate with one another. The logic of “party” requires finding within the party some consensus for policy goals that it can both translate into reality once in power and rely on as issues to run on in elections. These are contradictory forces: a large, diverse coalition makes finding a consensus difficult; too narrow a consensus can keep the party away from power. Yet, these forces must be brought together in a successful party government, for the former furnishes the means while the latter supplies the end. The overarching aim of this dissertation is to examine how this balancing act between the needs of government and the needs of party in legislative politics is carried out and what consequences follow from it.

The necessary condition for forming and maintaining a large and diverse coalition is that the party be able to offer all potential recruits for party membership *something* that benefits them. It is not necessary that they all be given something substantively the same, for as Schattschneider notes, “a thousand men want power for a thousand different reasons.” (p. 36) In fact, it is *preferable* from the perspective of the party that each member be given something different, specifically tailored to their particular needs, in order to minimize both potential negative externalities upon other members of the

coalition and possible free-rider problems. It is also desirable that, regardless of what such rewards might be, they help the legislator electorally—for no party member is useful when politically not viable. In this sense, the cooperative pursuit of power through coalition building is given a decidedly individualistic appearance: of the party catering to the electoral needs of individual legislators.

Pursuit of policy goals makes it difficult for the party to be all things to all people. It leaves a record that the party as a whole is collectively associated with. As Pareto improving policy is often difficult to find, it is nearly inevitable that some groups—those who bear more of the costs than the benefits of such policy—would be unhappy with their outcomes. Such groups would be alienated from the ranks of the party's potential supporters, making difficult the party-wide aim of building broad supporting coalitions. Should such groups be important in some constituencies that the party's legislators represent, perhaps it might even undermine their electoral chances through guilt by association, inflicting individual costs upon some of the party members. While the advocates of the chosen policy within the party may be happy, the benefits from their pursuit of policy aims are not distributed party-wide. An excessively robust pursuit of policy can undermine both the collective aim of coalition building for the entire party and the individual aim of reelection for those members unhappy with the particular policy. If the party's policy stance comes to be too clearly and firmly established, it can pose a very real risk of undercutting its overall chances at gaining or retaining power, by alienating too many people from the ranks of potential supporters for the party.

When the resources of the government branch under control of a ruling party are plentiful, as in the U.S. Congress, the governing party can cheat: it can simultaneously

undertake the party-wide aim of coalition building and the factional aim of policy advocacy by the judicious distribution of pork both within the governing party and, if necessary, outside the party as well. It can provide a set of internal mechanisms through which all its members are given chances to partake in intraparty bargaining from which everyone can come away with some benefit, of particularistic variety if not in policy outcomes. Such mechanisms make it possible for both advocates and opponents of the party's policy stances to coexist in the same party and cooperate in their collective pursuit of power. Providing particularistic benefits offers the party the means for attracting or retaining those who are not necessarily drawn to its collective reputation on policy. Pork provides such legislators with something to run on in elections, for which they can claim credit as individuals, while downplaying the unhappy reputation with which they have to be associated through their party.

This perspective differs from the more traditional perspective on the use of side payments and logrolls (Groseclose and Snyder 1996; Evans 2004), which assumes that both take place only on a case-by-case basis as needed. In existing arguments, side payments would be directed primarily at the pivotal voters<sup>1</sup> while logrolls involve exchange of votes, both specifically to round out the necessary coalition for particular pieces of legislation. I argue instead that the distribution of particularistic benefits depends on the status of its recipients. They are *entitled* to the side payments either because they are members of the majority party and need the side payments or because they hold positions where they can affect the legislative agenda—the latter, I label “clout.” (Or, in other words, they are positioned to exert influence on the flow of bills along the

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<sup>1</sup> This is true especially in Groseclose and Snyder's argument.

legislative process.<sup>2</sup>) The services required of the recipients of the benefits are not specifically tied to actions on certain pieces of legislation, but on the general support for the party *when they can afford* to provide it, especially in organizing the chamber and adopting the rules. This implies that, contrary to existing arguments, side benefits would appear to *reward disloyalty*, as it would be directed at the needy or cloutful legislators *independent* of their votes on any specific bill. In fact, those voting *against* a given bill supported by the rest of their partisans may even be *more* likely to be rewarded in particularistic benefits as compensation<sup>3</sup>.

In absence of particularistic benefits, the challenge facing party government is much amplified. The same logic of “government” prevails as when resources are plentiful: building larger, broader coalitions is still desirable for maintaining power. It cannot, however, so easily round out its coalition by disbursing compensatory payments in pork to those who fail to benefit from the party’s policy choices. It must either accept greater limits on its policy choices, by paying greater heed to potential objections of its members and operating with wider internal consensus; or, alternatively, give up at least to some degree operating as a purposive group acting in concert and allow its members to do as they please. In the former scenario, the import of negative agenda control as the operating principle of the legislature is magnified: the decision over what comes to the floor becomes even less a function of how many votes can be found on the floor and more a function of whether it seriously offends anyone in the governing party. In the

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<sup>2</sup> These requirements are complementary because a key tenet of the “cartel” thesis is that the majority party monopolizes control over key agenda-setting positions in a chamber.

<sup>3</sup> As will be emphasized in Chapter 4, the side payments need not consist exclusively of pork. However, particularistic side payments would be especially important if the legislator in question both holds a great deal of clout and represents a district where the majority party’s policy record is of little positive electoral value.

latter, the very concept of *party* government has to be partly given up, as being too expensive to maintain.

The remainder of the dissertation will proceed as follows. The rest of the introduction will complete the description of the theory of party government explored in this dissertation, while foreshadowing the development of the argument in subsequent chapters as appropriate. The four middle chapters of the dissertation will deal with how the balancing act between the coalitional and policy needs of the party is played out in the U.S. House. The second chapter will explore the electoral basis of party disloyalty and why it might be desirable for the governing party to reward rather than discourage defection—at least in the open. The third chapter will examine the actual distribution of particularistic benefits both within and outside the governing party. The fourth chapter will explore how the governing party can set up an internal infrastructure for logrolling within the chamber in favor of its members through uneven distribution of what I term “clout.” The fifth chapter will change the pace by changing the scenery to state legislatures where the twist of electoral fortunes forced the existing parties to temporarily merge into a single entity with universal constituencies—they were tied, with the Republicans and Democrats supplying equal numbers of representatives. The setting permits an investigation of the challenges facing the operation of a party where the logic of “government” is taken to its utmost extreme. The sixth chapter will conclude.

## **2. The Coalition Logic behind Party Government**

The prerequisite for “government” in a democracy is keeping up numbers: a political party can gain access to government only by winning elections, which in turn

requires having more supporters than its competitors. In the legislative setting, it requires winning and holding more seats than all other parties for as long as possible. This rationale is encapsulated in E. E. Schattschneider's (1942) famous characterization of the party as an "organized attempt to get power." The only qualification this imposes on the party's potential members is that they be "willing to join hands in the political enterprise" in the collective effort to seize and maintain power. Any unity in purpose is explicitly rejected as a requirement for a successful party, for "it is ridiculous to assume that men cannot collaborate to get power unless they are actuated by the same impulses." (p. 37)

Indeed, seeking a unity of purpose within the party can be actively counterproductive in its collective pursuit of power. Winning as many seats as possible for as long as possible makes highly desirable crafting a large and diverse supporting coalition for the party among the electorate, cobbling together support from as many different groups as possible that are willing to share the same roof. To do so, it must de-emphasize the differences among all its potential supporters and reward each of them for their willingness to cooperate in the currency they find most useful for their concerns, whatever it might be. From the perspective of the party, it is better to give each group a separate reward, customized to fit their particular needs. Put differently, to successfully maintain power, it is often necessary that the party be all things to all people as they need it to be.

Support for a political party in the electorate is translated into its numbers in the chamber through the election of legislators. Former U.S. House Speaker Tip O'Neill famously quipped "all politics is local." By this, he meant that the long-term political success of a politician depended on how well he or she catered to the needs and wants of

constituents, who are necessarily local, given the electoral system in use in the United States and all the states.<sup>4</sup> (O'Neill 1994) In combination with the rationale of “government,” this implies that a party is successful if it can help its members best cater to their own constituents, in as a wide variety of constituencies as possible. Successful electoral bids by individual members keep the party’s numbers in the chamber up, helping its collective goal of taking or maintaining power. Maximizing a legislator’s reelection prospects, then, is not just his or her own individual goal; *it is also the party’s collective goal*, as long as the legislator is willing to cooperate with the rest of the party.

Recognizing the congruence of the party’s collective goal of seizing and maintaining power and the individual reelection goals of its members has implications for how party government should function, at least in theory, in terms of policymaking. The needs and wants of different localities vary greatly. Even when people at different locales take seemingly identical positions on the same national issues, the salience of these issues need not be the same across all districts. In order to maximize the electoral chances of its members in each district, the party should cater to their varying needs with *as much specificity as possible*, delivering essentially customized packages of benefits for every different district.<sup>5</sup> This adds a significant corollary to Schattschneider’s quip about a thousand men wanting power for different things: a successful party government must

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<sup>4</sup> It is important to note that the needs and wants of the local constituents need not be local in scope—national issues can qualify as “local” as long as they are central to the concerns of locally defined constituencies

<sup>5</sup> The party also needs to credibly claim credit for being the benefits to the district. However, this is not a significant problem since a single legislator can after all easily claim credit personally for bringing benefits specific to a locality rather than an outcome in general interest. As long as the legislator is willing to cooperate with the party in collective pursuit of power once elected, his or her ability to claim credit personally is functionally equivalent to the party claiming credit.

be able to provide those thousand different things in order to keep all thousand men among its ranks.

Such pure power-seeking is hopefully rather unrealistic. It is also unnecessary for a governing party to retain the support of all “thousand men” in order to securely maintain power. Ultimately, power is not merely the end; it is also the means. Pursuit of power is usually subordinated to the search for means to implement some well-defined policy ideals, not just for the sake of power itself; absolute power may be sacrificed for the chance of doing something.

Where Schattschneider focuses on the means, Edmund Burke’s even more famous characterization in 1770, that a party is “a body of men united, for promoting by their joint endeavors the national interest, upon some particular principle in which they are all agreed” (quoted in Sartori 1976, p. 9) explicitly emphasizes the end. Burke’s concern lay primarily with crafting and implementation of policy, how such a group may “carry their common plans into execution, with all the power and authority of the State.” The lack of internal consensus within the party behind its policy aims, or worse yet, having opponents of these goals holding positions of influence, presents obstacles to achieving the goals sought by party members. This rationale has been recapitulated more recently in the form of the Responsible Party Government Thesis (Ranney 1951; American Political Science Association 1950) and the Conditional Party Government thesis and its antecedents. (Cooper and Brady 1981; Aldrich and Rohde 1997, 2001)

A vast body of research has shown that an internal party consensus can be of great value in Congressional elections. Numerous studies point to the considerable value of a “brand name” that party affiliation provides a candidate (Downs 1957; Campbell et al

1960; Key 1966; Cox and McCubbins 1993; Popkin 1994; Aldrich 1994; Snyder and Ting 2000). The party, especially in American politics, has a longer history and better established reputation than individual politicians. The party label provides inexpensive and often trustworthy shortcuts for the voters to infer a great deal about the candidates carrying the party name. Politicians can save themselves a great deal of trouble in reaching out to the voters by affiliating themselves with established parties and piggybacking on their reputations. The value of a party's collective reputation depends on the amount of information it provides. A "fuzzy" label that is accurate only as often as it is not obviously provides rather little information about the party with which a candidate is affiliated. A highly heterogeneous party, whose members stand for all manner of policy aims, provides little on which the voter can base his assessment of the party's overall policy stance. A party whose members are united behind some agreed upon goals, on the other hand, provides a label from which voters can infer a great deal of information about the candidates and a credible signal that the candidate will actually work to implement the policies they claim to advocate.

A unity of purpose behind certain policy goals, however, excludes by definition those who do not share the common aims sought by the group. The membership in the group—all of whom advocate the same policy goals—is almost invariably less than universal. Put differently, the pursuit of policy goals by a party invariably creates enemies who are excluded from future recruitment into its ranks. The logic of the party, as a policy-making and electoral entity, in which such internal consensus over direction is valuable, then, must exclude *some* groups from its possible supporting coalition. In other words, it must offend *somebody*.

Thus the rationales of the party as the seeker of power and as the seeker of policy—for its own sake or for sake of the electoral label—stand in contrast to each other. The former prescribes that the party stand for all things, offend no one, and cater to as many as possible. The latter demands that the party stand for something, be unafraid to offend the non-believers who don't subscribe to the party line, and cater only to those willing to toe the party line. On the one hand, it is highly likely that no party would voluntarily seek only power to the total exclusion of everything else: while a universal coalition provides the luxury of total security in power, it constrains the party from doing anything that offends anybody.<sup>6</sup> It cannot, however, ignore those who disagree with the party line—as long as they are willing to cooperate with the party in seeking power—for they can provide the necessary votes for bringing the party into power or keeping the party therein, whatever their other policy goals might be.

Catering to the “non-believers” is more critical for the party that is already in power than that without. Much recent research suggests that the basis of majority party power is its control over the key institutions of Congress, especially in the House, that set legislative procedures, not necessarily how many votes it can muster on any given vote: the control over the procedures allows it to choose which legislative battles it should have to fight (Cox and McCubbins 1993; 2005). These non-believers can provide votes to help the governing party maintain control over these institutions—which is more valuable for the party anyways—even if they do not join the rest of the party in the pursuit of the policy aims in which they have no faith. The resources of the government can be used to

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<sup>6</sup> A universal coalition, however, can be imposed on some parties by virtue of some electoral (mis-)fortune that caused the parties in some legislatures to become tied, as will be explored in a subsequent chapter.

provide them with payments in return for their services—even if the services are not quite so apparent. *These payments must necessarily be in a currency other than policy—namely, through disbursements of particularistic benefits.* A payment in policy for non-believers would undermine the party’s collective reputation for its policy-oriented supporters.<sup>7</sup>

Practically speaking, it is not necessary that the balancing act by the governing party between the competing rationales of “government” and “party” produce a clear bifurcation between the “believers” who subscribe to their party’s policy positions wholesale and the “non-believers” who reject them entirely. It suffices only that the majority party should function as a coalition within which degree of adherence to its positions—and the subsequent collective reputation—should vary from low to high and that the payments in particularistic benefits they obtain should vary accordingly.

Maintaining a secure hold on power requires that the numbers within the majority party be kept up on procedural votes, not necessarily that they vote loyally for the party line on substantive issues. Indeed, if party loyalty is liable to cost the legislator his or her election,<sup>8</sup> *it is better for the party that they remain disloyal and remain politically alive than vote loyally then exit the political scene shortly.* Even if some members may not subscribe to the party line much in substantive votes, they are valuable for purposes of

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<sup>7</sup> This may not always have been the case. Kim (2004) reports that, at least until 1983, policy outcomes in Democratic Congresses followed an alternating pattern when a significant fraction of policy outcomes favored the Conservative Coalition—conservative wing of the Democratic Party and the Republicans—in periods of divided government and much smaller fraction favored them in periods of unified government. The majority Democrats were rarely if ever “rolled,” that is, a bill passed over “nay” votes from a majority of them. Nevertheless, there were many bills that did pass with support of nearly all Republicans and barely half of the Democrats—mostly conservatives.

<sup>8</sup> Brady, Canes-Wrone, and Cogan (2000) find that losing Democratic incumbents tend to have voted too liberally for their district and losing Republican incumbents tend to have voted too conservatively for their district.

“government” as long as they can at least help the party procedurally, away from the public view. The resources of government under the party’s control can help make their lot worth the while, without having to sacrifice the policy on their account. In other words, the governing party becomes a “long,” but sufficiently “wide” logroll, to paraphrase the term used by Schwartz (1989), in which a standing right to pork is exchanged for expectation of support for policy—often indirect rather than direct—from those who may not benefit from them. In this fashion, the party can have its policy-orientation, and still enjoy the luxury of government.

### **3. Alleviating The Burden of Responsibility**

The party in power is in the position of associating its collective reputation with various policy positions far more easily than the out party. Issue positions taken up by the party out of power are unlikely to be translated into reality in the near future and as such have relatively less importance and credibility. Issue positions taken up by the governing party, on the other hand, are more credible, for they can be realistically turned into actual policy outcomes should they choose to take action. The issue positions that the governing party already has enacted into law are beyond the realm of credibility—they are part of the party’s collective record that lies in the realm of facts. In other words, a party can affect its collective reputation, at least to some degree, through its own actions. This is, however, a luxury available only to the party in power who can use the resources of the government at its disposal that allows them to do something. The party out of power, without access to the government, cannot.

The recognition of power as a potential electoral asset in the hands of the governing party leads to various species of “responsible party” argument, including Schattschneider (1942) and Cox and McCubbins (1993). The crux of the argument in its various forms is that good public policy provides for its own electoral reward. It is difficult for individual legislators to plausibly take credit for broad-salience public policy with broad positive externalities—that is, conferring benefits widely and non-excludably—for they require cooperation by large numbers of legislators who can all claim some share of the credit, regardless of their actual input (Fiorina and Noll 1979). This constitutes a classic public goods problem, leading many to “free-ride,” or claim credit without contributing much, and causing underproduction of such “collective benefits” legislation. The party in power can, however, solve this collective action problem by allowing its members to claim credit as a group for the good policy and accordingly boost their electoral chances as individuals. Individual legislators are thus willing to set aside their personal agendas—at least to some degree—and submit themselves to a centralized hierarchy so that good policy can be produced that they can associate themselves with.

For the members of the governing party, however, collective *responsibility* is a double-edged sword, even more dangerous than simply having a collective label associated with their party’s policy positions. They are not merely members of a group that only proposes to inflict net costs on certain groups; they actually have inflicted those costs. From those whom the party has injured, blame inevitably follows for everyone in the party. Arnold (1990) discusses extensively the import of removing “traceability” to individual legislators in the course of legislative process, to shield them from the blame

for policy outcomes placing concentrated costs on certain groups. Association with the governing party, however, puts traceability squarely back on its members. While there are 435 members of the House and 100 Senators, there is only one party in power in either chamber. That party, above all others, is responsible for enacting the legislation and little can be done to hide that fact. Even if individual legislators can be procedurally shielded from appearing directly responsible for the policy outcomes (Arnold 1990; Cox and Poole 2000; Sinclair 2002), they are nevertheless held indirectly responsible through guilt by association with their party.

Students and practitioners of electoral campaigns have long known the danger of becoming too closely associated with any one position—especially if that position has many enemies. The late Paul Tully, a key Democratic Party strategist in 1980s and early 1990s, said of the Republican Party in 1992, “the closer Bush (the elder) gets to 40%, the farther he gets from 50%.” (Popkin 2006) As the party sought to associate itself ever so closely with the social conservatives, the more it alienated the average voter. The same principle applies to the party in control of Congress. The governing party’s collective reputation is not necessarily a party-wide collective electoral asset. Rather, it can be a dangerous electoral liability for a substantial fraction of its members and as such, it may undermine the party’s collective goals as well by diminishing its chances at maintaining hold on power. If its collective reputation on policy comes to be too clearly established on an excessive number of issues, it risks permanently alienating too many people from the party’s potential supporting coalition while providing a clear target for potential opponents to focus on. The plight of the conservative Southern Democrats in late 1960s and 1970s is well known: as the Democratic Party as whole increasingly acquired a

reputation inconsistent with their districts' preferences, through its pursuit of more liberal policy at the national level, they were forced to run away from their party's label and place ever greater emphasis on their personal qualities and what they did for the district. Their seats, eventually, were lost to the Democrats as they died out, naturally or politically. (Fenno 1974; 2000)

Cox and McCubbins (1993; 2005) suggest that the governing party can mitigate the problem of a burdensome collective reputation through the use of negative agenda control. Representatives from all factions in the party with mutual veto powers might constitute what they term "senior partners," preventing legislation opposed by their respective factions from reaching the floor in the first place. They would assure that all pieces of legislation that manage to make it to the floor are mutually acceptable to all groups concerned so that the possibility that reputational harm that may befall any of them can be forestalled before it even arises.

Negative agenda control, however, does not allow the party to altogether evade the problem of taking sides and making enemies. If the supporters of some policy proposal already have a large enough latent coalition on the floor to enact the proposal, the only thing preventing them from translating it into reality is the majority party's leadership. By stopping the proposal, the party is actively taking the side of those who favor the status quo and making enemies of those who support the proposal. As the latent supporters of the coalition constitute a majority on the floor, by necessity, would have to include a sizable fraction of the majority party—enough to deprive of the party of its hold on power. If the policy is important enough to them, there is no policy-based reason that they should have to continue putting up with the party's other "senior partners" keeping

the bill off the table<sup>9</sup>. Keeping controversial bills off the table can potentially generate winners and losers no less than bringing them up for vote. If a sufficiently large faction of the party wants to bring up some proposal badly enough, there is no way stopping them without causing unacceptably severe internal strife.<sup>10</sup>

Problems with negative agenda control can be especially acute when electoral forces extensively redress the balance of power within the party. Rohde (1991) argues that the impetus for the House reforms of 1970s came largely from the upset in the North-South balance that had long kept the Democratic Party in equilibrium. The newcomers, mostly Northern liberals who came in with the anti-Republican tide following the Watergate Scandal, tended to be interested in the pursuit of particular policy outcomes rather than the intricacies of coalition management within the Democratic Party—as Henry Waxman (D-CA) remarked in 1979, “My commitment is not to Congress as an institution, but to the issues that this institution deals with.” (quoted in Rohde 1991, p. 30) From this perspective, the ability of the conservative senior partners to keep their favored legislation off the party’s agenda itself constituted a central problem. Thus, some aspects of the reforms were targeted at the dissident senior partners themselves and a number of them were forcibly ousted as a consequence.<sup>11</sup> If the rights of senior partners to safeguard their factions’ interests in the formation of the party’s overall policy agenda, and thus from the negative externalities from the collective reputation, cannot be

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<sup>9</sup> This recapitulates in non-spatial terms the “paradox of party” suggested by Krehbiel (1998; 1999) using spatial logic.

<sup>10</sup> “Unfair” use of agenda power by the majority party leadership targeted at certain members reportedly lay behind several revolts against the speakers in several state legislatures. (*State Legislatures* 1989)

<sup>11</sup> Three conservative Southern committee chairmen, Poage (D-TX), Hebert (D-LA), and Patman (D-TX) were removed as chairs of their respective committees in 1975 when they were defeated by challengers in the Democratic Caucus vote, a new feature instituted by the House reforms. (Rohde 1991)

protected from the demands of an ardent and numerous opposing faction within the party, negative agenda control is no longer sufficient to keep the party label universally valuable. If negative agenda control alone cannot be relied upon, some other means of electorally shielding the majority party members from their party itself must be found.

A solution presents itself in the form of pork. Particularism is the glue that makes possible for the party “loyalists,” those who support the party on the basis of its policy choices, and the party “disloyalists,” those who support the party in spite of its policy record, to cooperate with each other, despite their cooperation ultimately leading to the policy outcomes that discomfits the latter. Policy outcomes constitute their own reward, electoral and otherwise, for those who are content with the party’s record. Aside from having the satisfaction of seeing their favored policies enacted, they can run credibly associating themselves with their party’s record and accordingly reap votes from their constituents. Those unhappy with their party’s reputation need other inducements to be brought along, in order that they are compensated for their troubles. Pork, in effect, buys their support—as Wilson (1962) remarks, “if a party interested in substantive issues could be completely instrumental in its choice of the means to realize those objectives, it would.....seek to increase the amount of patronage available with which to buy agreement of elective officials.” (p. 351) The relationship between the party and the politicians is longstanding and systemic while the payment comes as a retainer, not as a quid pro quo for specific services rendered. These “elective officials” are entitled to their share of the loot as a matter of right, while they are also expected avail themselves for the services that their party requires of them when necessary as a matter of obligation.

It is important to recognize that these benefits, although individualistic in nature, in fact serve the collective needs of the party, of keeping up their numbers to ensure that its hold power is secure. The compensation for the disloyalists is necessary in order to keep them politically alive, to produce additional votes that can help organize the chamber in favor of the party, however disloyal they might be elsewhere. Indeed, to demand that they display greater loyalty to the party's policy choices would be self-defeating, for their disloyalty is induced not by personal treachery, but by their electoral needs. They represent districts where their party is not popular, where the association alone represents a negative mark against the legislators. To extract greater loyalty out of them than they can deliver would only lead to further erosion of the party's numbers in the future, for a legislator's record out of synch with his or her district runs heightened risk of electoral loss (Brady, Canes-Wrone, and Cogan 2000). Disloyal majority party members, paradoxically, need to be rewarded precisely because they are disloyal and they cannot help it. To paraphrase Lyndon Johnson, a bad majority party member who is alive is better than a good majority party member who is not politically viable.<sup>12</sup>

Pork is valuable from the perspective of the party "disloyalists" because it provides them with an electoral "escape hatch" from their party's collective reputation. These legislators can distract their constituents from their party's reputation by focusing on their "personal" achievements for their districts—despite the fact that they were brought about only through the support of their party. It is valuable also for the party "loyalists" since it frees them from having to be quite so mindful of the negative electoral

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<sup>12</sup> The original reference was to Rep. Maury Maverick, a Texas Democrat who lost his seat in 1938 after affiliating himself with the most liberal elements of his party. The actual quote was "There is nothing more useless than a dead liberal." (Dallek, 1991)

externalities from their party's policy choices that underlie its reputation. It also makes it possible for party to collectively pursue more extreme policy goals than it would have been able to in absence of the possibility of side payments, specifically the policy goals unmoored from median voter (Jackson and Moselle 2002). Indeed, pork barrel politics do not exist apart from policy; it exists *because* of policy. Finally, pork is also useful for the party collectively as it permits construction of an electoral coalition larger than that would be "naturally" allowed by its collective policy reputation alone, since it can help create artificially large "voter's surplus" for most if not all members of the majority party that would make it worthwhile to bring nearly any net-Pareto-improving bill up for consideration. (Cox and McCubbins 1993)

The availability of pork immeasurably eases the management of coalition problems facing the governing party. It effectively allows the party to have a cake and eat it too. The cake is its collective policy reputation built on its record in power. It frees the party from having to limit its policy choices only to those enjoying widespread support within the party: it can give its "loyalists" policy they want and let the "disloyalists" distance themselves from them, while maintaining its hold on power from continued support from both.

#### **4. Clout and Incentivizing Legislative Work**

The challenges facing the governing party do not end with an assembly and maintenance of an electoral coalition. Once in power, what policy choices will the party make? Specifically, how does it prioritize among the countless possible alternatives it can choose from? The standard answer, that the majority party has manned all key

legislative chokepoints with its members does not suffice, for it does not provide an answer regarding the criterion by which bills are to be evaluated other than whether the majority party somehow benefits from it. It only narrows the possible choices from “near infinite” to “great many,” still far beyond that which can be fitted into the available number of slots on the calendar.

The availability of particularistic side payments can help with the prioritization effort. Cox and McCubbins (1993) develop a model of scheduling decision where the agenda-setter, or as I term it, clout-wielder, is assumed to clear the bills through the legislative chokepoint under his or her control in order to maximize his or her “internal rate of return.” The key variables for consideration are the likelihood of the bill’s passage through the remainder of the legislative process and what “reward” the bill contains for the agenda setter. Since “important” bills generate a great deal of “voters’ surplus,” they remain sufficiently valuable for most of its supporters even when appropriate rewards are allocated for the benefit of the relevant clout-wielders. More “frivolous” bills cannot. In effect, clout-wielders along the legislative process collect “tolls” on the bills passing through their bailiwicks. The consequence of the toll would be to separate the wheat, in whose passage enough legislators are invested in, from the chaff, which lack sufficient support—at least not enough to pay the requisite toll.

By accepting the toll, the clout-wielder becomes invested in the passage of the bill him- or herself—for the value of the toll is not realized unless the bill actually passes successfully. If necessary, he or she would be seen changing the vote on the bill from his or her “natural” position—what would have prevailed had there been no toll in the first place. Such behavior would register as “unstable” voting behavior on the floor. As much

of the clout lies in the hands of the majority party members, who dominate the agenda-setting positions in both Congress and most state legislatures, it follows that they should reap the lion's share of the tolls.

The effect of clout becomes especially relevant when it is held by legislators whose preferences lie outside the mainstream of the governing party. Their reward cannot consist of policy outcomes, for that would require substantial watering down of the contents of the bill. It is easier that their tolls be paid in particularistic benefits in order to preserve the original legislation. Since ultimate payment of the toll is conditional on the bill's passage, the cloutful legislator is motivated to support its passage even if his or her like-minded colleagues might not. He or she would be seen casting a vote particularly out of character from his or her usual pattern, especially in comparison to those with similar policy preferences.

It is instructive to conceptualize clout not so much as potentially obstructive behavior by single persons along the legislative process for their personal gains, but rather as a part of the larger framework of deal-making within both the entire legislature and the majority party, analogous to how the "industrial organization" theory of Congress translates the concept of committee power into a theory of complex logrolls that characterize entire Congress. (Weingast and Marshall 1988) Clout is a currency that creates a market for logrolls in which its wielders exchange agenda setting services in return for the benefits of value to themselves, that is, the passage of the bills along the legislative process can be made contingent on provision of benefits for all those wielding clout along its path. These benefits can come in many forms—whether policy benefits in other issue areas or in particularistic benefits, whichever the traders—the clout-

wielders—can agree on. Unlike Weingast and Marshall’s conceptualization, where all legislators are equal by virtue of all having a single vote apiece, however, clout is a resource subject to a selective and uneven distribution by the party in power. Through a disproportionate distribution of clout in favor of its members, the governing party can rig the market in their favor, ensuring that they capture the disproportionate share of the gains of the variety that suits their needs from trade without having to directly intervene in assigning who gets what. By distributing clout broadly among its partisans, it assures both that only the bills that are “important,” that is capable of generating large “legislative surplus,” are allowed through and that its benefits are enjoyed by broad segments within the party.

## **5. Party Government and the Cohesive Power of Public Plunder**

Paradoxically, particularism complements the policy-seeking pursuits of a party government by helping ensure that it can maintain control of government in the first place. It cements the loyalty of the marginal members who have little interest in the policy goals sought by the party. It provides the means through which the key legislators, those who control key chokepoints along the legislative process, are properly motivated to choose appropriate bills. The basic intuition is not unlike that explored by Evans (2004) on building coalitions behind general interest legislation by using pork barrel projects. Where Evans considered the reliance on particularism on case-by-case basis, however, I contend that disbursement of particularistic benefits is a systematic, fundamental part of party government. Indeed, as Mayhew (1966) observed of the Democratic Party during

the 1947-1962 period, successful use of particularistic benefits to maintain a party government is “the hallmark of a *dominant* party.” (emphasis in the original)

It is difficult to build and maintain a party government *solely* on the basis of policy, as the underlying rationales of party government forces the coalition-builders into pursuing contradictory goals. To capture and maintain control of the government, building broad electoral support base is desirable, which counsels against taking clear positions. The rationale of governance and elections require both taking clear positions and establishing a well-established record, which are liable to offend certain groups and impose a limit on coalition building. Electoral needs of its members make conflicting demands of the party in terms of policy direction. Judicious reliance on particularism helps resolve all these challenges, allowing the party to have the cake of policy record and eat it too.

## **Chapter 2: Policy Losses and Electoral Gains**

### **1. What is So Bad about Losing on Policy?**

An important consequence of a party government in a legislature is that the governing party almost inevitably “wins” on policy. Its monopoly over agenda-setting institutions allows it to screen out the bills opposed by its members and bring up for consideration only the bills whose opponents consist primarily of minority party members, or, in other words, eliminate the “losing” votes from the possibility of floor consideration altogether. The consequence, as Cox and McCubbins (2002; 2005) have shown, is that the governing party is rarely, if ever, rolled<sup>13</sup> on final passage votes in Congress as a group and that its members are far less likely than its minority party counterparts to be rolled individually as well on average. The concept of “roll” that they rely on, although subtly different, can be used as a functional shorthand for a policy “win” for those who were not rolled, for it means that the party or the legislator who was rolled was saddled with an unwanted policy outcome.

That the majority party always wins on policy through agenda setting, however, begs another question: what is so bad about losing? There are two approaches, both common in legislative research today, in addressing this question that suggest completely opposite answers. If the legislator’s utility were derived mainly from the policy outcomes that prevail, as is commonly assumed by the spatial model of politics, losing on policy and having the other alternative prevail is indeed a bad outcome. That the

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<sup>13</sup> A “roll” is defined as the passage of a bill over the objection of a group or an individual. If used in reference to a group, it means the bill passed—in final passage vote—over the “nay” votes by a majority of its members. If used in reference to an individual, it refers to the bill passing over the “nay” vote cast by that particular legislator. A roll rate is simply the average of the rolls across all final passage votes.

majority party consistently wins over the minority then means that party government really does leave the majority substantially better off than the minority. On the other hand, politicians aren't necessarily in the politics business for the sake of policymaking alone. Their main interest, often, is to successfully represent their constituents and to keep winning elections. "Winning" on policy is useless for this purpose the outcome is what legislators' constituents want and the latter reward them electorally. In fact, by voting against the "bad" policy, they did well in representing their constituents. By losing, they have also uncovered a whole cast of bums—those who just "won" the vote—against whom they can rally their supporters in the next election. Indeed, that the majority party is able to manufacture its own wins through the machinations of party government helps its opponents' cause, for they truly are responsible for the "bad" policy outcomes inflicted on the "losing" legislators' constituents. In this sense, losing on policy is no worse than winning.

The presence of two sides to a debate over policy thus provides an opportunity for position taking, for *both* its supporters and opponents alike. It matters not whether the legislator "won" or "lost" on policy, for the ability to take positions does not depend on the outcome, but only whether it suits the candidate and his or her district to do so. (Mayhew 1974) The governing party's policy record, then, simultaneously can function as electoral assets for opposing sides.

The equation is made more complicated because some policy losers often belong to the majority party. It is possible that there are enough opponents of the majority party's policy record found in its members' districts that a substantial fraction of them find it necessary to take position against their party, sometimes repeatedly. The low

average roll rate for the majority party hides the fact that most of its members in fact do have a positive roll rate. A few of its members, in fact have had nearly as high a roll rate as any in the contemporary minority party.<sup>14</sup>

The losers in the majority party face added challenges because of their party affiliation. They cannot so easily run against “those bums” who brought about the policy outcome because they are a part of that group themselves, saddled with their share of the collective responsibility. At the same time, the majority monopoly over the legislative agenda means that nearly every bill brought to the floor comports with the will of the majority party. The “policy losers” in the majority party have “lost” by voting against these bills, i.e. by defying will of their own party. In other words, they are disloyal. If disloyalty is frowned upon within the majority party, they are trapped in a difficult situation: they are held in blame by their own voters for being too closely associated with their party’s poor reputation; they are also in disfavor within their party for being disloyal.

## **2. The Value of Disloyalty**

There are a substantial number of studies that examine the electoral price paid by legislators for party loyalty (Jacobson 1996; Brady, Canes-Wrone, and Cogan 2000). The findings by existing studies suggest that those who are loyal beyond the particulars of their districts pay an electoral price. There are other studies suggest that party loyalty is at least indirectly encouraged through various rewards. (Cox and McCubbins 1993; Brady and Burchett 2001) Yet, other studies point to the extent to which the governing party would go to shield its members from openly backing the party, providing them with

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<sup>14</sup> For example, in the 90<sup>th</sup> Congress (1967-1968), the roll rates for the majority Democrats ranged from 0 to 0.511. Those for the minority Republicans ranged from 0.037 to 0.521.

the cover so that they can display their disloyalty for all to see—even if they might toe the party line away from the public view. (Arnold 1990; Sinclair 2002) The existence of both sets of studies begs the question how important party loyalty really is for successful party government, for the former suggest that it is valuable enough to be encouraged even at the cost of risking electoral suicide by the legislators while the latter suggest that it is not nearly so valuable that disloyal legislators are deserving of protection.

There are few if any studies that directly examine whether party disloyalty carries with it commensurate electoral rewards. If party disloyalty does, however, it can be just as valuable for the majority party as party loyalty, at least under certain circumstances. It aids keeping in office a member of the majority party who would help the majority when he or she can, however infrequent it might be. Such legislators can certainly assist their party away from the public view, in organizing the legislature and with various procedural votes. Given the institutional foundations of majority party power in Congress (Cox and McCubbins 1993), these votes are potentially far more valuable than loyalty shown in substantive ones. If excessive party loyalty does carry a sufficiently high electoral penalty, it makes little sense that the governing party should encourage its members to risk *de facto* political suicide for short term gains of relatively limited value. It should, in fact, encourage overt disloyalty as much as possible to ensure long-term survival of these members—except when absolutely necessary. Lyndon Johnson is said to have remarked “there is nothing more useless than a dead liberal.” (Dallek 1991) In fact, there are two: a moderate (or, worse, a conservative) who died pretending to be a liberal and a moderate (or, again, a conservative) who died while being made to look like a liberal.

### **3. Rolls as a Measure of Disloyalty**

Rolls on final passage votes offer a particularly useful measure of disloyalty among the majority's party members because it represents the most *harmless* variety possible. On the one hand, they represent a clear instance of disloyalty because the monopoly over the legislative agenda in the hands of the majority assures that nearly all bills that come to be voted on have been chosen by the majority party. For a majority party legislator, to vote against it, (a prerequisite for being rolled) is an act of defiance for their party's collective decision. However, the definition of a roll means this disloyalty will be inconsequential: a legislator is "rolled" if they vote against a bill that nevertheless passes. That the bill successfully passed without needing their explicit support means that no actual harm was done to the majority's policy agenda as the consequence of their disloyalty. Put differently, the rolls, as an outward display of party disloyalty, merely present an opportunity for inconsequential position-taking, presumably in districts where they are needed electorally, without any harm to the governing party's overall policy agenda.

The harmlessness of the rolls in general is compounded with the fact that, on questions of final passage, these involve substantive votes in which loyalty is not nearly as necessary. If the true basis of party government is procedural and institutional, rather than ideological, as Cox and McCubbins (1993; 2005) contend, the groundwork to ensure the bills' eventual passage has already been laid out in advance procedurally. Loyalty on these votes, away from the public view, is important to the governing party; loyalty on substantive votes not nearly as much (Cox and Poole 2000; Sinclair 2002). In other

words, these represent precisely the votes where overt disloyalty should be most *encouraged*, assuming that it really does help prolong the political life of the legislators.

#### **4. The Difference between Majority and Minority Party Policy Losers**

On the one hand, it is plausible that policy losers opt for losing, regardless of their party affiliation, because of the electoral necessities imposed by their districts. They vote against the policy because their district is hostile to it. Since the policy record of the majority party forms at least a partial basis of its collective reputation, frequent votes against the policy brought up by the governing party should reflect an overall hostility to the governing party in the district on the whole. For the members of the majority party, especially, disloyalty is not an active choice. It is merely an electoral necessity.

The electoral positions facing majority and minority legislators differ, however, by virtue of the collective reputations of the parties they are associated with, even if they were identical in every other respect. The difference is particularly significant when it comes to the contributions from the policy record of each party to their collective reputations. At least in the short term, it is the monopoly of the majority party, for only they have had the chance to accumulate a record of accomplishments in power to be judged by; the minority party, on the other hand, has no recent collective accomplishments to base its record upon. The collective reputation of the majority, then, especially a majority that has been in power a long time, is necessarily a stronger electoral force than that of the minority.

The greater electoral import of the collective reputation for the majority party means that there is a heavier burden for the majority party members representing districts

hostile to their party than their counterparts in the minority. Their need for dissociating themselves from their party's collective reputation accordingly takes on a greater import. Their party affiliation makes their legislative actions both consequential and traceable, to borrow Arnold's (1990) terminology. The majority party does not merely *propose* to impose costs on their voters; it can and, in cases where it passes legislation unpopular in their districts, *has*. A failure to credibly play up opposition to their party's decisions makes the majority party legislators in the districts negatively affected by the latter complicit in their party's wrongdoing and leaves them open for electoral punishments.

Yet, members of the majority party may not be always free to vote their constituency interests: their votes may actually be needed by their party under certain circumstances. "Tough votes" where the legislators are forced into choosing between their party and constituents do exist. Under such circumstances, the party seeks to sway their votes in its favor by applying various inducements. There is much evidence that party loyalty is an important consideration taken into account in disbursements of various benefits, such as desirable committee assignments, within the majority party (Cox and McCubbin 1993; Brady and Burchett 2001).

While reports of legislators acting out of synch with their districts in the direction of their party are rather numerous (Brady, Canes-Wrone, and Cogan 2000), there are very few if any reports of legislators acting out of synch with their districts *against* their party. The inducements for loyalty offered by the majority, no doubt, do work: collective desire for maintaining power, after all, does require that the legislator occasionally yield to their group's needs as necessary. Party loyalty, however, cannot be bought, forced, or cajoled under all circumstances. If party loyalty poses relatively little electoral risk, perhaps due

to a lack of intense opposition in the district, the legislator may be persuaded to join with the party, especially if offered the right compensation in return. If loyalty is electorally untenable, the legislator would vote against the party.

For members of the minority party, on the other hand, the guilt of action is eased somewhat by *their collective label* as the opposition party. Even if they were to vote for a bill out of synch with their constituents, their status as being out of power excludes them from the heart of the decision-making process in Congress and as such, shields them from some of the electoral fallout from the action that befalls their majority counterparts. The majority party's monopoly over the legislative agenda assures that they will always be present to take the bulk of the responsibility collectively, with whichever minority party members going with the majority providing at best a sideshow. By being irresponsible, ironically, minority party legislators may actually be freer than their majority counterparts to vote out of synch with their party! On the other hand, the minority party's collective label too has a second edge that cuts in the opposite direction: the collective reputation as the opposition party limits the electoral value of opposing the majority party's legislative actions to an individual minority party member. A minority policy-loser is not so much taking a policy stance against the majority party's individual actions, but is merely doing what he or she is expected to do, as a member of the opposition party, whose job, after all, is to "oppose."

The lack of power in the hands of the minority party, however, may limit the occasions in which their members would have to deviate from their constituents' interests. While minority party members too may face occasional "tough votes," the resources in the hands of the minority that can be used to induce member loyalty beyond what their

constituents would allow are quite restricted. Without a record of actual accomplishments, unobtainable due to their status without levers of power, the value of the minority party's collective label is also rather limited and may not be worth defending as much as that of the majority, especially if it involves risking adverse electoral consequences.

These expected differences in the relationship between the legislative behavior and electoral fortunes between the majority and minority parties can now be summarized into the following testable hypotheses.

A commonly used measure of a district's "natural" partisan leaning is the share of the two-party votes obtained by a given party's presidential candidate in the most recent presidential election. (Erikson and Wright 1993; 1997; Brady, Canes-Wrone, and Cogan 2000) I have posited that opposition to the majority party's agenda, captured by the legislator being rolled, is the product of the district characteristics, specifically that the governing party's policy stances are not viewed fondly by the legislator's constituents. This should lead to a given legislator being rolled more frequently in a district where his or her party is less popular, or a negative correlation between legislator roll rates and the majority party's presidential vote share in districts. The extent of the negative correlation, however, should differ between the majority and the minority parties. The majority has greater resources at its disposal with which to induce loyalty from its members than the minority. While loyalty on substantive votes may not be as necessary as on procedural votes, the ability of the majority to obtain greater loyalty when necessary from its members remains. This weakens the majority party members' willingness to vote in

accordance to their constituents' preferences in comparison with their minority party counterparts. This implies the following:

*H1: The relationship between legislators' roll rates and the majority party's share of the two-party presidential votes in their districts should be negative for both majority and minority parties. However, the coefficient for the minority party should exhibit greater magnitude than that for the majority party.*

A display of loyalty or disloyalty to the party, however, has greater consequences for the majority party members than the minority because control of the government makes the former responsible for policy outcomes as a group. Their party affiliation assures that voters will associate them with their party's actions by default. Disavowing their party, by publicly voting against its policy, however inconsequential the vote might be in terms of actual effects, should allow them to put distance between themselves and their party. A disavowal of the majority party by its own members should produce greater electoral reward than that by the minority party because the former is countering their existing collective reputation while the latter's efforts are stunted by their existing collective reputation as the opposition to the majority. On the other hand, since, as members of the majority party, they are already associated with their party's actions, they would pay a higher electoral price for their collective reputation than their minority counterparts without such a public disavowal. This implies the following:

*H2: The relationship between legislators' roll rates and their share of the two-party Congressional votes in their districts should be positive, ceteris paribus, for both majority and minority parties. However, the coefficient for the majority party should exhibit greater magnitude than that for the minority party.*

## **5. Data and Methodology**

The data on congressional voting, including individual legislators' roll rates on final passage votes, is provided by Gary Cox and Mathew McCubbins. It is the same data as used in their 2005 work *Setting the Agenda*. Congressional elections data for each district, including shares of two-party votes in presidential elections, is provided by Gary Jacobson from his personal collection. Between these two data sets, I cover the information from 84<sup>th</sup> through 105<sup>th</sup> Congress, or from 1955 through 1998. For each Congress, the legislative data is tied to the election following their service in Congress, e.g. 104<sup>th</sup> Congress (1995-1996) with the 1996 election. An implicit assumption behind this choice is that the subsequent election necessarily reflects forces that were stable and in place during the preceding legislative session. However, the alternate assumption would have been to assume that the evaluation of the majority party in an election would have taken place based on actions that has not yet taken place. This is especially a problem for the Republicans in 1994—when they were not yet in the majority and the likelihood of their majority status was deemed relatively low. By necessity, this eliminates all freshmen from consideration.<sup>15</sup>

The method employed is simple OLS regression. In order to test *Hypothesis 1*, I regress the roll rates on final passage votes on the Democratic share of two-party presidential votes in the district. In order to evaluate *Hypothesis 2*, I regress the Democratic share of the two-party Congressional votes on roll rates, Democratic share of two-party presidential votes, and the Democratic share of two-party Congressional votes

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<sup>15</sup> It should be noted that using the elections that brought the legislators into the chamber, e.g. 1994 for the 104<sup>th</sup> Congress, produces broadly the same results. Comparing elections *before* coming into office to draw inferences about electoral consequences of legislative behavior seems rather awkward.

from the previous election. Using only Democratic figures for both models is justified since these figures are shares of two-party votes. Since they must add up to 100, a negative effect on the Democrats is necessarily a positive effect on the Republicans and vice versa. For ease of illustrating interparty differences, each independent variable is interacted with the dummy variables for the party affiliation of the current holder of the seat in both models, with a separate dummy variable for whether the seat is currently held by a Democrat, to capture interparty difference in the intercept term. The data is pooled by the periods of majority status of each party, so that the period between 1955 and 1994 constitutes one group and that between 1995 and 1998 another.

## **6. Findings**

Table 2.1 illustrates the results of the first set of regressions. Data analysis bears out the prediction by hypothesis *H1* that members of the majority party would exhibit greater party loyalty than their minority counterparts, both in general and as a function of their district characteristics. Under both Democratic and Republican majorities, the performance of the majority party's presidential candidate in a congressional district is negatively correlated with the frequency of the legislator's rolls. A legislator votes against the majority party's policy agenda more frequently if he or she represents a district more hostile to the party. However, the magnitude of the relationship is greater by a factor of four for the minority party legislators than the majority party legislators, during both the periods of Democratic and Republican majorities. The effect of the district partisan characteristic on the Republicans' roll rates, is indeed, so minute that it fails, by a rather broad margin, to achieve statistical significance. Also noteworthy is the

large drop in roll rates associated with the majority party status during the period of Democratic majority, *ceteris paribus*, indicated by the large coefficient on the Democrat dummy variable—although this is curiously absent in the period of Republican majority. This is consistent with the expectation that the majority party is better able to engender party loyalty from its members even when contrary to their constituents' interests and in relatively meaningless votes, that minority party members vote much more in line with their constituencies than the majority members.

The results from the period of Republican majority, however, warrant a few important caveats. Besides the relative smallness of the sample, the only presidential election from which the presidential votes in a district used are drawn from, the 1996 race, was an extraordinarily messy affair due to the independent candidacy of Ross Perot. Furthermore, the Republicans were running as a majority party in only one of the presidential elections, in 1996. Even if it may be within reason to use the share of two-party presidential votes to capture the general partisan tendencies in each district, the underlying circumstances call for some caution in accepting the results at face value.

**Table 2.1:** Roll rates and District Partisan Characteristics

DV=Roll Rates	Democratic Majority (1955-1994)	Republican Majority (1995-1998)
Democrat	-0.252(0.013)**	-0.058(0.031)
(Democrat)X(Democratic Presidential Votes)	-0.0007(0.0001)**	0.0063(0.0003)**
(Republican)X(Democratic Presidential Votes)	-0.0027(0.0003)**	0.0005(0.0005)
Constant	0.401(0.011)**	0.042(0.023)
N	6842	741
R-Squared	0.3363	0.8474

Standard Errors in Parentheses \*significant at 5% \*\*significant at 1%

Table 2.2 reports the results of the second set of regressions. The findings here are somewhat more mixed. During the period of Democratic majority, the results bear out the expectations of hypothesis *H2*, that the positive electoral effects of disloyalty would be much greater for members of the majority party than the minority. Being rolled adds a substantial electoral bonus to both Democrats and Republicans over and beyond their “natural” votes predicted by the performance of each party’s presidential candidates. The bonus for the majority Democrats, however, is much larger: roughly twice the magnitude that for the minority Republicans. Given the negative relationship between presidential votes and roll rates found in the previous regression, it is reasonable to infer that most of the bonuses accrues to the members from districts that are hostile to the Democratic Party overall.

The relationship fails to hold, however, under the Republican majority. Being frequently rolled does not consistently enhance Republican legislators' electoral performance beyond their "natural" levels. For the minority Democrats, being rolled actually appears to *hurt* their electoral chances significantly. For both parties, it is worth noting that the electoral performances of the congressmen track much more closely the performance of their presidential candidates in their districts than in the previous elections. Some of the problems may be arising from data, due to the complicated nature of the 1996 presidential election, as noted above. Another cause of the difference, however, could be that the Republican majority that came to power after 1994 elections was a fundamentally different entity than their Democratic predecessors, as the new Democratic minority was not the same as the old Republican minority. The Democrats had controlled the House uninterrupted for four decades, accumulating an enormous amount of accomplishments on which their collective reputation was built. Many individual Democrats who were instrumental in building up that reputation remained in the House. Being in the minority status could not have rendered the party's collective reputation moot in the eyes of the voters so quickly, even if it was now reduced to making mere proposals rather than promises that it could credibly deliver on. The difference between the Democrats and Republicans, both as majority and minority parties in Congress, are explored further in Chapter 3 of this dissertation.

**Table 2.2:** Congressional Elections and Roll Rates

DV=Democratic Vote Share in Congressional Elections	Democratic Majority (1955-1994)	Republican Majority (1995-1998)
Democrat	6.399(1.232)**	5.661(2.698)*
(Democrat)X(Roll Rates)	4.496(1.611)**	-11.106(3.612)**
(Republican)X(Roll Rates)	-2.004(0.863)*	-3.424(4.834)
(Democrat)X(Democratic Presidential Votes)	.157(.011)**	.381(.051)**
(Republican)X(Democratic Presidential Votes)	.070(.015)**	.262(.0409)**
(Democrat)X (Lagged Dem. Cong. Votes)	.530(.015)**	.544(.046)**
(Republican)X (Lagged Dem. Cong. Votes)	.458(.019)**	.456(.038)**
Constant	16.614(.872)**	7.458(2.000)**
N <sup>16</sup>	5240	580
R-Squared	.8500	.9292

Standard Errors in Parentheses \*significant at 5% \*\*significant at 1%

## **7. Implications**

Legislative and electoral politics of the U.S. House are closely linked, but with a partisan twist. Congressmen's voting decisions reflect the partisan inclinations of their constituents, but the extent varies with the internal politics of the House; the voters, for their part, evaluate their representatives on the basis of their performance, but this too is conditioned by the balance of power within the chamber. Not surprisingly, the

<sup>16</sup> The smaller number of observations is due to the uncontested elections being eliminated from the sample.

inclination to vote with the majority party depends on the overall popularity of the majority party in the congressman's district: if a congressman represents a district where the majority party is held in low regard, he or she is more likely to vote against the party, regardless of the congressman's own party affiliation. However, the majority party, with greater access to the resources of government, can induce greater loyalty from its members than the minority party can from its own, relative to their districts' preferences. This comports with the findings of the existing research that suggests that the majority party, in particular, offers valuable rewards for loyalty beyond the call of duty.<sup>17</sup> (Cox and McCubbins 1993; Brady and Burchett 2001)

The rewards of party loyalty for the majority party members, however, are counterbalanced by the electoral rewards of party disloyalty. It is perhaps obvious that it makes sense to openly engage in position taking against the majority party in districts where it is not held in a particularly high esteem. The guilt by association that the majority members are subject to in such districts makes such disavowal especially important. By openly defying the majority party, they can disassociate themselves from their party and in so doing gain a much larger electoral bonus, *ceteris paribus*, than the minority party members who had no negative association to shake off to begin with. Not doing so, on the other hand, leaves them open to the voters' punishment directed at their party. This adds a partisan dimension to the findings by Brady, Canes-Wrone, and Cogan (2000) regarding the electoral dangers of a legislative record out of synch with the district. Voters punish legislators with such records differently depending on their party affiliation.

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<sup>17</sup> Or, more accurately, the majority party can offer more valuable rewards for party loyalty by the virtue of their status as the party in power than the minority.

They judge majority party members more harshly for voting against their districts than their minority counterparts.

This brings back to the fore the question that this chapter began with: why should the majority party encourage loyalty if it is so costly to some of its members? Disloyalty is valuable for the governing party because it keeps the legislator in office. A loyal legislator is useless if he is not politically viable. A relatively disloyal legislator can much better serve the needs of the party in the long run simply by electoral longevity. A successful party government should encourage the latter, not the former. Yet, while several studies have examined the rewards that await majority party loyalists, little or no literature that investigates whether party disloyalty is systematically subsidized exists.

This chapter takes a first step in this direction. Its findings have shown that majority party legislators do indeed vote more loyally than their minority party counterparts, in line with the expectation of the existing arguments concerning rewards for party loyalty, but also at a higher electoral cost. It is probable, in fact, that the model underestimates the actual electoral costs of party loyalty. A legislator would never vote with the party when its position is truly unacceptable to his or her constituents; only in “not-so-tough” tough votes would a legislator be persuaded to vote out of synch with his or her district—and only for a right price. When the party’s position is so egregious, the legislator would not only vote against the party but also would require a compensation for the negative externality from the party’s action and subsequent “damage” from the collective reputation. In effect, the latter would appear as a form of *reward for disloyalty*, at least of a particular type.

The appearance of “reward for disloyalty” would be strengthened since it is reasonable that the wavering members of the majority party—the moderates--are likely to encounter both forms of “tough” votes often. It would be reasonable, then, to expect that observable acts of disloyalty and unobservable acts of loyalty beyond district characteristics, are highly correlated. Payments are heaped upon the moderates, therefore, as they claim rewards for both unobserved loyalty and observed disloyalty. The argument will be further developed in the next chapter, which investigates the strategy behind the targeting of particularistic benefits in the U.S. House.

## **Chapter 3: The Majority Party and the Cohesive Power of Public Plunder**

### **1. Introduction: Why Do Legislators Put up with Parties?**

There has been much debate over the logic of party government in U.S. Congress: whether parties are at all important and if so, what the mechanisms behind their influence might be. The argument offered by the partisan theorists, including Cox and McCubbins (1993; 2002; 2005), is supported by considerable empirical evidence that there is indeed a form of “party government” operating in the House built on control over formal agenda-setting institutions—a party cartel<sup>18</sup>. The challenge laid down by party skeptics, especially Krehbiel (1993, 1998, 1999), is principally theoretical, that a party government is an unnatural, potentially unstable institutional arrangement that *should not* exist. These are not mutually exclusive claims. Rather, they together raise a separate question that has not received adequate attention: if party government exists, how does it manage to maintain itself in the U.S. House, or, put differently, why should legislators tolerate it? This is the question that I seek to answer in this chapter.

A party government, at least in the form of a “party cartel” (Cox and McCubbins 1993; 2005), is an organized conspiracy by a subset of legislators to hijack the legislative process in order to unnaturally bias legislative policy outcomes in its favor while preventing those more preferred by the floor median from being realized, should they not be in their favor as well. It is, however, a legal conspiracy, reliant on the advantages granted to one party by the formal rules and procedures of the House to achieve its ends.

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<sup>18</sup> Such evidence is shown in their own work as well as in complimentary work such as Cox and Magar (1999).

Since the institutions of the House rest on a simple majoritarian foundation, it follows that the party that hijacks the process must be able to count on consistent support by at least a majority of the votes on the floor to maintain the “cartel.” However, the policy benefits of a party government fall consistently only to a minority of the legislators—the “core members” of the majority party. Assuming a unidimensional policy space, the floor median is the indispensable member of any winning coalition under majority rule, with or without a party government. The “natural” policy outcome, by this reasoning, is the median’s ideal point, while a party cartel, if it is meaningful at all, consistently biases the outcome *away* from what the median (who also happens to be one of its own members) can *potentially* obtain in its absence. Yet, because of the majoritarian nature of the House institutions, the majority party cartel persists only at the sufferance of the floor median who can, if necessary, overthrow the entire set of institutions that undergird the party government at any time. This is the paradox identified by Krehbiel (1998; 1999). A partisan theory must explain why the median would allow a party government, as defined above, to emerge.<sup>19</sup>

The problem extends beyond the median voter and members of the majority more generally. As defined above, party government would seem to relegate the minority party to the role of a “loyal opposition,” silently suffering exclusion from policy on the basis of their numerical inferiority. Were this exclusion permanent and complete, there is no material gain for the minority to be content playing the silent loyal opposition: its members get nothing in the present and have little prospect of getting any more in the

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<sup>19</sup> Even the “conditional” party government theory offered by Aldrich and Rhode (1998), explains only why party government would get more or less support from the median by virtue of the agreement of the majority.

future. While it may lack the votes to challenge the majority on the floor, the minority can take the fight to outside the legislative arena where it may attack the legitimacy of the legislative process and destabilize the majority's hold on power.<sup>20</sup> This potential for some external minority leverage further complicates the maintenance of party government: it does not suffice that the minority merely loses in terms of policy outcomes, but that they become to some extent *willing* losers, that they cause no more trouble beyond casting futile "nay" votes on the floor.

A theory of party government, then, needs to explain why those excluded from power should remain quiescent in acceptance of their situation, not merely that the majority can and does exclude them. In short, if party government exists, what holds the system together?

In this chapter, I answer these questions by arguing that party government in the House rests on two pillars—the distribution of policy benefits and the distribution of particularistic benefits<sup>21</sup>. Our premise is that the same set of actors cannot monopolize both for themselves, if they seek to maintain institutional stability: Those who win in the policy dimension must somehow compensate the policy losers in particularistic benefits. Specifically, the losers within the majority party must always be compensated, and, under certain conditions that I describe below, even those in the minority party should receive benefits.

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<sup>20</sup> The problems stemming potentially from the tyranny of majority have been addressed at length by a long tradition of political thinkers (the *Federalist Papers*; Schmitt 2004). As we shall discuss in conclusion, the revolt of the excluded minority against supposed tyranny of the majority has led to breakdown of the existing political institutions in a number of occasions, including in United States (1861), Japan (1960), and Thailand (2006), among others.

<sup>21</sup> Jackson and Moselle (2002) develop a formal model that incorporates particularistic benefits as a party-building tool, but this paper develops the political logic further and evaluate the predictions empirically.

Politicking over policy outcomes is almost invariably zero-sum in nature: in general, when policy moves in one direction, it moves away from some legislators<sup>22</sup>. By consistently biasing policy movements in its favor, away from the natural, median outcomes, a majority party cartel invariably creates a set of perennial policy losers both inside and outside its own ranks. Yet, the maintenance of the cartel requires continued cooperation from these legislators, active or passive. Since the very logic of party government militates against compensating them in policy outcomes, the payments must take a form independent of national policy: particularistic benefits. These payments transform the legislative game from zero-sum to positive-sum by providing those excluded from the policy benefits with a positive incentive to participate, even to actively support the party government. This, I claim, is the true magic of the party government.

To examine these questions empirically, I explore the relationship between the likelihood of “winning” in the policy realm, as captured by the notion of “roll rates” as introduced by Cox and McCubbins (2005) and the amount of particularistic benefits that an individual member of Congress receives for his or her home district, as measured by the federally funded local projects targeted to their districts from data compiled by Bickers and Stein (1997) for the period 1983-1997. I find that, for the entire period, policy benefits and particularistic benefits are negatively correlated for the members of the majority party—although noticeably less so in the period of Republican majority than during the Democratic majority. The negative correlation, although of much weaker magnitude, prevails for the minority party as well during the Democratic majority,

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<sup>22</sup> There may be Pareto optimal policy movements where the change is favored by everyone over the status quo, but they are inherently uninteresting in terms of politics. Note that staying put at the status quo does not allow an escape from the zero-sum game—it still involves choosing sides, in favor of the proponents of the status quo against the proponents of the policy change.

although not during the Republican majority. I conclude from these that the party government, at all times, rests on the “cohesive power of public plunder<sup>23</sup>” holding together the majority party, and the system as a whole. However, the Republican majority that came to power in 1995 appears follow an altogether different coalition strategy vis-à-vis the minority party from their Democratic predecessors that reflects and is reflected in the increased polarization of American politics.

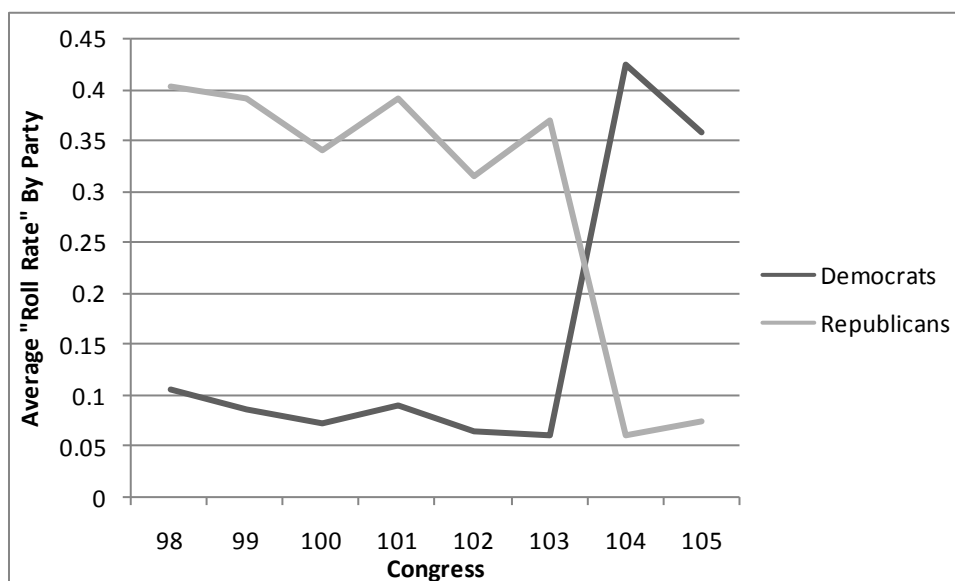
## **2. Reconceptualizing the Party Government**

The empirical findings presented by Cox and McCubbins (2005) concerning the direction of policy movements enacted by the House of Representatives in the past century suggest the presence of a powerful party government in the House in terms of generating policy outcomes. It is important to clarify that that “party cartel theory” explicitly revolves around *policy outcomes* -- specifically the prevention of votes opposed by the party caucus. Thus, through the concept they term “roll rates,” they offer a means to distinguish the policy winners and losers designed to highlight this pattern. A legislator is said to be “rolled” if she votes powerlessly against final passage of the bills that pass successfully. Those who are rarely, if ever, rolled constitute the policy winners. The legislative outcome rarely defies their wishes. On the other hand, those who are frequently rolled constitute the policy losers. Their expressed interests have little bearing on what outcomes prevail. The ranks of policy winners and policy losers are, in turn, divided largely along the party line: members of the majority are far more likely to be

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<sup>23</sup> The term was coined by Carl Schurz in a speech at the Republican Nominating Convention of 1860. It was later re-used by Senator A. J. McLaurin (D-MO) to describe the Republican Party in 1907. It makes yet another appearance in Schattschneider’s *Party Government* (1942).

found among the winners, those of the minority party among the losers. Figure 3.1 shows how the average member of each party in the US House fares in terms of being rolled and its clear relationship with partisan control of congress.



**Figure 3.1:** Average Roll Rates by Party, 98<sup>th</sup> – 105<sup>th</sup> Congress

While the claims of a party government in the House rest upon a compelling array of empirical evidence, the theoretical underpinnings of the argument remain open to potential questions. Cox and McCubbins hold that the majority party's advantages arise from its control over the legislative agenda, through the formal institutions of the House that grant members of the majority party exclusive control over various chokepoints in the legislative process: the majority controls the Speakership, all committee chairmanships<sup>24</sup>, majorities in all committees, and extraordinary majorities in the "power committees." This arrangement permits the majority party to control the legislative agenda, or to screen out the bills that it opposes and bring up for floor consideration only

<sup>24</sup> Except for the Ethics Committee--all references to committees will herein exclude Ethics.

the bills that it favors. This leads, according to proponents, to an empirically observed bias in legislative outcomes.

The argument holds as long as it is possible to assume the institutions of the House are fixed and immutable and that all legislators are always content to operate within the confines of the formal institutions. In practice, neither expectation is realistic. Formally, all the agenda-setting advantages in the hands of the majority party can be revoked by the will of any majority in the chamber who may refuse to organize the chamber in the manner favorable to the workings of a party government at the beginning of the session. Party government, then, must provide a consistent benefit to its majority over any possible alternative to prevent defections that could bring it down<sup>25</sup>. All these, of course, presuppose that the minority party members are sufficiently satisfied with their lot even if they cannot win on policy in the present *or even as future majority*, so that they may be constantly voted down yet prefer complicity to some protest outside the normal legislative process. In another words, sustaining a party cartel in the House requires at least a tacit consent from many who are policy losers under such an arrangement: the floor median, the marginal members of the majority party, and the minority party.

Riker (1980) pointed out that, since institutions are themselves products of a social choice function, they offer little help in fundamentally resolving social choice problems. Krehbiel (1993, 1998, 1999) employs a similar type of argument in the

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<sup>25</sup> Cox and McCubbins (1993) argue that the majority party cartel provides a party record that is Pareto optimal at least within the majority party. Given the inherently zero-sum nature of policy changes, we suggest here that this is insufficient.

legislative setting<sup>26</sup>: legislative institutions and procedures are undergirded solely by the will of *a* majority and the median voter is the indispensable member of any majority in a chamber; thus no set of institutions that systematically shortchanges the floor median would be sustainable. Since a party cartel operates on the principle of systematically cheating the floor median by unnaturally biasing the outcome in favor of the majority party<sup>27</sup>, it follows that the floor median should not tolerate continued party government. Once the institutions of the House come to be used against the interests of the median, the median can simply defect, join an alternate floor coalition to rewrite the rules, and revoke the old institutions that gave the semblance of a party government. At minimum, this implies that institutions alone cannot maintain a party government, even if the costs of changing them are not negligible.

The Conditional Party Government thesis (Rohde 1991; Aldrich 1994; Aldrich and Rohde 1998) recognizes the endogeneity of the institutions of party government. While not dismissive of institutions, they posit as the main necessary condition for a party government internal cohesion within the majority party: members of the majority party must be united in *wanting* a party government and be willing to cast the votes necessary to maintain the institutions that underlie the party government.<sup>28</sup> The intra-majority cohesion, according to CPG theorists, depends in turn on the extent of consensus among them on common policy goals, or, in another words, homogeneity of their policy

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<sup>26</sup> albeit with the assumption of a unidimensional rather than multidimensional policy space

<sup>27</sup> The “cheating” takes place in terms of *potential* policy outcomes, rather than actual. The floor median is not forced into an outcome that makes him or her worse off, only that the choices presented are constrained to exclude the outcomes that may make him or her better off than what the majority allows. Presumably, this screening takes place by subjecting the agenda to the decision by their own internal “median” as well as the floor median, according to Cox and McCubbins 2005.

<sup>28</sup> Note that, for them, party government does not just mean an negative agenda cartel, but additionally a positive power for the leadership.

preferences. Skeptics (especially Krehbiel 1993, 1998, 1999) point out that this constitutes a circular argument, as unity in policy preferences would make a party government redundant—the “natural” majoritarian policy outcomes would be observationally equivalent to a partisan outcome. This need not be a damning critique of this intuition; but suggests that intra-majority party cohesion must not be built on policy preferences alone.

An older tradition, exemplified by Mayhew (1974), offers an alternative resolution to the apparent contradictions between the inherent supremacy of individual legislators’ policy preferences and the ability of a form of party government to emerge and persist in control of policy outcomes. Conceptualizing legislative politics as primarily based on policy outcomes assumes implicitly that legislative politics is a zero-sum game. Pareto optimal policy changes—favored by everyone—are rare and would require little by means of politics to achieve. On nearly all policy changes of interest, there are sides that cannot be simultaneously placated: a policy change—or non-change—must offend someone, either the supporter of the status quo or the new proposal. Successful maintenance of party government, however, requires that legislative politics be positive sum, that it generates a net benefit for all legislators so it would at least be tolerated. As Mayhew put it, “the satisfaction of electoral needs requires remarkably little zero-sum conflict among members” (1974:82).

Voting in Congressional elections is often a two tiered process, dependent on local considerations as well as the national (Fenno 1978, 2000; Mann and Wolfinger 1980; Jacobson 1987, 2001). Voters frequently vote for Congressional candidates on the basis of their effectiveness in meeting *their local needs*, not necessarily because they

mirror their *national* policy preferences of the voters to the letter—especially when they can do nothing to change the policy outcome<sup>29</sup>. A legislator is far more effective meeting her constituents’ needs by playing along with others in Congress, not by helplessly opposing inevitable policies—provided that the former generates compensation more valuable to the constituents than mere position-taking on policy. Given the localized nature of Congressional elections, particularistic benefits can satisfy to a large degree the individual legislator’s reelection goal. The apparent zero sum policy game can thus be made positive sum via distribution of particularistic benefits in substitution for policy.<sup>30</sup>

The function of party in this context, though not central to Mayhew’s account, is primarily as a vehicle to power. Schattschneider (1942) explained that party members need not agree upon the use of governmental power, only upon the utility of seizing it, which will “provide something for nearly everyone willing to join bands in the political enterprise... in spite of the fact that they do not have identical opinions and interests” (1942, 37). Members of the majority party need not agree with the party’s goals, only that they support the institutions of party government. They will do so, however, only if it is worth their while, if the party government generates a sufficient value for its members. For those in agreement with the collective policy agenda, the outcomes provide their own reward. For those who do not benefit from the party-wide goals, the

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<sup>29</sup> This is not to argue that policy considerations count for nothing; but to a group of spinach farmers, for example, spinach is a far more immediate cause of concern than the War in Iraq. A legislator may be forgiven for casting the “wrong” vote on Iraq—if she does something for spinach. The legislator cannot be forgiven for casting the wrong vote on spinach regardless of what she might do on Iraq.

<sup>30</sup> This runs into problem if long-term budget constraint is to be observed. As Mayhew (1966) observed, a successful coalition building requires facilitating “the kinds of raids on the Treasury which collectively comprised the party program.” The costs of today’s political bargains are born by the future generations—but they don’t vote, yet. Ricardian equivalence is not a proposition conducive for effective coalition building.

value of majority party membership can be still maintained through compensation in the form of particularistic benefits.

With regards to the minority, the distribution of particularistic benefits cultivates acquiescence, although not support, of the regime in power among even these most consistent policy losers. The ability of the majority party to ensure that they do not lose on policy is not only consistent with what Mayhew called "the appearance of a cross party conspiracy" (105), but fundamentally requires it. On this point, Schattschneider was clear: "the *precondition* of party government is that the parties and the government tolerate each other, in other words, that there is a certain comity between the party in power and the opposition party" (37, emphasis added). For the majority then, maintaining the legitimacy of a partisan process by ensuring some rate of compensation outside majority is part of maintaining power. There must be some incentive for a minority largely losing on policy to recognize that legitimacy, to the extent that they are in fact policy losers and expect to remain so in the longer term.

"The cohesive power of public plunder" thus plays a twofold role in maintaining a party government. First, it holds together the majority party, especially the marginal members who derive little benefit from the party's collective policy agenda. In absence of the particularistic compensation, they would—and should—defect, bringing the party government down. Second, it can hold together Congress as a "legitimate" legislative institution from the perspective of both parties. A party government is a conspiracy to deny the minority party its fair share of policy outcomes: it offers no incentive for the minority members to play along were policy the *only* consideration. By sharing with the minority the booty from "public plunder," the majority makes them complicit in the

deeds of the majority. Whether they approve of the policy outcomes generated or not, they are given a stake in maintaining the institution of party government as is and are made unwilling to challenge them directly. The following section will explore in greater depth the logic of compensation both in intra- and interparty contexts.

### **3. The Electoral Connection and the Logic of Compensation**

Establishing a party government—organizing stable control policy over Congress by an electoral majority—creates a set of policy losers, both inside and outside the majority. Successful maintenance of the cartel in the long term requires that both these groups be provided with a set of incentives to at least tolerate the existence of the party government.

Compensation for the policy losers within the majority party is essential for the maintenance of party government—with the key proviso that these policy losers actually need and want the compensation for their individual reelection needs. These legislators *actively* support the majority party cartel by furnishing the votes necessary to maintain the majority's control over the legislative agenda. They do so despite the fact that many of them lose out in terms of getting policies they prefer passed. Such members are worse off in policy benefits than they would be under alternative organizations of Congress, as per Krehbiel's (1998, 1999) argument. For their sacrifice, these members are entitled to a reward so that their continued membership in the majority party and active support of the party government remain worthwhile. The zero-sum nature of the policy game precludes compensation in policy outcomes they desire, as such payments must invariably offend other members of the majority coalition who, in turn, must be compensated elsewhere.

Their recompense thus must consist of particularistic benefits that boost their electoral chances despite the incongruence between the policy outcomes that they--and their constituents--desire and that pursued by the majority party as whole. The compensation schedule must be commensurate with the level of sacrifice they are making--the degree of incongruence between their desired policy outcomes and the overall policy agenda pursued by the party--greater the sacrifice, greater the compensation. In so doing, the party government successfully creates a positive value in the membership of the majority party independent of the policy outcomes that it generates, converting the inevitably zero-sum policy game into a positive sum game that offers positive net benefits for all members of the majority party.

In effect, such a system of compensation creates a reward for disloyalty. One might ask why the distribution of pork is not necessarily tied to the condition of lending support for the majority party's goals. This is because the purpose of the disbursements, quite frankly, is *intended* to reward disloyalty of a certain form. As explored in Chapter 2, voting with the majority party is electorally costly for its members who represent districts where their party is not held in high esteem. They cannot provide more loyalty than what their districts would tolerate—and indeed, it was seen that majority party members behave a good deal more loyally than their minority party counterparts. Rather, given the ill reputation of their party, they are in position to demand compensation for the negative association alone, not having their payments conditional on display of more loyalty than they can deliver. It is in the interest of the majority party to keep them electorally viable, notwithstanding disloyalty, for they are better substitutes for their likely replacements, members of the opposing party.

For those not active within the majority party conspiracy, the members of the minority party, the situation becomes more complex. Unlike the policy losers within the majority party, maintenance of the cartel does not require active support from these legislators. Only a tacit tolerance would suffice. All that the majority needs from the minority is some assurance that they would be content playing an ineffectual loyal opposition without attempting to subvert the workings of Congress through the means other than the accepted parliamentary norms, inside or outside the chamber.

The compensation scheme required for pacifying the minority party members depend on the electoral needs of the latter, both as the group as whole and also as individual legislators. Paradoxically, the problem resolves itself rather readily when the majority party is “weak,” when the present minority party foresees a good prospect of itself becoming the majority following the next election. Such a minority party has a strong electoral incentive to burnish its policy credentials as a group: it may actually come to power following the next election; its policy positions stand a realistic chance of becoming actual policy outcomes in the near future. If so, the minority party's policy label can constitute a real electoral asset for motivating its supporters. Being policy losers today, under such circumstances, does not pose a serious problem, as they may soon become policy winners in a near future. If anything, today's policy losses can help clarify the party's position opposite the majority's for the next election. They have no incentive for undermining the institutions of the House--after all, they may become its masters only a short time later. Ironically, policy losses constitute their own reward for a minority party facing a tenuous majority. Such a minority provides for willing policy

losers even without a separate compensation beyond losing clearly and losing often in the present session.

If the minority party faces little prospect of capturing power in the foreseeable future, however, the situation changes dramatically<sup>31</sup>. Electorally, the party's policy positions are nearly meaningless as they are unlikely to ever get translated into wins in the chamber. Consistently losing on policy today underscores only their impotence, not a potential electoral asset for the next election. Unlike a minority with a realistic hope of supplanting the majority, this is not a group who can accept policy losses in the short term in return for future prospects: Were policy outcomes the only object of legislative politics, they have no incentive for the minority to play the role of silently suffering loyal opposition, legitimizing the majority party's deeds in which they have no hand; they have every incentive to undermine the institutions undergirding the majority party cartel--the institutions of Congress--through any means available, including, by necessity, those outside the realm of normal legislative politics.

Punishing the minority party members for troublemaking, however, is difficult: they are already cut out of most if not all policy benefits through the establishment of the party government. Their role as legislators is defined by the Constitution, beyond the ability of the mere majority party-- an entity not empowered by the Constitution--to deprive. These minority party members can be made into willing losers only through making them eligible for compensation in particularistic benefits as well. These

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<sup>31</sup> This is the situation that closely resembles the situation in the U.S. House for between 1955 and 1995: Democratic Party's uninterrupted one-party control of the House during this period is the second longest among democracies in the world, next only to Japan's Liberal Democratic Party. These periods, at least when focusing on the House, are forms of what Sartori (1976) called "dominant-party systems" when observing an apparently feckless legislative opposition.

payments make their membership in Congress itself and participation in the legislative process--if only as hapless "naysayers" in the majority-dominated setting--valuable, independent of their party affiliation or policy outcomes. Given a stake in the institution, they become complicit, albeit in a strictly passive capacity, in maintaining the majority party cartel. However, the minority members' compensation schedule still needs not equal that of the majority losers', as they are asked to do much less for the majority party: tacit tolerance is all that is needed of them, not active support expected of the majority party members.

At the individual level, pork provides the means with which a legislator can claim credit for *himself* before his constituents independent of the party or policy outcomes at the national level. This logic applies regardless of the party status of the legislator—majority or minority. Accordingly, pork is valuable for those who have successfully built re-election coalitions for himself around their personal qualities and local conditions and disassociated themselves from their own party at the national level to the extent possible. For those whose reelection strategies are built on policy advocacy, on the other hand, pork has relatively limited value and they accordingly are not accommodated through particularistic payoffs. Their electoral needs are better served by policy losses at any rate, at least in the short to medium term.

The party-wide rationale and individual-level re-election needs are not disassociated phenomena: they are mutually reinforcing. It is difficult for the member of the majority party to be simultaneously policy losers and not be pork-oriented re-election seekers. The logic of a party cartel is that all members of the party develop a common policy label for their joint electoral benefit, while the logic of compensation is that those

for whom the party label is ill-fitting should be given electoral compensation independent of the label. It makes little sense in today's politics for majority party members to repeatedly engage in policy advocacy *against* their own party's common policy label<sup>32</sup>. At minimum, such legislators are uncommon mavericks whose Congressional careers are not likely to continue in the same form.

#### **4. Hypotheses**

There is one group of legislators who must be compensated if the majority party is to continue its dominance over policy outcomes: members of the majority party who lose out on policy. These legislators actively support the majority party cartel by providing the votes necessary to keep the party government going. They do so while sacrificing policy benefits that they may potentially gain if they defect from the party for an alternate institutional arrangement of Congress. The policy losses they suffer, as measured by the frequency of rolls they suffer in final passage votes, is the sacrifice they make for the sake of their party. They do not do so free of charge—their losses must be made good in particularistic benefits paid for by federal dollars. I capture the size of benefits they receive in return for their services through the number of projects paid for by federal dollars in their districts. Since the particularistic benefits compensate for the policy losses, there should be a positive relationship between a legislator being rolled more often and the number of projects received in his or her district. To the extent the majority party

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<sup>32</sup> It is not to say that this never happens—see Rep. Ron Paul (R-TX), for example. We take this possibility into consideration in our empirical analysis below. The rationale may have been more sustainable in the past, with a less nationalized political media and the subsequently less emphasis on *national* issues in Congressional elections. See Claggett, Flanigan, and Zingale (1984), Kawato (1987), and Jacobson and Kernell (1987).

includes policy losers, this must hold true if a party government is to successfully function. This leads to the following hypothesis:

*H1: Individual roll rate for a member of the majority party and the number of federally funded projects that are allocated to his or her district should be positively correlated.*

Members of the minority are less central to the maintenance of a party cartel. They are not required to provide active support for the majority party, although their cooperation, or at minimum, tolerance, is ultimately necessary for maintaining the overall integrity of Congressional institutions in presence of a party government. Compensation scheme for the minority party members is conditional on the overall electoral prospects of the party. A minority party facing a relatively tenuous majority does not require extraordinary compensation to win their tolerance: a single election may bring them into power. Being rolled is better than pork in helping them build a party capable of retaining its identity as a potential government. Compensation thus is needed to induce those who are willing to join the majority's winning coalitions. This suggests the following:

*H2: When the margin of majority is small, individual roll rate for a member of the minority party and the number of federally funded projects that are allocated to his or her district should be negatively correlated..*

The situation is altogether different when the minority party faces a more entrenched majority, with a more comfortable margin. Transition of power in near future is at best improbable. There is little or nothing that keeps the minority, seemingly consigned permanently to policy loser status, from spending its energy disrupting the legislative process—and the smooth proceedings of the party government—through

extra-legislative tactics, except for a system of compensation to which they, as duly elected members of Congress, are also entitled. This leads to the following:

*H3: When the margin of majority is large, individual roll rate for a member of the minority party and the number of federally funded projects that are allocated to his or her district should be positively correlated..*

## **5. Data**

I operationalize the amount of particularistic benefits as the number of federally-funded projects from the Federal Domestic Outlays dataset compiled by Bickers and Stein.<sup>33</sup> The dataset catalogues a vast myriad of domestic programs funded by the federal government, but excludes a number of categories, including various nondomestic programs, defense expenditures, procurement contracts for the items that are consumed by the government itself, one-time benefits for named entities, and those administered by quasi-governmental entities (Bickers and Stein 1995). I have further excluded three additional categories to ensure that the programs that I consider are more likely to be driven by proximate political considerations: continuation of projects at the funding level authorized in a previous budget period; direct payments for specified use; and direct payment with unrestricted use. The first category was excluded as these projects are not necessarily products of the political decisions taken in the actual period of interests; the latter two were excluded because they comprise various entitlement and welfare programs such as Social Security and AFDC, disbursement of which is not determined by

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<sup>33</sup> Using the number of projects as a measure of particularistic benefits is in line with Bickers and Stein. (1997)

individual-level political considerations<sup>34</sup>. In order to make comparisons across years possible, I normalize these figures as the percentage of the total number of projects in a given year that are directed to a given Congressional district.

I operationalize “policy benefits” as roll rates on final passage votes, or the likelihood that the legislator votes against a bill that successfully passes regardless. The concept was developed by Cox and McCubbins (2002, 2005) who have also provided the data that I use in this paper. Electoral data for each Congressional district, including major party shares of the presidential and Congressional votes and incumbency, have been obtained from Gary Jacobson. Data on committee assignments and House leadership positions were obtained from Charles Stewart. These variables control for a variety of factors which may affect a given member’s access to or needs for particularistic benefits, holding constant the facts I highlight.

I employ below an OLS regression designed to test the significance of the correlation between policy losses and particularistic benefits across minority and majority, including interactions designed to show significance of the majority/minority differences in rates a compensation.

## **6. Findings**

Table 3.1 shows the results of our analysis. I first examine the “Democratic Era” from 1983 to 1994, the last of a four decade in control of the House. The results show strong support for Hypothesis 1, that members of the majority losing most often on policy receive a greater number of local projects for their districts. In line with Hypothesis 3, the

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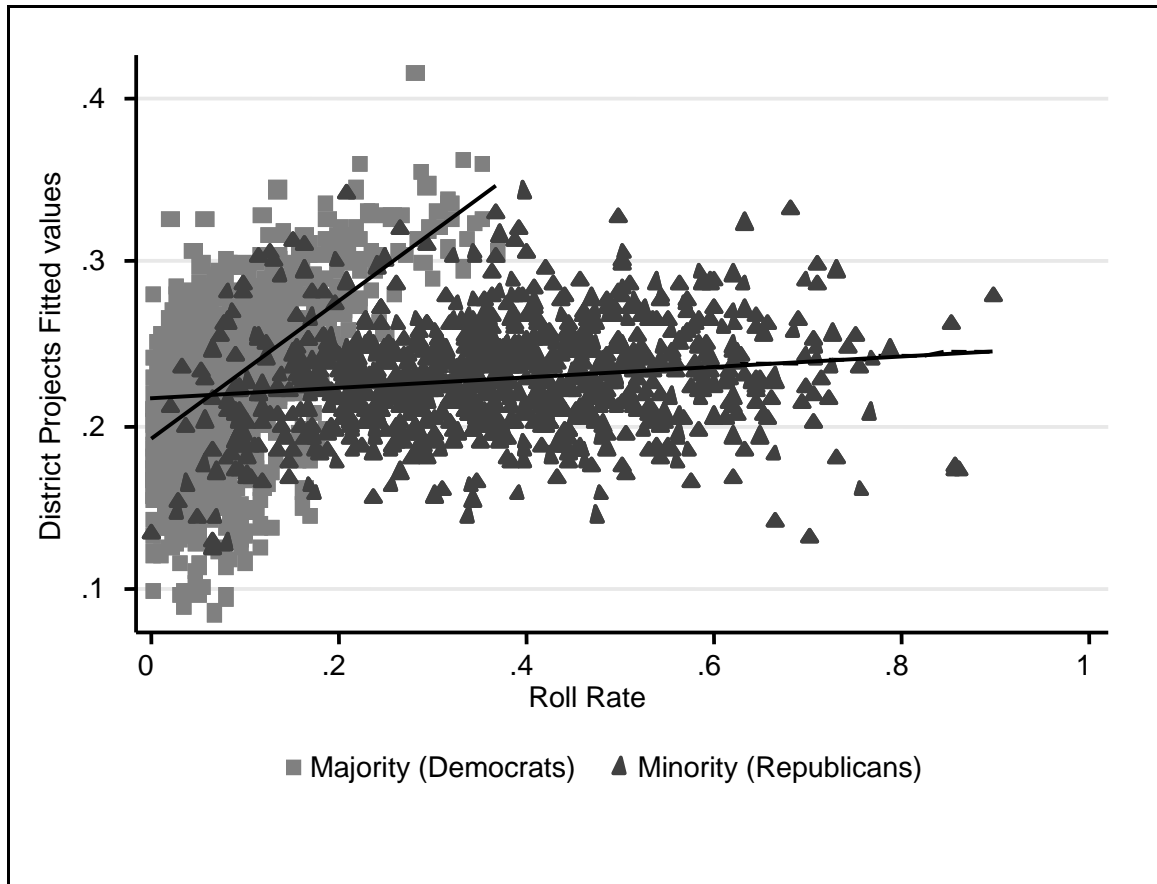
<sup>34</sup> Keeping these categories within the dataset, however, does not significantly change the results that we obtain, however.

minority also has a positive effect for roll rate as well, though at a much lower magnitude. The majority receives pork in exchange for their policy losses at a rate about four times that of the minority. These relationships are illustrated by the fitted values plotted in Figure 3.2.

**Table 3.1:** Policy Losses and Particularistic Benefits, by Era of Majority Party Status

DV = % of Total Number of Projects	(1) Democratic Era	(2) Republican Era (unrestricted)	(3) Republican Era (dropping 5% highest roll rates)
Roll Rate	0.085 (0.039)*	0.062 (0.150)	0.509 (0.245)*
Democrat	0.344 (0.055)**	0.484 (0.092)**	0.485 (0.094)**
(Roll Rate) X (Democrat)	0.309 (0.085)**	-0.326 (0.177)	-0.771 (0.262)**
Party Leader	-0.051 (0.017)**	-0.014 (0.031)	-0.012 (0.031)
(Roll Rate)X (Party Leader)	0.147 (0.066)*	0.014 (0.096)	0.014 (0.096)
Power Committee	0.034 (0.013)**	0.019 (0.024)	0.024 (0.024)
(Roll Rate)X (Power Committee)	-0.101 (0.051)*	-0.058 (0.083)	-0.077 (0.083)
Incumbent Congressman	0.016 (0.019)	-0.095 (0.026)**	-0.099 (0.027)**
(Democrat) X (Incumbent)	0.003 (0.027)	0.014 (0.042)	0.018 (0.042)
Dem. Pres. Vote in District	0.003 (0.001)**	0.000 (0.001)	-0.001 (0.001)
(Democrat) X (Dem. Pres. Vote in District)	-0.003 (0.001)**	-0.008 (0.002)**	-0.008 (0.002)**
Lagged Dem. Cong. District Vote	0.002 (0.001)**	0.002 (0.001)*	0.002 (0.001)*
(Democrat) X (Lagged Dem. Cong. District Vote )	-0.004 (0.001)**	0.001 (0.001)	0.001 (0.001)
Constant	0.027 (0.044)	0.230 (0.068)**	0.227 (0.070)**
Observations	4262	1639	1598
R-squared	0.03	0.09	0.10

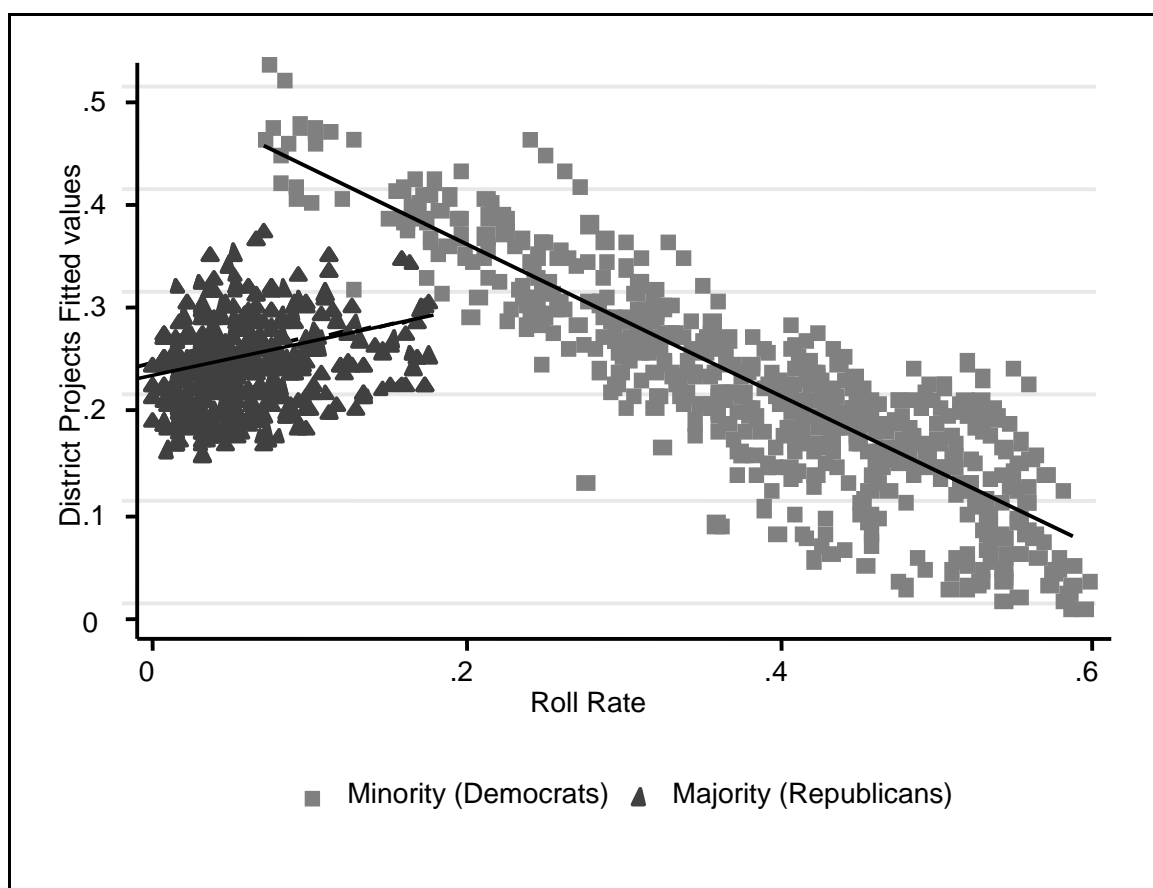
Standard errors in parentheses, \* significant at 5%; \*\* significant at 1%



**Figure 3.2:** Numbers of Projects and Roll Rates, 98<sup>th</sup> – 103<sup>rd</sup> Congress

In the Republican era I find a much weaker relationship inside the majority, owing to the fact that far fewer Republicans in the majority are in fact policy losers (column 2). This relationship is only positive and statistically significant within the clustered majority when the five percent most rolled majority members are dropped (shown in column 3). These members – those Republicans who frequently voted against their own party – receive very little particularistic benefits resulting in the overall flat linear relationship within the majority. However, the positive (and strong) coefficient among the other 95% of the majority indicates some residual tendency toward internal compensation, though clearly fading with the unity of the party.

The sharply negative effect<sup>35</sup> for the Democrats in the minority represents a dramatic shift from the previous regime. The Republican era relates to its minority in a manner expected by Hypothesis 2, where the biggest losers benefit from voting against the majority and access to pork can only be won by joining with the majority. Indeed as shown in Figure 3.3, Democrats who join with republicans regularly are the highest recipients of particularistic benefits of all, exceeding those enjoyed by the Republicans with comparable roll rates, while those who do not receive far less than their counterparts in the Republican minority before 1995.

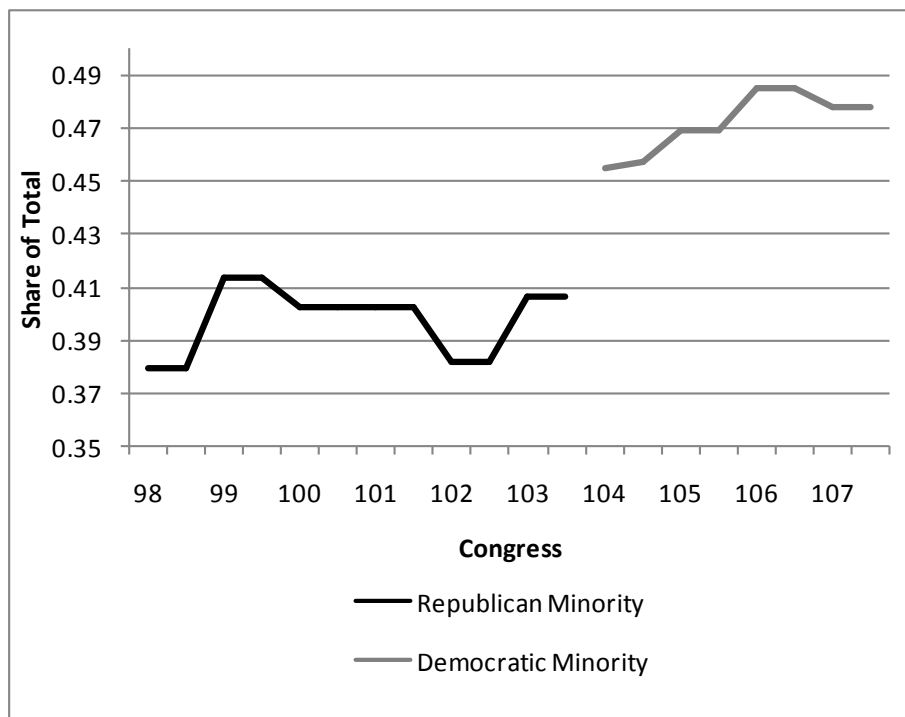


**Figure 3.3:** Numbers of Projects and Roll Rates, 104<sup>th</sup> – 105<sup>th</sup> Congress

<sup>35</sup> Significant at .10 in the unrestricted model

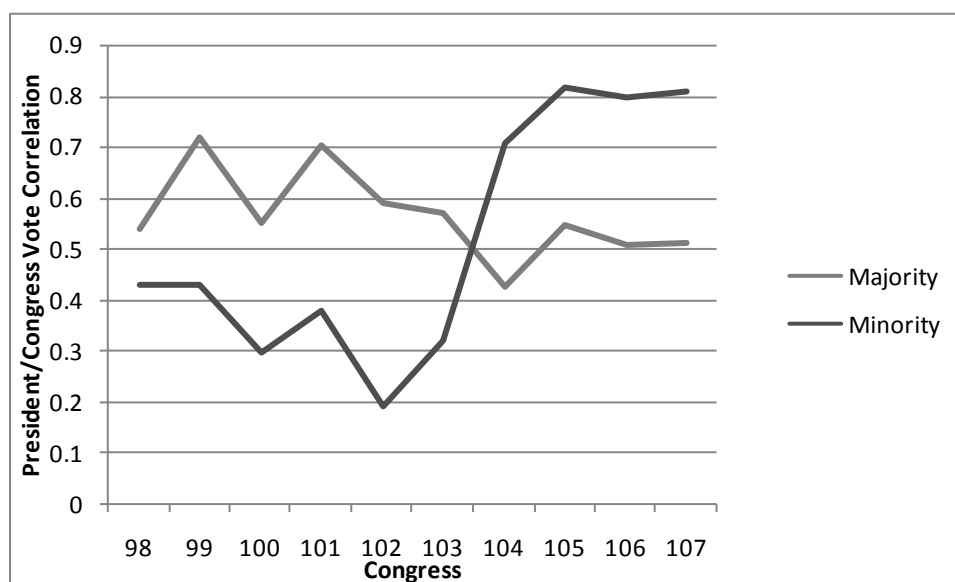
### **6.1. A Note on Republicans and Democrats: Different Kinds of Minority Parties**

In the period under study, I conjecture that two distinct minority-majority patterns exist owing to the fact that two different organizations held each role. There are at least two reasons why the Democratic minority under the Republican majority in 1995 should differ from that long-standing Republican minority under the last decade of Democratic Party rule. First, when compared to Democrats in the minority after 1994, Republicans in the minority have less expectation of obtaining future policy gains in an alternation of power and more to gain, relatively, from acquiescence. The margin of majority enjoyed by the Republicans remained much smaller than those under Democratic majorities. While the Republican seat share only once barely broke 40 percent as a minority (despite success at the presidential level), the Democratic minority was within striking distance of retaking control of the House in each election since losing the House in 1994 (Figure 3.4)



**Figure 3.4:** Minority Party Share of Total Seats, 98<sup>th</sup> – 107<sup>th</sup> Congress

Second, the Democratic minority following the 1994 elections also constituted a markedly different *kind* of a minority party than their Republican predecessors, in terms of organizational goals and expectations. Members of the Republican minority appeared to be more heavily reliant on local connection than party identification for reelection than the national reputation of the party. Democrats after 1994, were, far more tied to their national party label than their Republican predecessors in that role. This can be measured roughly by the correlation between the presidential and Congressional vote shares in each district. This difference plotted across the period under study is shown in Figure 3.5.



**Figure 3.5:** Party Vote Consistency in Presidential and Congressional Elections, 98<sup>th</sup> – 107<sup>th</sup> Congress: Majority vs. Minority

It is likely that these factors lead to the conditions resembling those supporting H2 (a competitive, nationalized minority) emerge in “Republican Era” while those supporting H3 (a noncompetitive, “localized” minority) correspond best to the late “Democratic Era” I examine above.

## **7. Implications**

This chapter offers a rationale for why party government – at least party cartels – may exist despite the apparent theoretical contradictions that primarily arise from emphasis on policy outcomes among all participants in the debate: proponents (Cox and McCubbins), critics (Krehbiel), and revisionists (CPG). Critics and revisionists, I argue, are both “right” in observing that a party cartel should not exist had the only arena for legislative politics been limited to the policy dimension. Those who lose entirely as the consequence of a policy cartel would not allow party government to exist, and would fight it with whatever means at their disposal. However, a successful cartel does not operate by ignoring its members’ costs or by depriving the minority party of *any* benefits. “Local” representation, independent of national policy outcomes, is an important part of Congressional membership. Precisely because local concerns are often orthogonal to the national policy debates, they provide the conduit for compensating the policy losers in the latter—while the majority party continues to bias *national* policy outcomes in its favor.

Those who can challenge the viability of the majority cartel through direct action, the members of the majority party who lose out in terms of policy outcomes, receive compensation commensurate with their policy loss. Such rewarding of disloyalty is intentional, it should be added, for the compensation, along with over acts of disloyalty, keep these legislators politically viable even in hostile electoral environments to their party. Those that cannot, at least not within the confines of the accepted parliamentary procedure--i.e. members of the minority party-- may also be willing to accept the party government in return for a compensation in particularistic benefits, if they foresee little or no prospect in supplanting the current majority in near future – as the Republicans did

under Democratic rule. Under this system, pork, while not exactly clean politics, buys harmony within Congress.

In another model of party government, I expect members of the minority to be rewarded only if they join winning coalitions. But the minority should be inclined to oppose the majority (and lose out on particularistic benefits) if it has a realistic expectation of winning control of the House in the short term. Challenging the majority party on policy now makes good electoral sense as the collective, even at the cost of foregoing particularistic benefits. Policy positions taken up by the party are more credible as an electoral label if they stand a realistic chance of being transformed into reality in the future. Members of such a minority might actually *want* to be rolled, as the discord of opposing policy positions provides a clearer contrast to the majority for the next election than a harmony bought with pork. The Republican majority that took power after 1994 elections rested on a rather slim margin that was more vulnerable to a Democratic electoral challenge. There was little incentive for the Democratic minority, then, to take a subservient role and re-orient their electoral strategy around localism disconnected from their national party label as their Republican predecessors appear to have done.<sup>36</sup>

Incidentally, the changing nature of the minority party in relation to the majority relates to a topic attracting much interest in recent years: the polarization of American

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<sup>36</sup> This implicitly assumes that the surviving Democrats even could reorient their electoral strategy easily. Most of the survivors were at the center of the old Democratic majority, who were accustomed to being compensated in policy outcomes rather than pork. They have accordingly spent many years cultivating constituencies based on policy advocacy and it is unrealistic to expect that they can change their strategy overnight now that they are consigned to the minority status—especially if the exile appears to be only temporary. Other factors, such as greater exposure to the media, may also make it difficult for these legislators to eschew policy advocacy even if they wanted to.

politics. Our findings suggest that the harmony seen in the previous years may have been the product of the seemingly permanent minority status to which Congressional Republicans were consigned and the stream of side payments in the non-policy realm they accepted. There were generally not “overall losers” in this period, in the minority or majority.<sup>37</sup> Newt Gingrich famously described the Republican Congressional leadership in early 1980s as “tax-collectors for the welfare state.” In a sense, this description applies to virtually the entire Republican minority in the House at the time: they cast countless “nay” votes against the policy proposals supported by a Democratic coalition steered by its own internal compensation scheme while receiving a steady supply of projects for their constituents. All in all, any party government during this time was largely mutually beneficial for both the majority and the minority.

Beyond the 1994 election, the minority Democrats had every reason to challenge the majority on matters of policy. The majority Republicans, for their part, did not appear to compensate members of the minority who were did not already achieve policy wins.<sup>38</sup> I do not, in this chapter, have an answer as to which deviation came first. Nevertheless, it suffices to say that a mutually cooperative interparty compensation scheme no longer exists and the minority has an incentive to either simply oppose the majority or defect to them on votes.

A system of party competition emerged in the House in the 1990s unlike what we have seen in many decades – wherein both parties are electorally competitive, with

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<sup>37</sup> However it is worth noting that during the last Congress before the 1994 election, projects for Republicans declined at the same time as their roll rates increased.

<sup>38</sup> Although we do not focus on it here, there is also much account of a more partisan pattern of pork distribution between the parties overall, both in academic accounts (Evans 2004; Bickers and Stein 1997) and in journalistic accounts (e.g. Anderson 2003, *Los Angeles Times* ).

realistic chances of either retaining or regaining the House in election after election and each is far more nationalized in the past. The importance of the national party label for Congressional elections appears to have risen sharply – particularly when comparing minorities. These changes mark the end of the era that furnished so much of our conventional notion of what a majority party does, where “permanent” majority party could afford to keep the minority silent and content through generous subsidies, and the minority could afford to accept that role. Future studies of parties in legislative politics, then, must extend the scope beyond the majority party itself and pay closer heed to the larger political environment in which it exists

### **8. Acknowledgement**

Chapter 3 is largely a reprint of the paper presented at the 2007 annual meeting of Midwest Political Science Association: Carroll, Royce and Kim, Henry A., “The Majority Party and the Cohesive Power of Public Plunder,” Presented at Midwest Political Science Association, Chicago, 2007.

## **Chapter 4: Agenda Setting, Clout and Logrolls in the U.S. House**

### **1. Introduction: Party Government and Clout**

There are rival conceptions concerning the nature of political parties, both with long pedigrees. One contends that parties are primarily vehicles for realization of shared policy goals, most effective when consisting of like-minded persons. This perspective can trace origins at least back to Burke in 18th century (Sartori 1976) and has recently been given voice by Rohde (1991), Aldrich (1994), and Krehbiel (1993, 1998, 1999). The opposing theory downplays the import of preference distribution within a party and emphasizes "power" as the unifying force for a party. The classic accounts from this perspective can be found in Schattschneider (1942) and Schumpeter (1942) and the more modern versions in Cox and McCubbins (1993, 2005). This chapter seeks to bolster the latter notion, that parties are principally combinations for power, by adapting from Gosnell (1937) the concept of *clout*.

In context of this chapter, clout is the amount of influence that a legislator has in bringing a bill closer to floor consideration, an individual's ability to set the legislative agenda, so to speak. With clout, a legislator can either expedite the progress of a bill along the legislative process or delay it. On individual basis, clout permits its wielder to collect a "toll" on the bill passing through his or her jurisdiction. In the scheme of the overall legislative organization, clout is a bargaining leverage that can be "traded" in a legislative logroll by a legislator in return for something of value that he or she seeks—which may be particularistic benefits or changes to a given policy proposal. Continuing the argument from Chapter 3, clout furnishes the mechanism through which the policy

losers can be compensated in particularistic benefits—by allowing the legislators who wield it to extract a toll in pork on policy-oriented bills passing through their bailiwicks.

In the scheme of party government, I contend that the distribution of clout is uneven between the majority and minority parties—specifically, that the members of the majority, on average, have more. This provides the governing party’s leadership with the means of making the majority status valuable without having to be directly involved themselves in the distribution of specific benefits. They can allow the bargains to unfold along the legislative process more or less naturally. The advantage in clout in the hands of the majority places them in a better bargaining position along the legislative process relative to their counterparts in the minority party: they have more to trade, thus they reap greater gains from trade.

The aim of this chapter is twofold. First, I show that that clout is an important factor in the structuring legislative logrolls with an observable effect and that it is distributed among members of Congress, both between the majority and minority parties as well as within each party. Second, I show that the distribution of clout has not remained constant even within the same majority party throughout history, but was subject to reshuffling by major Congressional reforms, such as those of early 1970s. To demonstrate the effects of the clout, both static and dynamic, I develop a model to discern its effects from the observed roll call votes in Congress by introducing simple modifications to the conventional spatial model used by Poole (2005) and Poole and Rosenthal (1991, 1997).

## **2. Parties, Policy Preferences, and Logrolls**

Preference-centric approaches to legislative parties in the U.S. House fall into two categories, one that views parties themselves to be consequential and one that considers them incidental. The former approach, commonly termed Conditional Party Government Theory, views composition of member preferences within a party as the key to its strength. Specifically, its advocates contend that greater preference homogeneity within parties leads to stronger parties, as this eases the problem of delegating authority from the backbenchers to the leaders (Rohde 1991; Aldrich 1994; Aldrich and Rohde 1997). The second version of the preference-centric approach to political parties can be found in the critique of the Conditional Party Government Theory by Krehbiel (1993, 1998, 1999). This perspective questions whether strong parties are necessary in presence of high preference homogeneity and the other suggests particular configurations of preferences need not be a necessary condition for effective parties. Far from laying down groundwork for party strength, internal preference homogeneity would instead make parties redundant. With all the members already in agreement on a desired course of policy, there is no need for additional prodding by the leadership to achieve that goal. Mere sincere voting suffices to produce the outcome, regardless of intervention by the parties. In the only instance where a strong party might make a difference, when the floor median is among the minority within the majority party in terms of preferences, preference-centric models of parties provide no rationale for why these dissenters should put up with the policy proposals they oppose when they can defect and form a counter-majority with the members of the minority party in support of the policy goals that they seek.

The opposing notion, with party strength independent of the configuration of intraparty preferences, has been recently popularized by Cox and McCubbins (1993, 1994, 2005). The basic theory, however, has a long pedigree of its own, with Schattschneider (1942) and Schumpeter (1942) among its most eloquent early advocates. What binds the party, especially the party in power, together is power itself, especially the “possession of the vast resources of a modern government, its authority, its organization, administrative establishment, and so on” (Schattschneider 1942, p. 37). Even if those holding the power may not be “actuated by the same impulses,” possession of power makes possible disbursement of multifold spoils among the winners such that they can tolerate the differences among themselves and continue cooperation for holding on to power. Cox and McCubbins (1993, 2005) refine the concept further by identifying one facet of power uniquely monopolized by the majority party in U.S. Congress—the control over the legislative agenda.

Shifting the emphasis to “power” rather than “preferences,” however, brings to forefront yet another problem: on whose behalf will power be exercised? In absence of an internal consensus, the answer cannot be “the will of the majority.” Simply avoiding the issues that divide the majority, as suggested by Cox and McCubbins (1993), does not resolve this problem: laying aside such issues does not provide a “neutral” solution as it rewards the proposal’s opponents over its supporters. This situation appears to present yet another paradox of its own, for power to successfully function as a unifying mechanism, its benefits must accrue broadly within the party, indeed, to every member. In absence of a party-wide consensus, the exercise of power on behalf of some subset of the party must inevitably be against the interests of the others. Put differently, it would

appear that "spoils of power" cannot accrue to all members of the party simultaneously without intraparty preference homogeneity.

I contend that this seeming paradox emerges from a rather limited conception of power and preference, specifically the assumption that all possible policy proposals and configuration of legislator preferences can be neatly placed in a well-behaved Euclidean space. All policy proposals, under such assumptions, constitute public goods, affecting each and every legislator equally. In practice, however, proposals need not be strictly of the "policy" variety; they can easily consist of both a policy component as well as particularistic benefits targeted at specific legislators. Several recent studies have examined the possibility of using particularistic benefits for coalition building both from a formal theoretic perspective (Snyder and Groseclose 1996; Jackson and Moselle 2002) and from a more practical perspective (Evans 2005). As these studies have shown, pork can be an important component of logrolls: legislative bargains can be structured in which a relatively unwelcome policy is sweetened by an accompaniment of particularistic side benefits. In terms of geometry, particularism is important because it is orthogonal to the usual policy dimension assumed in spatial models of legislative politics: the effects of pork are, by definition, limited in scope: it affects only the targeted locality and little else, while policy, as assumed in these models, affects all legislators equally.

In addition, it is not necessary that all policy be of equal import to all legislators. Issues vary in salience across different districts: that two legislators officially profess identical positions on a given issue need not mean that they are equally committed to their positions. Some issues are matters of life and death to certain districts while a matter of only casual interest in others—government subsidies for spinach farmers, for

example, might be a central issue in a district where the crop is an important part of the local economy, but not anywhere else. The variation in issue salience sets up the stage for legislative logrolls: A legislator can afford to yield on issues of lesser salience for his or her district, in return for support on those of greater import.

### **3. The Logic of Clout**

The idea of logrolls is not new to studies of legislatures: they lie at the heart of several theories on how Congress is organized, such as the “industrial organization” perspective of Weingast and Marshall (1988). The underlying assumption behind most existing perspectives, however, is that all legislators are endowed equally in tradable assets—specifically votes, of which everyone in the legislature has only one apiece. There are, however, more at the disposal of individual legislators that can be made available for trade in logrolls. Scholars have noted several forms of action besides voting that legislators can take at the pre-floor stages, such as exerting effort (Hall 1998), using delegated agenda-setting powers to delay or block legislation (Cox and McCubbins 1993; 2005), directing staff resources to certain tasks rather than others, and the like.

What I term clout arises from the argument put forward by Cox and McCubbins: the ability of certain legislators to set legislative agenda, directly or indirectly, at least within their jurisdictions, principally by expediting or delaying the progress of a bill, but also by determining the conditions under which it would be dealt with both along the pre-floor legislative process and, later, on the floor itself. Legislators with clout bring a great deal more to the bargaining table than those without: they can help in making sure that a bill makes it to the floor, and if so, whether it would be under favorable or less favorable

conditions, to name a few possibilities. On the other hand, a legislator with only a vote to trade can only offer a marginal help once the bill reaches the floor, *if* it manages to get there, and only under the terms set long before floor consideration. It is important to note that, although votes are distributed equally among all legislators, clout is not<sup>39</sup>.

The consequence of the uneven distribution of clout is that not all legislators are equally valuable in forming a legislative coalition behind a bill. It is far more important to enlist the support of the “cloutful” legislators than those without, for the former can help in making sure that the bill makes it to the floor to be voted on, while the latter can help only if a vote does take place. This, in turn, creates a variation in both the volume of trades that legislators engage in and in the price they charge for agenda-setting services. Those with more clout will have more opportunities to trade and to trade more profitably, simply because they have more to trade with.

In particular, I posit that majority-party members have both general and specific advantages in clout. Evidence of a general majority party advantage in legislative influence comes in studies of how campaign contributions change when majority status changes, both in U.S. Congress and in state legislatures. (Cox and Magar 1999; Ansolabehere and Snyder 2000; Kim and Phillips 2006) Evidence of specific advantages is that, first, members of the majority party take most of the official positions to which agenda-setting powers are attached (e.g., committee and subcommittee chairs, Speakerships, posts on conference committees); and, second, members of the majority party receive the lion’s share of staff resources. This is *not* to say that every member of

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<sup>39</sup> Clout, in general, depends on the internal institutions of the House and the majority party. I note, however, possible that other considerations, such as issue areas, legislator expertise, pertinence of certain constituencies, and other factors may have a bearing as well.

the majority has more clout at any given point in time than every member of the minority. Rather, I merely contend that the distribution of clout across members favors members of the majority, *ceteris paribus*.

The first implication of the inter-party difference in clout is the following: If members simply trade floor votes, then there is no reason to expect any majority-party advantages, because all members have a single vote. In contrast, if the majority party has an advantage in clout, and clout (or the services therefrom) is traded, then the trades will more often be between members of the majority party.

This in turn leads to a second implication: changes in how clout is distributed within the majority party—such as those instituted by the major congressional reforms of the 1970s—will affect several key aspects of how floor votes are cast. In particular, I focus on how sufficient asymmetry between and symmetry within the parties in the distribution of clout will lead theoretically to the following:

- (1) The variance of majority party members' estimated ideal points will be greater than those of the minority party.
- (2) Majority legislators near the floor median are *more* likely to be rolled—that is, to vote in vain against a bill that successfully passes—than otherwise similar minority legislators.
- (3) The estimated dimensionality of voting among the majority party members is greater than the minority party.

The short arguments for each of these points are as follows. (1) As noted above, if the majority spreads clout evenly within its own ranks and limits the minority's, then most logrolls will be between majority-party members, because it is they who have

something to trade. Helpful behavior by the cloutful legislators can be motivated by attaching some reward to the bill in question valued by these legislators so that they are incentivized to ease its progress through the legislative process. (Cox and McCubbins 1993, appendix 2) But this means that majority-party members' voting behavior will be less predictable than otherwise similar minority-party members, because their votes are influenced by the reward. (2) Members with more clout have, as per point (1), more variable voting behavior up to a point<sup>40</sup>. They are thus more likely to have surprisingly large "errors" in their votes—errors that can sometimes convert them from *predicted* supporters of bills into *actual* opponents, thereby increasing their roll rates. (3) If the majority spreads clout evenly within its own ranks and excludes the minority, then the main political battles will all be between shades of opinion within the majority party and, given the even distribution of clout, all different sorts of shades of opinion will be illustrated. In the minority, meanwhile, the differences being argued over are small compared to the differences between the parties and they have no clout to change the focus of debate. They thus end up voting predictably against the legislative deals being offered on the floor.

The advantage that accrues to the members of the majority party resulting from the uneven distribution of the clout is not necessarily that their policy goals would necessarily prevail—although accomplishing them would certainly be eased. Rather, it allows them greater opportunities to make deals among themselves than the members of the minority party and disproportionately obtain the gains from trade, which may be of

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<sup>40</sup> Those with truly enormous clout will exhibit little or no variability in their voting behavior because their wishes will always be accommodated, either by means of policy concessions or particularistic side payments. This will be clarified further below.

either policy or particularistic variety. The difference in the bargaining opportunities, in turn, I argue below, gives rise to systematic differences in floor voting patterns between the parties.

Put simply, I argue that clout entitles a legislator who wields it to a certain share of benefits from the passage of a piece of legislation by providing him with leverage to be used in the bargaining that takes place in pre-floor stages. The bargaining, in turn, introduces a degree of distortion in the observed voting behavior. As a part of the general benefit of the majority party status, members of the majority party wield a disproportionately more clout than the members of the minority party, thus allowing them to claim a greater share of the benefits. This leads to a systematically greater pattern of distortion for the members of the majority than the minority.

In the rest of this chapter, I will clarify the arguments sketched above and then explore some empirical implications. As a direct measurement of how much clout each member has is difficult if at all possible, however, I rely primarily on indirect observation, mainly through the legislators' voting behavior. Thus, although I do explore some implications at the micro level, most of my attention focuses on how changes in the clout distribution effected by the 1970s reforms should have changed the observed variability of voting behavior within each of the parties, the roll rates of members of the two parties near the floor median, and the observed dimensionality of voting within each of the parties. I test these implications using the House roll call data on final passage votes from the 83<sup>rd</sup> through 105<sup>th</sup> Congresses.

#### **4. A Brief Review of the Standard Spatial Model**

As both the substantive argument and empirical tests used in this paper depends heavily on the logic of the standard spatial model (such as that developed in Poole and Rosenthal 1997 and Poole 2005), I provide below a brief review of the standard spatial model.

Spatial models assume that there are two components in determining a legislator's utility for an alternative (the following discussion comes mainly from Poole 2005): one deterministic, derived from the spatial locations of his ideal point and the alternative, and one stochastic, arising from factors not specified in the policy space and assumed to be random. Formally, legislator  $i$ 's utility for alternative  $a$ , given ideal point  $w_i$ , can be written as follows:

$$1) u_i(a) = U_i(w_i, a) + e_i(a)$$

The legislator votes for one alternative over another if his utility of voting for the former exceeds that of the latter. In other words, legislator  $i$  would vote "yes" on roll call  $j$ , proposing to move the policy to outcome  $b_j$ , if his utility from  $b_j$  exceeds that of voting for  $q_j$ , the status quo associated with  $j$ , which results if the "no" position prevails. Legislator  $i$ 's probability of voting "yes" on roll call  $j$ , then, can be written as:

$$2) P(\text{yes}/i, j) = P(U_i(w_i, b_j) - U_i(w_i, q_j) > e_i(q_j) - e_i(b_j))$$

The errors are conventionally assumed to be independently and identically distributed with a normal distribution with the mean of zero and the variance of  $\sigma_i^2/2$ , so that their difference,  $\varepsilon_{ij} = e_i(q_j) - e_i(b_j)$ , has the distribution  $N(0, \sigma_i^2)$ . Legislator utility is typically assumed to be quadratic so that the decision depends entirely on the distance of the legislator's ideal point from the choices, or, equivalently, the distance and the relative

location to the cutting line. Given these assumptions, constraining the model to one dimension yields the following:

$$3) \quad P(\text{yes} | i, j) = \Phi\left[\frac{2\gamma_j(c_j - w_i)}{\sigma_i}\right]$$

Where  $c_j = \frac{b_j + q_j}{2}$  is the cutting point and  $\gamma_j = q_j - b_j$  is the distance between the bill's outcome and the status quo<sup>41</sup>. Higher variance,  $\sigma_i^2$ , implies greater "errors" can occur. If the errors are sufficiently large, the legislator may cast a "mistaken" vote, or a vote inconsistent with the legislators' ideal point. Thus, the consequence of the higher variance is to increase the probability of "mistaken" votes, i.e., as  $\sigma_i^2$  grows larger,  $P(\text{yes}/i,j)$  approaches  $\Phi(0)$ , or  $1/2$ , i.e.  $i$  casts the "wrong" vote 50 per cent of the time. Note that the probability of the "mistaken" vote cannot exceed 50 per cent.

Note that the error  $\varepsilon_{ij}$  could be many things. They could reflect variations in constituents' opinions. They could reflect campaign contributions from non-ideological PACs. They could reflect side payments within the legislative process. In the next section, I argue that the variance in the errors should be larger for majority party members, when the distribution of clout takes a particular form (unequal between parties, equal within).

## **5. Rewards of Clout**

It is commonly believed that legislators with more clout get larger campaign contributions as a reward for the more valuable "legislative services" they can provide for

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<sup>41</sup> See the Appendix for the derivation of equation 3), including the the actual forms of the parameters, in the first dimension. See Poole (2000) for the n-dimensional case.

the would-be contributors. And a number of empirical studies back this belief up (cf. e.g. Grier and Munger 1991; Cox and Magar 1998; Kim and Phillips 2006).

I argue that members with clout also get larger rewards along the legislative process as well. Simply put, if a legislator can delay or block a bill, or if a legislator's effort and cooperation at a given minimum level is otherwise critical to a bill, he or she can extract a toll for allowing or aiding the bill's progress. Such tolls, in principle, can take as many forms as what a legislator may find valuable. Ideally, however, it is preferable that they consist of a set of benefits targeted at the member's constituency that is orthogonal to the policy content of the bill in question. The orthogonality assures that the payment is easing the passage of the bill, rather than the bill having to be watered down as a condition for its passage. Targetability, I add, does not necessarily imply that the payment be in particularistic benefits. It can take the form of policy issues that are salient to the cloutful legislator's district, but not to the supporters of the bill.<sup>42</sup>

Intuitively, a legislator with clout is a legislator who, for one reason or another, needs to be brought into a bill's supporting coalition, either via policy concessions or by provision of particularistic benefits. The more clout a legislator wields, the more important her presence is in the coalition for a bill to be successful. At the same time, the legislator's valuation of the bill changes since he or she now has a stake in its progress in the legislative process and eventual passage in the form of the reward attached to it. This reward leads to a change the legislator's voting behavior once the bill reaches the floor to be voted on. Given the orthogonal nature of the reward to the content of the bill, these

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<sup>42</sup> Observe that, in fact, pork barrel projects fit this description as well—since it is salient only to the district that receives them, but not to others. There are many other policy areas that fit this description as well, however.

changes would appear to be in “error,” that is inconsistent with his or her “usual” voting patterns. In absence of the knowledge on the specifics of the deals struck buried in the byzantine labyrinths of the legislative process—such as who received what rewards for what services—these irregularities of floor voting provides the only tractable means of evaluating the effects of Congressional dealmaking.<sup>43</sup>

Given that clout leads to a reward that changes a legislator’s voting behavior, I then argue two further points. First, if the distribution of clout is relatively egalitarian within the majority party but highly disparate between the majority and minority parties, then we should expect majority members to have higher variance in their voting behavior in general; thus, the voting pattern among the majority requires more explanation than a basic spatial model can provide. Second, the 1970s reforms made the distribution of clout within the majority party more even while increasing the disparity between the parties. These changes, consequently, led to an increase in majority members’ variances relative to the minority members’, as well as a leveling of the variance within the majority party.

### **5.1. Monopolized Clout Leads to Higher Variances for Majority Party Members**

If the distribution of clout is perfectly egalitarian within the majority party and the majority takes all of the clout, then I shall say that clout is monopolized. By this, I do not imply that every member of the majority party must be brought onboard for consideration of every bill along the legislative process, but that, for any given bill, all the legislators

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<sup>43</sup> Inconsistencies in Congressional voting, in fact, may underestimate the extent of dealmaking, since receiving payments for providing agenda-setting services does not require the legislator to actually vote for the bill, only that he or she would be invested in assuring its passage. It is conceivable that the legislator may opt to vote against the bill in question for position taking purposes if there are enough votes to assure its passage. This represents a very real possibility and is discussed at some length in section 8.4.

with clout will be members of the majority party. For each bill, assume that an average member of the majority party wields clout with probability  $p_{maj}$ . If the distribution of clout is completely egalitarian, each member of the majority party has an equal probability of wielding clout on any given bill, or, for every legislator  $i$  in the majority party,  $p_i$ , the probability that he is able to exert clout on a bill, is equal to  $p_{maj}$ . If clout is monopolized by the majority party, the probability that a minority party member wields clout,  $p_{min}$ , is equal to zero. Given this setting, should we expect majority members to have higher variance in their voting behavior? The answer is yes.

Step 1: Clout leads to a payment orthogonal to the bill. As suggested above, members with clout demand and receive “payment” for their services.

Step 2: I assume that payments due to clout are not strongly related to whether the member favors or opposes the bill. Even if the member favors a bill, they may extract their customary toll. So, payments due to clout are similar to the independent and identically distributed errors assumed in the spatial model. Indeed, I will assume this throughout the rest of the paper.

Step 3: Given these assumptions, majority members with greater clout also will have higher variance, because they have a larger (and more variable) non-spatial component than minority members.

To state the argument more formally, suppose the standard spatial model consisting of a legislature in  $N$ -dimensional policy space with  $n$  legislators. Let  $b$  be some bill proposed in this legislature. Further assume that there are some chokepoints along the legislative process that can either kill  $b$  outright or subject it to considerable delay before reaching the floor.

Each chokepoint is controlled, directly or indirectly, by some legislator or legislators—the chokepoints represent the legislators' clout. Let  $b = (q, z)$ , where  $q$  is some “policy” component and  $z$  is an orthogonal reward. Let  $z \in \Re^n$  such that  $z_i$  is the payment targeted at the legislator  $i$ . Assume that the ability of a legislator to extract a payment depends on his ability to veto or to delay  $b$ , i.e. the payment constitutes a toll that must be paid to clear the chokepoint. For simplicity, assume that the only value of the payment allowed is 1, so that if the legislator  $i$  is in position to delay  $b$ , then  $z_i = 1$ . If not, then  $z_i = 0$ .

Let  $p_i$  be the probability that  $i$  has clout on bill  $b$ . The assumption of binary payment function leads to a binominal distribution of the side payment, i.e. the expected side payment for  $i$ , then, is simply  $p_i$  and the variance is  $p_i(1-p_i)$ . Thus the variance is minimized, with value zero, for both the legislators with a complete clout or with no clout, i.e. if  $p_i$  is either 1 or 0, and is maximized when  $p_i = .5$ .

If these payments are a contributor to the error term in the standard spatial model, then the error term for bill  $b$  and legislator  $i$  needs to be modified to  $e_i(b) = e_{iP}(b) + e_{iE}(b)$ , where  $e_{iP}(b)$  is the error term due to the payments, while  $e_{iE}(b)$  is the error arising from causes other than the exchange of payments—say, for the electoral reasons. One key difference between  $e_{iP}(b)$  and  $e_{iE}(b)$  is that, for the legislators with clout,  $e_{iP}(b)$  would have a positive mean.

More important, given the assumption above that  $p_{maj} > p_{min} = 0$ , it follows that majority legislators will have a positive variance for  $e_{iP}(b)$  of  $p_{maj}(1 - p_{maj})$ , while minority legislators will have a nil variance for  $e_{iP}(b)$ . In other words, given monopolized clout, majority party legislators should exhibit greater variance in their

estimated ideal points than those of the minority party. Note that this is not a knife-edge result, as whenever  $|p_{maj} - .5| < |p_{min} - .5|$ , the majority variance will be greater. For example, if  $0 \leq p_{min} < p_{maj} \leq 0.5$  holds, this condition is satisfied (but there are many other configuration that would satisfy this as well.). In practice, save a handful of the extremely powerful, it is improbable that most legislators need to be “cut in on the deal” on more than half the legislations that pass through the legislature. It is, therefore, reasonable to expect that an increase in clout is generally associated with an increase in the error term as well.

### **5.2. Why Distribution of Clout Tends to be Uneven across Parties**

The majority party in the House has, since Reed’s rules were introduced in 1890, monopolized most or all of the key official positions along the legislative process—the Speakership, all the chairmanships of committees and subcommittees, extraordinary majorities in the Rules Committee and the other control committees. The majority also enjoys a considerable advantage in staff support. As official positions and staff are the main factors that give rise to the clout that a legislator enjoys, it is reasonable to expect that the majority party member enjoys a disproportionate share of clout compared to his minority party colleague of equal seniority, equal committee assignments, etc. There is a growing body of literature discussing why such majority-favoring arrangements should arise (cf. Cox 2005), but the rationale behind this disparity is not the purpose of this paper and its existence will be assumed as given throughout.

### **5.3. Why the Distribution of Clout Tends to be Even across Majority ‘Factions’**

I have argued in Chapter 3 that it is necessary that the majority party needs to provide its members with some compensation in return for having to tolerate occasional

unpalatable bills. Section 3 of this chapter has noted that clout provides the means with which these legislators can earn their share of compensation. It follows, then, that clout should be evenly distributed among all the key “factions” within the majority party. A minority of permanent losers within the majority party, as would arise if, time after time, the same small subset of the majority party were to find themselves in the losing coalition, is potentially dangerous for the majority party. The legislative agenda is no better for them than for the minority party members. As such legislators enjoy no advantage accruing from the majority party status, they suffer little or no cost for bolting to the other party. If there are enough of them, they may be able to deprive the current majority of control of the chamber.

Such majority-ruining defections, however, are rare in Congressional history. This suggests that the majority party uses some mechanisms to limit the level of discontent among its rank and file at levels such that they’d still prefer being part of the majority. One approach the leadership can use to ensure that the majority retains its members is rationing clout widely among the majority party members. Presumably, the contest within the majority party between its various factions centers precisely on who shall get which posts. Each fights for at least a proportional share of clout. (Allocating committee posts with an eye to regional and factional balance, then promoting members via some fixed rule such as seniority, is one way to ensure that factions typically get a proportional share of clout.) A side benefit of proportionally sharing clout, however this is arrived at, is that no perennially losing subset of the party, such as envisioned above, is likely to emerge. Not all “factions” within the majority party, perhaps, enjoy perfectly

equal amounts of clout. The distribution of clout within the majority party, however, will be more even than between the majority and the minority parties.

#### **5.4 Effect of Clout on Coalition-Building Strategy**

In order for a bill to successfully reach the floor voting stage, it must first secure the support of the legislators with clout, regardless of their preferences, either by policy concessions or disbursement of particularistic benefits. Indeed, if policy preferences can be assumed away (a la Baron and Ferejohn 1989) clout alone determines whether a legislator will be included in the winning coalition. Clout is best considered as a stochastic phenomenon since legislators wielding clout need not remain constant from vote to vote—i.e. legislator  $i$  wields clout with some probability  $p_i$  for a given vote.

Within a chamber or even the majority party, the distribution of clout varies. Some legislators undoubtedly wield a great deal of clout at their disposal, such as committee chairs and members of the control committees. They are included in the coalition with great frequency. Those with less but non-negligible clout, whose ranks might include the majority party backbenchers and, possibly, certain members of the minority party during some periods in Congressional history, may be excluded from the winning coalition more often. Legislators without any clout, such as most members of the minority party, need not be included in the winning coalition.

It is important to note that coalition building activities that I describe here take place separately from the voting decisions made on the basis of policy preferences. Clout causes legislators to vote differently, at least some of the time, from what they would have based solely on their preferences alone. This affects the variance of their estimated

ideal points. How much the variance is affected, in turn, varies with the amount of clout wielded by different legislators.

### **5.5. Recap**

In this section, I have argued that, if clout is monopolized, then variances will be higher within the majority. I have also discussed why clout might tend to be concentrated in the majority relative to the minority while being spread widely within the majority party. In the next section, I argue that the 1970s reforms in particular pushed clout closer to the monopolized ideal—both in that it distributed clout more widely among the members of the majority party and in that it diminished such clout that members of the minority party had wielded prior to the reforms. So we should expect the disparity in variance between the parties to be clearer following the reforms than before.

## **6. The Effects of the 1970s Reforms on Clout Distribution**

There has been much literature analyzing the changes in the U.S. House brought about by the reforms of 1970's. One strand of thought, mostly dating from 1980's, (Davidson 1981; Rieselbach 1982; Sheppard 1985) tended to emphasize the decentralizing aspects of the reforms. More recent studies (Dodd and Oppenheimer 1989; Rohde 1991; Sinclair 1995), on the other hand, have tended to emphasize the centralizing tendencies, both of the reforms themselves and in their aftermath, as the key to the growing importance of parties. While the latter are careful in not disputing that several aspects of the reforms were indeed decentralizing in nature, they do nevertheless to downplay their relevance pertaining to the role of legislative parties.

I argue below that the decentralizing aspects of the reforms played a much more important role in bringing about the resurgence of party voting than has been previously thought. Decentralization of power meant decentralization of clout, all within the majority party. This brought more members of the majority party to the pre-floor bargaining table, forcing legislative entrepreneurs to seek greater consensus within the majority in order to bring their bills to the floor.

### **6.1. The 1970s Reforms Widened the Advantage of the Majority Party over the Minority**

The House prior to the reforms is often characterized as controlled by a handful of powerful committee chairmen protected by the seniority rule, and shaping the legislation as they pleased within their own jurisdiction (Wilson 1885 provides an early version of this argument that was echoed in the literature for decades thereafter). Specifically, chairs were free to consort with the members of the minority if it suited their purposes. As the chairs during the 1950s and 1960s were often conservative Southerners who shared more in common with the minority Republicans rather than other Democrats, the so-called Conservative coalition was reputed to have had considerable legislative influence (Brady and Bullock 1980).

The extent of freedom enjoyed by chairs may be exaggerated: as Cox and McCubbins (2005) note, the instances of majority party rolls, even at the height of the Conservative Coalition era, are small in number, while that of the minority party relatively large. Furthermore, as all the chairs were members of the majority, the ability of the minority to exert influence on the legislative process depended on an invitation, in a manner of speaking, from a member of the majority party.

Nevertheless, there are indications that the minority was often successful in exerting influence before the reforms. First, anecdotal accounts abound of conservative chairmen such as Wilbur Mills openly cooperating with members of the minority party, such as Barber Conable, though not usually to the exclusion of their own co-partisans (Fleming 2004). Second, soft wins by the minority party<sup>44</sup> are rather common during this era, especially with divided governments (Kim 2004).

Many of these more bipartisan practices were diminished by the 1970s reforms. The power of committee chairs was significantly curtailed while other actors were newly empowered. The emphasis in the recent literature has been largely on the empowerment of the majority party's central leadership (Dodd and Oppenheimer 1989; Sinclair 1995; Rohde 1991). The changes enhancing the majority party's position in the legislative process are numerous: the Speaker was given more extensive powers over the legislative process; the Democratic Steering and Policy Committee was created as an executive arm of the caucus and was given considerable powers, including committee assignments; the committee chairs were now subjected to secret ballot within the party caucus; the whip system was expanded to permit the majority party leadership to better count and corral votes within the party.

In the meantime, whatever clout the minority party enjoyed was reduced. Since the minority is excluded from most formal positions of power, whatever clout they enjoyed in the pre-reform House too came only at connivance of well-placed allies within the majority. Following the reforms, however, too much consorting with the minority

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<sup>44</sup> Defined as a bill which the minority party members were statistically more likely to vote in favor than those of the majority party but where the majority party is not rolled.

party invited punishment within the majority, further curtailing the openings through which the minority could exert influence. The de facto dismissals of three conservative committee chairmen following the reforms are well-known (Sheppard 1985; Rohde 1991). There have been similar incidents, albeit less known, at the subcommittee level as well, where majority party legislators were deprived of their positions for the crime of voting too often with the minority party members (Deering and Smith 1997).

## **6.2. The 1970s Reforms Leveled the Distribution of Clout within the Majority**

Some scholars emphasize the aspects of the 1970s House reforms that enhanced the power of the central leadership (Sinclair 1995; Rohde 1991). I emphasize, as earlier observers of the reforms did (Davidson 1981; Rieselbach 1986), the changes that decentralized the legislative process, increasing the number of the legislators who could either block or at least delay the legislative process for any bill—the legislators with clout as I define them above.

Contrary to the observers both earlier and later, I contend that the increase in the power of the majority party came *from* decentralization, not in spite of it. This is not at all self-contradictory, for all the newly influential legislators came from within the ranks of the majority—such as the subcommittee chairs whose powers were broadened by the Subcommittee Bill of Rights. Indeed, decentralization meant bringing *more* members of the majority party into the legislative process, making the legislative process even more responsive to the wishes of the majority party caucus than simply delegating ever increasing power at the behest of the leadership with the mixture of expectation and hope that it would be used wisely on the behalf of the whole party.

One can see that the “bar” for office holders within the majority party was raised with the changes in 1970s and 1980s in several ways. Crook and Hibbing (1985) have argued, concerning the 1970s reforms, that the “bar” was raised as far as chairs’ voting behavior is concerned and marshaled empirical evidence to support their contention. The conventional history of the Rules Committee suggests that its members were subjected to new expectations and that it consequently became a more reliable arm of the majority leadership in the 1970s (Oppenheimer 1977). Rohde (1991) can be read as suggesting a general raising of the standard to which chairs and other office-holders would be held, in both 1970s and 1980s. In terms of coalition-building, the raising of the bar can be construed as the requirement that majority leaders build as much support within the majority party as they could, on any given bill, such that those successfully reaching the floor must be supported by an increasing fraction of the majority party.

### **6.3. Consequences of 1970s Reforms**

Prior to the 1970s reforms,  $p_{\text{maj}}$ , the probability that an average member of the majority party would wield clout, was relatively small. For any given bill, perhaps the chair of the relevant committee, the chair and members of the Rules Committee, and the Speaker would have held the bulk of the clout. While  $p_{\text{min}}$ , the probability of clout held by a member of the minority party, was undoubtedly smaller still, the difference between the two was not large, as the average majority party member did not possess a great deal more clout than an average minority party legislator. Thus, the value of legislative reward that the former could claim was not particularly larger than that available to the latter.

This situation changed in the 1970s. The Subcommittee Bill of Rights increased dramatically the clout wielded by hitherto relatively less important subcommittee chairs. The introduction of multiple referrals gave members of several committees clout over the same bill (Collie and Cooper, 1989; Oleszek 2001). For any given bill, a much larger fraction of the majority party held clout than before, and with it, greater opportunity for extracting their due rewards. While the increase in the number of legislators wielding clout would have increased the overall import of the orthogonal component of the bill, its beneficiaries would have been heavily skewed in favor of the majority party. If the increase in clout came solely among the majority party members, the consequence of this would be an increase in the variance of estimated ideal points *only* of the majority party legislators.

## **7. Testing the Predictions**

The narrative presented thus far suggests two different sets of hypotheses to be tested. First, I have argued that the disparity in clout between the majority and minority parties leads to a larger average variance of estimated ideal points among members of the former than the latter in general and that this disparity would have widened following the reforms. In terms of the coalition-building strategies described in Section 5.4., most members of the minority party, even prior to the reforms, held little clout and could be safely excluded from the winning coalition. This would have led to a low variance in their estimated ideal points to begin with. Some, such as Barber Conable, however did wield some clout thanks to their allies within the majority party. Following the reforms,

however, they too were deprived of the clout that they did enjoy, lowering their variances as well. From these, we form the following hypotheses:

*H1: The variances on the majority party members' estimated ideal points should always be higher than those on the minority party members', regardless of the pre- or post-reform period.*

*H2: The 1970s reforms should have led to an increase in the sizes of the variances on the majority party members' estimated ideal points relative to those on the minority party members'.*

Second, I have asserted that the clout advantage enjoyed by senior members of the majority party relative to the backbenchers declined as a consequence of the reforms. The greater clout in the hands of the senior members of the majority, especially the chairs, in the pre-Reform era would have led to a greater variability in their voting patterns and consequently a higher variance. A reduction in their clout brought about by the reforms would have reduced the increase in variance associated with the chairmanship, in particular. Thus, I expect the following to hold:

*H3: The increase in variance associated with a given member of the majority party attaining chairmanship should be smaller in the post-reform House than the pre-reform House.*

Note that I do not expect any particular relationship between variance of estimated ideal points and chairmanship within the same Congress. There is a multitude of reasons to expect different members of Congress to vary in their voting behavior and thus exhibit different degrees of variance, including their personal preferences and the characteristics of their constituents. It is indeed conceivable that there is a degree of

selection effect with respect to both longevity in the House and the likelihood of attaining high positions within the party hierarchy that counters the effect of clout: those with consistent voting record and stable constituencies back home may be favored to both last a long time in Congress and to attain chairmanships. If so, it is desirable to examine the changes in variances for individual members of Congress longitudinally rather than cross-sectionally, i.e. examine the change over the career of the same congressmen.

A reasonably direct measure of the variance of estimated ideal points of legislators is currently available in form of conditional standard errors on the DW-Nominate scores downloadable from Keith Poole's web site ([www.voteview.com](http://www.voteview.com)). There are, admittedly, a number of caveats in the use of these data. As these are conditional standard errors rather than true standard errors, they tend to be inflated, especially for more "extreme" legislators<sup>45</sup>. Their values also depend on the number of observations, like all standard errors, and the significant increase in the number of votes taken in the House following the 1970s reforms led to significant lowering of the estimated standard errors, making inter-session comparisons somewhat difficult. Specifically, the latter means that, rather than comparing the differences between the majority and minority party legislators' raw errors, we should normalize them by dividing them by the session average.

Table 4.1 presents the average conditional standard errors on the estimated ideal points of the majority and minority parties for the various periods from 83<sup>rd</sup> through 105<sup>th</sup> Congresses. As expected, the majority party members feature considerably larger

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<sup>45</sup> This is currently being rectified as Poole and his colleagues are constructing the "true" standard errors for DW-Nominate scores via resampling techniques.

standard errors than the minority across the entire period. One might suspect the result is driven by the inherent differences between the parties rather than the majority status concealed by a long period of one-party dominance—i.e. the Democrats are somehow more prone to higher variance than the Republicans in general. The large variances exhibited by the majority Republicans shown in the 104<sup>th</sup> and 105<sup>th</sup> Congresses, shown in the Column 2, however, indicate that this is not the case.

The columns 3 and 4 show the average conditional standard errors for the Democrats and Republicans in pre- and post-reform Houses under Democratic control. The majority party members show a larger average variance both before and after the reforms, but their errors, relative to the minority party members', are smaller before, as expected. The ratio between the average conditional standard errors on the Democrats and the Republicans in the pre-reform House is 1.20. After the reforms, the ratio rises to 1.35, or an increase of nearly 13%.

**Table 4.1:** Conditional Standard Errors Between Majority and Minority Parties<sup>46</sup>

	1 All Eras (83 <sup>rd</sup> -105 <sup>th</sup> Congresses)	2 After the Republican Takeover (104 <sup>th</sup> -105 <sup>th</sup> Congress)	3 Post-Reform Era with Democratic Majorities (94 <sup>th</sup> -103 <sup>rd</sup> Congress)	4 Pre-Reform Era with Democratic Majorities (83 <sup>rd</sup> -93 <sup>rd</sup> Congress)
Average Standard Errors on the Majority Party Legislators	.0741 (.0015)	.0545 (.0024)	.0540 (.0011)	.0962 (.0029)
Average Standard Errors on the Minority Party Legislators	.0596 (.0012)	.0393 (.0015)	.0401 (.0009)	.0802 (.0021)
N (Majority)	6392	467	2679	2799
N (Minority)	4414	420	1703	2047
t-stat (From a Difference-of- Means test)	15.00	10.48	19.83	8.84

In order to measure the relative value of seniority within the majority party, I have merged the chamber seniority data from Charles Stewart's web site ([www.mit.edu/cstewart/www/data\\_page.html](http://www.mit.edu/cstewart/www/data_page.html)) with the DW-Nominate data. I examine this by using a fixed effects linear model. As noted above, the House reforms produced dramatic changes in the magnitude of the variance on the estimated ideal points, so I compensate for this by using the ratio of a given House member's conditional standard errors to the House mean as the dependent variable. I include dummy variables for both the chairmanship and the post-reform period (starting from the 93<sup>rd</sup> Congress, by which

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<sup>46</sup> Standard errors in parentheses

time the House reforms came to an end.) and interact the post-reform period dummy with both the party affiliation dummy (the Democrat dummy variable) and the chairmanship dummy to capture the effect of the reforms. Note that I do not include a Democrat dummy in the model by itself. This is because the variable is both unnecessary and, in vast majority of cases, constant, due to the longitudinal nature of the model and the fact that very few members of Congress switched their party affiliations while serving in the House.

Table 4.2 shows the result of this regression. Attainment of a chairmanship is indeed shown to substantially increase the variability of a given Congressman's voting behavior. The unequal redistribution of clout along the partisan line as the consequence of reforms is shown in the large and positive coefficient on the interacted variable Post-reformXDem. The relatively small gain from attaining chairmanship in the post-reform era, on the other hand, is shown in the substantial and negative coefficient on the interacted variable Post-reformXChair. If, as hypothesized, the variability of voting behavior reflects the degree of clout wielded by members of Congress, these findings indicate, respectably, that chairmanship, in all periods, is quite valuable, in terms of clout; that membership in the majority became much more valuable after the reforms; and that chairmanship became much less valuable after the reforms than before.

**Table 4.2:** Fixed-Effects Regression Results for Variance Changes Due to Chairmanship and the Reforms<sup>47</sup>

	Relative Conditional Standard Errors in First Dimension
Chairmanship	.222 (.034)**
Post-reform	.027 (.019)
Post-reformXDem	.153 (.024)**
Post-reformXChair	-.115 (.040)**
Constant	.929 (.006)**
Number of Observations	8467
Number of Groups	1751

\*Significant at 5% \*\*Significant at 1%

## **8. Clout, Majority Status, and Roll Rates**

The preceding sections have argued that intra-majority party bargaining introduces asymmetric patterns of errors between majority and minority parties. Such bargains, however, also do have substantive consequences for legislative politics, including some unexpected and counterintuitive ones. One such counterintuitive consequence is that, among the “moderate” legislators, the majority party members should actually be *more* likely to wind up in the losing coalition than those of the minority party. The following illustrates how such an outcome might arise:

Let us reconsider equation 3) with the premise that the majority and minority parties differ in their variances. Suppose  $i$  is a member of the majority party and there is another legislator,  $k$ , who is identical to  $i$  in every respect except that he is a member of

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<sup>47</sup> Standard errors in parentheses

the minority party. As per the preceding section,  $i$  has higher variance than  $k$ , or  $\sigma_i > \sigma_k$ . Suppose  $i$  and  $k$  vote on roll call  $j$ , which pits the bill outcome  $b_j$  against the status quo  $q_j$ .

Suppose, first, that  $q_j > b_j$  and  $w_i = w_k < c_j$ . Thus both  $i$  and  $k$  are on the same side of the cutting line as the bill and their “correct” vote is “yes,” while  $\gamma_j = q_j - b_j > 0$ . Their probabilities of “yes” votes are given by equation 3). This, in turn, leads to the following:

$$4) P(\text{yes} | i, j) = \Phi\left[\frac{2\gamma_j(c_j - w_i)}{\sigma_i}\right] < \Phi\left[\frac{2\gamma_j(c_j - w_k)}{\sigma_k}\right] = P(\text{yes} | k, j)$$

This inequality follows since  $2\gamma_j(c_j - w_i) = 2\gamma_j(c_j - w_k) > 0$ .

Put differently, a majority party legislator is actually *less* likely to vote for a bill proposing to move the status quo in the direction of his own party than a minority party legislator with an identical ideal point, in this case.

Now, suppose  $q_j > b_j$  and  $w_i = w_k > c_j$ . Then the “correct” vote for both  $i$  and  $k$  should be “no” and the probability of the “correct” vote is given by slightly modifying equation 3) as follows:

$$5) P(\text{no} | i, j) = \Phi\left[\frac{2\gamma_j(w_i - c_j)}{\sigma_i}\right] = 1 - P(\text{yes} | i, j) = \Phi\left[\frac{2\gamma_j(c_j - w_i)}{\sigma_i}\right]$$

Now,  $\sigma_i > \sigma_k$  implies the following:

$$6) P(\text{no} | i, j) = \Phi\left[\frac{2\gamma_j(w_i - c_j)}{\sigma_i}\right] < \Phi\left[\frac{2\gamma_j(w_k - c_j)}{\sigma_k}\right] = P(\text{no} | k, j)$$

Now, the majority party legislator is less likely to cast a “no” vote than the minority party legislator, *ceteris paribus*.

In general, different configurations of status quo points, bill proposals, and ideal points give rise to following possible permutations.

**Table 4.3:** Relationship between Voting Errors and Roll rates

	$c_j > w_i$	$c_j < w_i$
$q_j > b_j$	Higher roll rates <sup>48</sup> for the majority party legislators	Lower roll rates for the majority party legislators
$q_j < b_j$	Lower roll rates for the majority party legislators	Higher roll rates for the majority party legislators

What outcomes shown in these cells are more likely? Cox and McCubbins (2005) note that, the roll rate of an individual legislator, given a pure spatial model without any errors, depends on the location of his ideal point. A legislator located at the floor median,  $M_F$ , should never get rolled on the account of the Median Voter Theorem. For any legislator  $i$  whose ideal point  $w_i \neq M_F$ , bill proposal-status quo combinations may exist such that the consequent cutpoint lies between  $i$  and the floor median, leading to their disagreement. Since any winning proposal requires a “yes” vote from the floor median, such a disagreement, if the floor median votes “yes,” implies  $i$  being rolled. The probability that such a bill proposal-status quo combination might exist, Cox and McCubbins note, increases as  $d(w_i, M_F)$ , the distance from the floor median to the legislator increases, and implicitly, the probability of a bill proposal-status quo combination leading to an agreement between  $i$  and  $M_F$  decreases. These simply mean that greater distance from the median leads to greater probability that  $i$  would be rolled. In another words, if  $b_j < q_j$ ,  $P(c_j > w_i)$  decreases as  $d(w_i, M_F)$  increases, while, at the same

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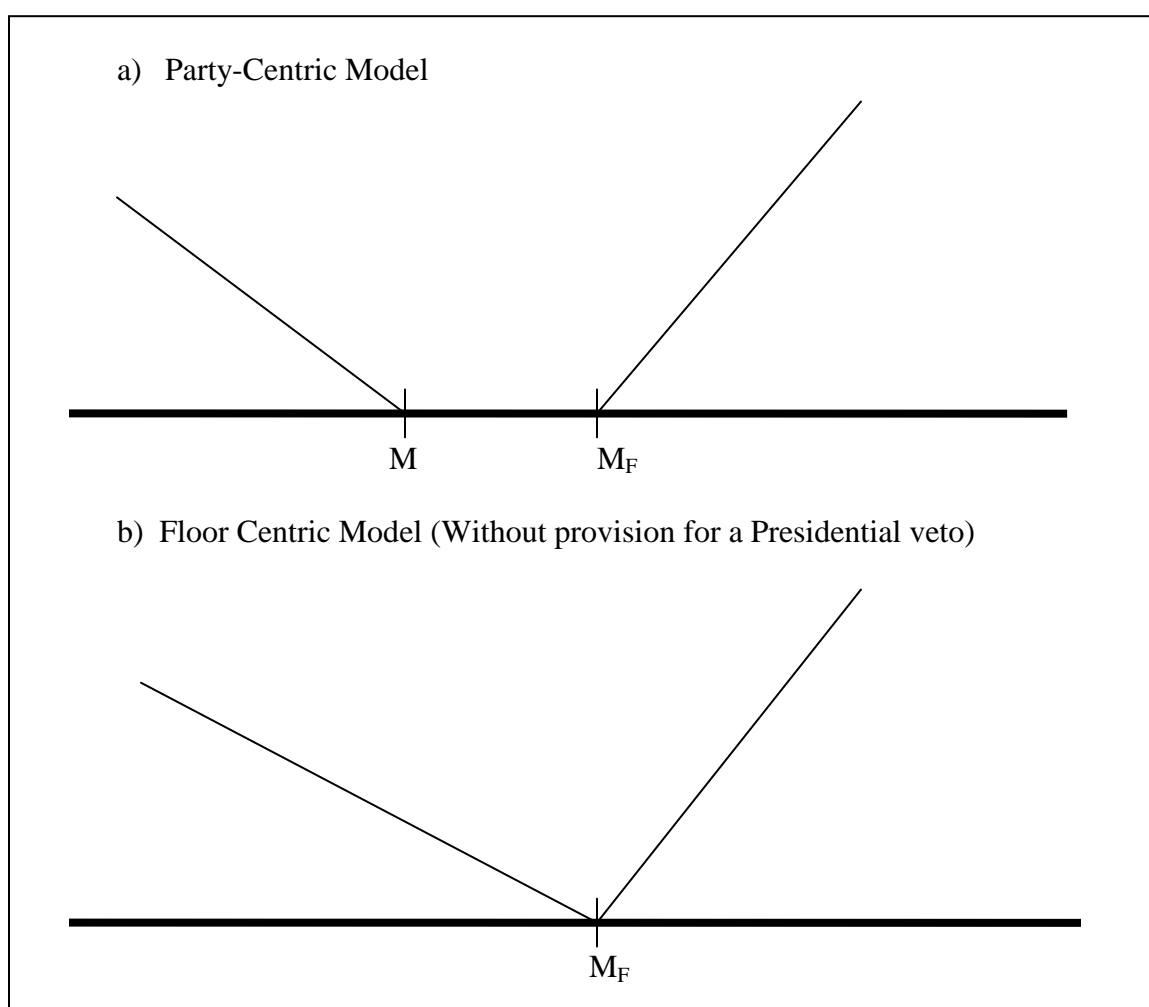
<sup>48</sup> The term roll rate, of course, refers to the probability that a legislator may be rolled.

time,  $P(c_j < w_i)$  increases since  $P(c_j < w_i) = 1 - P(c_j > w_i)$ . Alternatively, if  $b_j > q_j$ , then  $P(c_j < w_i)$  decreases as  $d(i, M_F)$  increases, while  $P(c_j < w_i)$  increases.

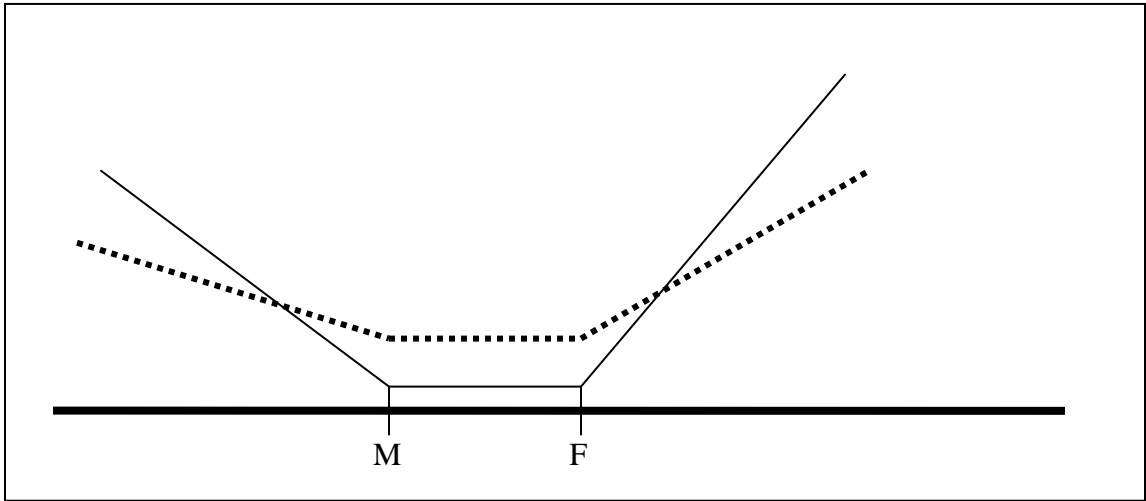
Taken together, these imply that, the probability of an outcome in upper left or the lower right quadrant of the above 2x2 table decreases while that in the upper right or the lower left quadrant increases as the distance from the floor median to the legislators' ideal points increases. Put differently, among the moderates, characterized by short distance from the floor median, majority party legislators may suffer a higher roll rate than those of the minority party, given the location of their ideal points, while among the extremists, distant from the floor median, majority party legislators are less likely to be rolled than similarly situated minority party legislators. In principle, this can be easily conceptualized into a simple regression equation: roll rates for all legislators would be positively correlated with the distance from the median, but the majority party legislators would exhibit a larger constant and a smaller coefficient than those of the minority party. The former arises because of the higher roll rates among the moderates in the majority party relative to those in the minority; the latter because of the lower roll rates among the majority's extremists.

The presence of a majority party with exclusive control over the legislative agenda, however, manifests its presence through other means, adding further complications. If the majority party lacks the means to block undesirable bills from reaching the floor (cf Krehbiel 1998), the relationship between roll rates and the distance from the median would hold regardless of the direction of policy movement. Cox and McCubbins (2005), however, posit that the majority party's monopoly over the legislative agenda leads to a "blocking zone" between the majority party median and the

floor median. Figure 4.1 illustrates the differences between the predicted roll rate patterns from the opposing camps, with the assumption of zero errors. As the theory of intra-party bargaining presented here presupposes an exclusive agenda-setting power at the hands of the majority party, it needs to incorporate the blocking zone as a part of its predictions. Figure 4.2 illustrates the predicted roll rates where intra-party bargaining is allowed, with the dotted and solid lines indicating expected roll rates for the majority and minority parties, respectively.



**Figure 4.1:** Expected Roll Rates under Deterministic Models



**Figure 4.2:** Expected Roll Rates with Intra-Majority Party Bargaining

### **8.1. The Intuition behind the Higher Majority Party Roll Rates**

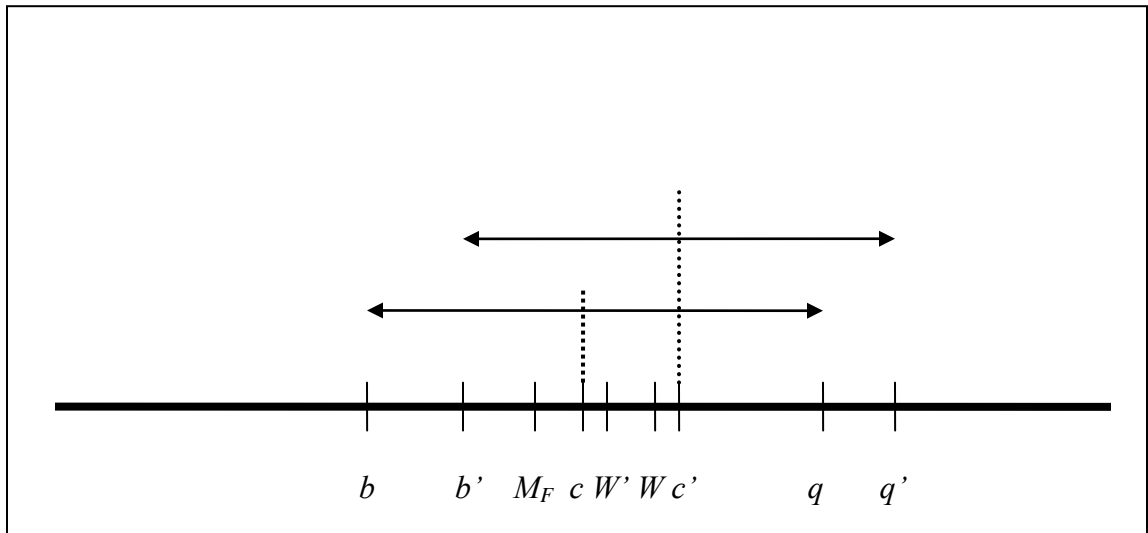
The mathematics notwithstanding, the intuition behind the higher roll rates remains perplexing: why do “moderates” among the majority party wind up in the losing coalition more often than their counterparts from the minority party? The answer is that they are not quite as moderate as their estimated ideal points suggest.

Consider the situation depicted in the Figure 4.3, where there are two types of bills, one seeking to move policy from  $q$  to  $b$ , the other seeking to move policy from  $q'$  to  $b'$ . Their respective cutpoints are  $c = \frac{b+q}{2}$  and  $c' = \frac{b'+q'}{2}$ . Assume that the majority party median is to the left of the minority party median. Both the majority and minority legislators have their “true” ideal point located at  $W$ . The majority party legislator holds clout with probability  $\frac{1}{2}$ , while the minority party legislator has no chance of wielding clout. The minority party legislator always votes sincerely for  $q$  and  $b'$ , thus his ideal

point is estimated accurately as  $W$  with little variance<sup>49</sup>. Since the majority party legislator sincerely prefers  $b'$  to  $q'$ , he always votes for  $b'$ , but he votes for  $b$  if he enjoys clout and thus receives an orthogonal payment that renders the bill “unnaturally” valuable, which will be 50% of the time. Agenda control by the majority party distorts the supply of bills reaching the floor in its favor so that far more bills seek to move policy to the left than to the right. This means that the majority party legislator is more likely to be paid to vote for leftward policy changes that he would ordinarily oppose than for rightward policy changes that he would ordinarily oppose. The estimated ideal point for the majority party legislator, then, will be  $W'$ , to the left of  $W$ . The majority party legislator, however, is not offered compensation at all times. If he is not paid, he votes against  $b$  and thus would get rolled, in accordance to his “true” ideal point,  $W$ . A minority party legislator located at  $W'$ , on the other hand, would not exhibit such shifts in his voting decision, as he votes sincerely on the basis of his true preferences. Specifically, he always votes for  $b$  and is not rolled.

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<sup>49</sup> Technically, the minority party legislator’s ideal point would be estimated as being in the interval  $(c, c')$ . This would, however, be an unbiased estimate.



**Figure 4.3:** The Difference in Voting Behavior between Majority and Minority Party Legislators Due to Clout

The disproportionate distribution of clout between the parties coupled with a distorted supply of proposed policy changes due to partisan agenda control thus lead to a systematic bias in the estimated ideal points of the majority party legislators, in addition to inflating the variance of their estimated ideal points relative to those of the minority. When the majority party legislators are given compensation, they vote as if their ideal points are located somewhere to the left of their “true” locations. When they are not, they vote according to their true ideal points. Their estimated ideal points, then, are located, in effect, somewhere between these, with relatively high variances, as scaling algorithms cannot distinguish between the votes. The estimated ideal points of majority party legislators, put differently, is to the left (assuming, without loss of generality, that the majority party is to the left of the median) of their “true” ideal points.

On the other hand, as minority party legislators are entitled to no compensation, they always vote sincerely. Consequently, their estimated ideal points exhibit no

systematic bias. Thus, “true” ideal points of majority party legislators lie to the right of their minority party counterparts with similar estimated ideal points. This is revealed when the majority party legislators are not compensated for their votes: they are rolled when their supposedly similarly situated minority counterparts are not. This is, however, consistent with their *true* ideal points, even if not with their *estimated* ideal points.

## **8.2. Consequences of 1970s Reforms**

The various accounts of how the pre- and post-reform Houses conducted business suggest a few subtle differences between the eras as well. As noted above, conservative Democratic chairmen in the pre-reform House often worked closely with members of the minority party, extending them considerable clout by invitation, so to speak. Such clout enjoyed by members of the minority would have allowed them to partake in deal-making to a considerable extent, which, in turn would have increased the variances on their ideal points relative to those of the majority party members. There is much anecdotal evidence of such undertakings, including the oil depletion allowances that formed a bone of contention in a recent debate between Cox and McCubbins and Schickler and Rich (1997). The gap, however, would persist, for the clout enjoyed by the members of the minority did not equal that of the majority even before the reforms.

Bipartisan bargains became much more difficult in the years following the reforms as the majority party began cracking down on undue consorting between Democratic committee and subcommittee chairs and minority party members. With the avenues of cooperation across parties thus blocked, the only permissible bargains were increasingly those involving fewer and fewer members of the minorities. Meantime, bargaining within the majority party would have grown in import, with the wider

availability of clout among its members. Deprivation of the bargaining opportunities among the minority party members coupled with growing significance of intra-majority party deal-making would accentuate the difference between the parties in the patterns of roll rate: the non-spatial component would gain in significance among the majority party members while the spatial component would grow in import among those of the minority party.

### **8.3 Testing the Predictions**

The data on legislators' roll rates in the U.S. House is obtained from the web site maintained by Cox and McCubbins ([www.settingtheagenda.com](http://www.settingtheagenda.com)). As noted above, I use the first dimensional DW-Nominate scores as the estimated ideal points of the legislators<sup>50</sup>.

The two hypothesized determinants of legislator roll rates can be operationalized via a simple linear regression using DW-Nominate scores as follows: the non-spatial component arising from the bargaining, can be captured as the constant of the regression; the spatial component, arising from the legislator's ideology, can be captured as the regression coefficient on the distance from the floor median. Put differently, we can run the following regression to capture the differences in the spatial and non-spatial components between the parties:

$$7) \text{ Rollrate} = \text{Const.} + b_1(\text{Democrat dummy}) + b_2(\text{distance from the floor median}) + b_3(\text{distance from the floor median} \times \text{Democrat dummy})$$

The constant term gives the roll rate for a Republican legislator located at the floor median. The coefficient  $b_1$  indicates the degree to which a Democrat located at the

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<sup>50</sup> The technical problems of using DW-Nominate scores, for both of these purposes, are well-appreciated., as indeed, their weaknesses are central to various aspects of this dissertation. These are, however, the only tools approaching anything like a universal standard in Congressional research.

median is more likely to be rolled. The coefficient  $b_2$  captures the relationship between the roll rate and the distance from the median in DW-Nominate scores for the Republican legislators while the coefficient  $b_3$  captures the difference between the Democratic and Republican legislators.

A problem is presented, however, by the predicted U-shape of the roll rates on the same side of the floor median as the majority party's median, under a party-centric model of a legislature, as per Figure 4.1 earlier, which is not amenable to a simple regression. However, monotonically increasing roll rates on the opposite side of the median lends itself well to a test by linear regression, so I will only consider for this section the legislators whose estimated ideal points, as estimated by DW-Nominate, lie on the opposite side of the floor median from the majority party median. This is aided by the presence of numerous right-of-center Democrats throughout the period of Democratic majority in the House that provides a useful overlap between the parties as well. This leads to the following prediction:

*H4: If the regression 7) is run with the legislators to the right of the floor median in Congresses with Democratic majorities,  $b_1$ , the coefficient on the Democratic Party (the majority party) dummy will be positive while  $b_3$  the coefficient on the interacted term will be negative.*

The changes brought by the 1970s reforms, I have argued, distorted the relative import of spatial and non-spatial components within each party even further—adding to the import of the non-spatial component while diminishing that of the spatial component within the majority party while doing the opposite within the minority. Given the manner the model for the overall period is operationalized, it is technically proper to add the

additional dummy variable for the post-reform period interact it with the variables of interest. Since one of the key variables, (Democrat)X(distance from floor median), however, is itself an interacted term and given the difficulty in interpreting a triply interacted variable, it becomes necessary to divide the data into the pre- and post-reform periods. The expected changes in the relative import of spatial and non-spatial components in determining roll rates for members of each party lead to the following prediction straightforwardly:

*H5: If the regression 7) is run separately for the pre- and post-reform Houses among the legislators to the right of the floor median in Congresses with Democratic majorities, the coefficients for both the Democratic Party (the majority party) dummy and the interacted term will be larger in magnitude while retaining the same signs in the post-reform period.*

Table 4.4 shows the regression results the long period of Democratic majority in the postwar era, 83<sup>rd</sup> through 103<sup>rd</sup> Congresses as well as the pre- and post-reform eras. For all three cases, the Democratic Party dummy is certainly significant. As expected, however, the coefficient is much larger in the post-reform era. A Democrat located at the floor median is about twice as likely to be rolled as a similarly situated Republican during the pre-reform period; during the post-reform era, a Republican located at the floor median should not be rolled at all, statistically speaking, while a Democrat should be rolled nearly 14 per cent of the time. The coefficient on the interacted term is too small to be statistically meaningful during the pre-reform era, but it is both quite large, negative, and statistically significant in the post-reform-era, consistent with the expectations. For visual illustration, I include a plot of roll rates against DW-Nominate scores in 96<sup>th</sup>

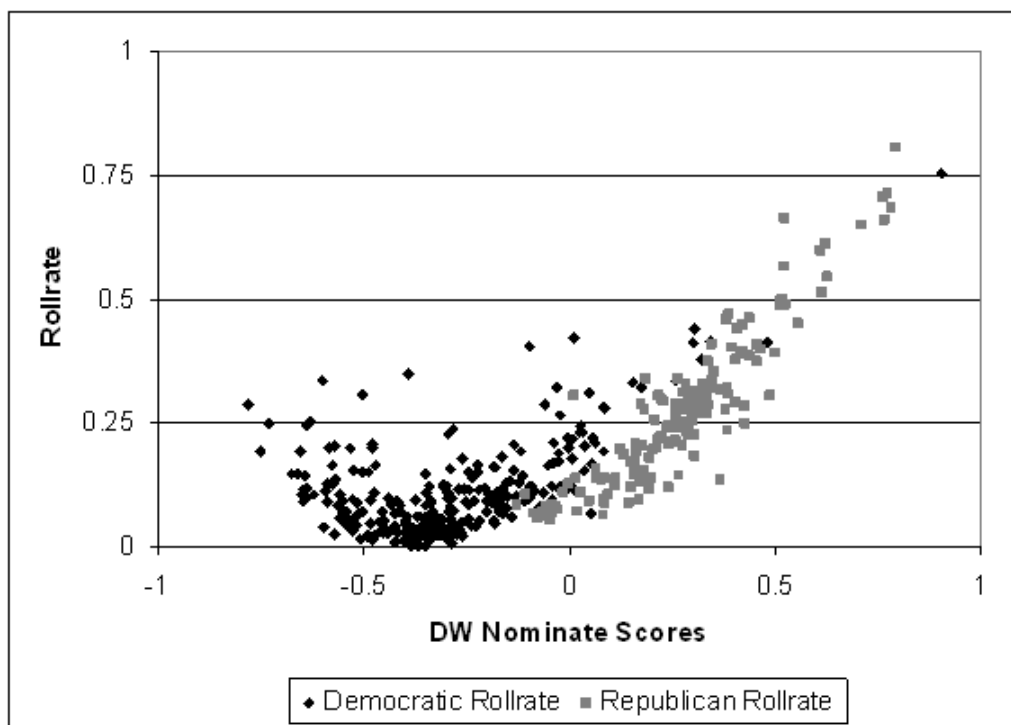
Congress as Figure 4.4, which shows clearly the higher roll rates among the Democrats in the interval where the parties overlap.

**Table 4.4:** OLS Regression Results for Rollrate Patterns in the House under Democratic Majorities. (Region to the Right of Floor Median Only; 83<sup>rd</sup> – 103<sup>rd</sup> Congresses)<sup>51</sup>

	1	2	3
	Roll Rates for the Entire Era	Roll Rates in Pre- Reform Era (83 <sup>rd</sup> to 93 <sup>rd</sup> Congresses)	Roll Rates in Post- Reform Era (94 <sup>th</sup> to 103 <sup>rd</sup> Congresses)
Distance from the Floor Median	.672 (.009)**	.626 ( .015)**	.787 (.011)**
Democrat	.088 (.006)**	.081 (.009)**	.136 (.007)**
(Democrat)X(Distance from the Floor Median)	-.019 (.024)	-.012 (.040)	-.118 (.028)**
Constant	.050 (.004)**	.078 (.005)**	-.017 (.005)**
N	4214	1010	3204

\*Significant at 5% \*\*Significant at 1%

<sup>51</sup> Standard errors in parentheses



**Figure 4.4:** Rollrate Patterns by Party in 96<sup>th</sup> Congress

For the purposes of validity check, the results from a similar regression for the period of Republican control of the House are provided in Table 4.5. The results are nearly completely devoid of any statistical significance, which is unsurprising since only 18 Republicans had their estimated ideal points located to the left of the floor median between the 104<sup>th</sup> and 105<sup>th</sup> Congresses. The general tendencies, however, are borne out, indicative of both a higher roll rate among the moderate Republicans and lower roll rate among the liberals.

**Table 4.5:** OLS Regression Results for Rollrate Patterns in the House under Republican Majorities. (Region to the Left of Floor Median Only; 104<sup>th</sup> and 105th Congresses)

	Roll Rates with a Republican Majority
Distance from Floor Median	.626 (.019)**
Republican	.099 (.024)**
(Republican)X (Distance from the Floor Median)	-.168 (.310)
Constant	.013 (.012)
N	434

\*Significant at 5% \*\*Significant at 1%

#### **8.4. Discussion: Clout and Intertemporal Bargaining**

In the previous section, I have presented the differences in roll rate between the majority and minority parties as a straightforward mathematical exercise. How, in practical politics, the putatively moderate members of the majority party might find themselves rolled more often than similarly situated members of the minority remains to be explained. I posit that there are two forces that combine to produce this outcome, both arising from the non-spatial component of the legislators' voting decision.

First, let us note that scaling algorithms estimate legislators' ideal points only on the basis of how they voted, not their "true" preferences which remain hidden from sight. As per the logic of Section 2, a legislator with clout needs to be brought into the winning coalition one way or another. If he opposes a bill on the basis of his "true" preferences, his vote is purchased via particularistic benefits rather than policy concessions. The variance on his estimated ideal point, then, would be raised as he is seen joining odd coalitions—a leftist legislator may be seen joining an otherwise rightist coalition, and so

forth. Cox and McCubbins (2005) have noted that the direction of policy movements depends heavily on the party controlling the chamber: some 80% of the bills that passed the House under Democratic majority moved the policy to the left; roughly the same percentage of the bills that passed the Republican House moved the policy to the right. Right-of-center Democratic legislators with clout would have been paid for to at least tacitly assist in passing the leftist legislation in the Democratic House even if they might have, in principle, opposed the bills. The same would have been true with the left-of-center Republicans under a Republican majority. Such voting behavior would have the effect of distorting their estimated ideal points relative to their “true” positions, leftward for the Democrats and rightward for the Republicans.

Clout notwithstanding, a legislator needs not always vote for the actual bill for which he has been paid. A legislative session deals with multiple bills, not one gigantic omnibus bill simultaneously incorporating all pertinent deals struck in the legislature. The roll rates result not from a single vote, but a collection of multiple votes taken during a legislative session. Intertemporal bargaining is possible: the compensation pertaining to a bill today can be included in another bill tomorrow.

A conservative Southern chairman in 1950s, for example, might have been “persuaded” not to hold up a liberal labor bill. In return, he might be rewarded through pork barrel projects benefiting his district included in a separate rivers and harbors bill at a future date. The chairman needs not vote for the labor bill—the deal was for him not using his clout to stop the bill from reaching the floor, not that he should vote against his preferences on the floor in addition. In some issues, where he is publicly committed to oppose certain legislations, a deferred compensation may be more convenient for

purposes of position taking than a payment embedded in the bill itself—it provides a cover for the legislator while still allowing him to be a loyal party member behind the scenes. Instances of such intertemporal logrolls, however, lead to the chair in this example being rolled: his consent may have been instrumental in getting the bill to the floor; he may be getting compensated in another bill, and it may be common knowledge that his “no” vote is purely symbolic, but as far as the final passage vote is concerned, he is still ineffectively casting a “no” vote against a bill that passes. Put differently, majority party legislators are rolled not so much because they are powerless to stop a bill, but because they agree to be rolled occasionally, possibly for electoral reasons, while being compensated in another bill. Such legislators’ “moderate” ideal point estimates, then, may be masking the more extreme “true” preferences. If and when the mask does come off, they are rolled, but only as a part of an act that has already been pre-scripted.

On the other hand, members of the minority party, generally lacking clout, would not have been a party to the side payments, whether embedded in bills or in intertemporal bargains. Their estimated ideal points, then, would not have been distorted as those of their supposedly similarly situated colleagues across the aisle. If so, their votes on final passage are sincere, reflecting their “true” preferences. Unlike majority party legislators, minority party members who do get rolled do so because they truly oppose the bills and there is nothing they can do to stop them, not as a stage-managed act intended for consumption of another audience. The minority party legislators near the median, on the other hand, do not get rolled because they are true moderates whose preferences approximate that of the median voter.

The idea of such intertemporal logrolling, facilitated by the institutions of the House, was first broached by Weingast and Marshall (1988). Such deals are facilitated within the majority party, however, by the presence of the party leaders with control over the legislative agenda who can help broker and enforce them (Cox and McCubbins 1993). No deal can be made without approval and participation of the majority party leadership, discouraging the sort of deals unwelcome to the majority party collectively. Conversely, the leadership can reward loyal members by allowing them the opportunity to make the deals they wish to make—in principle, the deals need not even please a majority of the majority party, as long as they are not deathly opposed. This sheds a new light on the debate over oil depletion allowance and the role of parties that took place some years ago (Cox and McCubbins 1997; Schickler and Rich 1997). The argument that the allowances, passed mostly with Conservative Coalition votes, represent failures for the majority party presupposes that the role of the party is primarily to “win,” while the perspective advanced in this paper suggests only that the allowances merely represented the due reward that the conservative Democrats obtained for not raising more trouble than symbolic “no” votes on other legislations favored by their more liberal brethren.

### **8.5. Recap**

The inflation of variance due to non-spatial payments leads logically to some rather counterintuitive results. This section has focused on one of the more startling consequences, that majority party legislators within certain intervals of DW-Nominate scores are *more* likely to be rolled than members of the minority party. The possibility of bargains biases ideal point estimates, but the opportunity for bargaining is not distributed

equally across the parties. The bias for the members of the majority party is larger, reflecting the greater opportunities for bargaining they enjoy.

## **9. Clout and the Dimensionality of Roll Call Voting**

Following the finding of a “Unidimensional Congress” by Poole and Rosenthal (1990; 1997), measuring the dimensionality of legislative roll call voting has attracted much interest in legislative studies. As a practical matter, the “dimensionality” of roll call voting simply captures the diversity of voting coalitions—with a unidimensional policy conflict arising when few of the very large number of *possible* voting coalitions actually appear with any frequency, so that the *observed* coalitions opposing one another on roll call votes can usually be described in terms of two opposing groups with stable memberships, plus a certain number of defections following a consistent ordered pattern across multiple votes. A multidimensional policy conflict, on the other hand, arises, when the coalition patterns are more divisive and members of the opposing coalitions shift from one vote to another in a manner that a single left-right scale cannot predict.

The discussion in Section 5 concerning the differences in variances between the majority and minority parties suggests the parties may differ in their internal dimensionalities. Holding all things equal, higher variances among the members of the majority party lead to a greater frequency of “mistaken” votes, the votes that cannot be explained by the given number of dimensions that the model is constrained to—but more for the members of the majority party than the minority party. As the variance increases, the legislator’s policy preferences—his location in the policy space—becomes increasingly less relevant as the determinant of the vote choice. The non-spatial

component, arising from clout and the rewards that its holder is entitled to, account for more and more of the observed voting behavior. With infinite variance, legislators' voting decisions would appear to be completely random and explaining each legislator's vote would require a separate dimension—435 in case of the U.S. House. As the non-spatial component grows in importance, additional dimensions need to be invoked to explain the observed roll call voting behavior.

The non-spatial component however, does not affect legislators of both parties equally. I have argued in Section 5 that distribution of clout is uneven between parties and that the rewards of legislative bargain fall more upon the members of the majority party than the minority. Or, in other words, the voting behavior shown by the majority party should require more dimensions to explain than that shown by the minority party.

The possibility that the majority and minority parties might differ in their dimensionalities has not been considered in the literature. Only Roust (2005) considers the possibility that there may be differences between the parties and he does not envision the differences as necessarily stemming from majority or minority status.

### **9.1. How Changing Distribution of Clout Changes Majority Party Coalitional Diversity on the Floor**

Consider a legislature with 11 members. Suppose, for sake of simplicity, their “true” ideal points all lie along a unidimensional policy space. Label these legislators, without loss of generality, 1 through 11 from left to right. Each legislator votes in perfect accord with his “true” ideal point except for orthogonal payment to be described shortly. I present below two examples: one where clout is concentrated in the hands of one legislator and the other where it is dispersed among several.

### ***9.1.1. Low Coalitional Diversity with Concentrated Clout***

Suppose that the leftmost eight legislators belong to the majority party and the legislator 3 has such clout that he must be brought aboard any winning coalition with the probability of one—but no one else wields comparable clout. Finally, assume that all winning coalitions are minimal winning. A successful “leftward” policy move would be supported by legislators 1 through 6 and the legislator 3 will be a part of this coalition from his preferences alone—although he may extract some non-spatial benefits along the way nevertheless. A successful “rightward” policy move, on the other hand requires “yes” votes only from the legislators 6 through 11, plus the legislator 3 brought aboard via the inclusion of non-spatial benefits, if we require additionally that the majority party cannot be rolled. Within both parties, the coalition patterns are simple. In the minority party, all members vote for the rightward move and no one votes for the leftward move. In the majority party, legislators 1 through 6 vote for the leftward move—with the rest opposed—and 3, 6, 7, and 8 vote for the rightward move.

### ***9.1.2. High Coalitional Diversity with Dispersed Clout***

Now, suppose that the reforms add two more legislators with clout within the majority party—1 and 8. Also suppose that legislator 3’s clout is decreased so that he no longer needs to be included in every winning coalition with certainty. Suppose, for simplicity, each of these legislators wields clout on any given bill with probability  $3/4$ . Now, the coalitions for both leftward and rightward policy movements are more complex: With the probability  $9/16$ , both legislators 1 and 3 will wield clout, and the corresponding rightward moving coalition would include only the legislators 7 through 11, plus 1 and 3.

With the probability  $3/16$ , on the other hand, only 3 will wield clout, leading to a coalition of the legislators 6 through 11, plus 3. With probability  $3/16$ , only 1 wields clout, exhibiting a coalition of 6 through 11, plus 1. Finally, with probability  $1/16$ , neither 1 nor 3 wields clout, requiring a coalition of 5 through 11.

In each of these cases, however, the variation comes from within the majority party—the minority coalition is always the same: all members of the minority party vote for the rightward move. The pattern repeats itself with leftward moves as well, although with less diversity. Both 1 and 3 vote for any leftward move based on preferences alone. With the probability  $3/4$ , the requisite coalition consists of legislators 1 through 5, plus 8. With the probability  $1/4$ , the necessary coalition becomes legislators 1 through 6. Again, all the diversity in the coalition comes from within the ranks of the majority party: all members of the minority party votes against any leftward move.

### ***9.1.3. Summary***

The example presented above is, admittedly, extremely simple, perhaps downright simplistic, but it does illustrate the essence of the argument: a wider, more egalitarian distribution of clout within the majority party necessarily leads to a more complex coalitional pattern in the floor voting, but only among the members of the majority party. For the entire chamber, the unidimensional pattern is largely preserved, for the floor voting still pits the bulk of the majority party versus the minority party. Within the majority party, however, the pattern of “defections” changes wildly—whereas it was perfectly predictable prior to the “reforms,” at least within the context of this exercise, it becomes increasingly complex as reforms broaden and level the distribution of the clout

within the party. As the reform does not affect the minority party, however, it yields no change therein.

## **9.2. Another Consequence of the Reforms: Changing Coalitional Diversity within the Majority Party**

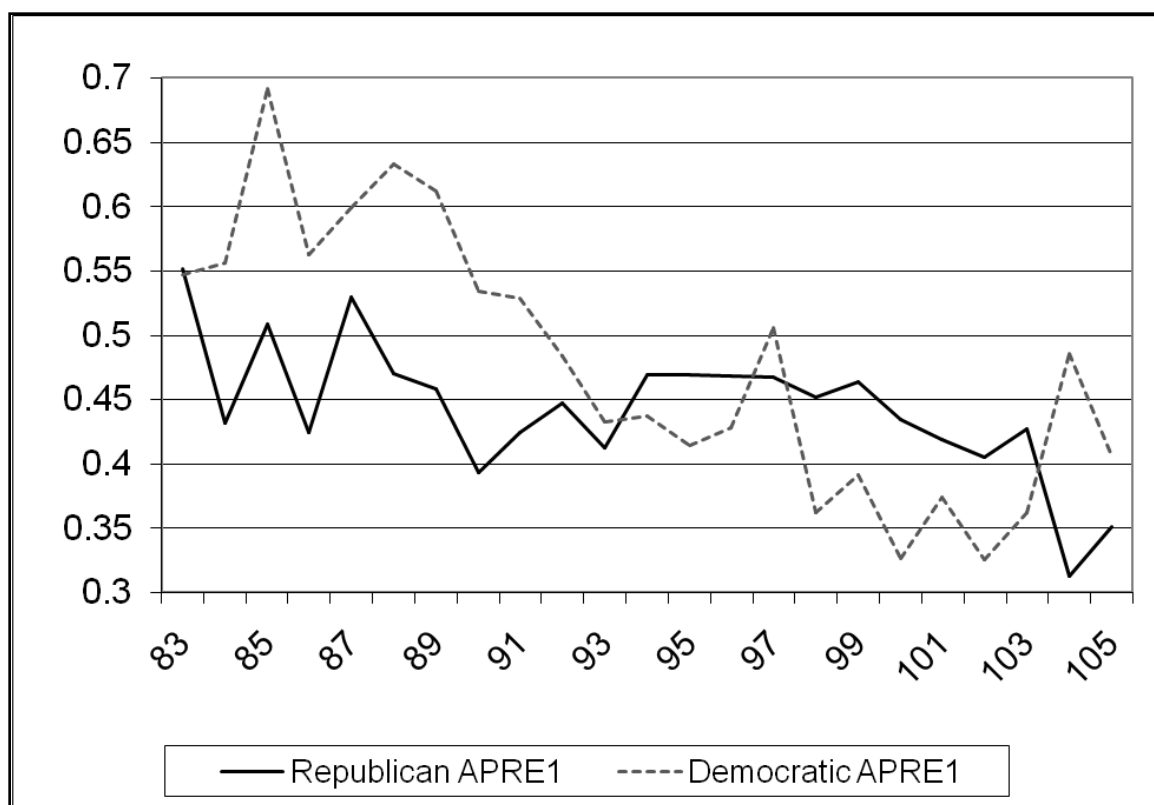
Section 6.3 has argued that a wider and more level distribution of clout within the majority party—such as that produced from the 1970s reforms—led to a higher variance in estimated ideal points for members of the majority party. Section 9.1 suggests that such a change would yield a more complex pattern of voting coalitions within the majority party, or, increase the dimensionality of voting, while leaving the minority party unaffected. This leads to the following hypothesis:

*H6: The 1970s House reforms would be characterized by an increase in the number of dimensions required to explain the votes cast by members of the majority party, but not those by the minority party.*

A commonly used measure of the dimensionality in roll call voting is aggregate proportionate reduction in error, or APRE, developed by Poole and Rosenthal (1997). This is, in several ways, not quite a perfect measure of dimensionality, because it only provides an estimate of the goodness of the fit of the spatial model constrained to a set number of dimensions and does not report standard errors, thus is not easily amenable to a possibility of hypothesis testing. It is, however, a standard measure reported by the commonly available software packages and does suffice to provide a reasonable first cut at the data. Dimensionality of voting within each party can be captured by segregating the votes cast by members of each party and scaling them separately. In light of the overall finding of a unidimensional Congress and the absence of any expectations on

what the second dimension might be, the model is constrained to only the first dimension. A high value of APRE means that the first dimension does a good job explaining the observed pattern of votes. A low value indicates a poor fit of the spatial model to the votes. The software package used is Optimal Classification developed by Poole and Rosenthal, although there is no reason to expect the outcome would differ with any other algorithm.

Figure 4.5 illustrates the APRE scores for both Democrats and Republicans through the entire period in question. As expected, the House reforms are characterized by a sharp fall in the 1<sup>st</sup> dimensional APRE for the majority Democrats, indicating an increasingly poor fit of the spatial model using only one dimension for the coalition patterns seen within the Democratic Party. The reforms do seem to raise the minority Republicans' APRE somewhat, although not as noticeably as the drop in the Democrats' scores. While not predicted by hypothesis *H6*, it is not an unreasonable outcome if the reforms made cross-party coalitions more difficult and thus deprived the Republicans of what clout they previously held, as discussed earlier. Most tellingly, the Republican takeover of the majority status in the 104<sup>th</sup> Congress is marked by a sharp drop in the Republicans' APRE and a sudden upturn of the Democrats', consistent with their new statuses as majority and minority parties.



**Figure 4.5:** 1<sup>st</sup> Dimensional APRE by Party, 83<sup>rd</sup> to 105<sup>th</sup> Congresses

As noted before, the lack of standard errors reported for the APRE scores makes hypothesis testing difficult, but a rudimentary statistical test can be performed via paired difference-of-means test, treating the APRE scores as if they were themselves observations without any errors. For the pre-reform period, the p-value is 0.001, with the majority party clearly having the higher APRE score than the minority party. After the reforms, the relative APRE scores are reversed, with the minority party consistently being characterized by higher scores, with the p-value also of 0.001. While this does not constitute a completely valid statistical test, the extremely low p-value does reinforce the claim that the differences in APRE scores indeed are sufficiently large to indicate meaningful differences in dimensionality between the majority and minority parties.

The difference seen between the internal dimensionalities of the majority and minority parties in the U.S. House, and that it arises from the majority status itself, rather than the idiosyncratic differences between Democrats and Republicans, also suggests some revisions to the conventionally accepted interpretations of the outputs from scaling techniques such as DW-NOMINATE and Optimal Classification, as well as the notion of “Unidimensional Congress” may be necessary. Scaling techniques are deemed to measure the underlying ideological preferences of the legislators, generally without regard for partisanship or other institutional features Congress other than possible ex post correlations. Specifically, it does not imply that patterns within substantial subset of legislators should differ from the pattern observed for the whole. Combined with the unidimensional Congress, this suggests that ideological proclivities of the members of the entire Congress lie almost entirely along a well-defined left-right dimension. The finding presented here suggests that such an interpretation is overly naïve and simplistic. For the party out of power, left-right, or, perhaps more accurately, moderate-extremist dimension, is readily apparent. For the party in power, however, the primary dimension has been, since the House reforms of mid-1970s, at best, weak or, in the most extreme case of 104<sup>th</sup> Congress, virtually nonexistent. All the more striking is that the primary dimension within the majority party has been steadily growing weaker while the House as whole has been growing increasingly unidimensional. While the interparty polarization between Democrats and Republicans may indeed have been growing, the reports of intraparty homogeneity through 1980s and 1990s may be exaggerated: if the party holds majority and is therefore in position to implement policy, its complex internal divisions come to light.

## **10. Implications**

This chapter has sought to depart from the debate over the degree to which the majority party succeeds or fails in attaining its policy goals that has dominated the literature by arguing that the primary role played by legislative parties consists of facilitating bargaining among their members. Specifically, I have argued that the key difference between the majority and minority parties does not necessarily lie in policy victories or the lack thereof, although there may be occasions when such victories are important. Rather, the key institutional advantage enjoyed by the majority party is that it eases mutually beneficial exchanges among its members, often to the exclusion of the other party. The major change brought by the 1970s reforms that enhanced the majority party's influence in Congress, then, does not necessarily consist of greater centralization and empowerment of the leadership, but of distributing the currency of such exchanges more widely among its members, in form of institutional clout.

The presence of mutually beneficial exchanges limited largely to the members of the majority party would manifest itself, I have argued, in form of systematically different floor voting behavior between members of the majority and minority parties. Such difference between parties is indeed observed throughout the postwar Congress. As expected, the pattern is clearly accentuated by the House reforms of 1970s suggesting its institutional basis. The Republican takeover of 1994 leads to an abrupt reversal of the patterns between the parties, indicating that the difference does not arise from idiosyncratic dissimilarities between the Democrats and Republicans, but rather from the majority status of the party or the lack thereof.

As long as political parties have been the subject of attention by scholars of politics, they have been conceived primarily as combinations of men (and women) organized around some shared set of policy goals. Much of the recent thinking about the role played by parties in the U.S. Congress reflects this perspective: that some sort of consensus on policy goals is a necessary condition for strong parties, and once such consensus exists, a “strong” party comes about via empowerment of the majority party leadership so that they can translate the consensus within their party into policy outcomes (Rohde 1991; Aldrich 1994). The principal targets of the enhanced powers of the leaders, in this perspective, are the dissenting members of the majority party: they would be either bullied to hew the party line, or their wishes would be shunted aside through judicious use of agenda control. Either way, the majority party’s desired policy, in effect, prevails on the backs of their own members.

Such practices consist entirely of stick and no carrot: they provide little or incentive for party loyalty among the potential dissenters; no benefit accrues to the members of the majority party simply on the basis of their being part of the majority; there is no glue that holds the party together other than presumed preference homogeneity. If this characterization of preference distribution within parties is true, it should bode ill for prospects of party government in the U.S. Congress. Notwithstanding recent increases in intraparty homogeneity, dissent rather than total consensus continues to characterize roll call voting even in this supposed age of highly homogeneous parties: nearly every vote involves some dissent from each party and straight party voting still remains a relative rarity. In face of the ever-present dissent, as noted above, blindly using

party discipline or agenda-setting in service of "party goals" is likely to harm the party organizationally in the long run.

In contrast to such policy-centered approach, I have argued in this paper that parties serve primarily to facilitate deal-making among their members, not necessarily to attain well-defined policy goals. Well-defined policy aims, especially in face of parties with heterogeneous preferences—essentially, any party that deigns to obtain a majority in the U.S. House—is likely to induce conflict, for nearly any goal would find some opposition among its ranks. Encouraging deal-making, whereby legislators could find mutually satisfactory solutions, disarms it. Like other party-centric theories of legislative organization, I accept the predominant role played by the majority party in organizing the chamber and shaping its institutions and procedures to serve its ends. Its aims, however, consist not of attaining its "policy goals," per se, but of accommodating its members so that, the entire legislative package for the session, if not necessarily individual bills, are satisfactory to most of its caucus. Put differently, the key advantage that the majority status of a party in the U.S. House confers upon its members is that they can strike deals with one another with far greater ease than those of the minority party. The added opportunity for bargaining allows most, if not all, of the majority party legislators to accrue certain benefits, independent of their policy preferences, enough to compensate them for having to put up with occasionally distasteful policy outcomes.

Within this context, the 1970s House reforms take a rather different look from that emphasized in the recent literature. Scholars have increasingly argued that the key change brought about the reforms is greater centralization of power in the hands of the majority party leadership (Dodd and Oppenheimer 1989; Sinclair 1995; Rohde 1991).

The decentralizing steps once deemed important, such as the Subcommittee Bill of Rights or the introduction of multiple referrals (Sheppard 1985), are now rarely mentioned among the key developments of the reforms. The developments were reconciled only in terms of rhetoric, by arguing that the centralizing steps were in response to the desire of the backbenchers for a more robust party apparatus. How exactly the decentralizing steps enhanced the majority party's power has rarely been clearly articulated. This paper provides an answer: decentralization increased the majority party's influence by widening the distribution of clout among its members. The added clout enhanced their ability to bargain amongst themselves and lay claim to the corresponding benefits, whether of policy or particularistic varieties. More significantly, decentralization gave the legislators directly responsibility for their own gains, rather than forcing delegation to a powerful leader, with the attendant danger of the power being used against some of the backbenchers at some future date.

Finally, this paper argues that of the two parameters theoretically estimated by the various scaling techniques, the ideal point and the error, the latter, whose value has been hitherto largely unappreciated, actually has the potential to yield greater insights about the politics that underlie observed legislative behavior. Many activities that are of interest to political scientists that legislators may engage in among themselves—such as intertemporal bargaining emphasized in this paper—not only conceal their “true” preferences, but may introduce additional variations that cannot be easily explained by the model. The institutions of a given legislature may, however, distribute opportunities for such activities disproportionately among its members—for example, in favor of the majority party at the expense of the minority, or for the benefit of the backbenchers at the

expense of the more senior members—leading to a particular pattern of error distribution. If so, the errors are not merely a set of challenges to be overcome in order to obtain ever more precise estimates of ideal points, but themselves constitute a set of potentially useful variables that yield information concerning the political process. This chapter represents a first cut at how to infer such information from the errors.

### **Appendix to Chapter 4: The Derivation of Voting Probabilities from the Quadratic Utility Function**

Suppose legislator  $i$ , with ideal point  $w_i$ , is voting on a bill. His voting decision depends on the utilities he obtains from the policy outcome of the bill,  $b_j$ , and the status quo,  $q_j$ . He votes for the bill if his utility for the former exceeds the latter. As per equation 1), we suppose further that the utilities have both a deterministic component and a stochastic component. Suppose, without loss of generality, that  $w_i < b_j < q_j$ . If we suppose further that the legislator has a quadratic utility function, his utilities for  $b_j$  and  $q_j$  are:

$$9) U_i(b_j) = -(b_j - w_i)^2 + e(b_j)$$

$$10) U_i(q_j) = -(q_j - w_i)^2 + e(q_j)$$

The legislator votes “yes” if  $U_i(b_j) > U_i(q_j)$ , or  $U_i(b_j) - U_i(q_j) > 0$ . With quadratic utility functions, this can be re-written as follows:

$$\begin{aligned} 11) U_i(b_j) - U_i(q_j) &= (q_j - w_i)^2 - (b_j - w_i)^2 + [e_i(b_j) - e_i(q_j)] \\ &= q_j^2 - 2w_i q_j + w_i^2 - b_j^2 + 2b_j w_i - w_i^2 + [e_i(b_j) - e_i(q_j)] \\ &= q_j^2 - b_j^2 - 2w_i(q_j - b_j) + [e_i(b_j) - e_i(q_j)] \\ &= (q_j - b_j)(q_j + b_j) - 2w_i(q_j - b_j) + [e_i(b_j) - e_i(q_j)] \\ &= (q_j - b_j)(q_j + b_j - 2w_i) - \varepsilon_{ij} \\ &= 2(q_j - b_j)\left(\frac{q_j + b_j}{2} - w_i\right) - \varepsilon_{ij} \\ &= 2\gamma_j(c_j - w_i) - \varepsilon_{ij}. \end{aligned}$$

Where  $\gamma_j = (q_j - b_j)$ ,  $c_j = \frac{b_j + q_j}{2}$ , and  $\varepsilon_{ij} = [e_i(q_j) - e_i(b_j)]$ .

Following the equation 2).  $P(\text{yes}/w_i, b_j) = P(2\gamma_j(c_j - w_i) > \varepsilon_{ij})$ . If we suppose that  $e_i(q_j)$  and  $e_i(b_j)$  are independently and identically distributed with a normal distribution with the mean zero and variance of  $\sigma_i^2/2$ , then their difference,  $\varepsilon_{ij}$ , has the distribution  $N(0, \sigma_i^2)$ . Then we can simply re-write the probability of a “yes” vote by  $i$  as:

$$12) P(\text{yes}/i, b_j) = \Phi\left[\frac{2\gamma_j(c_j - w_i)}{\sigma_i}\right]$$

Which replicates the equation 3).

As long as we assume  $q_j > b_j$ , as is the case throughout this paper,  $\gamma_j > 0$ . If  $b_j > q_j$ , then  $\gamma_j < 0$  to preserve the symmetry.

## **Chapter 5: Partisan Ties and Agenda-Setting in U.S. State Legislatures: Washington and Virginia**

### **1. Partisan Ties and Party Government in State Legislatures**

State legislatures offer a different setting for a study of government from U.S. Congress. There is much variation among state legislatures in agenda setting mechanisms available to the majority party, the degree to which its leadership controls the flow of legislation from the introduction to the floor voting. In comparison, concentration of agenda-setting power in the hands of the U.S. House Speaker, acting as the instrument of the majority party, goes back to the introduction of Reed's Rules in late 19<sup>th</sup> century. Covariation between the extent of party influence observed in legislative outcomes in various state legislatures and the procedural opportunities afforded to the majority party provides an opportunity to investigate the extent to which the former arises from the majority's control over the legislative agenda.

Nevertheless, a naive comparison between state legislatures, even where they offer different institutional features, may not suffice. As noted by Erikson, McIver, and Wright (1993), there is much variation in ideological makeup among various states, including between Democrats and Republicans. Whether the differences observed when comparing roll call behavior across states owes more to preferences or institutional differences would be difficult, if at all possible, to determine. An "experiment," in the form of an exogenously induced event that a) substantially changes the distribution of agenda power *within* given legislatures while b) leaving preferences reasonably unaffected is desirable.

Happily, recent decades have provided such “natural experiments” in multiple states in the form of partisan ties—where the legislatures were evenly split between Democrats and Republicans. Ties are useful as they deny *both* parties any exclusive claim to the majority status and whatever privileged status that goes with it. Also, they were brought about by elections, an exogenous force, not by wishes of the legislators themselves, eliminating the possibility of institutional redesign as the consequence of explicit wishes among the legislators. Thus, if the primary source of party influence consisted of institutional factors, the changes brought about by the ties would depend on the specifics of institutional changes adopted and in general should be significant. If party influence, instead, owes mainly to preference distribution, the institutional adaptations would be largely irrelevant and the overall changes would be minimal.

In this paper, I investigate the partisan deadlocks in two particular state legislatures: the House of Representatives in Washington and the House of Delegates in Virginia. The choice of these legislatures is intentional. First, they offer the necessary variation in agenda-setting regimes. In the presence of a partisan majority, the Washington House bestows a great deal of procedural privileges on its Speaker, especially in determining the floor agenda<sup>52</sup>. The Virginia House, on the other hand, does not provide for the Speaker, or any other single partisan body, to decide what ultimately should be brought up for the floor vote. Second, both chambers underwent

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<sup>52</sup> It is important for my purposes to distinguish between Speaker’s “power,” as broadly defined, and his procedural role in the legislative process. Often cited works by Jewell and Whicker (1994), Clucas (2001), and Hamm and Squire (2005) combine both in their evaluations of “Speaker power,” whereas the focus here is solely on the Speaker’s procedural powers. Certain powers, such as the ability to assign committee members for both majority and minority parties, available to the Speaker in a number of state legislatures, are not an unalloyed boon for greater party cohesion, as they can be often used against the majority party as well as for them. Their use, or abuse, played a prominent role in the breakdown of cohesive majorities in the 1981 California Assembly (Clucas 1994) and 1989 Oklahoma Assembly (*State Legislatures* 1989).

partisan ties in recent years that led to adoption of “power-sharing” agreements to regulate the legislative process. Both the contents of these agreements and their consequences highlight the import of the parties as the determinants of legislative outcomes in respective chambers. The partisan ties also permit intertemporal comparisons within these chambers between the periods of partisan majorities and the tied periods. This allows for an evaluation of how these two very different assemblies responded to the “shock” of partisan deadlock.

I compare “normal” sessions in these chambers to allow for an exploration of how a legislature with a centralized, majority-controlled agenda-setting mechanism—in the form of the Speaker or something else—would differ from a more decentralized legislature lacking such a mechanism in terms of the legislative outcomes. More importantly, the partisan deadlocks allow for a comparison of the differences between the periods of partisan majorities and the tied periods in each chamber. I combine an analysis of roll call voting in these legislatures before, during, and after the ties with information obtained from interviews with elected officials and legislative staffers in these and other state legislatures, to assess how centralized agenda setting powers in the hands of the majority party leadership affect the manifestation of party influence.

## **2. Agenda Control and Party Influence**

Traditionally, various measures of party cohesion, such as the Rice Index, were deemed to be sufficient indicators of the degree of party influence. Kingdon (1979), however, noted that such indices reveal little about party influence rather than legislator preferences—they may simply agree with each other all the time and vote accordingly,

not that there is any constraint imposed by parties beyond what legislators would otherwise have done. Krehbiel's famous critique (1993, 1998, 1999), re-emphasizing Kingdon's argument, has put the validity of made such metrics in serious doubt. More recent attempts at measuring party influence, such as Snyder and Groseclose (2000), presume a specific form of party influence—that it consists of pressure brought upon legislators to change their votes under certain circumstances. Yet, this is not the only channel for the majority party to exert an influence in legislative outcome—control over legislative agenda gives the majority leadership the means to affect the outcomes without having to force the backbenchers to take actions that they otherwise would not have. What other observable consequences, then, are expected to follow from the majority party monopoly over the legislative agenda?

Majority party leadership is hypothesized to use the agenda power to protect the interests of its members, or to prevent the bills opposed by a sufficiently large fraction of its members from being brought to a floor voting, especially if it poses a danger of actually passing over their objection. If we assume that the majority party caucus operates under majority rule<sup>53</sup> and the caucus or its agents control the legislative agenda, then no bill opposed by more than half of the majority party may successfully reach floor voting stage at all. In practice, the threshold may be higher, as elected officials and legislative staffers in certain state legislatures indicate that the majority party leadership, where it controls the agenda, tends to eschew alienating even relatively small fractions of their own co-partisans (Personal interviews in Olympia, Washington). The consequence of such practices by the majority party would lead to the appearance of relative unity on

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<sup>53</sup> This assumption is made by Cox and McCubbins (1993).

part of the majority party: on any given vote, almost all members of the majority party will be voting on the same side. There will be often little or no need for members of the majority to defect: if they oppose the bill in sufficient numbers, the bill simply would be screened away. The only exception may arise when a small number of extremists oppose a bill supported by all others in the majority, but even then, only when the opponents are sufficiently few in number.

The logic of the majority party caucus reprises in part the logic of uneven clout distribution discussed in Chapter 4. Indeed, it represents a facet of the unevenness of the clout distribution. Deliberation over a bill in the majority party caucus effectively precedes its consideration on the floor. Members of the majority are given the first chance to engage in appropriate bargains to make the bill meet their needs before any member of the minority party has an opportunity to participate. Intraparty bargains are thus privileged over interparty ones: the deals that would in fact be made had already been made among the members of the majority party before the minority party members even had a chance to make the first offer. The bill that reaches the floor already reflects substantive consensus within the majority party, cemented by in-caucus bargaining.

What of the minority party? They are already cut off from bargaining over the bill's contents. While they too may discuss the provisions of various bills before its consideration on the floor, they lack both the procedural privilege over the calendar to bring a bill of their choosing up for a vote and the necessary votes to assure its passage by itself. The majority leadership would not care how the members of the minority vote, except as that affects whether the bill has enough votes to successfully pass. If the minority party legislator were to find the bills put to final passage preferable to the status

quo, they may find themselves in a bind, having to choose between voting sincerely and voting with their co-partisans against their own interests. But the minority has little substantive reward to mollify such would-be defectors: lacking control over legislative agenda, it cannot affect policy changes, leading to relatively frequent defections from the minority, especially among those with more “centrist” policy preferences. One consequence of the power to screen bills being limited only to the majority, then, will be that, in most votes<sup>54</sup>, a largely unified majority party will oppose a frequently divided minority party. This is different from the traditional manner in which intraparty cohesiveness has been used as a measure of party influence, in which greater cohesiveness within both the majority and minority parties was thought to indicate a greater party effect.

The majority party leadership would bring up bills for floor consideration not only because most of their members agree on a common position, but because they are united in support of the bill and the associated policy change—bringing up a bill just to vote it down represents a waste in time and effort, if the aim is solely to make the point. The minority, on the other hand, is more likely to be divided between supporters and opponents. In addition to the disparity in party unity between the majority and the minority, party influence implies a disparity in support for the bills reaching the floor voting stage: the likelihood of support for the bills in floor voting among the members of the majority party will be higher than that for the minority party. This takes further the asymmetry between the majority and minority roll-rates in Congress noted by Cox and

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<sup>54</sup> I assume specifically final passage votes rather than amendments or procedural votes. This is because a) final passage votes are expected to be sincere, as the vote constitutes the final word on the bill while procedural votes are more likely to be strategic; b) the majority party may not be able to impose such a tight control over the amendment procedure.

McCubbins (2002, 2005): the majority party is rarely forced to suffer a bill passing in spite of majority of its members voting against it, while the minority often suffers the fate. Majority party monopoly over the legislative agenda implies that, even when the minority is not technically rolled, the support for the bills on floor from the members of the majority party is likely to be higher than that from the minority. This would appear both in the aggregate level of support given by members of each party in floor voting and in frequency of “partisan” bills<sup>55</sup> in favor of the majority party.

## **2.2. Roll Rates and Support Rates**

The direct consequence of the majority party’s control over the legislative agenda is that bills opposed by majority party members simply would not reach the floor. If we assume, as per Cox and McCubbins (1993; 2005) that the majority party operates internally by a form of majority rule, the minimum threshold for a bill to even reach the floor is that it must at least satisfy at least half of its members, either through its provisions or various “rewards” attached to its passage. The actual threshold is likely to be higher, since intraparty consensus is often highly valued and bills opposed by any substantial fraction, even comparatively small, are likely to be blocked. Thus, the majority party, on the whole, would be rarely, if ever rolled<sup>56</sup>, in presence of an effective agenda setting regime under its control while its members would show a great deal of cohesiveness.

While the majority party members are thus protected from the bills they oppose reaching the floor, no such protection is available to the minority party. They are not, as

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<sup>55</sup> I define a bill as “partisan” if the members of one party are statistically more likely to vote it for than those of the other.

<sup>56</sup> The term “roll” is used in the collective context in this chapter. A party is rolled if a majority of its members vote against a bill that passes over their objection.

a collective, given a voice in determining what bills are brought up for floor consideration. They are forced to face whatever bills the majority decides to bring up, even as a majority of its members might oppose them. For individual members of the minority party, the available choices are limited only to voting for or against the bill. Both choices are, in terms of effects, inconsequential. The bill's passage is assured as it already has a sufficiently large supporting coalition, cemented by intraparty bargains within the majority party. This reduces the legislator incentive to vote with the party even beyond the relative lack of resources available to the minority to induce loyalty. Defections from the minority will thus be more frequent. Overall, then, the minority party on the whole would be rolled relatively frequently while its members would exhibit much less internal cohesion.

## **2.2. Party Influence and Dimensionality**

Another consequence of the partisan monopoly over legislative agenda is a reduction in the dimensionality of the overall voting space.<sup>57</sup> Majority party's ability to control the legislative agenda precludes formation of interparty logrolls. Few if any "rewards" would be offered to minority party members to introduce complications into the observed voting coalitions on the floor. Such rewards that are distributed, whatever form they may take, would already have been handed out in course of the pre-floor deliberation of the bill within the majority party caucus and the necessary coalition for passage of the bill would already have been formed, cemented by those rewards.

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<sup>57</sup> Even as intra-party dimensionality within only the majority party might increase, as observed in Chapter 4.

Thus, if the majority party leadership were to monopolize the legislative agenda on behalf of their caucus, we would expect most of the bills reaching the floor voting stage to be largely supported by members of the majority party and opposed mainly by members of the minority party. The discipline of either party need not be perfect—merely that the opposing voting coalitions be stable and that “defections” from each be more or less ordered. The defections from each party, as observed in Chapter 2, may depend in aggregate only on the overall evaluation of the party’s reputation and district characteristics, rather than positions on particular policy issues and the contents of individual bills. Since the evaluation of parties lies along a single, unidimensional scale—either for or against—it is likely that the overall pattern of defections would be systematic and predictable.<sup>58</sup>

Such orderedness corresponds to what the scaling literature, such as Poole and Rosenthal (1991, 1997), characterize as unidimensional policy conflict. That roll calls in U.S. Congress throughout history have been largely characterized by unidimensionality, that the dimension of policy conflict corresponds neatly to the party divisions, and that the only periods of significantly multidimensional roll calls coincided with the nearly partyless periods of 1820s and 1850s, have led to the argument that the unidimensionality of policy conflict is itself a product of party influence. Jenkins (1999) and Wright and Schaffner (2002) have used the findings concerning dimensionality in the Confederate Congress and the Nebraska Unicameral, respectively, to draw conclusions about party influence or the lack thereof in these legislatures.

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<sup>58</sup> Again, less so for the majority than the minority, as the majority has the means to assure greater loyalty among its members, as observed in Chapter 2 and implied in Chapter 4—provision of more clout and the greater bargaining opportunities that it entails make for one such mechanism.

### **3. Centralized vs. Decentralized Screening Mechanisms**

Why should a single, centralized screening mechanism, such as the Speaker of the U.S. house, function differently from a multitude of committees fulfilling a similar function? They should differ because the single, centralized agenda-setter would be responsible to the whole party, acting on its behest at all times, while the same cannot be said for committees.

Consider two archetypical legislatures. One is characterized by completely autonomous committees controlling the agenda in their respective jurisdictions, both negatively (each committee can block bills it dislikes and not fear discharge) and positively (any bill that a committee chooses to report will automatically be considered on the floor). The other archetype is characterized by both a set of policy committees and a centralized screening mechanism, which we label for present purposes the “Rules Committee,” where the consent of the latter is required for a bill to be considered on the floor. Furthermore, assume that the Rules Committee is firmly under the control of the majority party, acting in their collective interest but individual policy committees are not.

A committee is assumed to choose from a set of policies for which there is a high probability of success. If the committee proposal were sent directly to the floor without an intermediary, the committee needs to only assure that a floor majority that support the bill exists. If there is an additional “filter” along the legislative process, in the form of a centralized screener, on the other hand, the committee is restricted to choosing among the set of policies that are preferred by *both* a floor majority *and* the screener. Consequently, every policy sought by both the relevant committee and a floor majority would be proposed and all the floor coalitions associated with them would be observed in a

committee-dominated legislature, while, in a legislature with centralized screening, only a subset of policies, those sought by the committee, a floor majority, *and* the centralized screener would be proposed and the floor coalitions associated with those policies unwanted by the centralized screener would not be observed. The first consequence of adding additional screeners along the legislative process, regardless of the partisan context, is that the diversity of observed voting coalitions will be reduced<sup>59</sup>. The centralized screener, however, is explicitly assumed to be an agent of the majority party, tasked with preventing the bills opposed by his co-partisans from reaching the floor, thus preventing the majority party rolls. I provide below a spatial illustration of the consequences of centralized screening.

Figure 5.1 illustrates the differences in legislative outcomes with and without centralized screening. In Figure 1a), committees are assumed to be autonomous, without having to satisfy an additional centralized agenda-setter, which I label, for convenience, the Rules Committee. Let C be the median of a committee, F be the floor median, SQ the status quo, and SQ' the reflection point. Assume that the majority party is to the left. Without having to satisfy the Rules Committee, every bill proposing moving policy to the right of SQ up to SQ' can successfully reach the floor and become enacted, with everyone to the right of the floor median voting in favor of it. The lack of centralized screening mechanism permits greater number of bills to the floor, with their more diverse

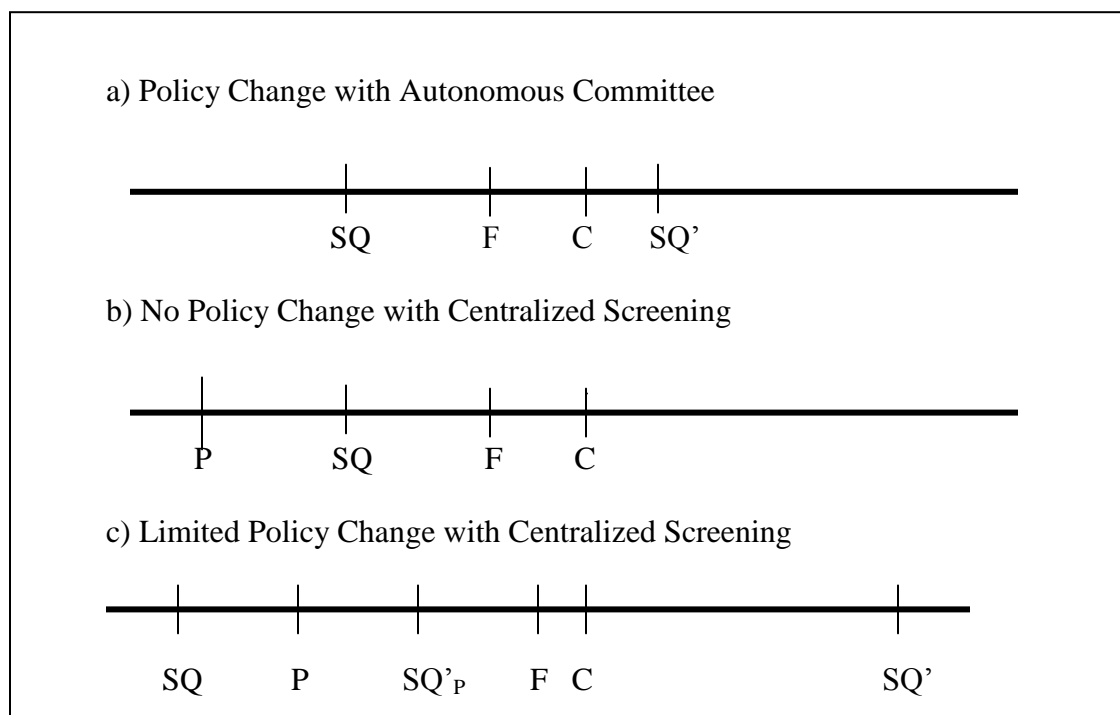
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<sup>59</sup> This can be encapsulated in the problem of choosing  $m \geq \frac{n}{2} + 1$  legislators in a chamber of n members,

where m is an integer. Without any screener, the problem is simply  $\binom{n}{m}$ . With k screeners, the problem

becomes  $\binom{n-k}{m-k}$  and  $\binom{n-k}{m-k} < \binom{n}{m} \quad \forall k > 0$ .

supporting coalitions. Some of these bills would have led to the majority party being rolled in this particular example.



**Figure 5.1:** Consequences of Centralized Screening

Figure 1b) adds P, the ideal point of the Rules Committee median, assumed to lie well within the majority party, to the Figure 1a). In this particular example, no bill would be simultaneously preferred by the medians of the policy committee, the Rules Committee, and the floor, so no such bill would reach the floor and a voting coalition consisting mainly of the minority party members would not be observed. This, among others, would prevent the majority party from being rolled.

Suppose the status quo were more extreme so that the Rules Committee is willing to agree to a policy change, i.e. as shown in Figure 1c). The committee, along with a majority on the floor, is willing to change policy up to SQ'—but such an extreme policy change would lead to the majority party being rolled. The centralized screener, however,

is willing to accept policy change only up to  $SQ_p$ , which will not subject the majority party to a roll.

All these results depend on the caveat that the committee is not always fully representative of the party. If the committee preferences mirrored perfectly that of the majority party, a lack of centralized screening would be inconsequential. (e.g. Aldrich 1994) Even if they did not, majority party leadership may have some coercive means on hand to bring them into line. It is true that state legislatures often provide for greater freedom to the leadership in committee assignments. Some also allow for greater leeway in bill referrals (Jewell and Whicker 1994). But, as in Congress, there are limits to which the leadership can control committees through coercive means. Committee assignments take into consideration member interests, policy expertise, and other facets of internal party politics, each of which may sometimes override members' loyalty to the party (Shepsle 1978). While the leadership may punish disloyalty via removal from committees and or take other disciplinary actions, relatively small acts of disloyalty cannot be punished in the same manner as major acts of betrayal. Too harsh a punishment, furthermore, can lead to defections, which may be problematic, especially if the margin of majority is small<sup>60</sup>—assuming parties are at all relevant. In addition, even disloyal members need to be assigned to some committee somewhere. Finally, even if the Speaker were to enjoy the total freedom to disregard nominal jurisdictions of all committees, not all bills can be assigned exclusively to a handful of “loyal” committees, while leaving the “disloyal” ones' dockets empty; considerations of policy relevance and

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<sup>60</sup> This is especially important if the parties are tied—then a single defection can shift all the powers of majority status to the other party.

workload management, then, require that even “disloyal” committees handle at least some share of the legislative business.

All these possibilities combine to form the inescapable conclusion that, no matter how well disciplined the majority party in a given legislature might be, reliance solely on various substantive committees as guardians of legislative agenda is not likely to lead to a foolproof control over the legislative agenda on behalf of the majority party. A completely successful delegation to committees can be possible only if the entire majority party consisted of clones with identical preferences. A legislature where “disloyal” committees play an important role may resemble the nonpartisan, median-dominated legislature described by Krehbiel (1998) in that committees would report whichever bills they prefer over the status quo that are viable—that is, it is supported by a majority on the floor, and if applicable, other pivotal voters, but not necessarily by a majority of the majority party. While real life legislative committees may not be quite so “disloyal” in most legislatures, they may still find sufficient opportunities for frustrating the majority party unless subject to a further check in form of the centralized screener later in the legislative process.

Unlike the various policy committees, however, a single centralized screening mechanism, whether in form of the majority party leadership (Cox and McCubbins 1993) or the Rules Committee of the U.S. House (Dion and Huber, 1996), is specifically delegated with the task of setting the legislative agenda *at the behest of the entire majority party*, not with any other potentially distracting tasks, such as specializing in their given policy jurisdiction. Furthermore, if that mechanism consists of a single identifiable individual, such as the Speaker of the legislature, he owes continuation in his

job to how effectively he protects the collective interests of those who gave him the position in the first place, namely his co-partisans. The clarity in the role combined with the job-specific incentives combine to reduce the likelihood of their defection and the chance that a defection will be long tolerated, unlike policy committees where countervailing forces are potentially more significant.

#### **4. Hypotheses for a Static Comparison**

Given the limitations of the majority party in strictly enforcing discipline over committees, a legislature without a single, centralized screening mechanism following the committees in the legislative process would exhibit a lower degree of party influence than one that does feature such an institution, such as that represented by the Speaker of the U.S. House. In light of the discussion about various manifestations of “party effects,” I anticipate the following to be true.

First, coalition patterns in a committee-dominated legislature (as the legislatures without a single, centralized screening mechanism will be henceforth referred to) will be more diverse than that in a centralized legislature (as the legislatures with a single, centralized screening mechanism will be henceforth referred to), often oriented along a dimension other than that of the Democratic-Republican divide. This would manifest itself as greater dimensionality in roll call voting. This can be measured in practice by the amount of variance explained by the dimensions other than the first using widely used scaling software such as Optimal Classification developed by Poole and Rosenthal.

*H1: Ceteris paribus, a committee-dominated legislature should exhibit greater*

*dimensionality, as measured by the percentage of variance explained by non-primary dimensions, than a centralized legislature.*

Second, I expect the majority party in a centralized legislature to show greater unity from vote to vote than the minority party, for not only would the partisan central screener seek to preserve the unity of his own partisans, the majority's privileged collective position in the legislative process allows its members to reach mutually profitably bargains among themselves without the presence of their minority party colleagues. Specifically, if the appearance of party cohesion is driven solely by interparty preference heterogeneity and intraparty homogeneity as is argued by the preference-based theories, there is no particular reason to expect greater unity for the majority than the minority.

*H2: Ceteris paribus, a centralized legislature should feature greater party unity for the majority party than the minority than in a committee-dominated legislature.*

Finally, we anticipate greater asymmetry between the majority and the minority parties for a centralized legislature than a committee-dominated variety, both in terms of roll rates and support for the items brought to floor vote. As noted above, maintaining discipline over diverse committees in a committee-dominated legislature is difficult: bills undermining the majority party's interests can slip through committees much more easily than they can the single centralized screener working at the behest of the majority party caucus.

*H3: Ceteris paribus, the number of majority party rolls should be larger in a committee-dominated legislature than in a centralized legislature*

*H4: Ceteris paribus, the difference between the majority and the minority party in the average support for bills brought to final passage vote should be smaller in a committee-dominated legislature than in a centralized-legislature.*

## **5. Consequences of a Partisan Deadlock**

Partisan deadlock, with equal numbers of Democrats and Republicans in a chamber, is significant because it eliminates the majority party and its monopoly over procedural privileges. If a legislature is normally characterized by the majority party leadership's monopoly on legislative agenda, the two new, "co-majority" parties will be forced to find means of sharing this power. A single theoretical prediction for what would then take place is difficult because the patterns of sharing vary from state to state in both the formal rules and the actual practice: the Washington House, for example, opted for total veto over the agenda by each party's leadership; the Michigan House chose alternation in both the Speakership and the committee chairmanships from month to month; the New Jersey Senate decided on a quota system in which each party's leaders were allowed to unilaterally bring up a set number of bills for floor consideration for each voting session; Indiana House opted to allow whatever bills that were proposed by its members to come to the floor, notwithstanding assignment of "silver bullets" to each party leaders to veto them—which were never actually used.

Because this chapter focuses on the case of the Washington House as the case of a centralized legislature, I assume its power-sharing agreement as the baseline for tied centralized agenda-setting legislatures in general. Specifically, the partisan deadlock in

Washington led to election of the Democratic and Republican leaders as co-Speakers, each of whom enjoyed only the power of a “half-Speaker.” The rules required that the powers of a full Speaker could only be exercised by mutual agreement between both. The usual powers of the Speakership, including the power to determine the legislative agenda, could not be exercised unilaterally by either, essentially giving each a complete veto power over the other.

Where a partisan majority exists, only the members of the majority party enjoy any protection from having to vote on bills that they oppose. The tie extends this protection to members of both parties: all bills brought to a floor vote must now enjoy widespread support within both. At minimum, it suggests that neither party should find itself being rolled, for such large opposition to a bill within either party would lead to one of the co-Speakers preventing the bill from being voted on in the first place.

*H5: If a centralized legislature undergoes a partisan deadlock, the disparity in unity in roll call voting between both parties should disappear.*

*H6: If a centralized legislature undergoes partisan deadlock, neither party should be rolled in floor voting.*

*H7: If a centralized legislature undergoes partisan deadlock, the difference in the average support given to the bills brought to floor vote between the parties should disappear.*

A partisan tie in a committee-dominated legislature, on the other hand, would not produce such dramatic changes: all the incentives for at least occasional shows of

disloyalty by committees remain. If anything, the means of disciplining wayward members and committees are further reduced for a single defection can now change the majority status of either party.<sup>61</sup> While both the value of the majority status and onus of the minority status may be rather diminished in policy terms in a committee-dominated legislature, the minority party's leader usually does suffer some reduction in various perquisites of the office, if nothing else. This provides at least some incentive for the party leaders to refrain from leaning too hard on their co-partisans for the fear that they may be reduced to being in the minority. If the committees change little in their composition, they can only be expected to largely continue as they did before the legislature became tied, reproducing much the same pattern of roll call voting as with a partisan majority, save for a possibility of some limited changes owing to the anticipated reaction from the new floor median. Thus, we expect the following:

*H8: Partisan deadlock in a committee-dominated legislature does not necessarily reduce the former minority party's roll rate.*

*H9: Partisan deadlock in a committee-dominated legislature does not reduce the frequency of partisan bills reaching the floor.*

## **6. Washington and Virginia: A Comparison**

All bills in the Washington House of Representatives must clear the Rules Committee after being reported out of the substantive committee (Rule 10, Rules of the Washington House of Representatives). In times of a partisan majority, the majority party

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<sup>61</sup> This assumes that majority status is valuable at all in the committee-dominated legislature. It is true that, if the majority status is not valuable to begin with, a change in the status of majority status would be irrelevant. If the latter were true, however, there would be no "party" leadership seeking to enforce party discipline either.

occupies the majority of the seats in the Rules Committee, consisting of the top party leaders, and the chairmanship is held by the Speaker. In practice, the Speaker enjoys almost total control over what matters are brought to the floor. Not only do all bills must be approved by him in order to be considered, practically no motion can be voted on the floor except by his ruling. The Speaker's hands are strengthened by a quasi-parliamentary rule that equates raising a point of order to a motion for removing the Speaker, with the proviso that should the motion succeed, various decisions he has so far made, including committee assignments, would be undone (Personal interviews in Olympia, Washington). The fear of such disruptions strengthens the hand of the Speaker in much the same fashion as dissolution of government that would take place in a parliamentary government following a confidence vote (e.g. Diermeier and Feddersen, 1997).

The Speaker of the Virginia House of Delegates is in fact quite powerful—he assigns all members of committees, including those of the minority party, and can remove them at will. He also has substantial discretion in choosing the committee to which a bill should be referred. Indeed, in both these respects, he is in fact more powerful than his counterpart in Washington. He lacks, however, in procedural powers: the right to determine the agenda for floor consideration of bills reported from committees. The power to determine legislative calendar in the Virginia House lies outside the purview of elected officials: the bills are placed on the calendar automatically. The rules of the chamber, as customarily interpreted, dictate that all bills reported from

committees be placed on the calendar<sup>62</sup> (44, The Rules of the Virginia House of Delegates; personal interviews in Richmond, Virginia). The placement on the calendar is not necessarily final: some bills may be expedited by suspending the rules, which requires a two-thirds vote. A majority may vote to either re-refer a bill to another committee or to postpone the floor consideration for a day. These actions, however, require only that a motion be made by any member of the legislature on the floor, not that a special privilege limited to any one person or a body be invoked. Forming the requisite majority does not privilege the majority party. Finally, within individual committees, the chairs are free to set the committee agenda as they see fit (Personal interviews in Richmond, Virginia).

The reaction to the partisan deadlock in these chambers differed in a manner reflecting their institutional differences. Prior to the 1998 elections, the Washington House was controlled by a Republican majority, 56 to 42, while in 1996, Democrats held a small majority in the Virginia House—52 to 47, with one independent who usually voted with the Republicans. When the Washington legislature was tied during the 1999-2001 period the power-sharing agreement provided for equal division of seats and co-chairmanships in all committees, including the Rules Committee, and election of the Democratic and Republican leaders as co-speakers who would jointly preside over the Rules Committee. In practice, this amounted to placing in the hands of each party's leader complete veto power over the legislative agenda—only the bills approved by both

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<sup>62</sup> The wording in the Rules does not specifically that bills reported by committees shall be heard the next day, only that such bills should be placed on Calendar upon being reported from the committee and be read three times on three separate days. Legislative staffers, however, note that the Rules are interpreted as requiring “automatic scheduling” of the bills. Absent a motion for expedited consideration or postponement, the bill is to receive the second reading on the day after being reported from the committee and the third reading the following day.

party's leaders were allowed to be brought up for floor consideration (Personal interviews in Olympia, Washington)

The background of the power-sharing agreement in Virginia, on the other hand, is a little more complicated. Technically, the Virginia House in 1998 consisted of 50 Democrats, 49 Republicans, and one independent, but the tie was sealed when the lone independent, already a frequent ally of the Republicans, chose to formally join the Republican caucus. The initial reaction by the Democrats to the election returns was to refuse to seat two of the Republican legislators at the beginning of the session on a technicality and to elect one of their own as the Speaker, but the following Republican outrage forced them to relent. The following “power-sharing” plan gave the Republicans a co-chair in every committee (except the Rules: but this is not a particularly powerful committee<sup>63</sup>.) as well as equal representation. The Democratic Speaker did, in principle, retain the monopoly over both committee assignment and bill referrals and several of the Republicans assigned to key committees were Democratic allies. Still, consultation did take place and the final assignments reflected some Republican input. Once appointed, the co-chairs were free to organize the internal procedures of the committees as they could agree between themselves, as no rule provided for uniform decision-making procedures in committees. (Personal interviews in Richmond, Virginia)

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<sup>63</sup> The Rules Committee in the Virginia House, although chaired by the Speaker, does not play a role in the legislative process. The rules of the chamber assign to the Rules Committee various “housekeeping” chores, such as the authority over the facilities, but in practice, it has been used for a variety of bills in different policy areas, thanks, in part, to the leeway granted to the Speaker concerning committee jurisdictions. Even so, during the period in question (the 1996, 1998, and 2000 sessions), very few bills not supported by a unanimity on the floor were handled by the committee—5 out of 679—and only two were relatively controversial: one was supported by 52% of Democrats and the other 44%; both received 84% support from the Republicans. The former, in particular, took place during the period of unquestioned Democratic majority—the 1996 session. These seem to warrant that the lack of co-chair in the Rules Committee was not particularly critical in the operations of the legislature during the tie.

The end of the deadlock in the Washington House was relatively uneventful: the elections of both 1998 and 2000 returned tied chambers, but the special elections held in 2001 did not, as a Republican appointed to fill a vacant seat earlier in the session was defeated by a Democrat and gave the Democrats a two-seat advantage. This, in turn, allowed them to completely reorganize the legislature in their favor and return the legislative process to its normal, partisan routine. The following election, in 2002, gave the Democrats a 51 to 47 advantage, allowing the partisan organization to continue uninterrupted.

The situation in Virginia, as was at the beginning of the tie, was a little more complicated. While the elections of 1999 (The Virginia House has off-year elections) returned a Republican majority of 52, plus the lone independent—who, incidentally, did not join the Republican caucus this time—against 47 Democrats, the co-chair arrangement remained, as the power-sharing requirement called for their retention until one party or the other obtained a majority of 53. Republicans, however, now enjoyed a majority on all committees and the new Speaker was able to remove some liberal Democratic co-chairs. It is worth noting, however, that no Republican was removed from the committee they were serving in except at their own request (Personal interviews) at this time, despite having been Democratic appointees.<sup>64</sup>

Notwithstanding the varied institutional reasons for comparing Washington and Virginia, there are a number of important potential objections that need to be addressed.

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<sup>64</sup> Indeed, many “disloyal” Republicans were actually promoted to chairs. When queried, the legislators in question answered that they could not be removed because they are entitled to these benefits as members of majority party and that they could not be deprived of something valuable in which they have much invested in. This adds even more doubt to whether committee compositions can be so easily controlled at the whim of majority party leadership or caucus.

The most significant of these is that I cannot control for the differences in preferences between the states. A related objection is that, the partisan differences in Virginia, a Southern state with a long tradition of a conservative Democratic Party, may not be comparable to those in Washington. The first objection is met by the design of the research: the heart of this research is not a straightforward comparison between the legislatures in Virginia and Washington, but a comparison of the reactions within each to an exogenous common shock, the partisan deadlock. To the second, I respond by noting that Virginia differs from other Southern states by exhibiting high degrees of partisan polarization. Erikson, McIver, and Wright (1993) show that the electorates in both Virginia and Washington rank among the top quintile among the states in the degree of their partisan polarization. While there is no firm evidence concerning legislators, it is not unreasonable to expect them to be similarly polarized.

## **7. Data**

I have collected and analyzed final passage votes on contested, or non-unanimous, House bills from the periods before, during, and after the partisan deadlocks in the Washington House and the Virginia House. I have limited the sample only to the bills originating from the chamber in question to limit the influence exerted from the other, untied chamber. In order to focus on actual changes in the policy, rather than various symbolic votes without consequences, and to avoid multiple observations on the same policy change, only final passage votes are examined. That the votes on the final passage are more likely to be sincere than on procedural motions also helps isolate the effect of agenda-control rather than partisan pressure, should any exist.

Finally, only “contested votes,” meaning the votes where at least one “no” vote was cast, are included. This is necessary because unanimous votes convey no information about the nature of coalition formation in the legislatures in question. After these steps, the sample for the Washington House includes 201 contested bills during the 1997 session, with a Republican majority prior to the tie, 59 during the tied 2001 session, and 151 during the 2003 session with a Democratic majority. The sample for the Virginia House includes 201 contested bills for the 1996 session, under a Democratic majority, 209 for the 1998 session, when the legislature was deadlocked, and 269 for the 2000 session, with a Republican majority.

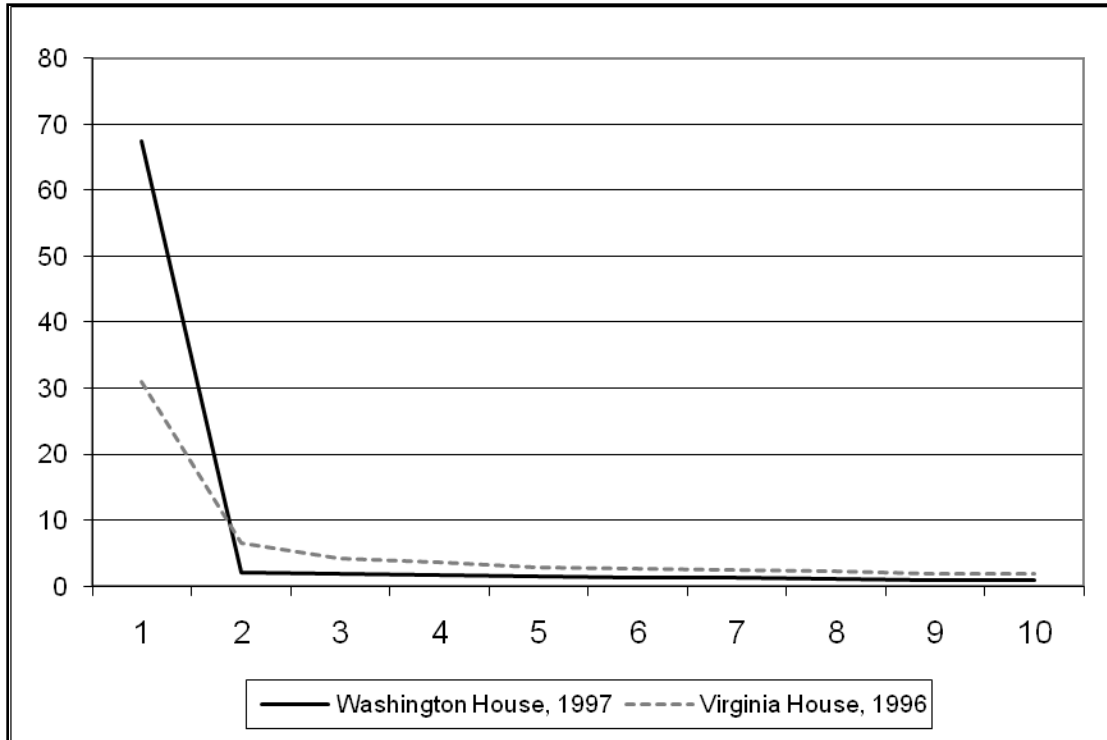
## **8. Findings**

Figure 5.2 shows the percentages of the variance explained by each dimension<sup>65</sup> in the 1997 Washington House and the 1996 Virginia House, when both legislatures featured partisan majorities, as estimated using the Optimal Classification software developed by Poole and Rosenthal<sup>66</sup>. Both are fairly “unidimensional” in that the first dimension explains by far the most variance in both cases. However, while the first dimension explains 67.3% of the variance in the Washington legislature, it only explains 30.9% in its Virginia counterpart. For all additional dimensions up to ten, however, the amount of variance explained by each additional dimension is higher in the Virginia House than the Washington House. Put differently, roll call voting in Virginia is less unidimensional than its counterpart in Washington, as expected from the hypothesis *H1*.

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<sup>65</sup> Technically, the graph is same as that of a Skree plot of eigenvalues from double-centered agreement score matrix. This is because the percentage of variance explained by adding dimension is, in fact, same as normalized values of the eigenvalues.

<sup>66</sup> See Poole and Rosenthal (2001) for the details on this package. The choice of the algorithm is not central to the findings—comparable figures were obtained using W-Nominate as well.



**Figure 5.2:** Percentages of Variance explained by each Dimension in the Virginia House and the Washington House under Partisan Majorities

The relative cohesiveness of the majority and minority parties can be compared in two ways. First, we can use the more traditional measure, the Rice index. Second, in light of the fact that both legislatures, at least when a partisan majority is in place, are broadly unidimensional, we can use the Optimal Classification software to estimate the locations of cutpoints along the primary axis on which the legislator's putative ideal points lie.

Table 5.1 shows the Rice indices in the 1996 Virginia House and the 1997 Washington House. As expected, there is a large disparity in the cohesiveness of the majority and the minority parties in Washington, while that in Virginia is small, as expected from *H2*. In fact, it is worth noting that the majority is more cohesive and the minority less so in Washington than their counterparts in Virginia. Greater disparity in

intraparty cohesiveness is expected if the outcome is driven not by intraparty homogeneity in preferences—which would lead to high cohesiveness in *both* the majority and the minority parties—but by systematic screening of bills with a bias in favor of the majority.

**Table 5.1:** Average Rice Indices for the Majority and Minority Parties in Virginia and Washington<sup>67</sup>

	Washington, 1997	Virginia, 1996
Average Rice Index for the Majority Party	90.1 (2.27)	83.1 (2.82)
Average Rice Index for the Minority Party	69.8 (4.15)	75.6 (4.04)
Average Difference	20.3	7.5

Figure 5.3 shows histograms of cutpoint distributions in the 1996 Virginia and 1997 Washington Houses, estimated using the Optimal Classification software. The x-axis shows deciles of legislators in order of estimated ideal points from left to right and the y-axis shows the percentage of cutpoints estimated to be within that decile. If run using only one dimension, the software generates a rank order of legislators' estimated ideal points from left to right. Based on these ideal points, the software also estimates the locations of cutpoints for every scalable vote. Figure 5.4 illustrates the concept of cutpoints. A cutpoint is the midpoint between the status quo and the new location where a bill proposes to change the policy to. If the policy space is strictly unidimensional and voting is “perfect,” everyone to on one side of the cutpoint closer to the newly proposed policy location would vote “yes” and everyone on the other side would vote “no.” The

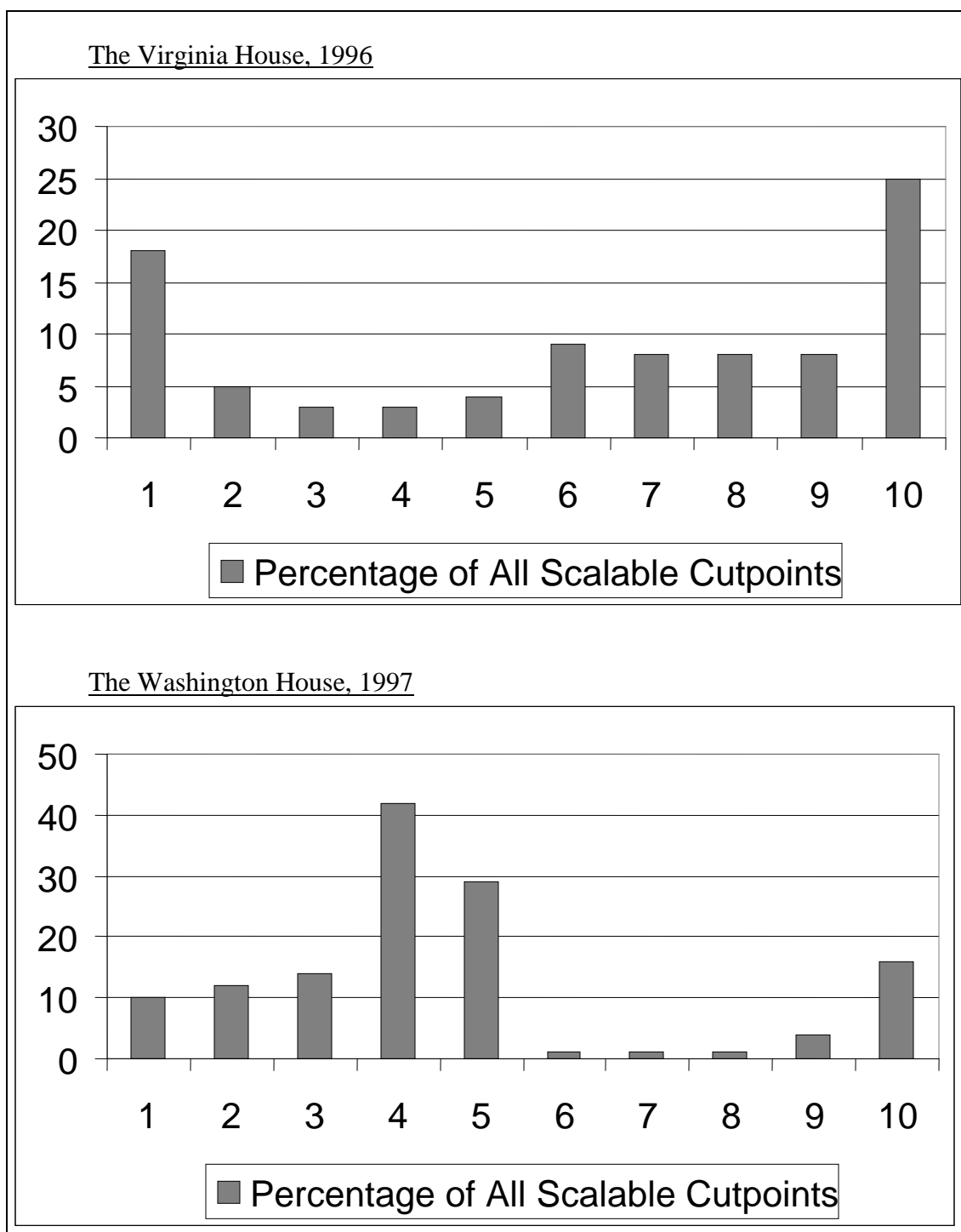
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<sup>67</sup> Standard Errors in parentheses

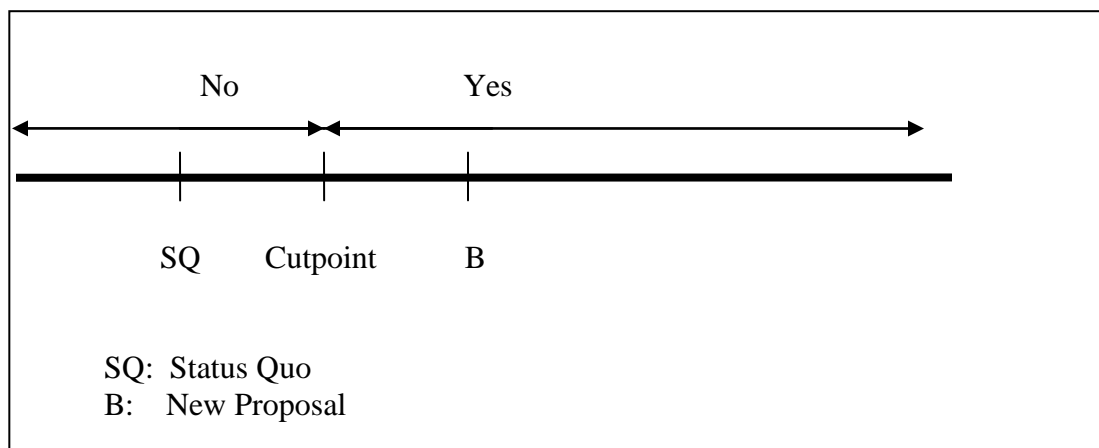
estimated location of a cutpoint, then, is where a given vote divides the legislature. If  $H2$  is true, there should be very few cutpoints in the interior of the majority party, except, possibly, on the extremist fringes, while they should be concentrated in the interior of the minority party.

The rank order of estimated ideal points in the 1996 Virginia House shows that body to be rather highly polarized, although not quite to the extent of the 1997 Washington House. In the former, there are only five Republicans estimated to be more “liberal” than the most “conservative” Democrats and eight Democrats to the right of the most “liberal” Republican, all concentrated in the middle of the spectrum—between 45<sup>th</sup> and 57<sup>th</sup> out of 100. In Washington, on the other hand, there is no overlap between the Democrats and Republicans.

In the resulting histogram, then, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> deciles correspond to the interior of the Democratic Party in both legislatures, while the 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup> deciles correspond to the interior of the Republican Party. There is some disparity in the distributions of cutpoints within the majority (the Democrats) and the minority (the Republicans) in Virginia, but this is dwarfed by that in Washington. Given the considerable powers of its Speaker in rewarding and punishing members of both parties, even if not over the legislative procedures, the majority party in the Virginia House may well obtain some advantage, but this is not as clearly manifested as that in the Washington House.



**Figure 5.3:** Distributions of Cutpoints in Virginia and Washington Houses under Partisan Majorities



**Figure 5.4:** Cutpoints along a Unidimensional Policy Space

Table 5.2 illustrates the asymmetry between the majority and the minority parties in the Virginia House and the Washington House, during the same period. Since I assume that the votes cast for final passage of bills are reasonably sincere, the probability of “yes” votes can be interpreted as the measure of support for the bill. As expected from hypotheses *H3* and *H4*, the asymmetry is much greater in the Washington House with a centralized screening mechanism in person of the Speaker. While there is some disparity in the Virginia House, it is not so great as that in Washington.

**Table 5.2:** Partisan Asymmetries in Virginia and Washington under Partisan Majorities<sup>68</sup>

	1997 Washington House	1996 Virginia House
Avg. Probability of Yes Vote	.803 (.026)	.868 (.020)
Avg. Probability of Yes Vote by a member of Minority Party	.947 (.005)	.906 (.019)
Avg. Probability of Yes Vote by a member of Majority Party	.611 (.016)	.828 (.033)
Number of Contested Votes	201	201
Number of Majority Rolls	0	7
Number of Minority Rolls	83	19
Number of Pro-Majority Bills	114	59
Number of Pro-Minority Bills	19	26

While these findings are suggestive of greater party influence in the Washington House than in the Virginia House, a firm conclusion is not yet warranted: particular distributions of preferences or status quo points that differ across state lines can account for these outcomes as well as a more institutionally-based explanation. What preference-based explanations cannot explain, however, are the changes that take place with the onset of the tie, as illustrated in Tables 5.3 and 5.4.

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<sup>68</sup> Standard errors in parentheses

**Table 5.3:** Partisan Bias in the Virginia House, with Partisan Majorities and Ties<sup>69</sup>

	1996 (Dem Majority)	1998 (Tied)	2000 (Rep Majority )
Overall Probability of Yes Vote	.868 (.020)	.875 (.018)	.855(.017)
Probability of Yes Vote by a Democrat	.906 (.019)	.910 (.044)	.858(.025)
Probability of Yes Vote by a Republican	.828 (.033)	.839 (.051)	.870(.022)
Average Democratic Rice Index	83.1 (2.82)	83.7 (2.89)	79.4 (3.05)
Average Republican Rice Index	75.6 (4.04)	73.6 (4.13)	77.9 (3.32)
Number of Contested Votes	201	209	269
Number of Democratic Rolls	7	5	16
Number of Republican Rolls	19	16	18
Number of Pro-Democratic Bills Reaching the Floor	59	57	54
Number of Pro-Republican Bills Reaching the Floor	26	18	68

**Table 5.4:** Partisan Bias in the Washington House, with Partisan Majority and Tie

	1997 (Rep Majority)	2001 (Tie)	2003 (Dem. Majority)
Avg. Probability of Yes Vote	.803 (.026)	.900(.029)	.835 (.024)
Avg. Probability of Yes Vote by a Democrat	.611 (.016)	.908(.038)	.959 (.012)
Avg. Probability of Yes Vote by a Republican	.947 (.005)	.892(.042)	.694 (.053)
Average Democratic Rice Index	69.8 (4.15)	82.6 (6.84)	91.7 (2.33)
Average Republican Rice Index	90.1 (2.27)	80.5 (7.02)	70.8 (4.69)
Number of Contested Votes	201	59	151
Number of Democratic Rolls	83	0	0
Number of Republican Rolls	0	2	43
Number of Pro-Democratic Bills Reaching the Floor	19	13	81
Number of Pro-Republican Bills Reaching the Floor	114	13	13

<sup>69</sup> Standard errors in parentheses

As Table 5.3 indicates, there is hardly any change in legislative outcome between the 1996 session with a small Democratic majority and the deadlocked 1998 session, as expected from hypotheses *H8* and *H9*. There are more noticeable differences between the 2000 session with a small Republican majority and the 1998 session, but they remain minor. These may be due to “partisan” reasons, such as the retention of the Speakership by the Democrats during the deadlock, the difficulty of replacing the Democrat-appointed Republican members of various committees, and so forth. These changes, however, are also consistent with the fact that the floor median in the Virginia House has been steadily moving in the more conservative (i.e. Republican) direction in small increments, leaving the committees, who, after all, cannot be so effectively controlled by the party leaders at all times, to change their coalition formation strategies accordingly. “Significant party effects” as such in the Virginia House, then, if any exists, are not clearly and reliably present.

Changes in the Washington House, on the other hand, are unmistakable. A far larger fraction of legislative business is done through unanimous votes—there are 260 unanimous final passage votes in 2001, or 81.5% of the total, compared to 361, which make up 64.2% of the total in 1997. When the votes are “contested,” not only do the bills receive more widespread support in general, the asymmetry between the parties that characterize the sessions with partisan majorities almost completely disappears, as expected from hypotheses *H5*, *H6*, and *H7*. When the deadlock ends and the Democrats gain a majority, the pattern reverses itself, showing nearly the degree of asymmetry shown earlier, but in favor of the Democrats this time.

The two instances of where the Republicans are rolled are, admittedly, somewhat inconsistent with the hypothesis *H6*. Upon queried on the topic, legislative staffers in the Washington legislature noted that they involved bills where a handful of the Republicans were extremely vocal in their support, while others, despite not being in favor, were not so ardent in their opposition enough to block their introduction to the floor altogether (Personal interviews). The configuration of other branches of state government, where the Democrats controlled both the Senate and the governorship, furthermore allowed the Democrats to prevail on both occasions while preventing the Republicans from scoring comparable successes of their own. If so, such occasions represent a limit on understanding legislative politics purely based on numbers. Incorporating the intensity of preferences into the model (as in case of Bawn and Koger 2003, for example) might be helpful, but that remains, at present, beyond the scope of this paper. If these two exceptions are to be ignored, the outcome is completely consistent with the consequences predicted by the theory of party-based centralized screening mechanisms: the joint control of the centralized screening mechanism allows both parties' leaders to block bills opposed by large fractions of their co-partisans. Neither party suffers significant internal divisions in floor voting. Party rolls disappear almost completely. Overall frequency of partisan bills is reduced and, when they do take place, they do not exhibit the lopsided asymmetry that characterizes the periods with a partisan majority. All these are as predicted by the theory of party influence rooted in institutions. While a preference-based model of legislative process may account for this by claiming odd changes in distributions of preferences or status quo points over time, it cannot predict the outcome that actually takes place, but only an ex post justification.

## **9. Implications**

The findings described in this chapter seem rather obvious, in light of the disparity in institutional arrangements adopted in the respective legislatures with the onset of the partisan deadlock examined here: the legislative institutions adopted in Olympia, Washington with the onset of the partisan deadlock were designed precisely to achieve the outcome described here. But that is precisely the point of this article: the outcome is obvious only when one considers the impact of institutions. When solely viewed through the prism of preferences as an explanation of legislative outcomes, it makes little sense that coalitional patterns observed in the Washington legislature should suddenly transform itself, and then revert to the old pattern, except for the change in the direction of partisan asymmetry. The type of roll call votes observed during the partisan tie, in particular, defy an institution-free explanation.

This chapter also highlights the import of particular types of institutions for manifestation of “party influence.” The search for party influence tends to focus on pressure as the primary form of party influence: whether a legislator, in a close vote, is forced to change his or her vote. Agenda control, on the other hand, offers a mechanism for party influence on legislative outcomes that does not require arm-twisting: legislators may vote sincerely on the floor, only that what bills they are allowed to vote on have been biased in favor of the majority. Note that the House Speaker in Virginia is quite powerful and does lack for means of disciplining his co-partisans when necessary. Yet, coalitional patterns seen in the Virginia House during the periods examined here show relatively little that requires an invocation of “significant party influence” for an explanation. In contrast, the changes in legislative outcomes that accompany the tie in

the Washington House are dramatic, consistent with the hypothesis that the results are largely driven by the nature of the agenda-setting regime.

Neither the tie nor the takeover of the Speakership by the Republicans in the following session substantially affected the legislative outcomes in the Virginia because the change in agenda-setting regime was limited. Regardless of who controlled a floor majority, forming a local coalition on a committee sufficed to bring a bill to the floor for a final passage vote. In absence of centralized agenda-setting institutions, a simple majority on the floor was enough to secure its passage. Neither party was able to significantly influence what reached the floor, with or without the tie. In effect, the legislative outcomes in the Virginia House during this period owed more to the distribution of preferences than to the party influence.

In contrast, the legislative outcomes in the Washington House continued to depend on party influence even during the partisan tie—except that the party in power had taken on an unconventional form. Democrats and Republicans in the Washington House effectively merged into a single procedural coalition. In this sense, they together constituted a single “majority party,” albeit one riven with deep divisions between its two main “factions,” namely Democrats and Republicans. The overriding goal of this new majority party was not to “win” on policy grounds, for there was rather little that its main constituent parts could agree, but rather to manage the differences between them. This was achieved through the centralized control over the legislative agenda jointly held by the leaders of both factions.

The experiences of tied legislatures in Virginia and Washington reinforces the approach to conceptualizing the roles of parties and their leaders advocated in the rest of

this dissertation—as a means of mediation and accommodation between groups with divergent views, rather than as vehicle for pursuit of some shared policy aims.

## **Chapter 6: Conclusion**

### **1. Party Government as a Coalition, Not a Team**<sup>70</sup>

The paradox of party government is that it is a “long coalition” that must always maintain a certain minimum width. The rationale of a “long coalition,” as observed by Schattschneider (1942) and formally propounded by Schwartz (1989), is clear: Through long-term cooperation to the exclusion of others, a subset of legislators can capture far greater share of benefits for themselves than their numbers would allow. The consequence of majority rule as the criterion for legislative decision-making, Schattschneider noted, is that “the majority could conceivably appropriate all power permanently while the minority was rendered permanently impotent.” (p. 39) Contra Schattschneider, however, the privileged status of the majority is not exactly permanent—its continuation rests on the decision of the electorate in the subsequent election. The ability of the present majority to maintain its monopoly over power for an extended duration depends, in turn, on its ability to build and maintain a sufficiently broad supporting coalition.

A consequence of this requirement is that a political party, at least one with serious pretensions of one day taking control of government, is by necessity a coalition of different parts seeking different goals from power rather than a “team” bound together by a common goal. As the collective goal of power requires formation of large coalitions, it behooves the party’s members to seek to join hands with as many different partners as they can tolerate to bring up their numbers. This logic applies even more to the party in

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<sup>70</sup> I thank Sam Popkin for this description.

power, for twofold reason. First, that they have managed to seize power implies that their coalition building efforts have been more successful than their competitors. Second, control of government and its resources provides them with something that can be used to materially reward its members even when they may not be particularly keen about the party's other members.

The challenge facing a party government is that the growing internal diversity that accompanies enlarging the coalition reduces the set of issue areas over which an intraparty consensus can be found. It becomes increasingly difficult to find policy goals that are Pareto-improving for all members of coalition. Yet, it is necessary that the benefits of the majority membership and thus the incentives for continued cooperation be kept up for all members of the governing party, lest those who are not getting their due desert the party and threaten its collective hold on power.

Broadly speaking, the members of the party in power can be divided into two groups: those who are motivated by the pursuit of policy and those who seek more material rewards. Whether these characterizations reflect their *personal* goals, per se, is immaterial. It is simply how the spoils of power are divided and how members of each group use the resources they are allocated to pursue their electoral goals. The policy accomplishments of the party helps create a collective reputation that aids in the electoral efforts of *some* of its members—those whose motivation primarily comes from policy. It is tempting to conclude that this is *the* aim of parties and party government and that they should be evaluated largely if not solely on their performance as policy-makers while in power. However, it is important to note that any given policy is only a subset of the party's goals, and not necessarily a party-wide goal: there will almost always be some

members who do not benefit from the party's chosen policy initiative. Under certain circumstances, overly active pursuit of policy may actually hinder party-wide goals, by making it difficult to expand its supporting coalition, or worse, by imposing undue burden on reelection efforts of its members whose electoral prospects are *not* aided by the party's collective reputation. At minimum, this suggests that apparent *disloyalty* can actually aid the majority party's goals in the long run, by improving electoral prospects the majority party legislators representing districts hostile to their party, as I have argued in Chapter 2.

An implication of the majority party's collective reputation not lifting all its members' electoral prospects is that majority status is not necessarily an automatic benefit for all its members. It *can* be made into a benefit for all, but only through appropriate actions by the governing party in assignment of various benefits that the resources of government under its control can produce. The only public good affecting all members produced by a party government is the collective reputation produced by its overall policy record. As it is not necessarily a "good" for all its members all the time, however "public" it might be, majority status can be made universally valuable only through disbursements of other, non-"public" benefits, including office, clout, and particularistic benefits—all of which are rather closely related to one another. This implies that various rewards of the majority status need to be targeted at seemingly disloyal members—the legislators who represent districts hostile to the majority party and thus cannot vote with their party often. Since their electoral prospects are not boosted by their party's collective reputation, maintaining their seats in the majority party's fold requires other applications of government resources. Specifically, this means

that the flow of particularistic benefits should be *systematically* targeted at the dissident members of the governing party rather than the loyalists. In Chapter 3, I have shown that this is indeed true.

The mark of a successful party government is its ability to manage a coalition of members seeking different goals, to make sure that the benefits of majority status is spread widely among *all* its members, not necessarily impose the views of some of its members at the expense of others. This leads to the seemingly paradoxical outcome examined in Chapter 3, where the majority party seemingly rewards disloyalty with particularistic benefits. Despite the appearances, these legislators are *not* disloyal to the party as an institution. This is shown clearly in their votes to organize the chamber in the majority party's favor on the first day of the session—even knowing that policy outcomes that they may oppose would dominate its agenda. Instead, they are disloyal to the *faction* of the party motivated by the policy—who only constitute a subset of the party as whole. Rather than subordinate to the policy-seeking faction, they are equal partners, with the right to at least demand compensatory payment for having to tolerate the policy outcomes they may not be happy with, even if they may not be able to veto them from being brought up for consideration in the first place, as Cox and McCubbins argue that they should (1993; 2005).

The elaborate institutions of the House that assign bargaining leverage—clout—among its members provides the means to assure that all parts of the governing coalition receive the most appropriate compensation that maximizes the value they obtain from participation. Clout provides legislators with a currency for engaging in a particular species of logrolls, in which procedural favors along the legislative process *before* floor

consideration are exchanged for favorable outcomes<sup>71</sup>. Distribution of clout, in effect, creates a market for legislative bargains, allowing legislators to reap benefits of membership through gains from trade. It also assures that the resulting legislation reflects the input of all members, weighted by their influence. As such, it is a necessary feature of managing any political coalition, not just a party government: the leadership cannot simply dictate a set of outcomes—even with the necessary numbers on its side. A successful coalition, by necessity, contains too many members seeking different goals for any diktat from a centralized authority to be valuable for everyone. Clout provides coalition members with the means for bargaining among each other for the set of outcomes that they would all find mutually acceptable while reaping some positive benefit that would make it worth the while for each to participate in the workings of the group.

The logic of clout, indeed, underlies the workings of the entire U.S. House as an institution, not just the majority party. Membership in the House, even as minority party members, is extremely valuable: every member is assigned enough clout to exchange for a reasonable share of particularistic benefits, if not some influence on policy outcomes as well. The House, however, does not operate under a universalistic arrangement where everyone benefits equally, for the governing party can and, as this dissertation has shown, does bias the distribution of clout in favor of its members—being a part of the “winning team,” or rather, the “winning coalition,” must have its benefits. Greater clout endowments in the hands of majority party members permit them to enjoy greater

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<sup>71</sup> I emphasize that these outcomes may come in many flavors. For the electorally needy, they may consist of various targeted particularistic benefits, which may come in form of federally funded projects, tax and regulatory loopholes, etc. For those interested in policy outcomes, they may take the form of policy concessions.

advantage in intralegislative bargaining and thus have the opportunity to reap benefits accordingly. The value of majority status is kept up without arbitrary and heavy-handed action on the part of the leadership. This is the theme I explored in Chapter 4.

Under certain circumstances, not all aspects of successful party government can be maintained simultaneously. The party in power may need to sacrifice electoral security, by restricting the scope of its supporting coalition; policy, by limiting the scope of goals it seeks to pursue as a collective; or collectiveness, by abandoning the logic of a party as a vehicle for collective enterprise and allowing greater freedom of action among its members. The irony of partisan ties examined in this dissertation is that the possibility of limiting the scope of the governing party's supporting coalition was taken away by electoral happenstance: the "governing party," so to speak, was saddled with the supporting coalition of all. It had to choose between being a party with a highly restricted freedom of policy choices and not being an effective vehicle for collective action. The choices made by the legislatures studied in this dissertation reflected their "usual" disposition: Washington House, already with strong procedural parties, opted to limit the freedom of policy choices, requiring *de facto* universal consensus as a prerequisite for any legislative action. Virginia House, with ideological but procedurally weak parties, chose to function less as parties instead, allowing its constituent parts, members and committees, much freedom of action.<sup>72</sup> The difference between these cases was demonstrated in Chapter 5.

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<sup>72</sup> Not all legislatures chose the form of internal organization that reflected the "usual" disposition: Indiana, normally characterized by strong parties, for example, opted to abandon party rather than policy choices by allowing all legislations onto the floor when parties in the chamber became tied (personal interviews). The legislative consequences of the partisan tie in Indiana will be the subject of a follow up project.

## **2. The Challenge of Coalition Management**

This dissertation has explored challenges of managing a governing party as a coalition—not a team—made from diverse policy interests. Building and maintaining a party government is inherently difficult: were policy the only aim of governance and all issue areas were equally salient to all legislators, the scope of policy goals that the governing party can pursue as a collective is constrained by a diversity of policy sought by its members as the aim of the coalition is to keep its membership valuable for all its members. There is little that the party in power can undertake, for its collective policy choices must be subject to an internal screening to assure consensus so that all its members must derive positive benefit from their outcomes (Cox and McCubbins 1993). The resulting logic is also not dissimilar superficially to the argument posed by the Conditional Party Government Theory (Aldrich and Rohde 1997; 2001): a high degree of intraparty heterogeneity sharply restricts the party's choices.

Cooperation through a party government, however, can be induced by means other than policy outcomes: it can be brought about through targeted, particularistic benefits, by the logic of the “cohesive power of public plunder.” The possibility of side payments in a non-policy currency—or, at any rate, in some currency without universal salience—vastly expands the range of possible logrolls without undermining the logic of party government. The party in power can expand its supporting coalition beyond the “natural” limits imposed by its collective policy record. The value of cooperation through party government can be kept up, independent of the party's collective policy choices, by compensating policy losers with pork. Policy goals, even potentially divisive ones, can now be pursued without overt concern about internal consensus over policy. It

is not even necessary that party leaders need to intervene directly to assure proper mixture between policy and particularism for the governing party: appropriate initial distribution of clout among legislators, both inside and outside the party, and the subsequent market equilibrium reached via logrolling would assure a suitable balance. The only role required of the leaders would to assure that the market functions properly and that all bargains are kept. Such strategy is, of course, not cost-free: Mayhew (1966) wryly remarks that a successful dominant party, capable of maintaining power for a long time, must rely on plundering the public somehow—either by raids on the Treasury or the consumer.<sup>73</sup> (p. 159)

The supreme irony of the “cohesive power of public plunder” is that it is *not a diversion from the pursuit of policy, but a consequence*. Party government does not consist of a cynical clique interested only in securing benefits for their own personal gains, but rather of realists who appreciate difficulties in building and maintaining a governing coalition based solely around consensus over policy goals. Particularism provides the glue that holds together an unnatural coalition by covering over the differences and bringing internal harmony even in pursuit of potentially controversial policy choices.

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<sup>73</sup> The latter is in reference to the elaborate network of tariff protection that undergirded the dominant Republican coalition of late 19<sup>th</sup> and early 20<sup>th</sup> centuries.

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