THE POWER OF THE PEOPLE

Congressional Competition, Public Attention, and Voter Retribution

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As the title of this book suggests, the people have power over their elected officials. While political pundits more frequently discuss the ways in which the system impedes the people’s power, I argue, quite simply, that the system insures competition and that competition yields accountability and responsiveness. The problem with putting the argument of the book so simply is that an argument usually becomes interesting only when the nuances are explained and analyzed. Our democratic government in the United States may seem sometimes to lean toward the “autocratic government” described by King, but the American people, usually after some prodding by the media or political entrepreneurs, form and express their organized and collective opinion. Upon expressing their preferences, the people usually prod politicians into foregoing their preferred policy outcome in order to enact the will of the people. This argument comes alive through an examination of civil service reform, congressional pay raises, campaign finance reform, and term limits. Although I discuss more situations in which the politicians impede the public’s will, the people always retain the ability to punish their disobedient representatives. The interesting part of the argument revolves around whether and under what conditions the people chose to punish.

Perhaps this modern-day populist argument is borne out of my reading of the *Annals of Congress*, *Congressional Globe*, and *Congressional Record*. Perhaps it is a consequence of data analysis and number crunching. Or, perhaps, it is simply the manifestation of my midwestern upbringing. Some would say
(and have said) that I have a naive faith in the American public. The reading, researching, writing, and analyzing that were required to complete this book have only made that faith in the people even more resolute. The everyday encounters I have with friends, athletic competitors, service workers, UPS drivers, and complete strangers invigorate my faith in the American public.

My faith in the American public is eclipsed by my faith in my students, friends, family, and political science colleagues. Now in my fourth year of teaching at the University of Texas, I have had more than 1,200 students pass through my classroom door. Each semester, my goal is to impart as much wisdom and knowledge in them as they do in me. The number of friends who have contributed to my career, and hence this project, are simply too numerous to mention.

My parents, Barbara and Albert, have been a constant source of support, even when I have pursued what to them were crazy plans and sure-to-fail schemes. My siblings, in between their merciless ripping and abuse, have always made me feel special and loved. Dave and Sandy, Curt and Jill, Sandy and Sue, Eric and Michelle, and Yvette and Brian have been role models even before Yvette helped me memorize the presidents in second grade. But, it is my niblings who taught me how to love. The joy and love I have received in turn from Kristi and Kaleigh; Nic, Nate, and Adam; Hayley and Jake; and Larissa and Allison are my most prized gifts. My partner on the tennis court and in my life, Anthony Bristol, has provided me with boundless joy, undying love, and constant support.

If it takes a village to raise a child, it takes a community of experts to help an author develop and hone a book. This manuscript is seeing the light of day because of the more than twenty-five anonymous reviews that I received on part or all of it. I, individually, thank Dan Palazzolo, Gerald Gamm, John Hibbing, Dave Rohde, Ric Uslaner, John Wilkerson, Nelson Polsby, David Mayhew, Jeff Jenkins, Eric Schickler, Barbara Sinclair, Kathryn Pearson, Roger Noll, Simon Jackman, John Ferejohn, Terry Moe, and Mo Fiorina for offering comments and criticisms on the various chapters they read. Sherry Chriss, my “grammarian” and friend, read every page of this manuscript to insure that my book was grammatically correct, readable, and focused. I especially thank Dave Lewis for his support and friendship in the beginning of this project, Dave Brady for ensuring that I got the history right, Barry Weingast for making sure my argument was coherent, and Paul Sniderman for helping me navigate the often treacherous publishing waters. Finally, Jennifer Lawless’ friendship, critical eye, and support were instrumental in bringing about the publication of The Power of the People.

Last, in terms of chronology, not importance, I thank Malcolm Litchfield, the Director of The Ohio State University Press and my acquisitions editor, and Maggie Diehl, my copyediting coordinator, for their advice and guidance.
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Although the years that I developed this book have been the happiest of my life, they have also been the saddest. In successive years, I struggled with the deaths of my friend, Meg Batterson; my precious two-year-old nephew, Nate; and my grampa, “Farmer Jones.” For all that their lives and deaths taught me, I dedicate this book, in memoriam, to Margaret Rose Batterson, Nathan Lee Theriault, and Leo Melvin Bruzewski.
Ronald Reagan won the 1980 presidential election with a promise to end the Carter years’ malaise. Reagan’s message of increased defense spending especially resonated with Americans after two foreign policy calamities: the failed attempt to rescue the U.S. hostages held in Iran and the unprovoked Soviet invasion of Afghanistan. Upon his inauguration, Reagan kept his promise and proposed massive new military spending. The Department of Defense appropriation for fiscal year 1982 fell just short of $200 billion, an increase of more than 25 percent from the previous fiscal year. But for a few liberal Democrats, Congress hailed Reagan’s proposed military increases. The day before the first session’s adjournment, both the House (334 to 84) and the Senate (93 to 4) adopted the Defense Appropriation Conference Report.2

These lopsided votes belie several contentious and intense debates involving the MX missile, the B-1 bomber, and mandatory across-the-board reductions in defense spending. This last proposal took the form of an amendment offered by Representative Marge Roukema (R-NJ). On November 18, 1981, she proposed a 2 percent across-the-board reduction in procurement and

The Two Faces of Democratic Accountability

[The representatives] will be compelled to anticipate the moment when their power is to cease, when their exercise of it is to be reviewed, and when they must descend to the level from which they were raised—therefore to remain unless a faithful discharge of their trust shall have established their title to renewal of it.

—JAMES MADISON, Federalist No. 57

1

Theriault_chap1_3rd.qxd  5/6/2005  3:03 PM  Page 1
research and development. Although her amendment would have amounted to less than a 1 percent total reduction in the entire defense appropriation, her opponents passionately argued that her cuts had great symbolic significance. On the floor of the House, Representative Richard White (D-TX), a subcommittee chairman in the Armed Service Committee, warned, “If we have across-the-board cuts in this appropriations bill Members are going to see essential programs which are trying to cope with the growing threat of the Soviet Union fall by the wayside, and will not be effective enough to respond to any threat.” In the end, White’s side, composed of 114 Republicans and eighty-eight Democrats, prevailed by five votes.

Political scientists have analyzed this vote and others like it to evaluate congressional accountability. Bartels (1991) and Wlezien (1995) find that members who came from more conservative districts were more likely to side with White in opposing the across-the-board cut. Not only can the general constituent opinion suggest how the roll call divides, but so, too, can the constituents’ material interests. Roukema’s district in northern New Jersey did not include one single military installation; White’s district in western Texas included more than 25,000 personnel at Fort Bliss.

Certainly White’s position could have been based on his anticipation of the moment when he would be judged by his voters, or it could have resulted from his deference to the more than 25,000 active military in his district. Furthermore, it may have arisen from his active duty in the Marine Corps during World War II. Whatever the cause—constituent ideology, constituent preferences, or personal desires—White’s opposition to the amendment was certain. In contrast, Roukema’s politics were forged as a teacher in the classroom and as a school board member where she served prior to her House election. Like White, Roukema had overlapping influence on this issue; however, they all propelled her to support the scaling back of Reagan’s proposed military increases.

In 1982, White was heading toward another uncontested election until he opted for retirement. Roukema, in a midterm election that was devastating to Republicans—twenty-three of the twenty-seven defeated incumbents were Republicans—won reelection by an almost two-to-one margin after pulling out her 1980 election by less than 4 percentage points.

According to Bartels (1991) and Wlezien (1995), the vote on Roukema’s amendment shows how democratic accountability is supposed to work. Constituents elect representatives who vote in accord with their districts’ preferences and, in reward, their constituents reelect these representatives. Although neither scholar claims that the case of democratic accountability is closed, they both suggest that their analysis confirms the representational design of the U.S. political system. They both conclude that more evidence needs to be generated before rendering a final verdict.
The sequence of events in this particular vote is but one face of democratic accountability. The first face of democratic accountability requires that members vote in accord with their constituents. If they do, they, like Roukema, should be returned to office. It also requires that voters punish a representative who votes against his or her district’s preferences. If White had voted with Roukema, democratic accountability would mandate that White’s constituents punish him for voting against their preferences. Only if they did punish him would we have evidence for this second face of democratic accountability, which requires that constituents punish members who vote against their wishes.

The evidence for the second face is more difficult to ascertain. Arnold (1990, 37) articulates the difficulty of its investigation:

> The problem is that legislators as a group have not offered congressional scholars much variance to analyze. No legislators have offered to take positions directly opposite to their electoral interests so that we may measure the full impact of positions on electoral margins. None have acknowledged selecting their positions by flipping a coin. Legislators as a group have been quite uncooperative in providing scholars with the kind of evidence we would need to assess the potential importance of issues in congressional elections.

Weissberg (1979, 605–6) agrees and argues that “serious and rarely acknowledged problems still remain when asking whether legislators faithfully heed the desires of their constituents.” In an investigation of this claim, Bernstein (1989, xiv) concludes: “We want to believe that representatives vote the will of their constituents. It’s nice to have a simple myth that justifies our form of government, soothes our dissatisfaction with the quality of public officials, and excuses our failures to perform our duties as citizens. Unfortunately, wanting something to be true does not make it so.” He ends his investigation with this simple but damning conclusion: “The evidence is that the myth is largely untrue” (104; italics in original). Put simply, although there is ample evidence for the first face of democratic accountability, there is little systematic support for the second face. This conclusion is hardly surprising considering that an examination of major public policy issues does not provide fertile ground to test the second face of democratic accountability. Members with military bases, such as White, rarely vote against military spending; members with lots of farmers rarely vote against increased agricultural subsidies; and members rarely vote against the dam, post office, or research project centered in their districts. Granted, searching the annals of major policy debates will certainly uncover stories like Brooks Hays (D-AR), who lost to a write-in candidate in his 1958 reelection bid after supporting the 1957 Civil Rights Bill; Marjorie Margolis-Mezvinsky (D-PA), who lost in 1994 after
supporting higher taxes for her wealthy constituents in 1993; and Robin Hayes (R-NC), who was not punished in 2002 for opposing his textile-based district’s preferences against presidential fast-track trade authority. But any thorough analysis is unlikely to yield enough cases to test the second face systematically.

To grapple with this dearth of evidence in major public policies debates, this book eschews major public policies and, instead, focuses on issues that divide members’ preferences from those of their constituents. These issues provide fertile ground for analyzing the second face of democratic accountability. The clearest set of issues that divide members’ and constituents’ opinions typically is when members have a personal or material stake in the outcome. These issues include civil service reform, congressional pay raises, campaign finance reform, and term limits. In these policy areas, members of Congress, for the most part, want political control of federal bureaucrats, higher salaries, a campaign financing system that benefits incumbents, and nothing to stand in their way of long congressional careers. Their constituents, on the other hand, want a firewall between politicians and federal bureaucrats, lower congressional salaries, a fair and equitable campaign financing system, and congressional term limits. Unlike almost any other issue that confronts representatives, these issues require that representatives, almost single-handedly, argue, analyze, and amplify their side of the issue. Few organized interest groups rally around the defense of these positions.

It is precisely because the members have personal stakes in the outcome, according to Hibbing and Theiss-Morse (2002, 158; italics in original), that propel constituent opinion: “[People] know what processes they do not want—and those are processes in which people who are making political decisions are able to feather their own nests.” In fact, Hibbing and Theiss-Morse argue that accountability on public policy positions is a secondary concern to accountability on process: “They want those who do make the decisions to be unable to make them on the basis of selfish motivations. People are amazingly attuned, hypersensitive even, to the possibility that decisions makers will attempt to improve themselves at the expense of everyone else” (85). As a consequence, charges of nest feathering and political corruption, on occasion and perhaps more frequently than policy debates, result in incumbent defeat.

Admittedly, civil service reform, congressional pay, campaign finance reform, and term limits are not the subjects of best-selling books on congressional decision making. They do not have the popular appeal of abortion policy, affirmative action, or homeland security. They do not include the intricate details of economic policy or social security. They are not the bedrock issues that form the ideological divide like free speech, government spending, or individual rights. They do not engender expertise, as do foreign policy, welfare reform, and crime. They are neither the subjects of interest group ratings, as are
the environment, labor, and farm policy, nor the popular subjects of polls, as are gun control, health care, and taxes. Nor are they the issues that normally arouse the constituents’ passions. Civil service reform, congressional pay, campaign finance reform, and term limits, however, have one characteristic that the aforementioned issues lack: they divide members’ opinions from their constituents’ opinions. Thus, they belong to a rare set of issues that can provide a clear test for both faces of democratic accountability in the U.S. Congress.

This book provides ample evidence validating the first face of democratic accountability. Members frequently abandon their own preferences on these issues to vote in accord with their constituents’ preferences. This behavior is especially pronounced among the most electorally insecure members. On occasion—and in contrast to major public policy issues—members, however, frequently vote against their constituents’ preferences. Only because of this disobedience does evidence exist to test the second face of democratic accountability. In total, the evidence for this face is decidedly mixed. Members who disregard their constituents’ preferences rarely lose; but they are more likely to suffer electoral punishments. Intense media coverage increases the probability that members suffer voter retribution.

Chapter 2 presents the argument of the book. When coupled with public attention and pressure, competition in the legislature and at the ballot box keeps members in line with their constituents’ preferences. Competition between political parties in the legislature and among candidates in elections provides a motivation for rational reelection-seeking members to side with their constituents in lieu of padding their pocketbooks or their incumbency advantage. When a highly professional media always in search of questionable incumbent activities is added to the mix, the electoral system mirrors McCubbins and Schwartz’s (1984) fire alarm analogy to explain congressional oversight of the bureaucracy. Their argument suggests that Congress need not continuously monitor the entire bureaucracy (like a police officer on patrol), because interest groups and interested constituents will sound the fire alarm when the bureaucracy misbehaves. In much the same way, the divergent preferences of challengers and incumbents, of the minority and majority parties, and of the media and elected officials, create incentives for challengers, minority parties, and the media to sound the fire alarm. When the fire alarm blows, the represented are jarred from their otherwise inattentive state to respond to the fire. Members of Congress must tread carefully if they try either to insulate themselves from electoral challenge or to benefit personally or financially. Even though the people do not scrutinize every congressional decision, they maintain the power over the representatives by being the final arbiters of a clanging fire alarm.

Using this logic, I derive two hypotheses suggesting the conditions under which members will accede to their constituents’ desires. Members will be
more likely to forsake their own preferences because of competition they face from an opposition party in the legislature and competition they face from their opponents in elections (Competition Hypothesis). In addition, members will respond in kind when their constituents are attending to the fire alarm (Attention Hypothesis). A third hypothesis tests the second face of democratic accountability. It suggests that the members suffer electoral consequences for casting roll call votes inconsistent with their constituents’ preferences (Retribution Hypothesis). These hypotheses are tested within the individual case studies in chapters 3 through 6.

Chapter 3 examines the adoption of the Pendleton Act of 1883, which began the demise of the spoils system. Establishing a merit-based civil service system was the first step members took to transform the party-dominated politics of the nineteenth century into the candidate-centered elections of today. As early as 1865, reformers called for a merit-based system. For nearly twenty years, however, the majority party chose to enjoy the excess of spoils rather than willingly relinquish the advantages the system provided them. Even after President James A. Garfield, a pro-reform Republican, was killed by a supporter who thought he deserved a political appointment, the Republican Congress, which had previously campaigned on a pro-reform platform, stonewalled. The Democrats, who became the new champions of civil service reform, rode the public’s rebuke to victory. Within months of their overwhelming electoral victories, the reform-minded Democrats, along with the Republicans in Congress, passed the Pendleton Act of 1883. The public pressured the politicians to reform the system. Even though the representatives may not have preferred reform, they relented, and the march toward candidate-centered elections began.

Chapter 4 tests democratic accountability by analyzing the politics of congressional pay raises, which place the personal interests of the members squarely against their constituents’ preferences. This conflict has occurred throughout congressional history, but an episode from the early nineteenth century poignantly illustrates the second face of accountability. In 1816, members of Congress abolished their per diem pay and granted themselves a $1,500 annual salary. The public response was overwhelming: “In Georgia, members who supported the increase were burned in effigy [and] Nashville residents demanded that every member of the Tennessee delegation who voted for the raise vacate their seat.” In the succeeding election, at least thirty-seven members who supported the raise were defeated (including Daniel Webster); this does not include the nine members who resigned even before the election. When the new Congress convened, they quickly restored the per diem system. The data analyzed in this chapter come not only from the 1816 example, but also from the other pay raise votes throughout congressional history.
Chapter 5 centers on campaign finance reform. Reform had been on the legislative agenda throughout the 1960s; however, it was only after new communication technologies significantly increased the costs of congressional campaigns that members adopted the first comprehensive financing laws in the Federal Elections Campaign Act of 1971. This new act’s reporting requirements helped break the Watergate scandal. In 1974, Congress reacted to a vehement public response by adopting another wave of comprehensive reforms of the campaign finance laws. In fact, as the Watergate story was breaking, more than a quarter of the constituent letters sent to members of Congress encouraged them to support campaign finance reforms (Mutch 1988). Both reforms passed with overwhelming support from both parties in both chambers. In the 1980s, the public’s interest in reform waned as the members’ motivation to establish free and fair elections gave way to partisan attempts to stymie the opposition. Beginning in the late 1990s, reform again became popular. In response to public pressure, members again voted in favor of proposals that would ultimately create uncertainty in accessing campaign funds. In this chapter, I analyze data throughout campaign finance reform history.

Congressional term limits, unlike the other case studies in this book, have never succeeded. Chapter 6 analyzes the interplay of members, their constituents, and the issue of term limits. Ironically, the probability of passing term limits was highest at exactly the time that their existence was most questioned. More than two-thirds of the general election challengers who upset the thirty-four House incumbents in the 1994 midterm congressional elections espoused term limits. Their victories increased the number of term limit supporters in the House. They also demonstrated to the public that term limits were not necessary for infusing Congress with new blood. In 1995, term limits achieved their greatest support in congressional history. But when term limit supporters did not fare systematically better in the 1996 elections, the support for term limits among members waned. For the time being, term limits have faded from the legislative agenda, perhaps only to reappear after the next major congressional scandal.

Each of these case studies highlights a different feature of the argument laid out in chapter 2. The Pendleton Act emphasizes the role played by electoral competition. Only after many members of the majority party who stonewalled on civil service reform were defeated did Congress reform the spoils system. Congressional pay raises underscore the role of public pressure. When the public is attentive, members need to tread carefully in feathering their own nests. Campaign finance reform illustrates the manner in which members in competitive districts are critical in determining the success or failure of reform proposals. The history of term limits demonstrates that electoral competition, when combined with legislative competition, can induce members to vote in favor of policies that, in the end, hurt them.
The results from these case studies underscore three findings important for evaluating democratic accountability in the United States. First, members frequently bend to their constituents’ preferences even on policies that may strategically and materially harm them. Second, when confronted with decisions pitting their interests against their constituents’ preferences, members of Congress occasionally decide against their constituents’ preferences. Third, under particular conditions, these wrong votes can carry serious consequences.

These summary statements are unsatisfying. How much more interesting and poignant would this book be if it could conclude with bold and unqualified statements describing the relationship between constituents and their representatives? Unfortunately social science, especially when focused on politicians and voters, rarely yields bold and unqualified conclusions. This book examines the political environment, the electorate’s mood, and the representatives’ strategies to flesh out the conditions and qualifications that make the study of politics so fascinating.
Notes to Acknowledgments

1. King was a Liberal party leader in the Canadian Parliament. The quote comes from “Quotables,” Roll Call, May 17, 2001, p. 4.
2. The gender-neutral term for nieces and nephews.

Notes to Chapter 1


Notes to Chapter 2

2. Competition, in this context, works as it does in the economic literature. Economists have analyzed how competition between potential agents reduces corruption in the political arena (see Becker and Stigler 1974; Rose-Ackerman 1978; Schleifer and Vishny 1993). Although these studies focus on the relationship between representatives (the principals) and bureaucrats (the agents), the same underlying competitive dynamic exists with parties in legislative competition and candidates in electoral competition. As competition in these economic models increases the government’s efficiency, so, too, does competition in this political model increase the responsiveness in American democracy.
3. This is also consistent with the congressional retirement literature. See, for example, Moore and Hibbing (1992), Kiewit and Zeng (1993), and Theriault (1998).
4. From Madison in Federalist No. 52.
5. To be sure, the salary grab was only one issue in the 1874 elections. Incum-
bents were also damaged by the Credit Mobilier, the Panic of 1873, and Reconstruc-
tion was coming to an ominous end in the South.


9. See Hibbing and Theiss-Morse (1995, 2002) for an excellent and comprehen-
sive analysis of stealth democracy. Also, see Funk (2001) for an interesting finding that
the public negatively evaluates conflictual politics.


11. Alternatively, if a proposal arrives on the agenda to restrict incumbency
resources, members again face three choices: completely abandon the effort to restrict
resources, unanimously agree to support the restrictions, or attempt to pressure the piv-
otal members to abandon their own preferences so that the proposal passes.

12. Over fifty years ago, Macrae (1952) found that members with large victory
margins could buy some discretion in their position taking. Inversely, weak incumbents
were much more likely to vote their constituents’ preferences.

Notes to Chapter 3

4. Ibid.
5. See Stewart (1929) for a thorough description of the NCSRL’s history.
6. Adams to Godkin, Beverly Farms, Massachusetts, September 26, 1881, in
Cater 1947, 115.
8. Additionally, fourteen members were paired (Congressional Record, 47th
10. These lame duck sessions were typical until 1933, when the adoption of the
Twentieth Amendment moved the beginning of a new congress to January of odd-
numbered years.
13. See, for example, The New York Times, “Pendleton’s Bill Passed,” December 28,
1882, p. 1.
ascertain public support for reform by including an indicator variable that takes the
value of one when the member represents one of the fifty largest cities in the United
States, according to the 1880 census. They explain, “This variable is to capture the
impact of urbanization on the propensity to vote in favor of the Pendleton Act. Reform
groups are more active in urban areas than in rural.” Their variable is statistically sig-
nificant in their results (see table 1); however, when this urban variable is included with
the reform league and petitions variable, its effect evaporates. The results from this logistic regression are not reported here because they basically mirror the results in table 3.5 with the addition of a statistically insignificant urban variable.

15. It is unclear which of the two House operationalizations is more appropriate. While affiliates were established in particular cities, they frequently attempted to serve the entire state. Consider the affiliate established in San Francisco in 1881. It opted to call itself the “California Civil Service Reform League.” Consistent with its name, officers were selected from throughout California.

16. See Index to the Congressional Globe, 47th Cong., 1st Sess., 79 and Index to the Congressional Globe, 47th Cong., 2nd Sess., 36, for a list of pages in the Record that contain petition statements from the members. If a petition was received from a specific jurisdiction within a state, only the representative(s) of that jurisdiction is counted as receiving a petition. If, however, the petition was received from nothing more specific than citizens of a state, every representative within that state is counted as having received that petition.

17. Nonvoting members were deleted from the analysis.

18. Various other specifications of the competition variables did not lead to more significant results including testing, individually, member vulnerability in 1880 and 1882.

19. To be sure, the customhouse and reform league variables are highly correlated (0.288, p < 0.001). Reform leagues, in addition to being correlated with customhouses, are likely to be established because of their close proximity to the customhouses. Nearly every state district with a customhouse had a reform league. Of the fifty-eight members who had local affiliates in their states, however, fifty-five of them supported the Pendleton Act. As such, the customhouse variable is a very high standard for predicting who votes in favor of reform, but it misses scores of other likely supporters. Thus, it alone is an insufficient explanation.

20. In cases like this, statistics programs will delete the twenty-two observations because they can be perfectly predicted by the Pendleton Act vote, which changes the results of the multivariate analysis.

21. In the twenty years leading up to the Pendleton Act of 1883, Congress did take three additional votes on civil service reform. First, three years after Sumner first introduced the subject of civil service reform, the House took a vote on whether to lay a House civil service reform bill “on the table,” which would effectively kill it. The measure passed 72–66 (Congressional Globe, 39th Cong., 2nd Sess., 1867, 1034). The second vote occurred on March 8, 1872, when the Senate approved President Grant’s request of $50,000 to fund the Civil Service Reform Commission. The Senate approved this amendment to the Legislative Appropriations bill, 25–21 (Congressional Globe, 42nd Cong., 2nd Sess., 1872, 1575). The third vote came from the House’s deliberation over President Grant’s $50,000 request and the Senate’s approval for the Civil Service Commission. This vote, taken just over a month later, reduced the $50,000 request to $10,000. The amendment overwhelmingly passed, 115–59 (Congressional Globe, 42nd Cong., 2nd Sess., 1872, 2398). The conference committee that was established when neither chamber would recede from their positions finally agreed on appropriating $25,000. Both chambers approved this conference report on May 3, 1872 (Congressional Globe, 42nd Cong., 2nd Sess., 1872, 3020–1 and 3053–54). When these votes are rigorously analyzed, two findings stand out. First, Democrats were more likely to support reform (consistent with the Legislative Competition
Hypothesis). Second, members from districts that had major post offices and custom- 
houses were also more supportive of reform. Interestingly, if a member hailed from a 
district that would, in the future, be near a local affiliate, he was no more likely to sup- 
port reform. This result suggests that it was really the presence of the local affiliates 
that pressured members to pass reform and not some underlying constituent sentiment 
that would have been present in these earlier votes.

22. Stewart is quoting “one student of this period.” This student is left unnamed.

Notes to Chapter 4

1. The quote is converted from third person to first person. *The Annals of the Con- 
gress of the United States, 14th Cong., 1st Sess.*, 200.
*Washington Post* commissioned the 1991 poll. All four polls are archived at the Roper 
Center.
5. Because of the high collinearity between party and ideology, I restrict my 
description of the results throughout this article to party, although I have also tested 
each of the models with ideology. In no case does the inclusion or exclusion of the ide- 
ological variables affect the results of the politics of public pressure variables. The 
operationalization of ideology that I tested was the Poole-Rosenthal (1997) scores.
8. Ibid., 2014.
9. Because logit coefficients do not easily lend themselves to substantive inter-
pretations, the impact of the independent variables is determined for a “typical” mem-
ber of Congress. “Typical” members have the mean value for all other variables except 
the independent variable whose substantive significance is being ascertained.
10. One additional complication arises because several states split their electoral 
votes between the two candidates. In these cases, the senator’s score is the percentage 
of electoral votes going to the opposite party. In each state that split the electoral votes, 
one party’s candidate received an overwhelming majority, so the operationalization of 
this variable is not significantly affected by these split votes.
11. In future models in this and other chapters, I include an interaction term 
between the next election indicator variable and marginality. Too few senators voted in 
1797 for the inclusion of this variable in a comprehensive analysis of this vote. As 
such, the interaction term is deleted from the analysis.
12. Members elected in multi-member districts have margin scores that compare 
their vote totals to the losing candidate who received the most votes.
13. See Bianco, Spence, and Wilkerson (1996) and Skeen (1986) for a thorough 
description and analysis of the 1816 pay raise votes.
15. Ibid., 1188.
16. Ibid., 203.
NOTES

17. Incidentally, the Federalists supported the pay raise, 8–3, and the Democratic-Republicans supported the raise, 13–8.
20. The Inter-university Consortium for Political and Social Research (ICPSR) member of Congress biographical data set did not categorize fifty members that left the chamber at the end of the 14th Congress. Of these senators with missing data, twenty-nine supported the pay raise (58 percent).
21. Because of the staggered elections in the Senate, I determine if the senators from cycle B stayed in the Senate in the 15th Congress, the senators from cycle C stayed in the Senate in the 16th Congress, and the senators from cycle A stayed in the Senate in the 17th Congress. The results from the 15th Congress are most impressive; however, the lag introduced by staggered elections does not seem to significantly affect the results.
22. Again, ICPSR could not ascertain why nine senators left their seats. Of these, seven supported the pay raise.
24. Ibid., 489.
27. Quotes and statistics taken from McAllister 1988, A17.
29. Ibid., 267.
30. Ibid., 266.
32. Congressional Quarterly Weekly Reports, November 18, 1989, 3131.
34. I used LexisNexis to search for “Congress” and “pay raise” in the headline or lead paragraph.
35. Seventy-two percent of the respondents opposed the package and 20 percent favored it. Poll results from a survey conducted on November 16, 1989.
36. See, for example, Bresnahan 2001, 1.
37. Crabtree 2002a, 3.
38. Crabtree 2002b, 5.
39. We can imagine a whole host of independent variables that should be included in a comprehensively specified analysis. Perhaps the two most important variables are the member’s personal wealth and the wealth of his/her district (Wilkerson 1991 and Bianco 1994). Unfortunately, these variables are not measured over the entire time-frame of this study. I have conducted a preliminary analysis on the latter of these using a subset of the data set; the districts’ median incomes are reported by Congressional Quarterly since 1970. Prior to the 1970s, we do not have reliable district data. Indeed, members from wealthier districts are more likely to support pay raises than members from poorer districts. While this finding is statistically and substantively robust, it does not affect the coefficients or standard errors on any of the remaining variables. The
inclusion of additional variables is only justified if their inclusion affects the variables of interest.

40. This more sophisticated model does not radically change the results. Under the simpler specifications, the same variables are statistically significant.

41. I, again, used LexisNexis searching for “Congress” and “pay raise” within the headline and lead article for a month and one-week period. I wanted to capture any stories leading up to the vote (up to one month) as well as any stories analyzing the vote publicity after the vote (up to one week).

42. As such, it does not include the members who retired, who sought other office, who were defeated in the primaries, or who died.

43. House votes 1, 3, 5, 9, and 14.

44. This situation is a bit contrived. Few incumbents, at least statistically, are as likely to win as they are to lose. If, instead, we evaluate the effect for a member with the mean values for all the other independent variables, the pay raise supporter’s probability decreases to 0.961. By voting for the pay raise, his probability jumps to 0.980. While this vote change results in a tiny reelection probability increase (0.019), the near certainty of reelection skews the effect. Viewing these numbers in an alternative frame can, perhaps, demonstrate the magnitude of this effect. A pay raise supporting member who is already likely to win can cut his probability of losing in half by voting in line with his/her constituents’ preferences on pay raise votes. Instead of a 0.039 probability of losing, members can reduce it to 0.020.


Notes to Chapter 5

3. In a poll conducted March 18–20, 2002, Gallup found that 57 percent favored the new law; only 26 percent opposed it.
5. The Congresses not included in these periods (up until the 91st Congress and the 97th and 98th Congresses) are completely devoid of serious campaign finance reform debate. In fact, the only legislative action that occurred during these Congresses was two “Clean Election Bills” passed by the Senate in the early 1960s.
7. See Mutch (1988) for a thorough and excellent analysis of the modern-day campaign finance laws.
8. Data from the Citizens Research Foundation (Congressional Quarterly Almanac 1971, 85).
9. Because of the high collinearity between party and ideology, I restrict my description of the results throughout this book to party, although I have also tested each of the models with ideology. In no case does the inclusion or exclusion of the ideological variables affect the results on the politics of public pressure variables. When I analyze results within one particular party, I include the ideology variables, because the collinearity problem ceases to exist. My operationalization of ideology is the Poole-Rosenthal’s (1997) nominate scores.
NOTES

10. Because logit coefficients do not easily lend themselves to substantive interpretations, the impact of the independent variables is determined for a “typical” member of Congress. “Typical” members have the mean value for all variables except the independent variable whose substantive significance is being ascertained.

15. All data reported in Congressional Quarterly Almanac 1978, 769.
16. Ibid., 771.
18. Due to the partisan nature of the voting in the Senate, multivariate analysis is meaningless. As the appendix shows, the votes in the Senate were determined largely along party lines.
22. Congressional Quarterly Weekly, July 1, 2000, 1587 (ellipses in original).
23. John Chafee died one week after the 1999 vote (on which he abstained). His son, Lincoln Chafee, was appointed to his seat. Lincoln was reelected in 2000 and, like his father, has supported McCain-Feingold.
25. Three Democrats—John Breaux, Ernest Hollings, and Ben Nelson—voted against McCain-Feingold, but none was up for reelection in 2002.
28. LexisNexis advance search for the terms “soft money” and “Congress” throughout the full text of the respective newspaper’s stories.
30. Data obtained from McCain’s Straight Talk America. In total, he campaigned for seventy-three candidates, thirty of whom were elected to the House. Of those members that he campaigned for, eleven of them supported Shays-Meehan.
31. Data obtained from Keller and Bresnahan 2002, 1. The commercials ran in nine districts. Of the nine members, six supported Shays-Meehan.
33. Lancaster and Eilperin 2002, 12.
36. Ibid.

Notes to Chapter 6

NOTES

3. All of the term limits poll data come from The Gallup Poll. Although support waxes and wanes, it always exceeds the opposition:

<table>
<thead>
<tr>
<th>Date</th>
<th>Support</th>
<th>Opposition</th>
<th>Proportion of Support to Opposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 1966</td>
<td>50</td>
<td>38</td>
<td>1.3</td>
</tr>
<tr>
<td>May 1971</td>
<td>48</td>
<td>39</td>
<td>1.2</td>
</tr>
<tr>
<td>July 1978</td>
<td>60</td>
<td>30</td>
<td>2.0</td>
</tr>
<tr>
<td>Jan. 1992</td>
<td>61</td>
<td>36</td>
<td>1.7</td>
</tr>
<tr>
<td>March 1992</td>
<td>64</td>
<td>34</td>
<td>1.9</td>
</tr>
<tr>
<td>April 1992</td>
<td>67</td>
<td>31</td>
<td>2.2</td>
</tr>
<tr>
<td>July 1993</td>
<td>67</td>
<td>31</td>
<td>2.2</td>
</tr>
<tr>
<td>June 1994</td>
<td>61</td>
<td>37</td>
<td>1.6</td>
</tr>
<tr>
<td>Nov. 1994</td>
<td>73</td>
<td>36</td>
<td>2.0</td>
</tr>
<tr>
<td>Dec. 1994</td>
<td>62</td>
<td>36</td>
<td>1.7</td>
</tr>
<tr>
<td>March 1995</td>
<td>61</td>
<td>38</td>
<td>1.6</td>
</tr>
<tr>
<td>June 1995</td>
<td>67</td>
<td>29</td>
<td>2.3</td>
</tr>
<tr>
<td>March 1996</td>
<td>74</td>
<td>23</td>
<td>3.2</td>
</tr>
</tbody>
</table>

4. Public opinion usually places congressional term limits near the bottom of congressional priorities. In 1995, at the height of the movement, term limits finished 11th out of 13 issues. Only 3 percent of the public deemed it the most important priority for Congress (The Gallup Poll 1995, 211)
11. Scholars have begun to use publicity in major newspapers as a proxy for public visibility (Brody 1991; Canes-Wrone 2001).
12. The search was conducted in LexisNexis using the search terms of “term” within three words of “limit!” and “Congress,” “House,” or “Senate.”
18. As Cain and Levin (1999, 164) argue, “opinions on term limits among politicians, journalists, and political scientists have hardened over the years except for certain Republican members of Congress who, to the dismay of their followers, have
abandoned their pledge to apply term limits to Congress (and, by implication, themselves).”

34. The states that passed the initiative were Alaska, Arkansas, Colorado, Idaho, Maine, Missouri, Nebraska, Nevada, and South Dakota. The initiative failed in five states—Montana, North Dakota, Oregon, Washington, and Wyoming.
35. The model in column A also includes fixed effects for the different congresses and random effects for the different members.
38. In 1991, Senator Hank Brown tried to attach a term limits provision to a campaign financing bill. The motion to table his amendment to an amendment that subsequently failed overwhelmingly passed, 68–30. Twelve Republicans joined a united Democratic caucus to defeat Brown’s amendment.
40. Campbell, who shortly after the vote switched parties, also took the self-inflicted term limits pledge.
42. Lindecke 1996, 1A.
44. Quoted in Wolfensberger 2000, 218.
46. Of the five members who lost, none were from states that passed the scarlet letter initiative and only one was from a state that passed congressional term limits. Representative Rich White voted for term limits. The remaining four members split 2–2 on the term limits bill in the 105th Congress.
47. Wolfensberger 2000, 217.
Notes to Chapter 7

3. Davidson and Oleszek 2002, 150. Statistics are reported for House members; senators receive between two and four times as much.
4. Ibid., 149.
8. Ornstein, Mann, and Malbin 1998, 57. Figures are again for the House. Senators do not fare as well—in twelve of these elections, however, at least three-fourths of senators seeking reelection succeeded (Ornstein, Mann, and Malbin 1998, 58).
9. “Virtually unopposed” means that their challengers, if they had challengers, received less than 20 percent of the vote. Sixty-two incumbents ran unopposed.
10. This sentence is a bit exaggerated for effect. The powers of the majority party relative to the minority party do vary, sometimes even a great deal (Binder 1997 and Dion 1997). Also, the overall level of incumbency vulnerability and safety has varied, even over the last 40 years (Stanley and Niemi 1995, 120).


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