The One Thing You Need To Know about Congress:
The Middle Doesn't Rule

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First and foremost, the U.S. Congress is a uniquely powerful assembly of locally elected representatives. Americans expect their House members and Senators to promote their interests and viewpoints within the hallways and meeting rooms of Capitol Hill. And political philosophers have long maintained that a benchmark of effective representation should be a reasonably close alignment between public opinion in the constituency and a representative's actions in the policy process. Interestingly, many critics of the institution believe that members of Congress are too responsive to the whims of the folks back home and, as a result, legislation is excessively shortsighted and parochial. Our elected representatives, these critics complain, should do more than stick their fingers in the political winds and vote accordingly. But in the real world of congressional politics, does the great middle of American pubic opinion really drive legislative work in Washington? On most issues for most members, the answer is "no." Indeed, the one thing you need to know about Congress is that the middle doesn't rule.

1. The Great Middle

On election eve in 2006, as Democrats won new majorities in the House and Senate, pundits and news commentators held forth that Americans are deeply divided along partisan and ideological lines. There probably are fewer moderates in the electorate than was the case three of four decades ago. But in contemporary American politics most citizens are not ideological extremists and there is a great middle to public opinion in this country. If we think about the policy views of citizens as points that fall along a line ranging from liberal to conservative, the distribution of attitudes looks something like a bell-shaped curve. On issues as diverse as education, immigration, and even abortion, national surveys indicate that the largest proportion of citizens hold centrist viewpoints.[2]

Consider, for example, the basic partisan and ideological complexion of the districts that members of the House currently represent in Washington. One indicator of the preferences of citizens in a congressional district is the percent that cast ballots for President George W. Bush in November 2004. The higher the percentage for Bush, the more Republican and conservative are

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[1] In preparing this paper, I benefited from the assistance of Josh Clinton, Jack Evans, and John Gilmour.

[2] For a compelling case that public opinion in America is not highly polarized, see Fiorina, Abrams, and Pope (2006).

the relevant voters. Figure 1 shows the distribution of congressional seats across the different levels of Bush support. Notice that most districts fall in the middle, that is, in the 45-55 percent range.

(Figure 1 about here)

Of course, the bell-shaped pattern of Figure 1 does not tell us anything definitive about the distribution of ideological views inside individual districts. A constituency could split its vote between the Republican and Democratic presidential candidates because most residents are ideological moderates, or because the area is deeply polarized, containing large blocs of liberals and conservatives and not much in between. Fortunately, recent surveys sponsored by the Annenberg Center for Public Policy include enough respondents per congressional district to accurately gauge the distribution of ideological views within individual constituencies.[3] For about 85 percent of House districts, the distribution of preferences is bell-shaped with a maximum located over the center of the ideological scale.   For the remaining 15 percent, the distribution is still bell-shaped, but the peak is located somewhere to the left or the right. Not a single district had anything approaching the U-shaped distribution of ideological views that would indicate deep ideological polarization. Analogous results hold for states. Whether we consider the American public as a whole or at the level of the individual constituency, there exists a sizable ideological middle that members of Congress could reflect in their legislative work.

This preponderance of moderates in the electorate, however, does not necessary translate into a centrist legislative process in Congress. Figure 2 shows the relationship that exists between district conservatism (once again measured by percent vote for Bush) and member roll call behavior on the House floor during 2005-06. In a typical year, House members cast more than 500 roll call votes on bills, amendments, and procedural motions across hundreds of different policy areas. There are several techniques for using these roll call votes to order House members and Senators from most conservative to most liberal. Here, I use the method most

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[3] The 2000 Annenberg National Election Study asked questions about ideological placements for approximately 75,000 respondents, or about 170 per congressional district. The next draft of this paper will include analogous data from the survey of voter attitudes in 2004. The results almost certainly will be very similar.

prevalent in congressional scholarship.[4] Each of the grey dots in Figure 2 represents the roll call

ideology and district Bush support for an individual House member. One of the dots toward the

lower left, for example, is for Democrat Jim McDermott of Washington, who had the most

liberal voting record in the House and a district that provided only 19 percent of its votes for

Bush. Toward the upper right is a dot for Libertarian-Republican Ron Paul of Texas, who had

the most conservative roll call record in the chamber and a district that gave Bush a 67 percent

margin.

<center>(Figure 2 about here)</center>

If we consider all of the dots in Figure 2, there clearly is a positive relationship between

conservatism in the district and member conservatism in the House. As we move along the

horizontal axis toward higher levels of district Bush support, we tend to find House members

with increasingly conservative voting records. But also notice that the dots mostly take the form

of two distinct clouds, one to the lower left (which mostly is comprised of Democrats), and one

toward the upper right (almost entirely made up of Republicans). Although most districts fall

somewhere in the ideological middle, Figure 2 indicates sharp ideological and partisan

polarization on the floor of the House. To clarify the point, the figure also features two lines,

one for Democrats and one for Republicans, each of which is fitted to the relevant dots to best

capture the relationship between district conservatism and roll call ideology.[5] Most instructive is

the large subset of districts in the middle, which elected both Democratic and Republican

members to the House. The placement of the lines indicates that, holding constituency ideology

constant, Democratic House members tend to be much less conservative in their roll call

behavior than are their Republican counterparts. Put differently, if a Republican and a Democrat

represent districts that are ideologically identical, the Republican will exhibit a far more

conservative roll call record than the Democrat.[6]

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[4] The indicator of roll call ideology is first-coordinate DW-NOMINATE, downloaded from
www.voteview.com. For an overview, see Poole and Rosenthal (2001).
[5] The lines result from bivariate regressions of roll call ideology on district Bush support,
conducted separately by member party.
[6] Gerber and Lewis (2004) demonstrate that member divergence from the median viewpoint in
the district increases with district heterogeneity, that is, when the distribution of preferences
spans larger portions of the ideological spectrum. Clinton (2006) marshals evidence that during
the 106th Congress (1999-2000), the significant member divergence that occurred from centrist
viewpoints in the district primarily took place among the majority Republicans.

In the 2004 presidential election, for example, residents of the first and sixth congressional districts of Michigan both gave 53 percent of their votes to George W. Bush. The first district spans the northern portions of the state. Heavily forested and a Mecca for vacationers, there is a strong union presence and constituents tend to be socially conservative. The sixth district is located in the southwest corner of Michigan. Also relatively rural, it too is home to many social conservatives and blue-collar workers. For all their similarities, very different House members represented the two districts during 2005-06. The first district was represented by Democrat Bart Stupak, who amassed a moderately liberal voting record in the chamber. Republican Fred Upton was congressman for the sixth district and his roll call record tilted strongly to the right, along with the rest of his party. In recent years, the two legislators have cast different votes on a host of major issues, including drilling on the Alaskan National Wildlife Refuge, Bush administration tax cuts, adding a prescription drug benefit to Medicare, school vouchers, same sex marriages, and funding for the war in Iraq. Clearly, in their legislative actions, Stupak and Upton are responding to different subsets of their constituencies.

When we examine evidence about constituency viewpoints and member ideology for the Senate, the results are similar to the contents of Figure 2. There also are many examples of Senators from similar states with widely different roll call records. Indeed, it is fairly common for the same state to be represented in the Senate by a liberal Democrat and a conservative Republican. In both chambers, then, members are disproportionately responsive to *subsets* of their constituencies rather than to the constituency as a whole. To understand why, we need to consider what House members and Senators actually see when they look at their constituencies.

2. Member Perceptions of the Constituency

From the perspective of the legislator, the constituency is not a set of geographic boundaries, an undifferentiated mass of voters, or even a distribution of ideological views. When Members view their constituencies, they see "kaleidoscopic variety;" pockets of attention and inattention that vary by issue; major industries and other sources of jobs and economic wealth; a myriad of organized interests from the National Rifle Association to the Veterans of Foreign Wars; and local opinion leaders such as municipal officials and various media outlets.[7]

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[7] Fenno (2003) is the classic treatment of how members of Congress perceive their constituencies and the consequences for representation.

Interestingly, except during the heat of an election campaign, members of Congress seldom poll their constituents.

During 1992, I served on the staff of Rep. Lee H. Hamilton, a Democrat from southern Indiana who was up for reelection that year. His campaign had commissioned an elaborate survey of voter attitudes in the district and the results were compiled, analyzed, and presented to Hamilton in a binder. Hamilton reviewed the binder for a few minutes and then tossed it on my desk with a grin. "You're a college professor," I recall him saying. "You might be interested in this stuff." Hamilton went on to observe that poll results are highly dependent on how the questions are phrased and that he had far more meaningful sources of information about the views of his constituents. He knew long-term voting patterns down to the precinct level. He spent at least two weekends per month back home meeting with constituents. He read local newspapers daily, especially letters to the editor that mentioned politics. And he regularly received updates about the tone and content of the 1,000 or more letters that constituents sent him each week. Like most members of Congress, Hamilton did not view opinion in the district as a set of predetermined attitudes, but as a process that he could influence.

Successful politicians understand intuitively that citizens vary in their attention to political issues and that preferences about specific policy questions derive from three main ingredients; a citizen's underlying predispositions, or "considerations;" the content of the policy alternatives under discussion; and messages and signals that people receive from political elites, largely through the media.[8] For purposes of illustration, consider a voter confronted with a choice about whether to support an increase in federal funding for elementary and secondary education. In forming preferences about the matter, the constituent might consider a range of predispositions, including whether or not she has school-age children, her thoughts about the quality of nearby schools, her gut feelings about parochial schools and other private alternatives, and perhaps her skepticism about "big government" and the effectiveness of the federal bureaucracy. The constituent forms an attitude about whether spending should increase by relating the proposal to these predispositions, some of which obviously push her in different directions on the issue. If, for some reason, recent experiences have made her think a lot about the poor quality of nearby schools, that predisposition may dominate and induce her to favor the spending hike. But if she has been buffeted by media stories about government waste, priming

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[8] The best conceptual and empirical treatment of this process is Zaller (1992).

her predisposition toward skepticism of the bureaucracy, the constituent may decide to oppose increased expenditures. In their campaign messages and public utterances, Democratic politicians might attempt to "prime" the process of attitude formation for our citizen and other voters by emphasizing the deteriorating educational infrastructure. Republicans, in contrast, might highlight the enhanced federal role that more expenditures would entail, trying to prime that consideration.[9]

Smart politicians know that such priming tactics do not work well with all constituents, especially people who are highly aware about a policy matter or about politics in general. For these constituents, the linkages that exist between their underlying predispositions and the relevant policy issues are well established and not particularly susceptible to priming by political elites. Among the politically aware subsets of a constituency, party activists are especially important to members of Congress. Members need to curry favor with their party's activist base to stave off future primary challengers. Activists also provide much of the funding and other campaign resources that members need to stay in office. Not only are party activists likely to be politically aware and energized by the major issues of the day, their viewpoints are usually ideologically extreme. Democratic activists, we know, are usually very liberal, while Republican activists trend strongly to the right.

While party activists typically are engaged by a wide range of policy areas, there are other subsets of the constituency, known as "issue publics," with levels of political awareness that vary by policy area.[10] A parent with multiple children enrolled in public schools, for example, may be deeply interested in education issues and develop especially strong attitudes about the proper role of the federal government in the area. Often, issue publics include organized advocacy groups with membership lists and formal leaders. Schoolteachers, for instance, have a strong organizational presence in most congressional constituencies via the National Education Association and various local affiliates. The scope and organizational presence of issue publics vary by policy area and across congressional districts and states. But most issues on the national agenda evoke disproportionate interest from subsets of the electorate.

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[9] Consult Riker (1990) for a formalization of this intuition.

[10] The concept of "issue public" is from Converse (1964) and Krosnick (1990). See also Han (nd).

Not surprisingly, these coalitions and groups are prominent in a member's perception of the constituency when that issue is on the table.

Of course, Members of Congress also pay particular attention to the preferences of issue publics and organized interests because they are an important source of campaign resources for legislators. And it is not just about money. Advocacy groups engage in grassroots mobilization efforts that potentially can sway the attitudes of less politically aware constituents. As with party activists, the agendas of issue publics and advocacy organizations often differ from the interests and latent attitudes of ordinary citizens. They are called "special interests" for a reason.

Legislators are motivated by multiple goals, including reelection, promoting good public policy, and securing influence in the political process, but reelection is central because staying in office is a prerequisite for achieving other goals.[11] As a result, the significant variance that exists in political awareness and organizational strength among citizens strongly conditions how lawmakers perceive and represent their constituencies. A member's legislative activities are heavily influenced by the agendas of party activists, organized interests, and issue publics. If there is disagreement among these informed elements of the constituency, the member may attempt to broker a compromise or simply back the side with the greatest political resources. But if for some reason a member takes a position opposed by her activist base or important groups in the district, priming and persuasion will be of only limited value because the policy views of these subconstituencies are so firmly held. There are strong incentives, then, for reelection-oriented lawmakers to place disproportionate weight on the views of activists and the organized, rather than the interests of the politically unaware.

I am not arguing that ordinary voters are effectively disenfranchised. But often they mostly serve as the terrain over which competing opinion leaders do battle. The large middle of ideologically moderate citizens generally has fluid attitudes about policy issues and the political process. Often, these voters have difficulty translating their centrist predispositions into concrete attitudes about specific policy disputes. Through their public statements and other communication strategies, Members of Congress try to persuade undecided citizens to back their policy programs. The vast majority of voters do not pay much attention to most of the roll calls that occur on Capitol Hill; much less the more insulated activities that occur in committee. As a result, House members and Senators have significant discretion about how to conduct their

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[11] The best treatment of the motivational psychology of members is Fenno (1973), Chapter 1.

legislative work. If asked, they need to be able explain their actions to the folks back home. They can embrace the relatively extremist policies of party activists and the parochial agendas of organized interests as long as these positions can be framed and explained for public consumption, reinforcing the incentives for them to stick with the activist subsets of their constituencies, rather than mainstream public opinion.[12]

3. Internal Operations of Congress

Just as the way members perceive and respond to their constituencies promotes partisan polarization and empowers special interests, central features of the internal operations of Congress also help produce a legislative process where the middle does not rule. Three structural arrangements are especially important; the committee system, party organizations, and floor procedure.

Committees

As is the case with most organizations responsible for large, complex workloads, both chambers of Congress have created an internal division of labor, the House and Senate committee systems. In 2007, there were twenty standing (permanent) committees in the House and eighteen in the Senate. Both chambers have a Committee on Armed Services, for example, which has jurisdiction over the Pentagon and national security. The House Committee on Education and Labor has jurisdiction over a wide range of education and workforce programs. The highway program and other transportation issues fall in the jurisdiction of the House Committee on Transportation and Infrastructure. Still other committees are responsible for health care, the environment, taxes, and so on across the entire policy agenda. The committees of Congress are important because they handle the crucial first drafts of legislation, prior to consideration by the full chamber. Not surprisingly, legislators apply for membership on the panels that consider issues important to their goals, especially reelection.

The committees of Congress can be usefully distinguished by the political environments in which they operate. Committee environments typically include some mixture of the full chamber, the executive branch, the political parties, and interest groups.[13] The environment of the Armed Services panels, for example, is dominated by the full chamber, the executive branch,

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[12] See Jacobs and Shapiro (2000) for an intriguing application of this argument to health policy making in American national government.

[13] My discussion of committee environments draws heavily from Chapter 2 of Fenno (1973).

and to varying extents the two parties. Members of the committees traditionally have been pro-defense and highly responsive to the programmatic requests of the Pentagon; they aim to craft legislation that will not unravel on the floor. Especially since public support crumbled for the Iraq War, party leaders periodically insert themselves into committee deliberations. Education issues are central to the campaign agendas and "name brands" of both parties and the Education panels in Congress operate within a highly partisan context.[14] Still, the environments of the two Education panels also include the organized groups and professional associations prominent on the radar screens of individual legislators when they consider education interests at home. On education, then, the relevant committee environment is partisan and group based. The House and Senate Transportation Committees, in contrast, primarily evoke the interests of various transportation industries (e.g., truckers, the airlines, railroads) and local governments intent upon securing federal largesse for their areas. All members of the House and Senate pay close attention to transportation issues, but their focus is almost entirely local. They want to ensure that their constituents receive their full share of the transportation pie.

Just as a member's perceptions of the constituency in an issue area influence the policy positions she takes, the environments of the relevant congressional committees shape legislation. For the most part, the environment for Armed Services is neither group based nor partisan, reducing the tendency for noncentrist policy outcomes. Panel members occasionally use their positions to protect or expand military installations in their constituencies, but the executive branch and the mood of the full House and Senate mostly determine the contours of national security policy. The environment of the Education panels is more partisan and group oriented and thus more conducive to polarization. Party leaders regularly use the Education Committees and their expert staffs to formulate proposals for their party's national program. And party leaders expect loyalty from the committee leaders for their party. In 1997, for example, James Jeffords, a moderate Republican from Vermont, was the most senior member of his party on the Senate committee with jurisdiction over education and thus presumptive chair. But along with Jeffords, the committee included nine conservative Republicans and nine liberal Democrats and GOP leaders were concerned that Jeffords might occasionally side with the Democrats,

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[14] The Senate panel with jurisdiction over education is the Committee on Health, Education, Labor and Pensions (yes, it is known as the "HELP" Committee). On the importance of party name brands, see the highly influential work of Cox and McCubbins (2007).

effectively blocking the Republican education agenda. As a condition for receiving the chairmanship, Jeffords had to promise fellow Republicans that he would not cast votes (in his own committee) if the result would be a defeat for the party.

The impact of the committee process on legislation is especially significant in more parochial panels such as the two Transportation Committees. Members primarily use their positions on these panels to secure federal funds for their constituents. In 2005, Republican Don Young of Alaska, then chair of the House Transportation Committee, described a major highway measure as "stuffed like a turkey."[15] Among the special interest projects included in the bill was a $231 million bridge in Anchorage, to be called "Don Young's Way."[16] Within the House and Senate Transportation panels, members collaborate across party lines to craft elaborate packages providing funds for construction projects around the country. In 2007, the House Transportation Committee had 75 members, making it by far the largest committee on Capitol Hill. So popular was the committee that there were not enough swivel chairs in the committee room to seat all of its members when everyone showed up for a meeting. The work of the Transportation Committees, needless to say, is mostly invisible to the general public. And when party leaders attempt to curb the funding excesses of committee members, they are met with a stiff fight and often they lose.

Parties

Party organizations within the House and Senate also help ensure that the middle does not rule in the legislative process. Over the past few decades, Democrats and Republicans have developed elaborate party organizational structures within both chambers. Especially in the House, rank-and-file legislators have expanded the resources and prerogatives that leaders can use to promote party agendas.[17] Following the enfranchisement of African American voters in the south during the 1960s, conservative Southerners left the Democratic Party in droves and began voting for Republicans. As the number of conservative southerners in Congress fell, the Democratic Caucus in both chambers became more internally unified and the ideological gulf between the parties widened considerably. The following decade, the increasingly cohesive

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[15] Michael Grunwald, "Pork by Any Other Name…," *Washington Post,* April 30, 2006, B01.
[16] Jonathan Weisman and Jim VandeHei, "Road Bill Reflects the Power of Pork, *Washington Post*, August 11, 2005, A01.
[17] Consult Rohde (1991) and Sinclair (1995) on the reasons behind the strengthening of party organizations in Congress

Democratic Caucus in the House took major steps to empower their party leaders. The aim was to provide the centralized leadership with the tools necessary to advance the majority party agenda and counteract obstructionism from the minority. The powers of the majority leadership were further enhanced in 1995 when Republicans won majority control of Congress and Newt Gingrich of Georgia became the first GOP Speaker in four decades.

In the contemporary House, the majority leadership has the tools necessary to enforce party discipline, further contributing to party polarization in the legislative process. For example, the Speaker controls the House Committee on Rules, which has considerable say about which legislative proposals are considered on the floor and the terms of consideration. Democrats who break with the current Speaker, Nancy Pelosi of California, on party priorities often have difficulties securing chamber action for their own initiatives. On both sides of the aisle, leaders influence the access of their fellow partisans to party campaign funds. Pelosi has a lot of power over whether Democratic members receive valued committee assignments; the House GOP leadership exerts analogous control over committee assignments for Republicans. House leaders also shape the contents of their party's legislative agenda, which typically features bills and proposals that reflect the preferences of the relevant party's activist base. Procedural powers, various campaign resources, committee assignments and other forms of internal patronage, and crafting party agendas: Together these levers allow House Democratic and Republican leaders to enforce party discipline in the chamber.

In Fall 2003, for example, the majority Republicans wanted the House to pass their party's proposal to expand the Medicare program to include prescription drug coverage for the elderly. Speaker Dennis Hastert and other GOP leaders hoped that adoption of the measure would reduce or even neutralize the long-term Democratic advantage on health issues with the public. A significant bloc of GOP conservatives, however, was dismayed by the bill's $400 billion price tag and threatened to vote "no." The roll call on final passage began at 3:00 in the morning on November 22. Forty-five minutes later the Republicans were losing by a margin of 215-219. Majority Leader Tom DeLay, Republican of Texas, took the lead for his party in convincing opponents to switch their votes and support the party. DeLay, whose nickname was "The Hammer," exerted tremendous pressure on wavering Republicans. Nick Smith of Michigan, a GOP opponent of the measure, later complained to the House Ethics Committee that DeLay promised to endorse the election campaign of Smith's son, Brad, who hoped to succeed

his father in the House, if the congressman would change his vote from "no" to "yes."[18] Breaking House precedent that roll calls last no longer than fifteen minutes, DeLay held the vote open until 6:00 a.m. so that he could induce enough Republicans to changes sides. The measure passed at the crack of dawn, 220-215.

Party leaders in the Senate do not have access to Tom DeLay's "hammer." Compared to the House, the Senate is smaller and relatively informal and power is more widely dispersed among the entire membership. There is nothing analogous to the House Rules Committee in the Senate and the Senate majority leader lacks firm control over the floor agenda. Still, party leaders in the Senate are not powerless. For one, the majority leadership manages the bargaining that takes place over how and when bills are scheduled for chamber action. Senate leaders also influence committee assignments within their parties, help distribute party campaign funds, and formulate party legislative programs. Thus, even in the less hierarchical Senate, party leaders are influential and they contribute to the deep partisan polarization that often seems to define Washington politics.

Floor Procedure

A third structural feature that can preclude centrist legislating is floor procedure. Procedures matter in the legislative process. As Rep. John Dingell, a highly respected Democrat from Michigan and the longest serving member of the House, once claimed, "If you let me write the procedure, and I let you write the substance, I'll [screw] you every time."[19] We already have touched on the role of the Rules Committee in the House. Through its control over the panel, the majority leadership of that chamber uses floor procedure to block amendments that might unravel the party's legislative program. For most major bills, the Rules Committee sets the terms of debate, routinely constraining the ability of minority party members to offer amendments on the floor. The full chamber must ratify the procedures that the Rules panel recommends. But few people outside the Capitol Beltway pay attention to procedural votes, so even when members of the partisan majority oppose their leadership on the substance of a bill, they often will endorse a procedure that sharply restricts their ability to offer alternatives on the floor.

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[18] Charles Babington, "Ethics Panel Rebukes Delay," *Washington Post*, October 1, 2004, A01.
[19] *National Review*, February 27, 1987, 24.

The most famous and consequential procedural tactic in Congress, however, is the Senate filibuster.[20] Unlike the House, in the Senate every member has the right to stand on the floor and talk a bill, resolution, or nomination into oblivion. Other members can end a filibuster by invoking cloture, but cloture motions must be supported by at least sixty members to have force. Since the late 1970s, no majority party in the Senate has been that large. As a result, the ability to filibuster provides minority party members with enormous leverage over the Senate agenda. The rules do exclude certain kinds of legislation from filibustering. Major budget measures, for example, are "fast-tracked" and cannot be subjected to extended debate. But most of the Senate's work takes place in the shadow of the filibuster.

Close observers of the chamber disagree about the filibuster's policy impact. By empowering the minority party, some argue, the tactic requires members of the majority party to back legislation that is minimally acceptable to Senators on both sides of the aisle. The sixty-vote threshold for cloture, in other words, may force majority party leaders to moderate their proposals, potentially promoting bipartisanship and centrist legislating. When we consider the practical effects of filibustering, however, the evidence strongly suggests otherwise. For one, the percent of roll calls that divide the two political parties has been significantly higher in the Senate than in the House since the mid 1990s. If the filibuster is a force for bipartisan accommodation, then why has the Senate been so unrelentingly partisan in recent years? Instead, the evidence indicates that the main impact of the filibuster is to preclude passage of major bills backed by a majority of Senators, but less than the sixty required for cloture.[21]

Consider the fate of a 2007 proposal by Democratic Senator James Webb of Virginia aimed at increasing the amount of time that U.S. troops would have to be stationed at home between deployments to Iraq. According to public opinion polls at the time, almost two-thirds of the American people supported the gist of Webb's initiative.[22] Still, during the summer and fall

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[20] The filibuster is not even mentioned in Senate rules. The tactic is feasible because of the absence in Senate rules of a "motion on the previous question," the procedural device that is used to end debate in most Western legislatures. Thus, the filibuster is not a procedure, but a tactic made possible by the absence of a procedure.
[21] By far the best conceptual treatment of the filibuster and other supermajoritarian procedures in Congress is Krehbiel (1998).
[22] In response to an *ABC News/Washington Post* poll, July 2007, 65 percent of respondents favored, "Creating new rules on troop training and rest time that would limit the number of troops available for duty in Iraq." Thirty-one percent of respondents were in opposition and five

of 2007, Republican leaders led a successful filibuster of the measure. In July and again in September, Democrats attempted to invoke cloture, but fell four votes short. Although a clear majority of the chamber favored the Webb proposal, the Democratic leadership was unable to secure a vote on final passage. As a result, Senate Democrats ended their attempts to forge a bipartisan consensus on U.S. policy toward Iraq. In this case, the filibuster clearly was responsible for gridlock and increased partisan polarization in the Senate on perhaps the most critical issue of the day.

It should be emphasized that filibusters do not occur on all major legislation and that throughout Senate history important bills have passed the chamber by margins less than the threshold for cloture.[23] But the best evidence also indicates that many, many measures supported by a majority of Senators have failed to pass because of the tactic. Included would be anti-lynching legislation during the 1920s, numerous labor bills throughout the twentieth century, campaign finance and lobbying reform during the 1990s, and of course Senator Webb's Iraq proposal in 2007.[24] Moreover, since the 1970s, Senators have grown increasingly willing to threaten filibusters of popular initiatives unless they receive special treatment for their states on unrelated matters. In 2003, for instance, Senator Larry Craig, a conservative Republican from Idaho, placed a "hold" (basically a threatened filibuster) on the promotions of over 200 Air Force officers (the Senate needs to endorse such promotions) in order to induce the Pentagon to locate another four C-130 planes at a National Guard base in his state.[25] Overall, then, the Senate filibuster serves as an impediment to the translation of centrist public opinion into policy.

4. The Possibility of Balancing

The decisions made by individual citizens, advocacy groups, legislators and political parties do not occur in a vacuum. One possibility is that, as the views of individual actors clash and are aggregated via the political process, the competing agendas of diverse interests will effectively "balance out," producing public policies that approximate what most Americans want. In other words, centrist public opinion may not drive the legislative process, but in the aggregate the fluctuating whims of voters, the divergent interests of advocacy groups, and the

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percent reported no opinion. Data provided by the Roper Center for Public Opinion Research, University of Connecticut.

[23] See Wawro and Schickler (2006), Chapter 4.

[24] Binder and Smith (1997), 129-40.

[25] Mark Preston, "Lawmakers Still Seeking End to Anonymous Holds," *Roll Call*, June 19, 2003.

intense infighting that occurs between parties might achieve a rough equilibrium, resulting in laws that reflect the preferences of the American middle. Scholars call this hope, "pluralism."

A degree of such balancing probably does occur. Most citizens are relatively ignorant about the details of policy issues, but the fluctuations and uncertainties that characterize the attitudes of individuals tend to cancel out when we aggregate their views and consider the collective contents of opinion.[26] Priming tactics can influence voter attitudes, but on most issues both sides of the dispute try to shape public opinion. A number of studies indicate that when uncertain citizens are subject to competitive issue priming from both political parties, individual voters are actually better able to discern which issues, positions, or candidates best promote their core values.[27] Individual lawmakers and congressional committee may place disproportionate weight on the preferences of issue publics and organized groups, but for most policy disputes there likely will be pockets of politically aware citizens and groups on both sides of the question. Party activists in the constituency and party leaders in Congress may pull Democratic legislators to the left and GOP members to the right, but perhaps the heightened partisan conflict that results ends up in legislative outcomes located somewhere in the middle.

Indeed, there is evidence that the general direction of public policy over time tends to track broad changes in the ideological mood of the public, especially following national elections.[28] There is a huge leap, however, between such evidence and assertions that the middle somehow rules in the legislative process. For one, the correspondence between public opinion and policy outcomes differs significantly across issues and in a manner consistent with the arguments in this essay. For purposes of illustration, let's revisit the policy areas of defense, education, and surface transportation.

Unfortunately, surveys do not regularly ask citizens for their views about the kinds of policy specifics that are the subject of congressional decisions. However, the General Social Survey has been asking respondents for their preferences about spending on a range of programs for many decades: "Are we spending too much, too little, or about the right amount on ----," the question asks. The net difference between the percent of respondents answering "too little" and "too much" provides a useful indicator of whether Americans want spending to rise or fall in the

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[26] The classic treatment is Page and Shapiro (1992).
[27] Consult Sniderman and Theriault (2004) and Druckman (2004).
[28] Evidence for the thesis can be found in Erickson, MacKuen, and Stimson (2002), 304-09. See also Stimson (2004).

relevant policy area. The gray lines in the three panels of Figure 3 portray net public support for increased spending over the past few decades for defense, education, and surface transportation, respectively.[29] To allow comparisons between public opinion and policy outcomes, in each panel there also is a dark line that captures the percentage change each year in federal funds budgeted for the relevant programs.[30]

(Figure 3 about here)

Panel A of Figure 3 shows the relationship between public support for changes in defense spending and actual shifts in the defense budget, 1973-2006. For this policy area, public attitudes and policy outcomes are closely related.[31] Citizens generally have well developed views about the priority that should be placed on national security, if not about the specific details of defense and foreign policy. The linkages that exist between their underling political values and proposals to increase or decrease defense expenditures are relatively direct. Within individual constituencies, national defense is not a policy area driven by large, intense issue publics or a lot of interest groups. On Capitol Hill, the committees of jurisdiction are relatively bipartisan.[32] For the most part, then, strategic priming, interest group demands, and partisan infighting are somewhat muted in this policy area and outcomes are relatively responsive to the American middle.

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[29] More specifically, respondents were asked about spending on "the military, armaments, and defense," "education," and "highways and bridges." General Social Survey, 1973-2006, Roper Center for Public Opinion Research, University of Connecticut.

[30] The budget data are downloaded from the Policy Agendas Project, www.policyagendas.org. I lagged the data by one year because budget authority for a particular fiscal year is mostly determined by legislative actions the previous year. Final budgetary outcomes obviously are shaped by legislative-executive bargaining, as well as the internal politics of Congress, and any deviations between public opinion and policy may occur because of presidential actions, rather than the congressional legislative process. As a practical matter, though, it is not feasible to gauge congressional policy making free of presidential influence, so I use final budget outcomes in Figure 3.

[31] Bartels (1991) demonstrates that representatives' votes on national security spending during 1981-82 were strongly influenced by constituent opinions about defense during the 1980 campaign.

[32] Since we are considering spending outcomes, the environments and decision-making practices of the appropriations subcommittees with jurisdiction over defense, education, and transportation also are relevant. The authorizing and appropriations panels in each area confront a similar array of forces and exhibit similar decision-making patterns (e.g., levels of partisan polarization, responsiveness to interest group pressure). For details, see Deering and Smith (1997).

There are exceptions, of course, and one occurred during 2005-06, as public support for the U.S. military engagement in Iraq began to fall. The national parties' positions on the war diverged and Republicans and Democrats attempted to convince the public that their program was in the best interest of the country. President Bush famously remarked that would not base his Iraq policy on public opinion polls and that he would follow through on the war effort even if only his wife and dog remained at his side.[33] Congressional Republicans believed that their party's electoral prospects would suffer if they did not back Bush on the war. Thus, while public support for defense spending declined in 2005-06, actual expenditures climbed. The deep partisan polarization over Iraq was an exception, however, and throughout most of the time span covered in Figure 3 defense spending appears highly responsive to centrist public opinion in the country.

As panel B of the figure indicates, there is also a discernable relationship between public preferences and budgetary change for education, at last from 1981 onward.[34] The relationship is much less striking than for defense, however, reflecting the very different decision-making environments for the two issues. In contrast to defense, there is a strong group presence in education policy. The public is generally supportive of public education and consistently endorses increased spending, but the linkages that exist between their underling values or predispositions and specific policy alternatives are less clear-cut. For one, responsibility for public education is divided between the federal, state, and local levels. A citizen's attitudes about proposals to increase federal spending may depend on how the matter is framed. The disproportionate emphasis that members of Congress place on the preferences of issue publics and organized interests make national policymaking on education less directly responsive to the public mood.

In the late 1990s, during the waning days of the Clinton administration and with Republicans in the majority on Capitol Hill, national GOP leaders chose to elevate education policy on their legislative and communications agendas, as part of an effort to counter or even

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[33] Jennifer Loven, The Associated Press, January 14, 2007.

[34] In Figure 3, the scales of the vertical dimensions in the three panels are set to fit the data. Obviously, visual comparisons of the fit between the two lines in each panel might depend on how the relevant axes are scaled. But in this case, altering the scale does not affect the substantive conclusions. The correlation between public opinion and budget change is positive and large for defense, positive but much smaller for education (post 1981), and negative for surface transportation.

neutralize longstanding Democratic advantages with the public in the issue area. In the midst of the 2000 election campaign, Republican congressional leaders sought to reauthorize the Elementary and Secondary Education Act, the centerpiece of federal education policy, by emphasizing state and local flexibility and enhanced accountability for schools. By design, these themes evoked pro-Republican predispositions among voters and they would be used to structure the Bush administration's "No Child Left Behind" initiative the following year. Concerned that his party might lose the upper hand on education issues, Democrat Edward Kennedy of Massachusetts threatened to offer an array of floor amendments that dealt with gun control and school violence. Following closely after the Columbine school shootings of April 1999, Kennedy's amendments were intended to shift the education debate away from the GOP proposal and toward guns and school safety, which at the time polled strongly for the Democrats. "They want to talk about education," Democrats strategized, "so let's make them vote on guns." Senate Republicans responded by pulling their bill from the schedule, effectively killing the reauthorization effort. The dispute illustrates how the partisan context of education issues can distort congressional decision-making and decouple policy outcomes from public opinion.

As indicated in panel C of Figure 3, federal expenditures on highways and bridges are mostly unresponsive to changes in public attitudes about spending on surface transportation. Indeed, if anything, the relationship is negative; as public support for spending declines, the percentage change in budgeted funds goes up. The public generally backs more spending on surface transportation, but the level of support has been dropping for decades, perhaps because of the cumulative effects of unfavorable publicity about pork and government waste. "Don Young's Way," the so-called "Bridge to Nowhere," and other transportation boondoggles have generated ample negative coverage in the media.[35] Yet, people generally define "pork" and "waste" as expenditures on projects that are located in someone else's congressional district. Federal expenditures on projects that are near to home, in contrast, are viewed as "constructive investments in the national infrastructure." The attitudes of citizens about transportation and other policies with significant local, or "distributive," effects are rife with inconsistencies. Politicians are fully aware of this. Not surprisingly, they pay little attention to broad changes in

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[35] The "Bridge to Nowhere" is a proposal to connect the city of Ketchikan, Alaska, to an airport located on a nearby island. Although championed by Republican Senator Ted Stevens and other members of the Alaska delegation, the project emerged as the paradigmatic example of pork and government waste during Senate action on the 2005 transportation bill.

public attitudes about aggregate spending on distributive policies. Instead, their focus is on the local officials, industry representatives, and other special interests demanding that the member secure federal largesse for the folks back home. Members of Congress, in turn, lobby the relevant committees and subcommittees on behalf of their district interests, and public expenditures rise.[36]

In short, although the divergent agendas of polarized political parties and interest groups may somewhat balance out and the broad contours of public policy are shaped to some degree by changes in the public mood, the middle does not generally rule on Capitol Hill. Not even close. In certain areas, such as aggregate defense spending, where ordinary citizens have well-formed preferences, interest groups are relatively unimportant, and the level of partisan infighting is muted, the correspondence between public attitudes and policy may be fairly close. But for the vast majority of issues on the national agenda, centrist public opinion does not drive the legislative process. As a U.S. Senator named Henry Ashurst, Democrat of Arizona, warned many decades ago, "When I have to choose between voting for the people or the special interests, I always stick with the special interests. They remember. The people forget."[37]

5. Prospects for Change

Are there serious steps that can be taken to enhance the impact of ordinary Americans on policy making in Congress? Pundits and some scholars have bandied about several structural fixes. Perhaps the most common proposal is to reform the way congressional district boundaries are set. According to this view, over time district lines have been drawn and redrawn to maximize voter homogeneity within constituencies, and thus make representative life easier and safer for members of Congress. As a result, the country is comprised of a large number of ideologically extreme congressional districts, and not surprisingly, these districts send political extremists to Washington. The problem with this argument, of course, is that even after decades of redistricting, most congressional districts still contain a preponderance of ideological moderates. And let's not forget about the Senate. We observe rampant partisan polarization in that chamber, but state lines obviously are not subject to the redistricting process. Reforming the

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[36] The best scholarly treatment of a legislator's decision calculus on distributive policies remains Weingast, Shepsle, and Johnsen (1981).

[37] As quoted in Morris K. Udall, *Too Funny to be President*, New York: Henry Holt and Company, 1988, 128-29.

way district boundaries are drawn almost certainly will not make Congress more responsive to the concerns of ordinary voters.

A number of other structural fixes have been suggested by would-be reformers: changing the primary process to reduce the clout of party activists; tightening lobby laws to curb interest group influence; realigning congressional committee jurisdictions to ensure that individual panels are not dominated by narrow interests; and abolishing the Senate filibuster. The list goes on and on. What these reform proposals share is that they really do not address the crux of the problem, which is widespread voter inattention to policy issues and the political process. The middle does not rule because it is unorganized and pays so little attention to politics.

Obviously, there is not much we can do about low levels of political awareness among the citizenry. People are uninformed about politics because there are so many competing demands on their time. Since the policy impact of an individual citizen acting alone is very small, there are few incentives for people to invest significant personal resources into learning about candidates and issues. Still, as Niemi and Junn point out, "For democratic decision making to be meaningful and legitimate, citizens must be capable of understanding what is at stake in politics, what their alternatives are, and what their own positions are."[38] These scholars observe that the best window for increasing citizen knowledge about politics and policy may be the high school years and they make a strong case that the quality of civic education in this country needs to be dramatically improved. Would the establishment of a more effective system of civic education significantly empower ordinary voters and down the line make the congressional process dramatically more responsive to ordinary voters? Probably not. But in contrast to most of the structural fixes currently under discussion, at least it would constitute a constructive step in the right direction.
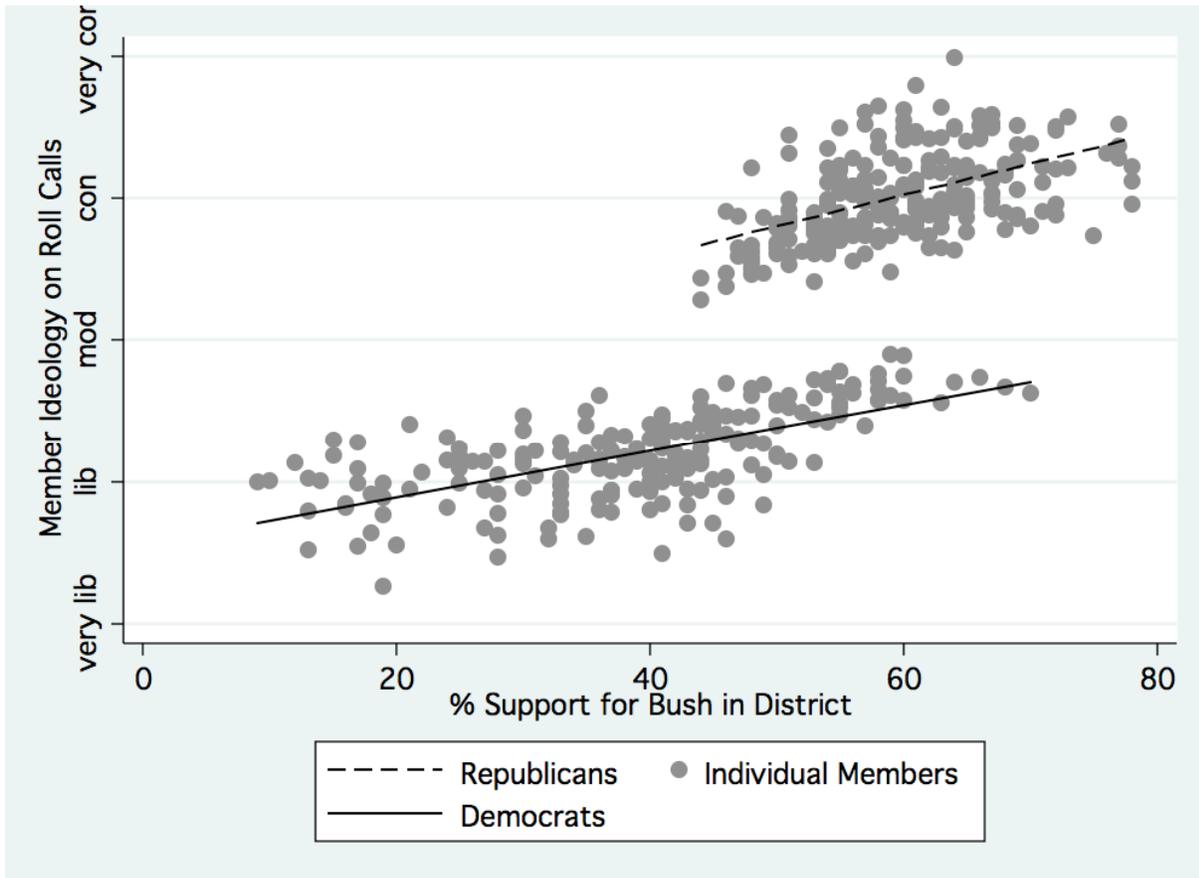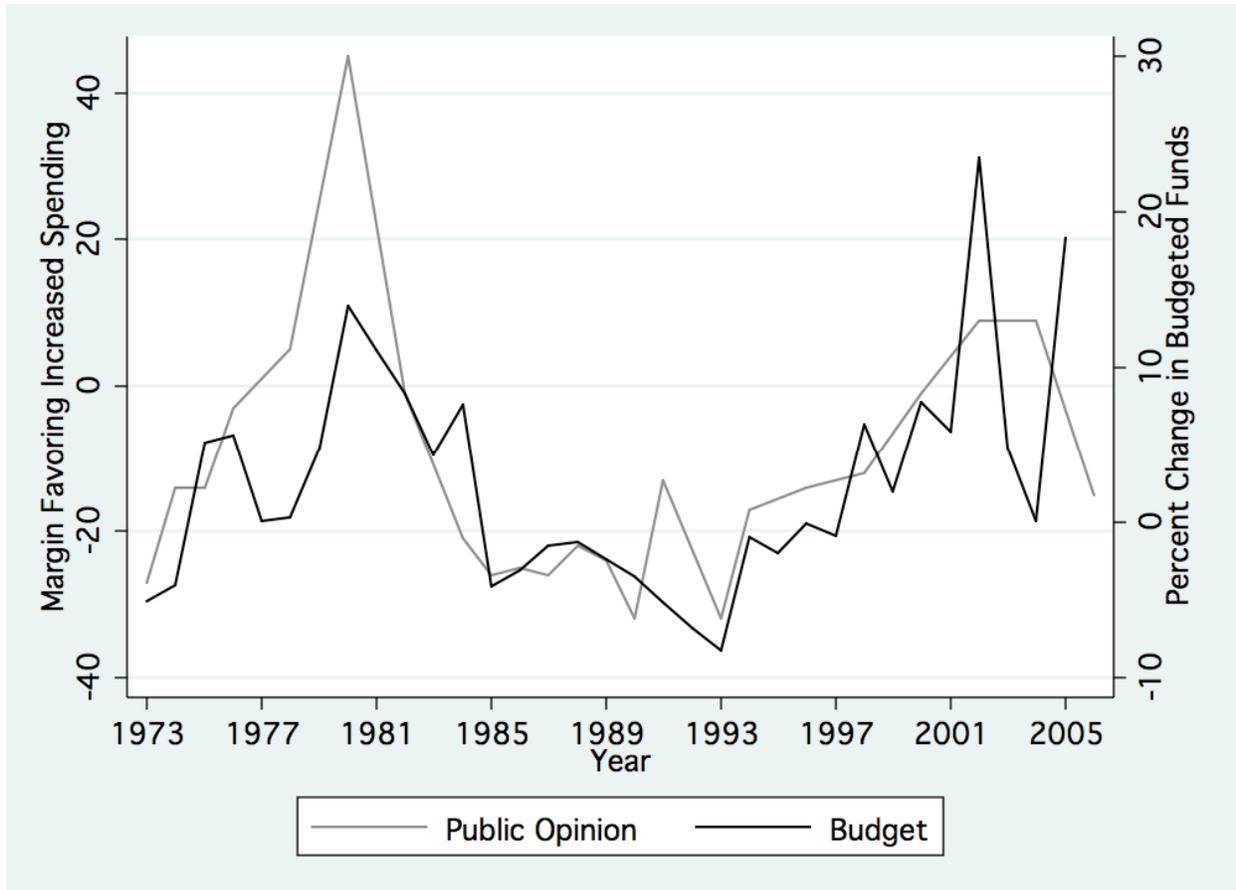
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[38] Niemi and Junn (1998), 9.

**Figure 1. Distribution of Districts by Percent Support for Bush in 204**
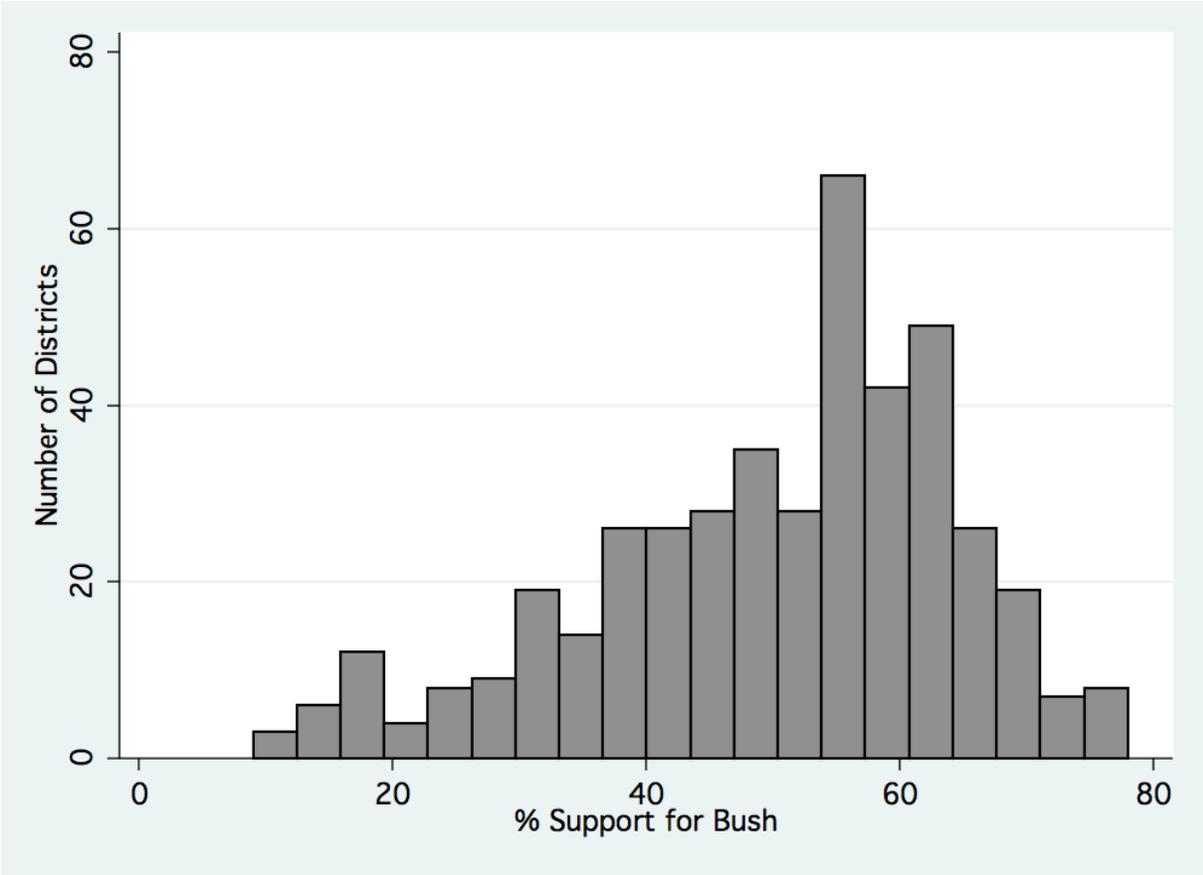
**Figure 2. Roll Call Ideology of Members in 2005-06 by District Support for Bush in 2004**

Figure 3A. Defense: Public Support for Spending Increases and Percent Change in Budgeted Funds, 1973-2006

Figure 3B. Education: Public Support for Spending Increases and Percent Change in Budgeted Funds, 1973-2006
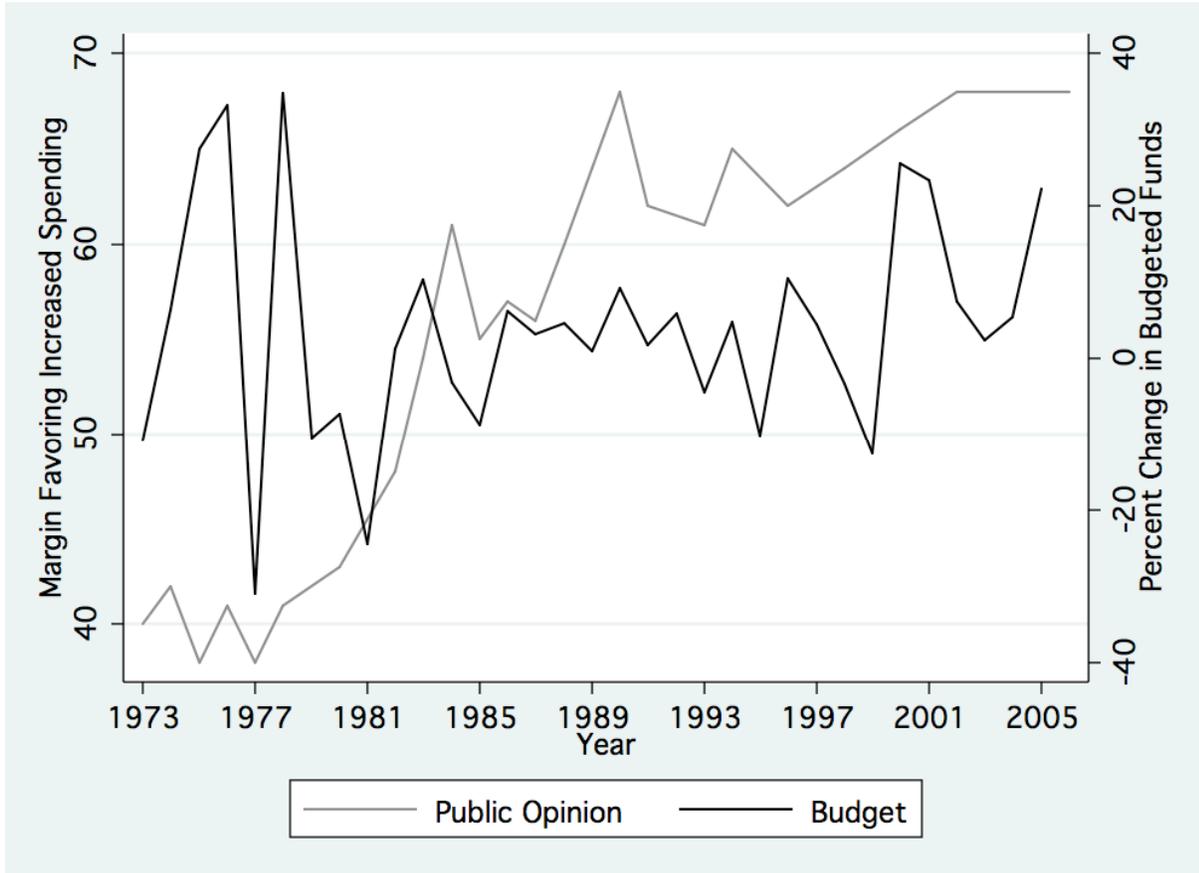
Figure 3C. Surface Transportation: Public Support for Spending Increases and Percent Change in Budgeted Funds, 1973-2006
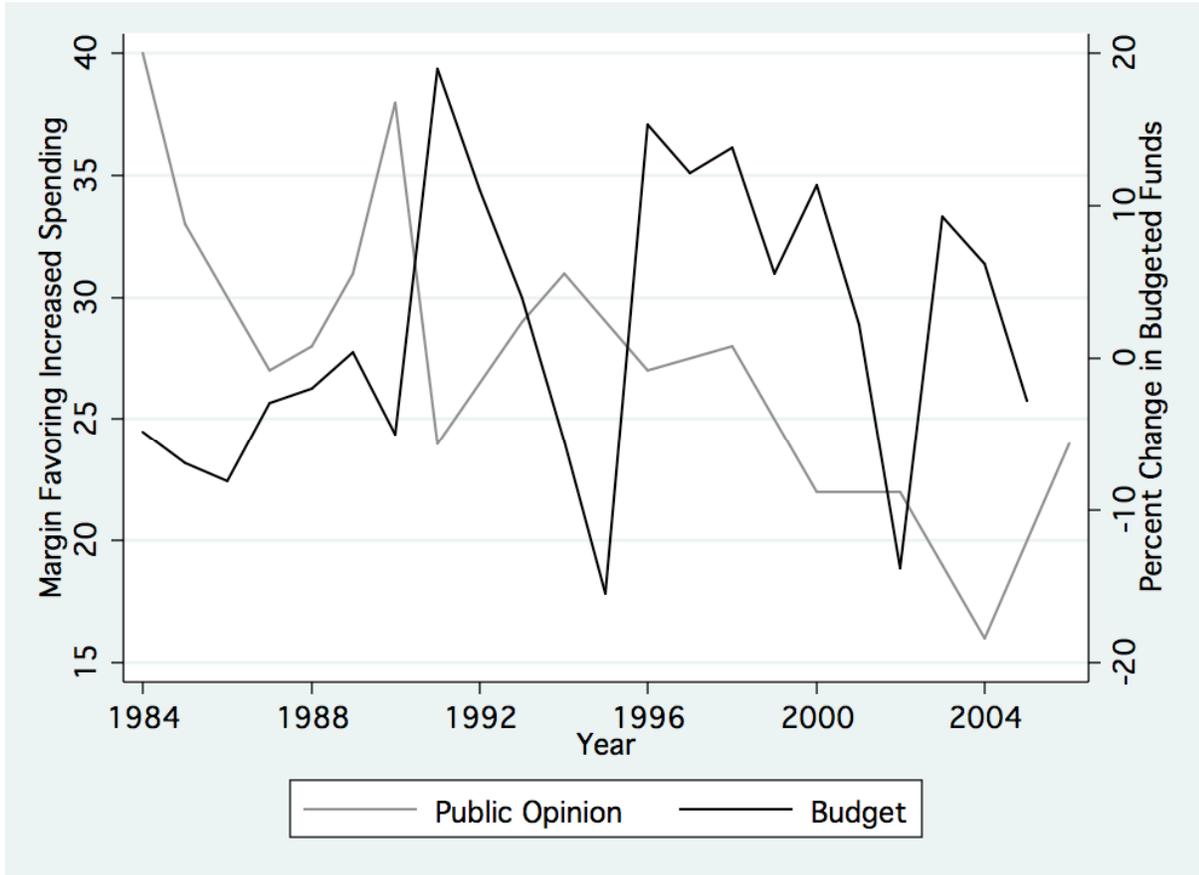
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