

The Congressional Politics of Good Government Causes:
Using the Public Record to Shape Party Reputations in the Senate, 1981-2004

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The goal of this paper is to analyze the Senate politics of valence issues. Policy alternatives in good government causes—defined as measures to enhance government integrity and efficiency—cannot be conceptualized on a continuum from left to right. Analysis of roll-call voting and floor debate on these issues, however, reveals that the parties are more opposed to one another on good government causes than on the typical matter considered in Congress. I argue that legislative behavior on these issues can be understood with party cartel theory. Fellow partisans advance their electoral interests by working collectively to undercut the opposition's reputation for competence and integrity. Compared to left-right issues, however, the parties are less consistent in their positions over time. Party positioning is fluid and strategic as members exploit good government causes to enhance their party brand names.

“Political leaders often see their strategic problem as one of choosing from a large number of potential issues those that will maximize their identification with positive values and their opponents with negative ones, rather than of positioning themselves in a space of ordered dimensions” (Stokes 1992, 146).

Liberals and conservatives disagree about many things: they have different views on the proper role of government in regulating economic activity, redistribution across classes, levels of taxation, the use of military force, and the need to protect a traditional moral and social order. But there are important political subjects on which liberals and conservatives do not disagree. On some basic political values, there is consensus in American politics. Everyone—liberals, conservatives, moderates, and non-ideologues—believes that government should be honest, competent, responsible, and democratically elected. Government officials must not take bribes; elections ought to be determined on the basis of who received the most votes; no one should be above the law; government ought to gather and use accurate information; taxpayer money should not be wasted; revenues and expenditures should balance over the long run; government contracts ought not to be distributed on the basis of patronage or inside connections.

Recognizing that some political issues command universal consensus, Stokes (1963, 1992) famously distinguished between “position issues,” in which candidates and parties take a range of positions along a continuum of alternatives, and “valence issues,” in which everyone holds the same position. When government ethics becomes a political issue, there is no “pro-corruption” side. When considering the management of government programs, there is no “incompetence” side. No one favors waste, fraud, or abuse. “Many of the issues that agitate our politics do not involve even a shriveled set of two alternatives of government action” writes Stokes. “If we are to speak of a dimension at all, both parties and all voters [are] located at single point—the position of virtue in government” (Stokes 1963, 372).

Despite the lack of disagreement, valence issues are enormously important for election outcomes. At different times, the public perceives that one party has weaker “bonds” or “valences” with universally held values of honesty, integrity, and capability than the other. Such perceptions are critical to the parties’ fortunes. Indeed, Stimson (2004) finds that pragmatic, non-ideological voters are the main drivers of opinion change in American politics. Unlike “the passionate” or “the uninvolved,” pragmatic voters serve as “scorekeepers” who “sit on the sidelines as judges” and base their approval or disapproval of elected officials “almost wholly . . . on the quality of performance in office” (Stimson 2004, 168-169). A party perceived as corrupt or incompetent will lose support from these crucial voters.

The goal of this paper is to analyze the behavior of the congressional parties on valence issues. In particular, I focus on the congressional politics of “good government” causes such as measures to fight corruption, uphold ethics standards, investigate failures, collect information, promote fiscal responsibility, ensure electoral integrity, and make government operations more efficient. Given the electoral stakes involved in valence issues, the parties in Congress do not passively wait to see how the public will evaluate them on valence issues; they use the resources at their disposal—including agenda setting, floor debate, and roll-call votes—to shape public perceptions of their commitment to good government.

When considering good government matters, party members cooperate to “maximize their identification with positive values and their opponents with negative ones” (Stokes 1992, 146). The latter—undermining the opposition—is often the more attainable goal. It is difficult for a party through its own actions to enhance its perceived linkages to positive values. Incorruptibility is taken for granted, and so a clean record garners no special credit. A reputation for competence depends on policy outcomes that are affected by far more than a governing

party's own actions. Not even prudent, capable government can guarantee a growing economy in a global marketplace.¹ By comparison, it is often easier to build a public record that will undercut the public's perceptions of the opposition: investigate policy failures on its watch; scrutinize its officials for ethical lapses; search out and draw attention to any evidence of problems. The result can be highly beneficial for a party's members. Indeed, charges of corruption are one of the most potent weapons in electoral politics (Jacobson and Dimock 1994; Peters and Welch 1980; Welch and Hibbing 1997). In a two party system, associating the opposition with mismanagement and failure will likely redound to a party's benefit.

Good government causes thus present a highly profitable area for cooperative partisan endeavor. I argue that legislative behavior on these issues is better understood with party cartel theory (Cox and McCubbins 1993; Cox and McCubbins 2005) than a party-less spatial account (Brady and Volden 1998; Krehbiel 1998). When these issues are considered in Congress, parties unify around their shared electoral interests and common public relations strategies. Debates and votes on such issues should generally be viewed as "message politics" (Evans 2001) or "p.r. wars" (Sinclair 2006, 255-307), rather than straightforward policy decisions in which members vote for the position closest to their own individual policy preference. Party coalitions on these issues appear to be held together by members' collective electoral interest in capitalizing on these issues rather than by spatial proximity on a left-right continuum.

I find that the two parties stake out strongly opposed stands on good government causes. On average, parties are even more distinct in their voting behavior on good government causes than they are on explosive social issues, such as abortion, gay rights, and affirmative action.

Good government issues tend to be either highly controversial along party lines or not at all

¹ A vast scholarly literature has established that parties presiding over economic growth enjoy significant electoral advantages over those that govern during economic trouble. See, for example, Kinder and Kiewiet 1981, Owens and Olson 1980, and Tufte 1975.

controversial. On average, however, they are more controversial than the typical matter considered in Congress. Compared to other issue types, internal party divisions on good government issues are relatively rare. No other substantive issue type examined in this study—economic issues, social issues, or hawk vs. dove issues—was as likely to result in a unanimous party vote in the Senate, with 100% of Republicans on one side and 100% of Democrats on the other. Relative to the other types of issues analyzed, the parties' voting patterns on good government are distinctly tribal.

Despite the level of conflict, however, the parties are often not *consistent* in their positions over time. The parties' positions on these issues are fluid and strategic. At one point, Republicans will take up a crusade for balanced budgets against Democratic opposition; at a later point, the parties reverse positions. Neither party is consistently a stickler on government ethics. Instead, the usual pattern is that Democrats press for far-reaching investigations into potential Republican wrongdoing and vice versa. Generally speaking, the president's fellow partisans in the Senate perceive fewer ethical problems with his nominees than do members of the opposing party. The politics of election regulation and of gathering and releasing information tends to reflect the parties' transparent calculations of political advantage. In short, good government causes elicit high levels of partisan division as each party attempts to undercut its opposition's reputation for efficiency, competence, fiscal responsibility, and integrity.

Defining Good Government Causes

Scholars have long recognized that not every issue considered in Congress can be conceptualized as a choice on an ideological continuum from left to right. When Congress considers distributive issues—how to divide federal dollars among constituencies—“*there simply*

is no median legislator” (Cox and McCubbins 2005, 46). The scholarly literature on distributive politics consequently makes no use of spatial theory.² Nor can the final products of legislation always be located on the left-right continuum. Erikson, MacKuen, and Stimson (2002, 329-331) examined important laws passed by Congress between 1946 and 1991 and found that only 124 out of 200 laws could be classified as “moving policy in a conservative or a liberal direction.”³ In other words, the ideological content of fully 38 percent of important laws during that time period could not be characterized by expert observers even in the most general terms. Reviewing these results, Mayhew (2006, 245) rejects any inference that something might have been wrong with the coding scheme and concludes that these unclassifiable laws were “plausibly rated ‘neutral’” or “off-cleavage.” Aside from the work on distributive politics, however, scholars have devoted little empirical or conceptual effort to issues that do not have a place on the spectrum from liberal to conservative.

Good government causes—efforts to improve government’s integrity, efficiency, fairness, democratic accountability, and fiscal responsibility—generally cannot be classified on the left-right continuum. Under this heading, Congress considers:

- Anti-corruption rules for its own members: lobbyist registration, conflict of interest regulations, campaign disclosure requirements, limits on gifts to members, and individual ethics cases involving members of Congress.
- Anticorruption efforts aimed at executive agencies and government officials, including competitive bidding requirements, whistleblower protections, and scrutiny of individual officials and nominees for ethical shortcomings.

² For empirical and theoretical work on divide-the-dollars decision making in Congress, see, for examples, Baron and Ferejohn 1989, Lee 2000, Stein and Bickers 1995, and Weingast 1979.

³ The dataset of laws is that developed by David Mayhew (1991) in *Divided We Govern*.

- Measures to promote electoral integrity: voting technology, recount rules, anti-voter fraud measures, and limits on electioneering by government employees.
- Improvements to the budget process. As long as these efforts do not attempt to bias outcomes either in favor of either a larger or a smaller role for government (e.g., restricting tax increases or imposing spending limits), these measures are neutral with respect to ideology.
- Information gathering: conducting studies, creating independent commissions, publicly releasing reports and information.
- Measures to improve government operations: paperwork reductions, limits on administrative expenses, agency accounting procedures, requirements that government pay interest on overdue debts, administer an accurate census.

See Table 1 for a more comprehensive list of good government measures considered in Congress during the study period. Liberals and conservatives do not hold differing ideological views on good government goals. Everyone believes in rooting out corruption, efficient management of programs, ensuring that election outcomes are determined democratically, collecting information about government operations and policy problems, and balancing budgets (except in conditions of emergency or recession).

[Table 1 here]

How does Congress handle such matters? Agreement on abstract goals does not preclude disagreement over means or relevant facts.⁴ Good government issues, in fact, typically are controversial in Congress. They regularly prompt hard-fought, emotional debates, as on census

⁴ For example, proposals to protect whistleblowers who report executive agency abuses can be disputed both because there may be alternative ways to address the problem (means) or because one believes that problems are simply not widespread or serious enough to require the policy (facts). The goal of stopping government mismanagement is neither liberal nor conservative.

counting procedures, voting machinery, and attempts to require the Pentagon to provide Congress with progress reports on the Iraq war. Adopting a policy to replace punch-card and lever voting machines with newer technology does not move policy in a more liberal or more conservative direction, at least not according to any normal meaning of these terms. Similarly, if Congress requires the Department of Defense to report on progress toward benchmark goals in Iraq, policy has not been moved in a more liberal or conservative direction. If “ideology” as a scholarly concept is to avoid tautology, it must be defined separately from the behavior one wants to explain with it. Not every issue that provokes disagreement, even partisan disagreement in Congress, can be chalked up to ideology, without depriving the concept of all meaning.

Despite the importance of valence issues in the literature on voting behavior, congressional scholars have given relatively little attention to them. Instead, legislative scholarship has largely been devoted to explaining congressional behavior and lawmaking on position issues, issues that can be conceptualized on the left-right continuum. A few congressional scholars have focused on how candidates or parties who enjoy valence advantages with the public will position themselves on left-right issues (Ansolabehere and Snyder 1998; Enelow and Hinich 1982; Groseclose 2001; Moon 2004), but there has been no serious work on valence issues themselves. Instead, the dependent variable of scholarly interest in studying congressional policymaking is usually the extent or outcome of ideological conflict (Cox and McCubbins 2005, 171-197; Erikson, MacKuen, and Stimson 2002, 284-382; Krehbiel 1998). An analysis of the congressional politics of good government issues represents a first step toward filling this gap in the literature.

Theorizing Legislative Behavior on Good Government Causes

Although good government causes do not map on a spatial continuum from left to right, they have great implications for the parties' "brand names" with voters. A brand name is one of a party's greatest electoral assets, cueing a reputation that enables voters to take informational shortcuts in voting decisions (Aldrich 1995, 49; Cox and McCubbins 1993). A hard-hitting congressional investigation into government contracting that turns up widespread abuses can have devastating impact on a party's public image. An anti-voter fraud measure that disproportionately burdens the opposition's voters can enhance a party's electoral fortunes across the board. Requiring official Pentagon reports that will reveal virtually no progress toward stated war policy goals can discredit an administration and its party. Extended congressional debates over a balanced budget amendment, raising the debt limit, or the use of pay-as-you-go budgeting can serve as ways to indict the competence of the governing party, of making the case that it cannot fulfill a basic responsibility of government.

In short, good government causes are ideal vehicles for achieving partisan aims. Not all good government issues considered in Congress will have implications for party brand names. But, generally speaking, this type of issue is ideal for appealing to the non-ideological "scorekeeper" voter who has no passionate partisan commitments and who foremost expects competent performance from government (Stimson 2004, 168). Parties have a strong collective interest in attacking their partisan opponents on the grounds of competence and integrity. And parties have a strong collective interest in protecting themselves (and their presidents as party leaders) from these assaults.

Given these common interests, Cox and McCubbins's (1993; 2005) cartel theory provides a useful conceptual framework for analyzing congressional behavior on good government causes. Cox and McCubbins theorize that the majority party in Congress forms a "procedural

cartel” to enable it to monopolize positions of power within the institution and thus to pursue its legislative agenda. The party does so because the value of its brand name “depends on [its] legislative record of accomplishment” (Cox and McCubbins 2005, 11). If the need for collective action to enhance the party’s brand leads its members to adopt elaborate internal organizations and procedures, it is also likely to lead them to work together to exploit good government causes. Unlike procedural cartel theory, which primarily focuses on the incentives of the majority party, both parties have incentives to form “good government cartels.” Both parties in Congress look for non-ideological weapons to wield against their partisan opponents. Despite its disadvantages in the legislative process, the minority party is not without resources to attack the majority’s good government credentials. It can force roll-call votes on potentially embarrassing matters; its members can give speeches on the floor, demand investigations, and criticize the majority in the press; the minority staff on committees can release reports.

Collective action on good government causes may be easier for parties to organize than on ideologically divisive position issues. Position issues are inherently controversial. A party pursuing a legislative agenda on such issues—e.g., abortion, redistributive taxation, affirmative action—will inevitably alienate voters who do not support its policy stances. Valence issues elicit universal assent, and taking up the cause of good government only wins friends among the broader public: “Part of the appeal of valence-campaigning to the electoral strategist is that an artfully chosen valence issue need not cost *any* votes” (Stokes 1992, 158). No party hurts its reputation with voters for demanding tough ethics standards, promising honesty and accountability in government, proclaiming the need for a balanced budget, or denouncing waste, fraud and abuse. Prosecuting a substantive legislative agenda on position issues can be electorally risky, particularly for members representing marginal districts or states. Party

members' incentives to defect from collective goals may thus be lower on good government causes.

Collective action on good government issues also does not require centrist members to trade-off their individual policy preferences and collective party goals in the manner that position issues require. For all issues in which alternatives can be ranged on a left-right continuum, the choice to cartelize the agenda in Congress comes at a policy cost for centrist members. When centrists grant institutional leaders the power to veto any legislative proposal that is not supported by a majority of the majority party, they forego influence that they would have had in an institution where the chamber median's position always prevails on policy. But, as Cox and McCubbins (2005, 46) observe, for issues that cannot "be formally represented as spatial or left-right policy dimensions . . . there would be no median legislator who had to sacrifice his strategic advantages for the sake of the party."

This paper will proceed by examining voting patterns on good government issues. The two parties' voting behavior on good government issues is first compared with their behavior on position issues that divide liberals from conservatives on economic, social, and foreign policy. Following the quantitative analysis, floor debates in specific good government controversies are examined to shed additional light on the party politics of good government causes. The electoral stakes that members perceive are clearly evident in the party positioning on these issues.

Data

I have constructed an original dataset classifying Senate roll-call votes on the basis of issue content. The Senate is a better arena than the House for examining how issue content affects voting behavior because its rules of floor procedure are more permissive. The majority

party leadership in the House is able to prohibit amendments likely to divide the majority party, inflating party unity as an artifact of a strategically biased agenda (Roberts and Smith 2003). The Senate's more open environment means that a wider range of issues can be considered on the floor, providing a more complete picture of how the parties behave on different types of issues. The time range examined, 1981 to 2004, affords every permutation of divided and unified party control.⁵

The goal is to compare the parties' behavior on good government issues, as defined above and detailed in Table 1, with their behavior on votes that divide liberals from conservatives on economic, social, and foreign policy issues. Most scholarly studies of the policy content of the legislative agenda classify votes by government function, e.g., social welfare, agriculture, defense (Baumgartner and Jones 1993; Clausen 1973; Katznelson and Lapinski 2006). Instead, I group votes based on their ideological content. This is a less elaborate taxonomy, but it has the advantage of mirroring analytical concepts widely used by journalists and political scientists (e.g., Miller and Schofield 2003).

- *Economic issues* encompass votes involving the regulation of private economic activity, government's share of the economy, social programs to redress economic inequalities, and the distribution of the tax burden.
- *Social issues* include all votes that set values of individual equality or freedom in opposition to the traditional moral and social order, including abortion, school prayer, affirmative action, drugs, and crime.

⁵ The combinations are as follows: Republican president and Republican Senate (the 97th, 98th, 99th, part of the 107th, and the 108th Congresses), Republican president and Democratic Senate (the 100th, 101st, 102nd, and part of the 107th Congresses), Democratic president and Democratic Senate (the 103rd Congress), and Democratic president and Republican Senate (the 104th, 105th, 106th).

- *Hawk vs. dove* takes in all votes involving the use of force and the allocation of resources to military defense.

Appendix 1 describes the coding rules used and provides a list of policy issues that fall into each ideological category.

The principal dependent variable in this paper is the widely used Rice index of party difference (Rice 1928). For each roll-call vote, this index is the absolute difference between the proportion of Democrats voting yea and the proportion of Republicans voting yea. The index ranges from 0 to 100. When the index is 100, all members of one party voted yea, and all members of the other party voted nay. When the index is 0, the proportion of Democrats voting yea is the same as the proportion of Republicans voting yea. A low score on the Rice party difference index thus means the two parties are similar in their voting behavior; higher scores indicate dissimilarity.

Good Government Cartels

No one favors corruption, mismanagement, or election fraud, but measures designed to address these and related matters are nevertheless highly controversial. When these issues are voted on, Republicans and Democrats are more likely to take opposing sides than they usually are. Figure 1 displays the mean party difference for all the votes in each category over the whole 1981-2004 period: good government, economic, social, and hawk vs. dove issues. Mean party difference is ten percentage points higher on good government issues than on the average vote ($t=4.6, p<.001$). Comparatively speaking, good government issues are second to economic issues and tied with hawk v. dove issues in the average level of partisan disagreement they elicit.

[Figure 1 here]

Voting on good government issues is considerably more partisan than on the social and moral issues so prominent in electoral and party politics, including abortion, gay rights, and affirmative action. These two types of issue made up a comparable proportion of the Senate's agenda, with roll-call votes on good government issues (n=631) occurring almost as frequently as on social issues (n=672). Any moderately informed observer of American politics can identify the general positions of Republicans and Democrats on these "easy" social issues, but the parties are actually considerably more distinct in Senate voting on good government issues. Good government issues were on average about 25 percent more party polarizing ($F=307.9$, $p<.001$), as measured by the Rice index of party dissimilarity. Votes on government ethics, control of information, budget processes, election rules, and government operations thus show remarkable levels of partisan structuring, even though a close observer of American politics would have difficulty providing any summary description of the parties' overall stances on these matters.

Multivariate regression analysis is necessary to determine whether the higher level of partisanship on good government issues is merely a result of spurious correlation. A great deal of scholarship on congressional voting behavior has demonstrated that some types of votes are more likely to exhibit partisan voting patterns than others. Party-line votes are more likely to occur on procedural and parliamentary matters (Cox and McCubbins 1993; Cox and Poole 2002; Theriault 2006; Van Houweling 2003) and on amendments (Roberts and Smith 2003; Rohde 1991). If a greater proportion of good government issues are handled with procedural motions or amendments, then the higher level of partisanship on these issues might have nothing to do with the substantive content of the issue. In addition, overall partisanship has dramatically increased over the time period of the study (Jacobson 2004; Sinclair 2006). Good government issues

would also appear more partisan if more such votes occurred in particular Congresses rather than others.⁶ Table 2 presents the results of an OLS regression model designed to rule out these potential causes of spurious correlation.

[Table 2 here]

Regression results displayed in the left column of table 2 reveal that good government issues are more partisan than the typical vote, controlling for other factors likely to affect the level of partisanship. The dependent variable in the model is the Rice party difference index score on each vote during the time period. *Good government issues* (a dummy variable coded as 1 if the vote involves this type of issue, otherwise 0) takes a positive, statistically significant coefficient ($p < .001$) in the model, indicating that, all else being equal, the parties are farther apart on good government issues than on the average matter considered in Congress. The control variables perform as expected ($p < .001$), with *parliamentary*⁷ and *procedural*⁸ votes more partisan, and votes on final *passage* less partisan. Other routine matters, such as *nominations* and *purely symbolic*⁹ matters, are also less partisan ($p < .001$). Fixed effects for the time periods capture differences in the overall level of party voting from Congress to Congress.

The right column of Table 2 shows the results of an identical regression model of party difference that includes dummy variables for the ideological categories of votes: *economic issues*, *social issues*, and *hawk v. dove issues*. Each dummy variables takes a positive, statistically significant coefficient ($p < .001$), indicating that the parties are more clearly distinct

⁶ Votes on good government issues made up between 6 and 15 percent of Senate roll-call votes taken in any given Congress during the time period, but there was no over time trend.

⁷ *Parliamentary votes* are all those involving rules of procedure or control of the floor, such as motions to proceed, cloture, appeals of the ruling of the chair.

⁸ *Procedural votes* are (1) motions that would table or recommit a bill or amendment and (2) motions that determine whether a bill or amendment can be considered under Budget Act rules

⁹ *Purely symbolic votes* are resolutions that merely express Senate or congressional sentiment on a particular subject. To be classified in this category, the resolution cannot require any actions from the executive branch or have any other policy content.

from one another in roll-call voting when these ideologically-charged position issues are on the floor. In every case, the substantive content of the issue affects the level of party differentiation, controlling for the procedural posture of the vote and other considerations likely to affect voting behavior. As one would expect, the coefficient for *good government issues* is larger ($p < .001$) in a model in which these polarizing ideological issues have been controlled for.

Good government issues are not only at least as partisan as most of the position issues that are already known to divide the parties, they are also more likely to divide the Senate perfectly along party lines, with 100% of Republicans voting in opposition to 100% of Democrats. Among all the Senate roll-call votes taken between 1981 and 2004 that could be classified into one of the substantive ideological categories ($n=3,598$)—economic, social, foreign policy—there were only 104 perfect party line votes. At the same time, there were 47 perfect party line votes on good government issues alone, even though this category comprises one fifth as many votes ($n=631$).

[Figure 2 here]

Figure 2 shows the frequency distribution for the party difference index for each type of issue. The distribution of the party difference index for good government issues is strikingly bimodal, unlike any of the other issue types. In other words, good government issues are either not controversial along party lines or they divide the parties almost perfectly. When good government issues are partisan, they are *highly* partisan. A quarter of all good government votes have party dissimilarity scores of 90 or more, and fully 7.4% of them are unanimous party votes. At the same time, nearly 13% of votes on good government issues exhibit no partisanship at all (with scores of 0 on the party dissimilarity index). To a greater extent than on the other issues, the parties vote as unified blocs on good government issues. Sometimes, both parties are on the

same side. At other times, they are on opposing sides. But the parties are less likely to be internally divided on good government causes than on other issues.

As above, multivariate analysis is necessary to determine whether the parties' distinctive behavior on good government issues is the result of spurious correlation. After controlling for other characteristics of the votes involved, is voting behavior on good government issues distinctive? I estimate a multinomial logit model of party voting with a dependent variable that can take three values: a perfectly unanimous party vote, not a party vote, and a non-unanimous party vote.¹⁰ The models include all the same controls as in the OLS regression model shown in Table 2, along with dummy variables reflecting the substantive type of issue involved. The full results of the multinomial logit model are shown in Appendix 2.

[Table 3 here]

To illustrate the substantive implications of the multinomial logit estimates, I calculate the predicted probabilities of the three different vote outcomes for each type of issue: good government, economic, social, and hawk v. dove.¹¹ The results are displayed in Table 3. All else being equal, good government issues are more likely than any of these types of position issues to produce a pure party-line vote, with no defections in either party. The predicted probability of a unanimous party vote, $p=.03$, is not high, but it is three times as likely to occur on a good government issue as on any of the ideological position issue categories. Unanimous party votes are vanishingly rare on social issues, $p=.001$ ($p<.001$). The high average level of partisanship on good government causes is particularly notable given that the predicted probability that such a vote will not break on party lines at all is .36. When good government votes are partisan, the Senate parties exhibit marked internal cohesion.

¹⁰ Ordered logit or probit is not appropriate given the nonlinear distribution of party polarization evident in Figure 2.

¹¹ These calculations were computed using a method developed by King, Tomz and Wittenberg (2000) to simulate the predicted probabilities and their associated standard errors.

The empirical evidence is consistent with an argument that the parties behave as cartels on good government issues. When these issues are at all controversial, senators take sides along party lines. What leads them to do so? In the case of these issues, it is particularly unsatisfying to answer that their “preferences” align in a way that follows their party affiliation, because the content of those preferences is so unclear. The policy goals at stake—efficiency, competence, integrity, fiscal responsibility, and fair elections—are valence issues on which there is no disagreement in principle. Nevertheless, members disagree on these issues, and they tend to do so along party lines. In the next section, I examine floor debate and position taking in particular good government policy disputes in order to shed light on the nature of the partisan disagreements. In the context of the systematic analysis of roll-call data, the content of these disputes reinforces a partisan cartel thesis. The parties’ substantive positions on these issues are flexible over time and consistent with strategic incentives. Party members’ cooperation on these issues, as in organizing the power structure in Congress, appears to grow out of their strong common interests in doing so.

Party Positioning on Good Government Causes

“I guess the question we have to ask ourselves here is, are we reforming or are we really engaged in partisan politics on the floor of the U.S. Senate” –Sen. Phil Gramm (R-Tex), during a debate over Hatch Act reform in 1990¹²

Sen. Gramm’s question can be asked of many congressional debates over good government causes. On the surface, they are about universally shared values, about “reform.” But beneath the surface, the partisan stakes are high. During congressional debates on good

¹² *Cong. Rec.* 101st Cong. 2d sess., 1990, 136, pt. 56: S 5794.

government causes, reputations for competence, ethics, and honesty are on the line. These reputations are vital to a party's brand name. For non-ideological voters, a substantial portion of the electorate, good government credentials are even more important than a party's ideological positions.

A close look at these floor debates reveals that good government issues raise the partisan stakes in two general ways. First, good government debates are closely intertwined with "message politics" (Evans 2001) in which one party is systematically calling into question the trustworthiness or competence of the other. Debates over ethics violations, the need for and scope of investigations, and the collection and release of information regularly involve circumstances where one party or its members is evidently on the defensive. Similarly, debates over the budget process or over government operations often center on fiscal or management problems for which one party is perceived as bearing greater responsibility. In such cases, members of both parties have strong incentives to work collectively either to protect their party's reputation or to prosecute the case against the opposition.

Second, good government debates can implicate the parties' interests directly. When Congress considers legislation related to the management or conduct of campaigns and elections, its actions can potentially affect the parties' electoral prospects. Even though everyone participating in these debates professes the same basic values—honest elections free of fraud and coercion—partisan mistrust colors the deliberations. Reforms are always scrutinized for potential partisan bias. During debates on these matters, senators regularly express concerns that, in the words of Sen. Mitch McConnell (R-Ky.), the other party wants "to redraw the

political playing field to their advantage.”¹³ In these cases, fellow partisans cooperate to protect or advance their most basic interests, their prospects for winning and holding office.

Ethics and Investigations

“Let us refrain from self-righteousness. . . . Let us all recognize, as I said earlier, that if we stay here long enough and make enough speeches, we are going to find ourselves on opposite sides of the same issue.”

—Sen. George Mitchell (D-Maine), during the debate over the confirmation of Sen. John Tower as Secretary of Defense¹⁴

When government officials or nominees are suspected of corruption, incompetence, or ethical improprieties, a proponent of good government would recommend further investigation and, if the evidence warrants, rejection of the nomination or removal from office. Examination of Senate disputes over ethics charges and investigations, however, reveals that these cases generally break down along party lines. Debates on such matters repeatedly raise the same competing claims. Where members of one party see clear evidence of wrongdoing, members of the other usually see unsubstantiated allegations. Where members of one party see grave abuses, members of the other see, at most, mere peccadilloes. Where members of one party see the need for a full investigation, members of the other party tend to see a partisan fishing expedition. Members of Congress all profess the same good government values, but, in practice, their considered judgments in particular cases are closely correlated with their party affiliation.

¹³ *Cong. Rec.*, 102nd Cong. 2d Sess, 1992, 138, pt. 62: S6306.

¹⁴ *Cong. Rec.*, 101st Cong. 1st Sess. 1989, 135, pt. 25: S2295.

Nominations controversial for good government reasons are those in which the nominee's ethics or qualifications are in dispute and the nominee's views on policy matters do not arise in the Senate debate.¹⁵ Many battles over judicial and executive branch nominations are fought out on good government grounds in which the question before the Senate is whether the nominee meets standards of ethics and competence.¹⁶ Conflicts of interest are a particularly common concern. On average for all the nominations in this study controversial for good government reasons (n=39), overwhelming majorities of the president's party continued to support his nominee, as compared to just around half of the senators from the opposing party.

President George H. W. Bush's nomination of Sen. John Tower to be Secretary of Defense is one of the most famous cases. Controversy over Tower centered entirely on allegations of alcoholism, womanizing, and conflicts of interest in his relationships with defense contractors. Senator John Warner (R-Va.) rejected the allegations against Tower as "a cobweb of fact, fiction, and fantasy" and contended that the Senate should defer to the president's choice.¹⁷ Democrats pointed to more than four hundred FBI interviews containing evidence against the nominee. The Senate Armed Services Committee recommended against confirmation on a straight party line vote.¹⁸ Tower's nomination was then rejected on a nearly unanimous party vote in the Democratic controlled Senate, with all Republicans except one supporting the nomination and all but three Democrats rejecting it. In the context of the debate, Sen. Mitchell,

¹⁵ If a nomination becomes controversial because of a nominee's views or previous actions on ideological matters, the dispute is not, by definitions of this study, a good government case.

¹⁶ Battles over nominations are often fought out on both grounds of ideology and good government simultaneously. The fight over the nomination of Justice Clarence Thomas, for example, raised both questions of character (sexual harassment) and ideology (views on constitutional interpretation). If both are raised in the debate the nomination is not regarded as a purely good government matter for purposes of this study.

¹⁷ Reports of the U.S. Senate Armed Services Committee on the Nomination of J. Tower to be Secretary of Defense CQ Electronic Library, CQ Public Affairs Collection, 1990 [retrieved March 24, 2007]. Available from <http://library.cqpress.com/cqpac/hsdc89-0001181388>.

¹⁸ U.S. Senate Committee on Armed Services. *Consideration of the Honorable John G. Tower to Be Secretary of Defense*, 101st Cong., 1st sess., 1989, Exec. Rept. 101-1.

majority leader of the Senate, took note of the differing standards in use for evaluating Republican and Democratic nominees: “Many of my colleagues on the Republican side have made the most dramatic reversals of positions imaginable on this issue, and I predict to them that if and when there ever again is a Democratic President, a proposition of which there is much doubt among many people, they will be back on the other side of the issue, where they were in 1977.”¹⁹ To this, Senator Warner replied, “As we look at these windows of history, depending on whether there is a Democrat or a Republican in the White House, indeed we can come up with statistics as the majority leader represents.”²⁰

Disputes over the need for and scope of investigations into particular ethics cases generally follow a similar script, with the parties in profound disagreement about the merits of the case. In the summer of 1994, for example, Senate Republicans pressed the Democratic controlled Senate to set up a special committee to investigate the Whitewater affair, which centered on President Bill Clinton’s involvement with an Arkansas thrift, Madison Guaranty, and a failed real estate investment. Republicans demanded an open-ended investigation to be conducted by a special committee with a broad jurisdiction to look into distantly connected matters, including the death of Vincent Foster, a Clinton White House aide who committed suicide. These Republican proposals were rejected on the Senate floor by unanimous party vote,²¹ although Democrats authorized the Banking Committee to conduct a narrow investigation into whether there had been improper contacts between White House staff and bank regulators.²² The committee’s report concluded that no laws or ethical standards had been violated; minority

¹⁹ *Cong. Rec.*, 101st Cong. 1st sess., 135, pt. 25: S 2295.

²⁰ *Ibid.*

²¹ Senate roll-call vote number 153, 103rd Cong., 2d sess.

²² Senate roll-call vote number 154, 103rd Cong., 2d sess.

Republicans dissented from the report.²³ Once Republicans gained control of the Senate after the 1994 elections, they established a Special Committee on Whitewater with subpoena power, authorized \$950,000 for staff salaries, and gave the committee a broad investigatory mandate. This committee's final report concluded that the Clinton administration had improperly attempted to undermine the law enforcement investigation into both Madison Guaranty and the death of Vince Foster.²⁴ The Democrats on the committee issued a dissent which concluded that President Clinton had not misused his office as either president or governor of Arkansas.

The Senate disputes over Whitewater provide a stark blueprint of how congressional debate over ethics and investigations so often unfold. In principle, everyone professes to believe that government should be managed in an ethical manner by competent public officials. But when asked to evaluate allegations and evidence in the same cases, Republicans and Democrats drew radically different conclusions. The pattern was repeated on perhaps the grandest possible scale in President Clinton's second term with independent counsel Kenneth Starr's investigation into allegations that Clinton had committed perjury and obstruction of justice in the context of a sexual harassment lawsuit. The evidence in favor of impeaching President Clinton and removing him from office was laid out in a 445 page report (Starr 1998) and over a month-long trial in the Senate in January 1999. On the Senate roll-call votes on two articles of impeachment, no Democrat voted in favor of either article, while 81% of Republicans voted in favor of one article and 90% in favor of the other.²⁵ Disputes about the ethics or competence of particular officeholders tend to draw the clearest possible distinctions between the parties.

²³ U.S. Senate Committee on Banking, Housing, and Urban Affairs, *Madison Guaranty S&L and the Whitewater Development Corporation, Washington DC Phase*, 103rd Cong., 2d. sess., 1995, S. Rept. 103-433.

²⁴ U.S. Senate Committee to Investigate Whitewater Development Corporation and Related Matters. *Investigation of Whitewater Development Corporation and Related Matters, Final Report*, 104th Cong., 2d sess. 1996, S. Rept. 104-280.

²⁵ Senate roll-call vote numbers 17 and 18, 106th Cong., 1st sess.

Control of Information

Congressional debates over whether to conduct a study or release a report often occur in circumstances where one party stands to benefit more than the other from the gathering or release of the information. Official government reports—from inspectors general, independent commissions, congressional committees, and government agencies—can greatly influence both media and congressional discourse. It is neither liberal nor conservative to require an investigation into the circumstances of the release of Iranian hostages or the government’s response to Hurricane Katrina or to seek to declassify the 9/11 Commission Report. Nevertheless, when information is expected to be more favorable to the interests of one political party, decisions about pursuing or releasing it are likely to be decided along partisan lines. Members of Congress are aware that information is a powerful weapon, and they wield it strategically to shape public perceptions of government performance.

During the 108th Congress, Senate Democrats continually demanded information from the Bush administration related to the conduct of the war in Iraq. They sought reports on the costs of the war and the contributions of foreign countries,²⁶ on the status of detained enemy combatants,²⁷ on the progress of Iraqi reconstruction efforts,²⁸ on the role of executive branch policymakers in the development and use of intelligence relating to Iraq,²⁹ and on the anticipated U.S. military force needed in Iraq.³⁰ These requests for reports were made by Democrats as amendments to the 2004 Defense Appropriations bill, and Republicans and Democrats were in near universal disagreement on all of them. Every one of the roll-call votes on these

²⁶ Senate roll-call vote number 281, 108th Cong., 1st sess.

²⁷ Senate roll-call vote number 279, 108th Cong., 1st sess.

²⁸ Senate roll-call vote number 283, 108th Cong., 1st sess.

²⁹ Senate roll-call vote number 284, 108th Cong., 1st sess.

³⁰ Senate roll-call vote number 138, 108th Cong., 2d sess.

amendments had Rice party dissimilarity scores in excess of 92, and two were unanimous party-line votes.

The debate that unfolded allowed Democrats to collectively advance a message that the Bush administration was failing to live up to basic good government values of transparency, accountability, and fiscal responsibility.³¹ They were able to complain about the administration's lack of candor and stonewalling in providing information to Congress. They denounced the high costs of the war and compared them unfavorably to the 1991 Persian Gulf War, in which the United States enjoyed more financial and military support from coalition countries. They complained about war profiteering and sole-source contracts to Halliburton. This was not a debate that was in the collective interests of Republicans to have, and the release of reports along those lines would be unlikely to reveal information politically beneficial to the party. Republicans did not speak at any length on these amendments, but they explained their opposition to the reports as saving the administration from duplicative and unnecessary briefings and paperwork.

Requests for information or the release of reports do not necessarily cause partisan contention. Members of Congress will often agree across party lines on the need for additional information on particular subjects, such as on the benefits of mammography³² or on the effects of violent video games and other entertainment.³³ As with good government matters generally, votes on information control tend to be either noncontroversial or controversial along party lines. But when one party's interests are clearly on the line, it is not surprising that members of Congress react accordingly.

³¹ *Cong. Rec.*, 108th Cong. 1st sess., 149, pt. 105: S 9448-S9480.

³² Senate roll-call vote number 5, 105th Cong., 1st sess.

³³ Senate roll-call vote number 110, 106th Cong., 1st sess.

Fiscal Responsibility

Debates over budget reform—balanced budget amendments, pay-as-you-go requirements, and other procedural matters—are frequently vehicles for one party to impeach the fiscal management of the other. Everyone involved in these debates professes commitment to fiscal responsibility, but the two parties regularly disagree about process, including such matters as how to calculate the size of the federal budget surplus or deficit, which programs to put on-budget or off-budget, and how to score the sale of government assets for purposes of meeting budget targets. Debates on these issues are often highly technical, involving citation of competing economic authorities. Nevertheless, the vote breakdowns in the Senate are highly partisan.

A general pattern evident in these debates is that the party out of power in the presidency prefers grim budget pictures; the president's party prefers a more favorable outlook. The party out of power wants a full budgetary accounting of all the administration's expenditures; the party in power takes a less stringent view. Under President George H.W. Bush, Democrats sought to put the cost of the Savings and Loan bailout on budget; Republicans opposed it.³⁴ Under President Reagan, all Republicans opposed a Democrat-sponsored resolution to remove the revenues dedicated to the Social Security Trust Fund from calculations of the budget deficit, a move that would have put the federal budget much deeper into the red.³⁵ Republicans demanded more transparency in establishing the costs of President Clinton's bailout of the Mexican economy in 1995.³⁶ Along the same lines, the party out of power typically complains about

³⁴ See roll-call vote number 47 in the 101st Congress, 1st session: 89% of Democrats voted in favor of putting the S&L bailout on budget, while 98% of Republicans voted against it.

³⁵ See, for example, roll-call vote number 90 in the 100th Congress, 2nd session.

³⁶ *Cong. Rec.*, 104th Cong., 1st sess. 1995, 141, pt. 125, S10973.

excessive spending in emergency appropriations legislation, and it disputes whether or not items included in these bills really are “emergencies.”³⁷

One recurring issue in this vein was whether the Congress should rely on budget estimates produced by the Office of Management and Budget (OMB) or the Congressional Budget Office (CBO). CBO’s assumptions are more conservative than OMB’s and thus the use of CBO estimates generally results a less favorable budget picture (Fessler 1989; Schatz 2005).

During President George H.W. Bush’s tenure in office, Republicans preferred to determine whether deficit reduction targets had been met using OMB estimates rather than CBO’s. On May 3, 1989, for example, 98% of Republicans voted against a resolution stating that Congress should use the CBO economic and technical assumptions in calculating the federal deficit while 98% of Democrats voted for it.³⁸ The sponsor of the resolution, James Exon (D-Neb.) stated, “This amendment offers truth. It reveals that if more realistic CBO assumptions were used . . . the budget in 1992 would be \$134.8 billion, a full \$106.8 billion over the promised deficit.”³⁹ Sen. Pete Domenici (R-N.M) contradicted the Democrats’ contention that CBO estimates were more accurate than OMB: “Mr. President, if there is some assumption here that the Congressional Budget Office of the United States is a better predictor of economic indicators in the United States than the Office of Management and Budget, I am here to tell you that that is not true.”⁴⁰

During President Clinton’s tenure in office, a dispute over the relative merits of CBO and OMB estimates was central to the impasse that led to the government shutdowns in 1995 and

³⁷ See, for example, Republicans disputing whether funds for the International Monetary Fund and Bosnian peacekeepers really constitute emergency spending (*Cong. Rec.* 105th Cong., 2d sess., 1998, 144, pt. 34: S 2463) and Democrats disputing the inclusion of Iraq reconstruction projects in an emergency defense supplemental (*Cong. Rec.* 108th Cong., 1st sess., 2003, 149, pt. 146: S 12819).

³⁸ See also roll-call vote number 212 in the 100th Congress, 1st session.

³⁹ *Cong. Rec.* 101st Cong. 1st sess., 1989, 135, pt. 53: S4675.

⁴⁰ *Ibid*, S4676.

1996 (Rubin 1995). But this time, the parties' positions were reversed. "We're going to balance the budget in seven years, and we're going to let the Congressional Budget Office do the arithmetic to make sure that all the numbers add up, and that's it," said Budget Committee Chairman Rep. John Kasich (R-Ohio).⁴¹ In 1995, there was not a Senate vote directly on the issue, but when a number of key senators declared their positions, a partisan role-reversal was fully in evidence. Sen. Domenici went on the record in support of using CBO's numbers: "[Y]ou get to a balanced budget using the Congressional Budget Office's more conservative, historically more accurate, economic assumptions than those prepared by OMB."⁴² Meanwhile, Democrats who had voted to use CBO estimates in 1989 spoke in favor of allowing greater flexibility on that point in 1995. Sen. Bob Kerrey (D-Neb.) indicated that the matter of budget estimates figured in his vote on the failed continuing resolution that led to the government shutdown: "I voted against the continuing resolution for precisely that reason. This Congress should not bind the president to use numbers that are developed by the Congress."⁴³

Generally speaking, the party out of power expresses greater alarm at the state of the nation's finances. Debates on the budget process present the party out of power with opportunities to call into question the competence of the party in power. As Sen. Exon (D-Neb.) noted in arguing in favor of a conservative approach to calculating the budget deficit, "This amendment will hammer home the point that President Bush's compromise agreement does not reduce the deficit as much as claimed."⁴⁴ The party out of power generally does want to hammer home the point that the party in power is not managing the nation's finances competently, and it uses floor debate and roll-call votes to do so.

⁴¹ Quoted in Rubin (1995), 3597.

⁴² *Cong. Rec.* 104th Cong., 1st sess., 1995, 141, pt. 182: S17113-4.

⁴³ *Cong. Rec.* 104th Cong., 1st sess., 1995, 141, pt. 184: S 17441

⁴⁴ *Cong. Rec.* 101st Cong. 1st sess., 1989, 135, pt. 53: S4675.

Regulating Elections and Campaigns

“I heard it said, and it is part of the Record, that one reason the other side is opposed to [the Motor Voter Act] is that they will never be in the majority again. That gives me enough incentive to be for it. But that is not my idea. That is not why I am for this. I just want people to have the opportunity to vote.”—Senator Wendell Ford⁴⁵

When Congress considers regulations of elections and campaigns, the public policies it makes can directly affect members’ own political interests. These issues come up with great regularity. There were extended battles in the Senate over campaign finance regulations in 1991, 1993, 1997, and 2001,⁴⁶ over voter registration procedures in 1991, 1992, 1993, and 2002, over federal employee involvement in elections in 1990 and 1993, and over election administration in 2002. As a good government matter, all members profess support for free and fair elections and lawful democratic participation. Nevertheless, policies related to these ends tend to be highly controversial. Votes on such matters as federal employee involvement in elections, the design and distribution of voter registration forms, the type of election machinery used, and the rules governing provisional ballots consistently break on party lines. The public record on these debates is filled with examples of members suggesting that the other party wants to rewrite the rules to its own advantage. Members’ fears may be exaggerated or unwarranted, but the parties view one another with great suspicion on these matters.

⁴⁵ *Cong. Rec.* 102nd Cong. 2d sess., 1992, 138, pt. 62, S6315.

⁴⁶ Votes on public financing of campaigns are not, for purposes of this study, regarded as ideologically neutral, good government causes. Good government causes in the area of campaign finance include: disclosure requirements for candidates and parties; rules about coordination between national parties, state parties, and individual candidates; and limits on where or when candidates can raise campaign funds.

The Hatch Act, which limits federal employees' participation in partisan political activity, is a recurrent source of controversy. Designed to ensure that government employees are not coerced into providing election support in order to retain their jobs, the law was passed in 1939, at a time when less than one third of the federal workforce were professional public servants. The professionalization of the federal civil service has rendered the law in some respects outdated, but efforts to revise it invariably spark partisan controversy. Federal civil servants are perceived as disproportionately Democratic in party affiliation, in part because public employee unions' campaign contributions contribute overwhelmingly to Democratic candidates. "The federal work force is a major potential source of manpower in campaigns," as Rep. Alfred R. Wynn (D-Md) explained, "[N]o question that it's likely to be an asset to the Democratic party" (Alston 1993).

Consistent with these perceptions of the partisan tilt of the federal workforce, Senate Democrats overwhelmingly favor relaxing regulations on the political activities of federal employees, and Republicans overwhelmingly oppose them.⁴⁷ The floor debates clearly show that members perceive that these regulations have the potential to help or hurt their parties. During consideration of Hatch Act reform in 1993, a number of Republicans entered into the *Congressional Record* a *New York Times* editorial that argued, "Senate Democrats seem determined to get Federal civil servants in the business of hustling political contributions from their co-workers."⁴⁸ During the 1990 debate, Sen. Phil Gramm (R-Tex.) proposed that the Senate extend the same rules governing federal employees' political activities to members of the armed forces: "If this amendment fails, I guess I am going to begin to wonder if maybe there is

⁴⁷ Roll-call vote numbers 77, 78, 80-87 and 90 in the 101st Cong., 2d sess. and roll-call vote numbers 195, 196, 198-201 in the 103rd Cong., 1st sess.

⁴⁸ *Cong. Rec.*, 103rd Cong. 1st sess., 1993, 13, pt. 98: S8751, S8759, S8766.

an objective here to pick and choose, based on the plain, old partisanship . . . of the various members of the branches of our Government.”⁴⁹

Debates over rules governing voter registration are similarly contentious. During the 1992 and 1993 consideration of the Motor Voter Act, a measure that would require states to allow citizens to register to vote while applying for or renewing a driver’s license or other public services, Republicans charged the Democrats with pursuing a partisan agenda. “It is just another one of the many politically motivated—but politically correct—measures that we have come to expect around here,” said Sen. McConnell (R-Ky.)⁵⁰ Democrats responded by accusing Republicans of being afraid of voters. Sen. Ford said, “I am not afraid of the people. I am not afraid of their voice and what they think.”⁵¹ “The political fears of the Republicans were unfounded and really pathetic,” said Sen. Mitchell (D-Maine), “They don’t have enough confidence in their own candidates and their own positions, so they try to prevent the registration of more voters” (Sammon 1993b).

As during consideration of the Hatch Act, senators were very sensitive to the political leanings of affected groups. Republicans were especially suspicious of provisions in the Motor Voter law requiring state welfare offices to make voter registration forms available. “Why is it that we are selecting the welfare population?” asked Rep. Jack Kingston (R-Ga.), “Why do we not just say. ‘Hey look: When you go to sell your stock and go down to Merrill Lynch, you can register to vote. That would increase voter participation. But that is not what this bill is all about” (Sammon 1993a). In the Senate, Republican senators proposed an amendment that would require all members of the Armed Forces to be registered to vote, suggesting that failure to support this bill would be tantamount to hypocrisy, “Mr. President, any opposition to this

⁴⁹ *Cong. Rec.*, 101st Cong., 2d sess., 1990, 136, pt. 56: S5804.

⁵⁰ *Cong. Rec.*, 102nd Cong., 2d sess., 1992, 138, pt. 62, S6307.

⁵¹ *Ibid.*, S6315.

amendment contradicts directly the majority leader's words of yesterday. The men and women who serve in the military should be given every opportunity to register to vote and to vote.”⁵² On a tabling motion, 98% of Democrats voted to kill the measure while 95% of Republicans supported it.⁵³ The mean party difference on all Senate votes (n=25) related to the Motor Voter law was 85.

Senate debate over election reform in 2002 affords additional examples of the partisan suspicion that pervades congressional consideration of campaign and election regulation. Republicans put Democrats on the defensive during this debate with measures aimed at preventing voter fraud. Concerned that these measures would disproportionately burden Democratic voters, Democratic senators objected. Of the requirement that first-time voters who registered by mail provide some proof of identity, Sen. Charles Schumer (D-N.Y.) said, “On the surface, that sounds to be a very reasonable requirement. But once you begin to scratch the surface, you discover it could easily disenfranchise countless eligible voters.”⁵⁴ Sen. McConnell quoted from a *Wall Street Journal* editorial that portrayed Democrats as favoring voter fraud: “Dogs and dead people don’t have the constitutional right to vote, but more of them are going to start turning up at the polls if Senate Democrats, led by New York’s Charles Schumer, have their way.”⁵⁵ The mean party difference on all Senate votes related to the 2002 Help America Vote Act (n=11) was 91.

Partisan disagreement on campaign and election regulation mirrors voting behavior and debate on other good government causes. As on other good government causes, partisan disagreement coexists with bipartisan agreement on values. There is no evidence in the record

⁵² *Cong. Rec.* 103rd Cong. 1st sess., 1993, 139, pt. 33: S2990.

⁵³ Senate roll-call vote number 36, 103rd Cong., 1st sess.

⁵⁴ *Cong. Rec.* 107th Cong. 2d sess, 2002, 148, pt. 17: S1172.

⁵⁵ *Cong. Rec.* 107th Cong. 2d sess, 2002, 148, pt. 20: S1385.

that Democrats and Republicans disagree about the desirability of preventing voter fraud, the value of democratic participation, or the need to prevent partisan exploitation of civil servants. Nevertheless, both parties clearly analyze this type of legislation with careful attention to provisions that might harm their electoral prospects.

Partisan Interests and Good Government Causes

After the Senate Judiciary Committee authorized subpoenas to investigate the 2006 firings of eight U.S. attorneys, Sen. Tom Coburn (R-Okla.) remarked, “This is about who can make someone bloody, who can make someone look bad.”⁵⁶ Generally speaking, these are the political stakes when Congress considers good government causes. No one denies that the administration of justice should be above partisan politics. Everyone agrees that it would be inappropriate for the Attorney General to fire U.S. Attorneys because they indicted too many Republicans or too few Democrats. The question is thus not about differing policy preferences on which members of Congress might be ranged on a continuum from left to right. Instead, the central question, as in consideration of all good government matters, is whether both parties are equally competent or ethical. In such conditions, one party has great electoral incentive to work collectively to undercut the reputation of its opposition. And a party on the receiving end of such efforts will cooperate to defend its collective reputation.

Agreement on ultimate values is what defines good government causes as valence issues. But this agreement does not by any means preclude contentious partisan politics in Congress. Members of Congress do not passively wait to see which party might obtain a valence advantage by being perceived by the broader public as more committed to common values. Instead, members form “good government cartels,” similar to Cox and McCubbins’ (1993; 2005)

⁵⁶ Quoted in Schor (2007).

procedural cartels. Fellow partisans cooperate to undercut the opposing party's brand name and to enhance their own. They expose the opposition party's ethically compromised nominees and officeholders. They pursue politically beneficial investigations into the Whitewater scandal or the response to Hurricane Katrina. They demand reforms to improve government inefficiencies and root out waste, fraud, and abuse. They exploit the legislative tools at their disposal—floor speeches, roll-call votes, and investigations—to advance these common electoral interests.

This paper offers a first systematic look at the congressional politics of good government causes. The analysis of Senate roll-call voting behavior reveals that the parties strongly disagree on policies where no competing values are at stake: measures to fight corruption, uphold ethics standards, investigate failures, collect information, promote fiscal responsibility, ensure electoral integrity, and make government operations more efficient. Good government causes divide Republicans from Democrats more deeply than the typical matter considered in Congress. In fact, Republicans and Democrats disagree with one another as much on these issues as on matters that separate liberals from conservatives on the grounds of economic, social, or foreign policy. Over the period examined, 1981-2001, good government issues were considerably more divisive along party lines than the explosive social issues of race, abortion, and gay rights. No other substantive type of issue was as likely to produce a perfect party-line vote in the Senate with all Democrats on one side and all Republicans on the other.

Compared to ideological questions, party positioning on good government causes is more fluid and strategic. It is easy to summarize the parties' general tendencies on position issues: Republicans tend to be more conservative than Democrats on social and economic issues and more hawkish in foreign policy. Analysis of floor debate reveals that parties exhibit little consistency over time on good government causes. Neither party reliably stakes out a more

rigorous stance on government ethics or on the need to investigate government failures and abuses. Instead, members of the potentially advantaged party pursue the case. When presented with evidence of government failure or ethical shortcomings, the advantaged party demands a full accounting and mobilizes resources to investigate. The disadvantaged party resists the release of information damaging to its reputation and denounces the opposition for playing partisan politics. Neither party is consistently the champion of balanced budgets. Instead, fiscal irresponsibility is a criticism that one party levels at the other, exploiting debates over budget process to make its case. Only one type of good government cause, campaign and election regulation, exhibited consistent party positioning over time. On these regulations, parties take positions that are consistent with their partisan self-interest.

Since Stokes (1963) articulated the distinction between position and valence issues, scholars have explored how the two types of issue affect mass voting behavior and election outcomes. Scholars of legislative politics, however, have given little attention to issues that cannot be conceptualized on a left-right continuum. In focusing so heavily on position issues, they have neglected the congressional politics of governmental performance. Party brand names are greatly affected by whether the party in power is perceived to execute policies successfully. Party reputations are strengthened or weakened by whether its officeholders are seen as ethical. By viewing congressional politics as primarily about legislating on position issues, the literature has systematically deemphasized the congressional politics of scandal, investigation, process, information control, and public relations.⁵⁷

Good government issues lie at the heart of party politics in Congress. Indeed, these causes elicit the rawest forms of partisan politics as members call into question their opponents' integrity and competence. Although it is undoubtedly true that Democrats tend to be more

⁵⁷ For a sustained critique of the literature on congressional parties along these lines, see Smith (2007).

liberal than Republicans, ideological disagreement is not the whole story of party politics. A focus on the congressional politics of good government highlights the ways in which party conflict is opportunistic and focused on electoral advantage. The politics of good government, ironically, is hardball.

Table 1: Types of Good Government Issues, 1981-2004 (n=631)

Anti-corruption (n=140). Includes votes on:

- competitive bidding in government contracting
- inspectors general and independent counsels
- whistleblower protections
- lobbying disclosure
- ethics cases involving individual government officials or nominees

Information (n=60). Includes votes on:

- requests for studies
- requests or requirements for executive branch disclosure of information
- investigatory commissions
- testing and evaluation of government programs

Election/electioneering rules (n=124). Includes votes on:

- Hatch Act
- voter registration processes
- election machinery

Budget process and reform (n=209). Includes votes on:

- budget assumptions
- procedural reforms (e.g., biennial budgeting)
- PAYGO
- placing programs on- or off-budget
- debt limit increases
- budget scoring of the sale of government assets

Government operations (n=98). Includes votes on:

- government accounting procedures
- census procedures
- requirements that government pay interest on overdue payments
- limits on unfunded mandates
- limits on administrative expenses
- putting government under same laws as private industry

Table 2: Party Difference on Good Government Issues, Controlling for Type of Votes and Routine Matters (n=8593)

	B (Standard error)	B (Standard error)
<i>Issue Type</i>		
Good government issues	9.2*** (1.2)	17.2*** (1.2)
Distributive issues	--	-.3 (1.2)
Economic issues	--	22.0*** (.8)
Social issues	--	9.8*** (1.2)
Hawk v. Dove issues	--	22.7*** (1.5)
<i>Type of Vote</i>		
Parliamentary	14.5*** (1.1)	13.7*** (1.1)
Procedural	15.3*** (.7)	13.2*** (.7)
Passage	-14.2*** (.9)	-11.8*** (.9)
<i>Routine Matters</i>		
Appropriations	-2.3** (.8)	-.1 (.7)
Nominations	-15.2*** (1.6)	-10.4*** (1.5)
Purely symbolic	-8.2*** (1.3)	-6.3*** (1.2)
<i>Congress</i>		
98th Congress	-4.0** (1.5)	-2.9* (1.4)
99th Congress	-.7 (1.5)	-1.0 (1.4)
100th Congress	-1.5 (1.4)	-1.4 (1.4)
101st Congress	-.9 (1.5)	-.5 (1.4)
102nd Congress	5.4*** (1.6)	5.8*** (1.5)
103rd Congress	13.3*** (1.5)	12.9*** (1.4)
104th Congress	18.4*** (1.4)	18.1*** (1.3)
105th Congress	12.2*** (1.5)	13.0*** (1.5)
106th Congress	16.9*** (1.5)	16.5*** (1.4)
107th Congress	47.1*** (1.5)	46.8*** (1.4)
108th Congress	22.8*** (1.5)	21.5*** (1.4)
F	176.6***	206.9***
Adj. R ²	.27	.35

Note: Coefficients were estimated with OLS regression.

* $p < .05$; ** $p < .01$; *** $p < .001$

Table 3: Effect of Issue Type on the Predicted Probabilities and Predicted Changes in Probabilities of Party Votes and Unanimous Party Votes (n=8593)

<i>Issue Type</i>	Unanimous party vote [†]	Party vote [‡]	Not a party vote
Good government issues	.03 (.01)***	.61 (.02)***	.36 (.02)***
Economic issues	.01 (.00)***	.73 (.01)***	.25 (.01)***
Social issues	.00 (.00)***	.62 (.02)***	.37 (.02)***
Hawk v. Dove issues	.01 (.01)	.79 (.02)***	.20 (.02)***

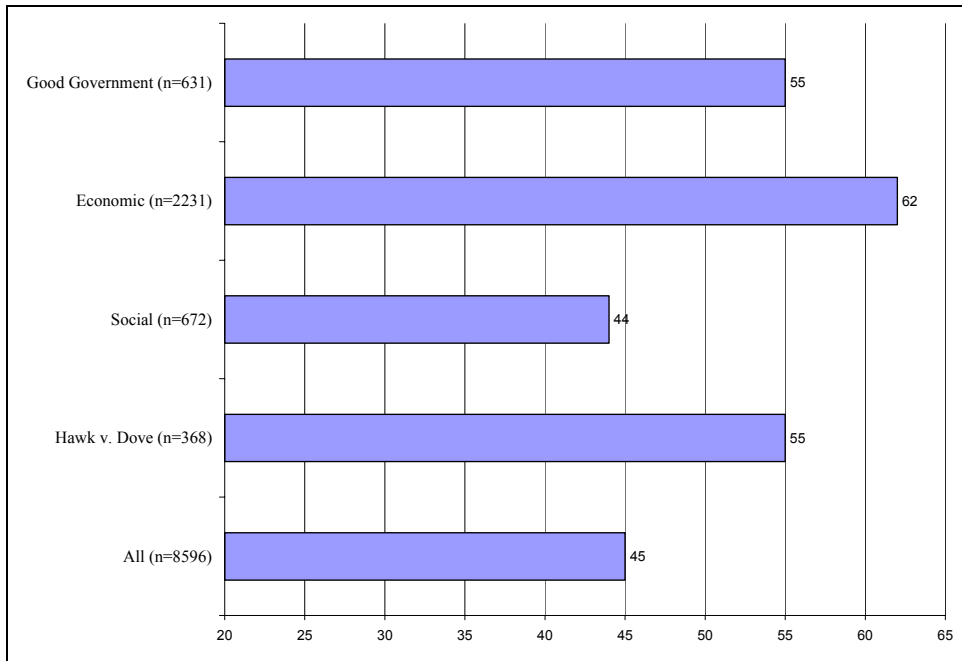
Note: Computed by the author from the multinomial logit analyses in Appendix 1 using CLARIFY. Entries are predicted probabilities and predicted changes in probabilities. The standard errors of the predictions are in parentheses. All control variables are held constant at their sample means.

[†] 100% of one party voting against 100% of the other party

[‡] A majority (but not 100%) of one party voting against a majority of the other party.

* $p < .05$; ** $p < .01$; *** $p < .001$

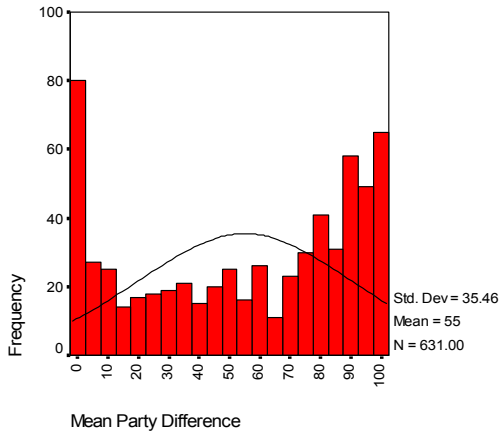
Figure 1: Mean Party Difference by Issue Type, 1981-2004



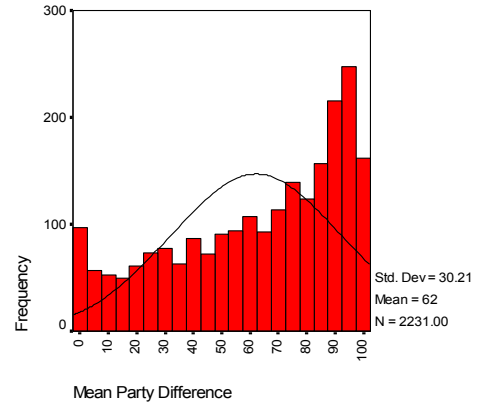
Note: One-way analysis of variance shows that differences among these types of votes are statistically significant at $p < .001$ ($F=64.1$, $df=3$).

Figure 2: Frequency Distributions of Party Difference, By Issue Type

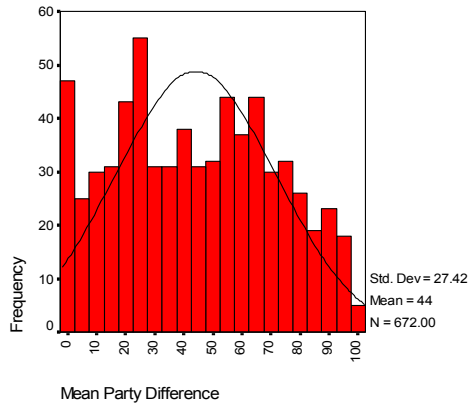
Good Government Issues



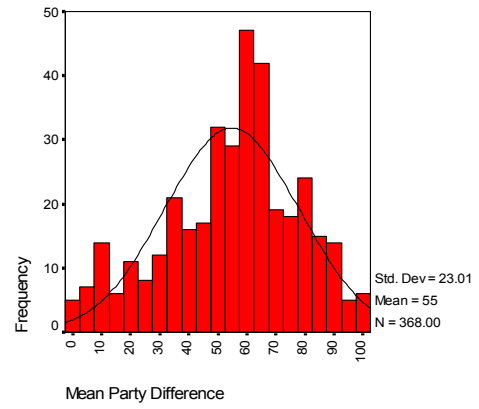
Economic Issues



Social Issues



Hawk v. Dove



Appendix 1: Issue Classification of Senate Roll Call Votes, 97th-108th Congresses (n=8593)

Each roll call vote in the Senate is classified in the appropriate category, if any. In most cases, votes can be classified on the basis of legislative language alone. Most votes are taken on amendments, which are usually narrowly drafted, and so are relatively easy to code.

Procedural votes are coded based on the underlying policy issue at stake. For example, a motion to waive the budget act to permit consideration of a permanent repeal of the estate tax would be coded as an *economic issue*. A motion to table an amendment restricting government funding for abortions in the District of Columbia is classed as a *social issue*.

For nominations, appropriations, and trade agreements it is not possible to classify votes on the basis of legislative language alone. For these, I examine the debate in the *Congressional Record* to determine if a senator raised an issue that would place the vote into one of the categories. When trade agreements are objected to because of other countries' lack of environmental and labor protections, the dispute is coded as ideological in the economic policy category.

When nominees for high office are controversial because of their views on economic, social or foreign policy, the nomination is coded into the appropriate category. For example, a judicial nominee whom opponents accuse of being unwilling to enforce environmental laws is coded in the economic policy category. Nominees are classed as raising good government issues only when objections to their appointment center *exclusively* on matters of ethics, qualifications, or competence. If any senator raises an issue falling into one of the ideological categories, the nomination is coded as an ideological dispute.

For votes involving complex packages of policies—e.g., appropriations bills, final passage of legislation, or amendments in the nature of a substitute—the coding rule used is whether any senator raised an issue in the *Congressional Record* debate on the vote that can be classified in one of the ideological categories.

I. **Good government issues** (n=631): This category includes votes on efforts to deter or investigate corruption, gather or release information, ensure election integrity, reform budget processes, or improve government operations. Examples shown in Table 1.

II. **Economic policy** (n=2231): This category captures four different types of issues that separate liberals from conservatives on economic policy.

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- A. **Government's share of the economy** (n=509). Conservatives support measures to limit government's share of the economy; liberals oppose them.
- Across the board cuts in or caps on domestic spending
 - Procedural mechanisms (points of order, supermajority requirements, budget caps) to inhibit revenue and spending increases
 - Revenue reductions in budget resolutions (before specific tax cuts are reported from the Finance Committee)
 - Line item veto
 - Social Security and Medicare lockbox, and measures to restrain the growth in entitlement spending
 - Privatization initiatives (contracting out government workers, services, programs)
- B. **Regulation of private economic activity for public purposes** (n=907). Conservatives oppose new regulations on private business activity and seek to roll back or limit existing regulations; liberals support new and existing regulations.
- Labor protections and regulations (prevailing wage, minimum wage, overtime, workplace safety, striker replacement, union political activity)
 - Anti discrimination/equal access legislation for the disabled
 - Antitrust laws
 - Environmental regulation
 - Consumer protections (product safety, consumer privacy)
 - Property rights enforcement
 - Cost benefit requirements for new regulations
 - Regulatory relief

- Firearm safety locks and background checks before sales
 - Restrictions on class action lawsuits
- C. **Distribution of the tax burden** (n=265). Conservatives favor a less progressive tax policy, liberals favor a more progressive tax policy.
- Personal income taxes (including marginal tax rates, capital gains taxation, deductions for health insurance)
 - Limits on tax cuts or deductions for top brackets
 - Tax preferred savings accounts
 - Flat tax proposals
 - Estate taxes
- D. **Redistributive social programs** (n=520). Liberals support programs designed to reduce social and economic inequality and seek to increase funding for them; conservatives do not.
- Food stamps
 - Head start
 - Child care development block grants
 - State children's health insurance
 - Temporary Assistance to Needy Families
 - Medicaid
 - Earned Income Tax Credit
 - Unemployment benefits (and extensions)
 - Community Development Block Grants
 - Job training programs
 - Prison literacy and rehabilitation programs, Legal Aid
 - Title I education funding
- E. **More than one economic policy category** (n=54). These are votes that involve more than one of the economic categories (e.g., passage votes on budget resolutions).

III. Social issues (n=672). This category includes all votes that set values of individual equality or freedom in opposition to the traditional moral and social order.

- School vouchers and tax-exempt accounts to fund religious and private education
- Punishments for crime, including the death penalty, mandatory minimums, and nonrestoration of felon voting rights
- Affirmative action
- Limits on abortion rights and access
- School prayer
- Making receipt of government benefits depend upon good behavior (not doing drugs, attending school, having no more kids while on welfare, etc.)
- Homosexual rights
- Needle exchange programs
- School desegregation/consent decrees
- Hate crimes laws

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IV. Hawk v. dove (n=368): Conservatives favor devoting more resources to military defense than liberals and are more likely to favor the use of force.

- Strategic Missile Defense (SDI), MX Missile
- Covert military aid (anti-communism)
- Nuclear test moratoriums
- Nuclear weapon research and development
- Across-the-board increases or cuts in defense spending
- Authorizations of the use of force

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Appendix 2: Estimates of Multinomial Logit Model of Partisan Voting Patterns on Senate Roll-Call Votes, 1981-2004 (n=8596)

	Party line vote vs. not party vote	Unanimous party vote vs. not party vote	Party line vote vs. unanimous party vote
<i>Issue Type</i>			
Good government issues	1.02*** (.10)	1.29*** (.22)	.26 (.21)
Economic issues	1.56*** (.06)	1.04*** (.16)	-.51*** (.15)
Social issues	1.01*** (.09)	-.67 (.44)	-1.68*** (.43)
Hawk v. Dove issues	1.92*** (.14)	-.99* (.55)	-.92 (.54)
<i>Type of Vote</i>			
Parliamentary	.73*** (.09)	1.84*** (.20)	1.12*** (.20)
Procedural	1.20*** (.06)	1.08*** (.16)	-.12 (.16)
Passage	-1.17*** (.08)	.14 (.19)	1.31*** (.20)
<i>Routine Matters</i>			
Appropriations	.06 (.06)	-.29 (.18)	-.35 (.18)
Nominations	-1.31*** (.15)	1.54*** (.23)	2.85*** (.25)
Purely symbolic	-.56*** (1.04)	.41 (.26)	.97*** (.26)
<i>Congress</i>			
98th Congress	-.29* (.11)	-.12 (.77)	.17 (.77)
99th Congress	-.04 (.11)	-.55 (.87)	-.51 (.87)
100th Congress	-.32 (.11)	.24 (.65)	.57 (.65)
101st Congress	-.07 (.12)	.01 (.77)	.08 (.77)
102nd Congress	.20 (.12)	-.12 (.87)	-.32 (.87)
103rd Congress	.56*** (.11)	2.06*** (.56)	1.50*** (.56)
104th Congress	.74*** (.11)	2.5*** (.54)	1.74*** (.54)
105th Congress	.39*** (.12)	1.48* (.59)	1.09 (.59)
106th Congress	.40** (.12)	2.74*** (.53)	2.33*** (.53)
107th Congress	1.22 (.15)	5.81*** (.52)	4.58*** (.51)
108th Congress	.91*** (.12)	1.67*** (.59)	.75 (.59)
Constant	-1.00*** (.08)	-5.77*** (.52)	-4.76*** (.52)
<i>Summary Statistics</i>			
Pseudo R ²	.26		
χ^2 (df=42)	3833.23		

Note: Entries are multinomial logit coefficients (standard errors in parentheses)
* $p < .05$; ** $p < .01$; *** $p < .001$

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