Why voters vote for incumbents but against incumbency: A rational choice explanation

Daniel Friedman, Donald Wittman*

Department of Economics, University of California, Santa Cruz, CA 95064, USA

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Abstract

In recent elections, voters supported initiatives to limit the number of terms that their representatives may serve, yet at the same time, overwhelmingly re-elected their incumbents. We provide a theoretical explanation for this and other puzzles associated with voting on term limitations. The pattern of voting on term limits can be explained by the desire to redistribute power from one party to another, from one branch of government to another, and from districts with long-term incumbents to districts whose representatives have served only for a short time span. We test these hypotheses by looking at voting patters on California Proposition 140 and the vote on the 22nd Amendment with generally positive results.

Key words: Term limits; Political redistribution; Rational voter

JEL classification: D72; H10

1. Introduction

Why do voters re-elect their representatives yet support initiatives to limit the number of terms that their legislators may serve? In November 1990, for example, California voters passed Proposition 140 limiting state legislative terms, yet at the same time, re-elected 87 out of 91 incumbent state representatives. On the national level, polls consistently show dissatisfaction with Congress, yet the incumbency effect is extremely positive. In the late

* Corresponding author.

1960s and 1970s ratings of Congress declined while House incumbents were increasing their vote margins (Jacobson, 1992, p. 38). Why do voters love their U.S. congressperson but hate Congress? If voters are too stupid to vote against their incumbent, why are they smart enough to vote for limits on incumbency?

Although there has been an extensive literature on the benefits of incumbency, most of it cannot deal with the apparent paradox of simultaneously voting for incumbents and voting against incumbency. Mayhew (1974, p. 311) argued that incumbents' control over communication resources improves their incumbency advantage; but, if they are so facile at control, why are they so weak in preventing anti-incumbent movements? Ferejohn (1977) suggested that voters choose incumbency as a cue instead of party. But this does not explain why the voters used the cue in the affirmative one place and in the negative elsewhere. Fiorina (1989) has argued that it is casework which improved the popularity of incumbents. Since constituency service is a positive-sum game, votes for the incumbent increase. However, his theory does not explain voting both for the representative because of constituency service and for term limits despite constituency service.[1] Fenno (1975) and Parker and Davidson (1979) take on the contradiction between "loving congressmen and hating Congress" more directly. Their basic argument "is that we apply different standards of judgement, those that we apply to individuals being less demanding than those we apply to the institution" (Fenno). But they provide no rational explanation for why voters would not hold legislators responsible for the workings of Congress. And even if one could find such an explanation, they would be hard pressed to explain why voters favor incumbents and oppose incumbency. In short, these authors do not really come to grips with the paradoxical results regarding voting on term limits, perhaps because they wrote before such initiatives became popular.

Adams and Kenny (1986) deal with a related puzzle: Why would the political market want to limit tenure? They hypothesize that the longer a politician is in office, the greater the dead weight losses imposed on the electorate. There is probably more evidence for the contrary hypothesis that those politicians who increase the welfare of their constituents the most are the most likely to be re-elected. Even if one were to accept their hypothesis, one would have to ask why voters are sufficiently competent to erect 'optimal tenure' limits based on the expected dead weight loss from incumbency, in general, but are too incompetent to base their vote either on

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[1] These authors were interested in the U.S. Congress while much of the focus of term limits has been on state legislatures.

the expected cost of incumbency or on the actual behavior of the incumbent and vote the particular incumbent out of office.

Dick and Lott (1993) is the first professional attempt to resolve the term limits paradox.[2] Like Adams and Kenny, they argue that each district is hurt by having long-term incumbents since this makes the representative less responsive.They also argue that when a district removes an incumbent it becomes more vulnerable to the activities of other districts' incumbents, so voters face a repeated prisoner's dilemma. Dick and Lott assume that wasteful transfers are more expensive for less experienced legislators, so in equilibrium under term limits fewer transfers take place. Presumably the lower level of wasteful transfers more than offsets their increased cost. Thus voters can extricate themselves from the prisoner's dilemma by enforcing term limits on all legislators.

We regard their approach as a good start but see room for improvement. Basically, Dick and Lott provide an explanation for a high level of support for term limits, not an explanation for how support varies with observable voter and legislator characteristics. Testable implications require auxiliary assumptions in their model. Their footnote 15, for example, concludes that in the absence of such assumptions a legislator's tenure can be either negatively or positively correlated with his district's support for term limits. Some theoretical issues remain as well. For instance, shirking by long-term legislators is a driving force for term limits in their model. But as they note themselves, term limits intensify the last period problem—a representative, knowing that he/she cannot be re-elected, can shirk with impunity.[3]

In this paper we offer a simple and direct resolution of the paradox: voters who support term limits are rationally furthering their own self-interest by voting *against* representatives in other districts. The pattern of voting is explained by the desire to redistribute political power: (1) from districts with long-term incumbents to those represented by more recent recruits to the legislature; (2) from one political party to the other; and (3) from one branch of government to the other. These predictions were made a priori before we collected any data.

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[2] In a non-professional publication, Gibbs (1990) argued that just as Ulysses had to bind himself from the Sirens, voters impose external constraints that 'protect themselves' from their own irrational voting behavior.

[3] Setting a limit on office holding "would be a diminution of the inducements to good behavior" (Hamilton, *Federalist* no. 72). Dick and Lott dismiss the problem by saying "the last period problem would have existed anyway (though at a later date)" (p. 11). Unlike Hamilton, they neglect the point emphasized by modern game theorists: 'good behavior' can be enforced in a repeated game when the last period is uncertain, but not when the last period is common knowledge. See also Grofman and Sutherland (forthcoming) and Glazer and Wattenberg (forthcoming).

We test these hypotheses by looking at two different data sets: (1) district-level voting on California Proposition 140 which imposed term limits on state officials, and (2) the Congressional vote on the 22nd Amendment, limiting the President to two terms in office. In both cases we find corroborating evidence for our thesis.

Our approach thus shifts the emphasis from explaining the level of support for term limits to predicting which voters are most likely to support limits and when term limit referenda are most likely to arise. While our results do not completely eliminate the paradox, they considerably diminish its domain.

2. Term limits as power redistribution

Our explanation of term limits comes from a theoretical view of power and of voter behavior. Here we give a brief, informal account that we believe most readers will find sufficient to support our empirical work.[4]

Policy outcomes are the result of the interaction among legislators and the interplay between the legislature and the executive branch. Each legislator has some power, or relative ability to influence legislative activity. Likewise, each branch of government has some power relative to the other branch in influencing the overall political outcome.

Seniority increases political power. For example, more senior legislators are more apt to be on (or to chair) influential committees that can alter the legislative agenda to align with her constituents' preferences.[5] Thus the greater the relative seniority of constituency *i*'s representative, the more favorable the resultant policy is likely to be for her constituents.

Our maintained assumption is that voters are rational. In choosing a representative and in other voting decisions, a voter mainly tries to influence policy decisions towards his more preferred outcomes. For example, voters will favor a long-term incumbent, whose power can favorably influence outcomes, over a challenger with a similar (or even slightly preferable) political orientation.

How does a rational voter respond to a ballot initiative to impose term limits? The proposed upper bound on tenure alters relative seniority, hence alters relative power, and therefore can affect outcomes of direct interest to the voter. For example, suppose that your district's representative has relatively low seniority. Then implementation of term limits will lower

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[4] A formal model is presented in Friedman and Wittman (forthcoming).

[5] Numerous studies of the U.S. Congress have shown that seniority is a major requisite for committee assignments and especially committee chairmanships. The payoff to the district from such positions is detailed in Liske and Rundquist (1974).

average seniority more than your own legislator's seniority and thus increase her relative power. She presumably reflects your interests better than the average legislator,[6] so you will benefit from her increased power and will tend to favor term limits. Likewise voters whose representatives have relatively long tenure will tend to oppose term limits. This is the most direct implication of our model.

What role does our approach suggest for party affiliation? Primarily it is a crude but observable proxy for a voter's unobservable preferences over policy outcomes. Party affiliation also affects the production of policy outcomes. These considerations point to several potentially testable predictions.

(a) Whatever his own representative's affiliation, a voter will tend more strongly to favor term limits when his party has fewer long-term incumbents, because the power redistribution is then more favorable. For example, a Democratic voter is more apt to oppose legislative term limits when long-term incumbent legislators are disproportionately Democrats.

(b) A legislator's party affiliation interacts with seniority in influencing policy outcomes. In particular, seniority implies enhanced power for members of the majority party in a legislature because they typically hold the committee chairs. Thus in a state with a clear Democratic legislative majority, Democratic constituents gain more from the seniority of their representatives and therefore Democratic voters are less likely to favor term limits on the state legislature.

(c) When there is a split in party control of the two elected branches of government, a voter affiliated with the party controlling the legislature will tend to oppose legislative term limits and favor executive term limits. For example, when Democrats control the legislature but not the executive branch, Republican voters will tend to favor term limits on the legislature. Party affiliation will have less impact (and voter interest in term limits will be less) when both the executive and the legislative branch are dominated by the same party, because then there is no real opportunity to redistribute power between the two branches.

The discussion has so far neglected the role of time and uncertainty. A rational voter facing a sequence of elections would consider the expected discounted value of policy outcomes. For example, patient voters in 'safe' districts will tend to oppose term limits even if their current representative is new. Uncertainty can also affect the impact of party affiliation. Suppose, for example, that representatives axed by term limits are more likely than

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[6] This presumption is conventional and reasonable because generally each representative was elected by a majority of voters in her district and is more likely to be re-elected the better she represents their interests.

incumbents to be replaced by representatives from the other party. Then voters in the minority party have another reason to favor term limits.

The list of implications is not complete. Some legislators are more influential than others of the same seniority, and their constituents would be less likely to support term limits. The reader may be able to think of other potentially observable variables that would affect a rational voter's stance on term limits.

To summarize: our approach leads to several conclusions. Term limits on the executive increase the power of the legislature, and term limits on the legislature increase the power of the executive and increase the power of legislators with little seniority at the expense of long-term incumbent legislators. Several considerations suggest a powerful explanatory role for party affiliation, especially when two parties control different branches of government. We now turn to an empirical examination of these theoretical conclusions.

3. California Proposition 140—power redistribution within the legislature

In November 1990, California voters approved Proposition 140 which imposed term limits on state legislators. Our first task is to look at the prevailing structure of power in the California legislature at the beginning of 1991. In the 80 member Assembly, there were 9 Democrats and 2 Republicans who had served for 13 or more years; in the 40 member Senate, there were 11 Democrats and 3 Republicans who had served 13 or more years. The voters from these 25 districts had on average much more influence over policy than voters from the other 95 Senate and Assembly districts. According to our theory, voters in the 25 districts would tend to oppose term limits. But the majority of voters in California were not represented by these 25 long-term incumbents and therefore would benefit from term limitations.

All party considerations point towards Republicans favoring and Democrats opposing Proposition 140. For many years, Republicans were relatively under-represented in the set of long-term incumbents and were the minority party in the legislature. Furthermore, the current governor and his predecessor were Republican, so Republicans would tend to favor (and Democrats oppose) a redistribution of power from the legislature toward the governor.[7] Our empirical analysis strongly supports the party affiliation effect and weakly supports the district effect.

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[7] There were also term restrictions on the governor, but historically governors' tenure tends to be relatively short and the restrictions bind less often.

The empirical test is straightforward. We looked at each of the 80 Assembly districts. The dependent variable is *PY140*—the percent who voted yes on Proposition 140.

Independent variables include the following:

%REGDEM—the percent of registered voters in the assembly district who were registered Democrats.

AYEARS—years their representative has served in the assembly.

$SAFE = |\%REGDEM - 0.55|$, where $|\cdot|$ stands for absolute value—this is a measure of how safe the district is for the district's predominant political party and how likely the party can maintain long-term incumbents against the threat of competition from the other party.

SAFE and *AYEARS* are substitutes. *SAFE* is probably preferable. While on average *AYEARS* provides a good measure, it may fail in particular cases. For example, a long-run incumbent may have recently quit to run for higher office or have died. The district may anticipate having long-run incumbents again in the future, but + *AYEARS* would not show this. We used alternative measures of *SAFE* with almost identical results. These alternative measures included using 0.50 as the baseline and using the square instead of the absolute value.[8]

APOWER—the political effectiveness of their legislator, based on a survey by the *California Journal* of lobbyists, legislative staff, the Capitol press corps, and the legislators themselves. Each person was asked to score each legislator between 1 and 10 for effectiveness. The composite scores ranged from 2.76 to 8.73.

Because *AYEARS* and *APOWER* are highly correlated, we also used a dummy variable for years:

INCUMBA = 1 if the legislator had been an incumbent for 13 years or more and equals 0, otherwise. *SAFE* and *AYEARS* are substitutes for *INCUMBA*.

Each voter is also represented by a Senator. Since Assembly districts are our unit of observation, we had to assign a Senator to each Assembly district. In most cases, the Assembly district is contained in a single Senate district so the assignment is clear. In some cases an Assembly district contains pieces of two or more Senate districts; here we assigned the Senator with the largest territory in the Assembly district. We then obtained analagous data for Senators (*SYEARS*, *SPOWER*, *INCUMBS*) that represented each assembly district.

We used both multiple regression and the log of the odds ratio where the dependent variable is $\log(PY140/(1 - PY140))$. The former is easier to

interpret; the latter is usually viewed as being more appropriate when the dependent variable is limited. It turns out that even multiple regression did not produce forecasts outside the 0–1 range of the dependent variable.

We discuss two pairs of estimated equations in detail. Other equations (along with the data) are available from the authors. The other equations used different variables and different functional forms, but produced quite similar results, demonstrating the robustness of the model.[9]

Multiple regression:

$$PY140 = 0.83 \ - \ 0.16 \ SAFE - 0.59 \ \%REGDEM, \quad R^2 = 0.73, \quad F\text{-value} = 103.$$
$$\qquad\quad (33.25) \ \ (2.53) \qquad (14.19)$$

Log of the odds ratio:

$$LPY140 = 1.34 - 0.71 \ SAFE - 2.44 \ \%REGDEM, \quad R^2 = 0.73, \quad F\text{-value} = 105.$$
$$\qquad\qquad\quad (2.70) \qquad (14.36)$$

As predicted, Republican districts tend to vote for term limits and Democratic districts vote against. Furthermore, *SAFE* districts, which are likely to have longer term incumbents, also tend to vote against term limits. Looking at the multiple regression equation, in a district that is registered 100% Democrat only 17% of the voters would support term limits (0.83 − 0.59 − 0.45 ∗ 0.16 = 0.17). A district that is registered 100% Republican, has cross-cutting cleavages: 'Republicanness' encourages 83% of the voters to support term limits, but the value of safe incumbency reduces the percentage by 9%. The coefficients are all very significant (the numbers in parentheses being the number of standard deviations) and the R^2 of 73 is high for cross-section data.[10] Using *AYEARS* and *SYEARS* instead of *SAFE* produces similar but less significant results. An alternative specification:

$$PY140 = 0.83 \ - \ 0.03 \ INCUMBA - 0.01 \ INCUMBS - 0.54 \ \%REGDEM - 0.001 \ APOWER - 0.006SPOWER$$
$$\quad (19.89) \ \ (1.46) \qquad\quad (0.95) \qquad\quad (10.12) \qquad\qquad (0.14) \qquad\qquad (1.22)$$
$$\qquad R^2 = 0.71, \quad F\text{-value} = 28$$

$$LPY140 = 1.3 - 0.12 \ INCUMBA - 0.05 \ INCUMBS - 2.21 \ \%REGDEM - 0.002 \ APOWER - 0.02SPOWER,$$
$$\qquad\quad (1.52) \qquad\quad (0.92) \qquad\quad (10.14) \qquad\qquad (0.08) \qquad\qquad (1.12)$$
$$\qquad R^2 = 0.71, \quad F\text{-value} = 28.$$

As predicted, Republican districts voted in favor of the term limit. Essentially, in districts without a long-term incumbent, registered Republicans voted for the term limit 83% of the time, while registered Democrats only voted in favor 0.83 − 0.54 = 29% of the time. This relation-

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[9] Some of these equations will be presented in later footnotes.

[10] Reported R^2 values are not corrected for degrees of freedom.

ship is statistically very significant. Incumbency also has an effect in the predicted direction, but it is less dramatic and not as statistically significant. When an Assembly person has served for 13 or more years, the district vote in favor of term limits is reduced by 3% (the one-tailed test is significant at the 0.07 level); when their Senator has served for 13 or more years, the assembly district vote in favor of term limits is only reduced by 1% (this is significant at the 0.17 level). Political power or effectiveness is also in the predicted direction. The more effective its legislators, the less likely the assembly district voted in favor of the proposition. The size of the effect is small and not statistically significant (but the joint test that the coefficients of the incumbency and effectiveness variables are non-positive is significant). Once again the R^2 is very high.[11]

The predicted voting patterns make sense to the extent that the 1990 snapshot of the legislature represents long-run relationships. In particular, Republicans would not vote in favor of term limits if they expected to be over-represented in the long-term incumbency column in the future. If Republicans expected to dominate the legislature in the future and their discount rate was not excessive, they would be hurting themselves by voting in favor of term limits. This naturally leads to a follow-up question: Why do Republican districts in California historically have relatively fewer long-run incumbents? If voters are rational, they should choose carefully the first time, and stick with their original choice, thereby gaining greater influence in the legislature. While a complete answer to this question must lie in another paper, we speculate that it is based on the fact that Republicans are a minority and therefore it is virtually impossible to gerrymander more than a very few districts where they are guaranteed of winning. Hence, in a significant proportion of districts where there is a Republican incumbent, a large percentage of the voters are Democrats. Many of these Democrats face conflicting preferences between voting for the incumbent because of increased power for the district and voting for the opposition because the policies are more closely in tune with their preferences. Slight changes in the mix of voters due to migration in and out of the district can alter the outcome. Also, because there are fewer Republicans, attempts to move up the political ladder from the Assembly by running for the state Senate, the U.S. Congress or the state executive branch will thin a greater percentage of Republican incumbents. Furthermore, because Republicans are a minority, their effectiveness in the legislature is less and therefore they may voluntarily quit and place their energy in a more productive arena.[12]

Of course, our equations do not explain everything about Proposition 140

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[11] Similar results were obtained when $YAP = AYEARS * APOWER$ and $YSP = SYEARS * SPOWER$ were substituted for $INCUMBA$, $INCUMBS$, $APOWER$ and $SPOWER$.

[12] See Rothstein and Gilmour (forthcoming) for a discussion of intended terms.

voting.[13] For example, one might ask why the intercept is 0.83 and not lower, or why the vote took place in 1990 and not 1980. While the model accounts for 73% of the variation across districts, it does not necessarily explain levels. The high levels could be due to an exogenous increase in the desire for 'citizen legislators' (a view we consider in the next section), an increase in corruption by legislators (doubtful), or they could be explained by our basic model. Perhaps the distribution of power within the California legislature had become unusually skewed in recent years or the balance of power between the legislature and the governor had changed.[14]

In our view, the timing of Proposition 140 is due mainly to a trend towards divided party control over the legislature and the executive. The trend is quite widespread. Unified party control over state governments declined from 85% in 1946 to 40% in 1986 (see Fiorina, 1992), thereby encouraging more partisan interest in realigning power between the legislature and the executive. Similar forces exist at the national level. Unified control over the Federal government dropped from 83% in the 1897–1933 period to 40% in the period from 1961 to 1991 (see Stewart, 1991).

Can other approaches explain voting on legislative term limits? Recall that so far the only alternative approach is due to Dick and Lott (1993), who argue that long-term legislators can make transfers at lower cost than newly elected legislators and that shirking increases with tenure. Although their paper is intended mainly to explain the high level of support for term limits, we can augment their model with auxiliary assumptions and derive testable hypotheses regarding cross-section effects. For example, to complete the basic argument of Dick and Lott, assume that (1) tenure on average increases a legislator's ability to impose transfers on other districts more than it increases her ability to resist transfers to other districts, or just assume directly that (2) term limits reduce shirking that takes the form of increased transfers.[15] Impose the auxiliary assumption that Republicans tend to be against transfers and Democrats tend to be in favor.[16] Then this augmented model provides an 'ideological' explanation for the cross-section

[13] Race and ethnicity are another dimension of possible interest for power redistribution. We ran regressions including district ethnicity variables and found rather small coefficients, and negligible impact on the coefficients of the original variables. The results are available on request from the second author.

[14] Proposition 140 also imposed large cuts in the legislature's operating budget, but not on the Governor's operating budget. This gives voters an additional redistributive motive.

[15] We note that the evidence is to the contrary. Lott and Bronars (1993) find no real linkage between Congressional voting on spending and electoral security. A related study by Reed and Schansberg (forthcoming) finds a statistically significant but empirically negligible effect of tenure on government spending.

[16] This assumption would be consistent with some partisan rhetoric but, given recent voting patterns on pork-barrel defense and middle-class entitlement programs, its empirical basis warrants investigation.

differences between Republican and Democratic support for term limits. In particular, it also predicts the support of California Republicans for term limits, but apparently would require further auxiliary assumptions to explain the role of tenure.

The 1992 vote on term limits in Wyoming provides a potentially useful case for distinguishing between the alternative models because there Republicans dominate the state legislature and the current Governor is Democratic—just the opposite configuration from California.[17] The augmented Dick and Lott model would predict that on ideological grounds Republicans would once again show greater relative support for term limits. Our theory predicts that the differential in party support for term limits would be weaker than in California, because here not all party effects point in the same direction. The Wyoming ballot measure conflated voting on term limits for the state legislature with a possible 'beauty contest' vote on limits for the U.S. Congress. It is a beauty contest if voters believe that the state measure is likely to be found unconstitutional, but that the vote gives impetus to a constitutional amendment in the future (which, in general, benefits Republicans). If voters do not treat it as a beauty contest, then Republicans who hold all the positions in Wyoming's Congressional delegation would be against. According to our theory, Wyoming Republicans would tend to oppose state term limits but support limits on Congress, and Democrats would have the opposite but still conflicting tendencies. We do not have data on seniority in the state legislature, so we do not know which party would increase power within the legislative branch under term limits.

Without data on seniority in Wyoming we were only able to run analogues of the two simplest California equations, and the voting data unfortunately are only available by county and not by legislative district. With these exceptions we estimated Wyoming equations exactly as in California.

Multiple regression:

$$PY = 0.60 + 0.39 \ SAFE + 0.28 \ \%REGDEM, \quad R^2 = 0.18, \quad F\text{-value} = 2.2.$$
$$\quad (5.67) \quad (1.91) \qquad (1.58)$$

Log of the odds ratio:

$$LPY = 0.20 + 2.27 \ SAFE + 1.6 \ \%REGDEM, \quad R^2 = 0.18, \quad F\text{-value} = 2.25.$$
$$\quad (0.33) \quad (1.94) \qquad (1.62)$$

Both equations show, contrary to the ideological hypothesis, that Democrats were more in favor of term limits than Republicans (although both had high levels of support). Consistent with the power redistribution hypothesis, the party effect is only about half as strong as in California. On the other

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[17] We thank a referee for suggesting this test. The data come from the *1993 Wyoming Official Directory*.

hand, the sign on *SAFE* is incorrect according to our theory and the R^2 is unimpressive. Given that there are only 24 observations and poor proxies (voting data is by counties, not legislative districts; and, in general, neither counties nor legislative districts are subsets of the other), it is not surprising that the results are statistically much weaker than in the California case. In the future we hope to see a more thorough analysis of the Wyoming vote and the 1992 term limit votes in many other states.

4. The legislative versus the executive branch

Ours is a hydraulic theory of power; reducing the power of some actors increases the power of others. In a previous section we argued that district voting on Proposition 140 represented a desire to redistribute power within the legislature. In this section we suggest that imposition of term limits is also an attempt to redistribute power between the executive and legislative branches.

Even in the strictest Downsian world, the legislative and executive branches would yield different policies. The executive would represent the median voter, while the legislature would represent the median of the medians. These are not necessarily the same. Once we let go of the strict Downsian model, larger differences may arise. Seniority and differences in skill may distort the simple median of the medians result. If candidates have preferences or parties are interested in pursuing particular policies, the median voter result also fails (see Wittman, 1983). Thus different sets of voters may have relatively more influence in one forum than another and naturally they would be interested in increasing the relative power of that forum where they have a comparative advantage.

If term limits were a means to make government more responsive by having 'citizen legislators', then one might expect to see term limits in a variety of political settings. Yet term limits are virtually non-existent in parliamentary type systems, although they are quite common in presidential type systems.[18] The redistribution of power between parliament and the prime minister would be minor if there were term limits on either the representatives or on the prime minister. In contrast, there may be significant changes in power when there are limits on the independently elected executive or the legislature.

The passage of the 22nd Amendment to the U.S. Constitution, limiting presidential terms, provides additional evidence bearing on our theory. In the late 1940s and early 1950s, after an unprecedented 4th term for

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[18] Many states have term limits on their governors. Columbia, the Philippines and Costa Rica also have term limits on the executive.

Roosevelt followed by Truman's re-election, Republicans believed that they could never have a stable coalition to insure a long-term Presidential incumbent. That is, the benefits of Presidential incumbency would go to the Democrats. Due in part to extensive gerrymandering (including districts representing varying population sizes), Republicans had relatively greater power in the state legislatures and in Congress. At the same time, Southern Democrats had greater influence in Congress than they had in presidential politics. Moreover, southern Democrats generally were conservative and often allied with the Republicans against other more liberal Democrats. Unpopulated states had more influence in Congress (where winning votes in the Senate often represented a minority of the population) than on the Presidency (where the Electoral College rarely resulted in the candidate with a plurality not becoming President). With regard to Presidential elections, the Shapley value and the Banzhaf index show that populous states are more powerful than sparsely populated states due to the unanimity rule imposed on each state in the Electoral College. Hence our approach suggests that Republicans would be in favor of Presidential term limits, while non-southern Democrats, especially those from more populated states, would be against.

As an empirical test, we examine the House and Senate vote on the 22nd Amendment. Here we are looking at Congressional voting rather than voting by the electorate, but if the legislator represents the attitudes of his/her constituents, then this is a good proxy for voter behavior. In any case, similar behavior by different people in a different arena should strengthen our results. The following variables were used:

$VOTE = 1$ if in favor of the amendment; 0 otherwise.
$DEM = 1$ if the legislator is a Democrat; 0 otherwise.
$SDEM = 1$ if the legislator is a Democrat from the South; 0 otherwise.
$SIZE$ = population of the state in millions.[19]
The results were as hypothesized:

$$VOTE = 1.00 - 0.79 \, DEM - 0.01 \, SIZE + 0.24 \, SDEM, \quad R^2 = 0.65, \quad F\text{-value} = 241.$$

$$(57.06)\ (16.24)\qquad (2.16)\qquad (5.38)$$

One hundred percent of the 288 Republicans voted for. A Democrat from a non-Southern State with a population of 1 million voted for the amendment with probability $1.00 - 0.79 - 0.01 = 0.20$; a Democrat from a South-

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[19] Since all Republicans voted for the amendment, size of state is only influential on Democrats. Therefore $SIZE$ is actually population $* DEM$. The coefficients on the last three variables are thus the same as if we had only looked at Democratic voting and regressed it on $SIZE$ and $SDEM$. The intercept would then be 0.21. We combined both Senate and House voting. Separately, the equations had very similar estimates.

ern State with a population of 1 million voted for the amendment with probability 0.44. Thus once again voting patterns can be explained by a self-interested desire to redistribute political power.[20] The electorate was also divided along party lines. In 1947, when both houses of Congress were controlled by the Republican party and Truman was President, polls showed the following: 79% of Republicans were in favor of a two-term limit on the presidency; 21% of Republicans were against; 43% of Democrats were in favor; 57% were against (*Public Opinion Quarterly*, 1947, 11, p. 304).

The 22nd Amendment was passed by Republicans after nearly 20 years of Democratic Party control over the Presidency. Almost 40 years earlier, in 1913 after 50 years of almost complete control of the executive by the Republicans (with the sole exception of Grover Cleveland), the Senate passed, by a vote of 47 to 23, an amendment resolution which would have limited the president to a single 6-year term. Twenty-eight Democrats voted for and 1 voted against; 19 Republicans and Progressives voted for and 22 voted against. The Senate had also been dominated by Republicans in the previous 50 years; the House less so.

Thus available evidence on term limits for U.S. representatives is consistent with the redistributional view. When Democrats were in control of the Presidency and Republicans were in control of Congress, Republicans were in favor of term limits on the Presidency; and when Republicans were in control of the Presidency and Democrats in control of Congress, Republicans became more interested in imposing term limits on Congress and less so on the Presidency.[21]

What are the future prospects for binding term limits on the U.S. Congress? The 1994 election gave the Republicans control of Congress after a long period of control by the Democrats, but the average Democrat has been in Congress much longer than the average Republican. Hence, the power redistribution within Congress remains as salient as ever. Analogous to the situation in California, where many voters felt that the structure of the California legislature gave too much power to a few legislators in other districts, voters from disadvantaged Congressional districts will complain about Congress and may eventually vote for term limits there.[22] If the antagonism against Congress is not merely a desire to shift power from

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[20] "Of the first 18 states to ratify the Amendment, all of which acted within a few months after its submission, only five had constitutions limiting the tenure of their own chief executives. The legislatures of California and New York were among the earliest to ratify; yet in each of those states a governor who had been one of the standard-bearers of the Republican party in the 1948 presidential election was reelected for a third successive four-year term in 1950" (Kallenbach, 1952, p. 447).

[21] Congressional term limits were part of the 1988 Republican platform.

[22] Analagous to the situation in California, Democrats not only control Congress, but also have greater relative seniority than Republicans. Reed and Schansberg (forthcoming) estimate that term limits would reduce the Democratic advantage by 10 to 40 seats from the steady-state advantage of 59 to 79 seats. In 1991, the Democrats held a 101 seat advantage.

Congress to the Presidency, but rather is an awkward attempt to redistribute power within Congress, then the best protection that Congress can provide against such an external threat is to change its own power distribution. Certainly there has been a long trend in the twentieth century against the favors granted according to seniority. (It may be worth noting that during much of the nineteenth century, seniority was not so important and re-election rates were not as high as they are today.) Other internal methods to redistribute power from the few will need to be instigated if Congress wants to protect itself from the will of the majority who feel that their own representatives have less than their fair share of influence on legislative outcomes.

5. Discussion

In this paper we have offered an a priori theoretical explanation for who will vote in favor of term limits and who will vote against. Term limits are not imposed to make the legislature or executive work 'better' but to redistribute power from one party to another, from one branch of government to another, and from districts represented by long-term incumbents to those districts represented by recent recruits. Several empirical tests corroborated our hypothesis—those who benefit from incumbency (e.g. districts with long-term incumbents and, in most recent elections, Democrats) tend to vote against term limits; those who are hurt, vote in favor of term limits.

Our theory offers a rational voter resolution of the apparent paradox that voters recently have generally voted for incumbent legislators yet supported term limits on the legislature. The legislator represents the interests of the district. But the district does not always hold sway over the whole legislature. People complain about Congress because policy is a public good and therefore inevitably there are many government policies that run contrary to the interests of the district. Thus voters can like their congressperson but dislike Congress. More significantly, power is not equally shared among the legislators and term limits provide one way of distributing power from the few most senior and powerful legislators to the many less powerful.

We do not regard our theory or empirics as the final word on term limits. Other models may provide an alternative prediction of voting patterns that will not always agree with ours. For example, one could assume that, because of their ideology, Republicans do not like wasteful transfers as much as Democrats. If term limits reduce wasteful transfers, such an ideological model would also predict the observed party effect on voting for term limits in California (and possibly other states, as well), although it might have a harder time explaining the 1913 amendment resolution and the 22nd Amendment voting on Presidential term limits. Other models, including those that assume irrational voters, could also be developed. Voting in

other states and at other times provides fertile ground for further empirical work. Certainly, we do not fully explain the overall level of support for term limits, the focus of Dick and Lott.

Our redistributive approach may have other applications. Researchers can investigate whether 'reformist' proposals to redistribute power to the people are really attempts to reduce the power of those in certain other jurisdictions. Campaign financing reforms, bills to restrict legislative financing and so forth can all be examined in this light. Our empirical results so far demonstrate at least that rational voter models have greater explanatory power than many observers might have expected.

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