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Legislative Effectiveness and Legislative Careers

We studied an underutilized source of data on legislative effectiveness and exploited its panel structure to uncover several interesting patterns. We found that effectiveness rises sharply with tenure, at least for the first few terms, even when we control for legislators' institutional positions, party affiliation, and other factors. Effectiveness never declines with tenure, even out to nine terms. The increase in effectiveness is not simply due to electoral attrition and selective retirement, but to learning-by-doing. We also found evidence that a significant amount of "positive sorting" occurs in the legislature, with highly talented legislators moving more quickly into positions of responsibility and power. Finally, effectiveness has a positive impact on incumbents' electoral success and on the probability of legislators moving to higher office. These findings have important implications for arguments about term limits, the incumbency advantage, and seniority rule.

Good laws do not make themselves. They require inputs of time, energy, information, and thought. Holding hearings, drafting bills, amending bills, building coalitions, and investigating executive implementation are necessary parts of the process. Who does this work in U.S. legislatures? Which legislators are especially effective at the job of lawmaking? What are the determinants of effectiveness? Do legislators become more effective with experience, through learning-by-doing, or by investing in specific human capital?

As a law-producing organization, an efficient legislature allocates talent to where it is needed and productive. It also employs incentive schemes that reward lawmakers who are diligent, skilled, and effective. In addition, voters play a role in the system, rewarding effective legislators with reelection. If experience is an important component of legislative effectiveness, then reelection is important to permit legislators to gain experience. How efficient are U.S. legislatures in these terms? Do more-effective legislators win reelection more often?

Our findings support the view that party does matter in the legislature.¹³ The large effect of majority party status is especially interesting, because North Carolina is not known as a "strong party" state. Party affiliation may have an even larger impact in other states.

The random-effects estimates indicate that lawyers are especially effective legislators. Weissert (1991) found the same result. It is not surprising that lawyers are more effective, since legislators make laws and lawyers have years of specialized training in the theory and application of law, legal jargon, and so on.¹⁴ What is surprising is the magnitude of the effect: being a lawyer appears to have a larger impact on effectiveness than being the chair of a powerful committee.

Previous service in the state legislature only appears to matter for Democrats. This trend may be a consequence of the fact that Democrats had large majorities in both chambers until the late 1980s and 1990s, giving them a larger pool of candidates with prior experience. *Age at Entry* is another variable that only matters for Democrats.

The first set of variables in Table 1 captures the effects of experience. The coefficients on *Tenure* are large and highly significant in all specifications. Legislators in their second term are, on average, 17 positions ahead of their first-term counterparts, and legislators in their fourth term are 30 positions ahead. Experience yields diminishing returns, and, after five terms, additional experience has, at best, a small impact on effectiveness. We find no evidence, however, that effectiveness eventually declines with tenure. Also, we never reject the hypothesis that the tenure coefficients are the same in both parties.

The results show that the magnitude of experience effects is first order. For example, having one term of experience is already more important than holding a powerful committee chair and only slightly less important than being in the majority party. In the next section, we explore the source and character of these experience effects.

Finally, Table 2 shows results for the NC state senate that are analogous to the "All Reps" results in Table 1. The results are qualitatively similar to those for the NC house. In particular, *Effectiveness* rises sharply with tenure in the first few terms, even when we control for leadership positions. One difference is that we cannot confidently identify the effect of majority party status in the senate, because the senate was under Democratic control throughout the period. Note also that it is misleading to directly compare the coefficients in Tables 1 and 2, because the chambers differ in size and the dependent variables have different scales (the range of *Effectiveness* is 1–120 in the House and 1–50 in the Senate).

TABLE 2
Determinants of Average Effectiveness in NC Senate, 1977–2002
(standard errors in parentheses)

Dependent Variable = Effectiveness	FE All Senators	RE All Senators
Tenure 2	8.36** (0.76)	7.58** (0.74)
Tenure 3	12.75** (0.95)	11.65** (0.86)
Tenure 4	15.09** (1.19)	13.59** (1.01)
Tenure 5	18.04** (1.59)	16.37** (1.10)
Power Committee Chair	5.36** (1.14)	7.68** (1.13)
Power Committee Vice-Chair	2.39** (0.65)	3.08** (0.64)
Other Committee Chair	-0.17 (0.99)	1.98** (0.96)
Other Committee Vice-Chair	-1.39 (0.82)	-0.49 (0.81)
Chamber Leader	1.56 (0.99)	2.63* (1.01)
Majority Party	—	—
Lawyer	—	7.32** (1.53)
Previous Service	—	3.06* (1.49)
Age at Entry	—	0.02 (0.07)
N	636	636

Note: All specifications include year fixed effects. The excluded tenure category is *Tenure 1*, so the tenure coefficients represent differences with respect to the valuation of first-term senators.

**significant at the .01 level; *significant at the .05 level.

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NOTES

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1. The NC state legislature has biennial regular sessions. These "long" sessions convene in January after each election. In addition, there have been special "short" sessions in virtually every even-numbered year since 1974.

2. The NC Center was created in 1977. It is "an independent, nonprofit organization dedicated to the goals of a better-informed public and more effective, accountable, and responsive government" (NC Center for Public Policy Research "Mission Statement").

In 1992, *State Policy Reports* wrote:

Most attempts at reputational rankings of state legislators don't deserve much credibility because of three problems: (1) no precise definition of who is being polled, (2) a low response rate among those polled because legislators and lobbyists don't want to risk getting caught making statements suggesting people they work with are ineffective, or (3) definitions of effectiveness that equate effectiveness with helping to enact an interest group's agenda...Over the years, Reports has seen many of these [rankings]...that fail one or another of these tests. The exception is the rankings that have been done since 1978 by the North Carolina Center (*State Policy Reports*, 1992, pp. 22-23).

In 1996, *Governing* magazine observed, "The ratings issued by the North Carolina Center for Public Policy Research are perhaps the most straightforward and most widely respected" (Mahtesian 1996, p. 24). Rankings or partial rankings are available for some other states as well, including Arkansas, California, Florida, Texas, and Washington.

3. We use the term *aptitude* broadly, to include not only abilities but also preferences. Some people enjoy legislative work and are willing to work hard at it, while others do not.

4. They (see McCurley and Mondak 1995; Mondak 1995a) are able to assign scores on one or both attributes to 75% of the relevant sample (403 out of nearly 550 legislators). The missing legislators are those for whom neither the *Almanac of American Politics* nor *Politics in America* provided sufficiently detailed information. The resulting group is almost certainly a nonrandom subsample of individuals.

5. Despite the General Assembly's reputation as a citizens' legislature, some observers argue that until recently the NC Assembly was one of the most powerful legislative bodies in the nation, because, until 1996, the governor of North Carolina had no veto.

6. The 2002 elections produced an exact 50-50 split in the House, resulting in a unique system of shared control. Democrats controlled the state senate throughout the period under study but with a narrow 26-24 margin from 1995 to 1996.

7. Response rates were only about 33% for the period 1977-81 but have been over 50% since 1985. For more information, see the *North Carolina Political Review's* August 2002 interview with Ran Coble, executive director of the NC Center.

8. The ranking reported by the NC Center is constructed as follows: Let $E1$ be the average evaluation a legislator receives from legislators, let $E2$ be the average evaluation the legislator receives from lobbyists, let $E3$ be the average evaluation the legislator receives from journalists, and let $\bar{E} = (E1 + E2 + E3)/3$. Legislators are ranked according to the \bar{E} 's. Thus, the three groups of respondents are weighted equally.

9. Other committees appeared on the list in particular years, e.g., Judiciary III in 1983 and Judiciary IV in 2001. In 1991, a redistricting year, the Redistricting committees were among the top six. Respondents were also asked to name the most influential lobbyists.

10. For the period 1978-80, we calculated the average Democratic share of the two-party vote for governor, senator, and president using county-level data. (Prior to 1982, no counties were split across state house districts, but larger counties elected all their state legislators at-large.) The data come from ICPSR Study Number 13 (ICPSR 1995).

For the period 1982-90, we calculated the average Democratic share of the two-party vote for all available statewide races held during the period 1984-90. These offices are: U.S. Senator, Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Commissioner of Agriculture, Commissioner of Insurance, Commissioner of Labor, and Superintendent of Public Instruction. Because of redistricting between the 1982 and 1984 elections, we can only estimate *Normal Vote* for 87% of the 1982 House districts. There was yet another redistricting in 1985, but in this case the court simply ordered the merging of three House districts into a single district. We aggregated precinct-level data to the legislative district level; the precinct-level data come from the "Record of American Democracy" (ROAD) database (King et al. 1997).

For the 1992-2000 period, we calculated the average Democratic share of the two-party vote for all statewide elected offices in the 2000 election. Again, we aggregated precinct-level data to the legislative district level; the precinct-level data are from the North Carolina State Board of Elections.

11. We obtained some of these data from reports from the NC State Board of Elections and the NC State Legislative Library. Other data came from the North Carolina State Board of Elections (URL: <http://www.shoe.state.nc.us>).

12. The year coefficients for 1994 and 1996 are significantly different from the rest of the coefficients in the 1990s for the last four columns—smaller for Democrats and larger for Republicans—indicating the presence of majority party effects.

13. Ansolabehere and Snyder (1999) and Cox and Magar (1999) find that majority party status matters for campaign contributions, which could be related to power.

14. An anonymous referee suggested that lawyers may be especially effective because they have experience in, and an affinity for, the process of formalized dispute. In contrast, business professionals are accustomed to making unilateral, executive decisions.

15. Separate analyses by party confirm the results in Table 5. For example, for legislators in their second term, the estimated coefficient on *Effectiveness* is .016 for Democrats and .023 for Republicans. Both coefficients are statistically significant at the .05 level.

16. The attrition rates shown in Table 6 exhibit an interesting pattern. Legislators with *Low* aptitude are almost as likely to survive four terms in the legislature as those with *High* aptitude. Yet a noticeably larger fraction of the low-aptitude legislators leave the legislature after only one term of service. This finding suggests that the nature of the attrition process is different for the two groups. For example, low-aptitude legislators might tend to lose elections or retire, and high-aptitude legislators might tend to seek higher offices, which are not offered to inexperienced politicians.

17. For this exercise, we include party leaders as well as committee leaders. That is, we consider all posts for which *Power Committee Leader* = 1 or *Chamber Leader* = 1.

18. To measure each legislator's "intrinsic effectiveness," we regressed *Effectiveness* on all of the variables in data column 1 of Table 1 other than the tenure variables and took the legislator-specific fixed effects. Note that, while this measure is a reasonable theoretical benchmark, gauging intrinsic effectiveness is almost surely impossible in practice.

19. It would be interesting to study the cases in which a state representative ran against a state senator and we had *Effectiveness* evaluations for both candidates, but there are too few such cases in our sample.

20. Three caveats must be mentioned. First, we do not have a good measure of challenger quality, so there is some danger of omitted-variable bias. Second, incumbents may retire strategically in order to avoid a probable defeat, leading to selection bias. Third, *Effectiveness* only refers to the legislative process and ignores other political activity, such as casework, which likely leads to attenuation bias in our estimates. Previous analyses of state legislative elections have ignored these issues, except possibly to note that they are potential problems (see, e.g., Cox and Morgenstern 1993 and 1995, Holbrook and Tidmarsh 1991, and King 1991).

21. For first-term representatives, the probability of reelection increases from 82% to 87%, and the probability of winning three consecutive terms increases from 55% to 66%. Our findings are similar to those of Luttbeg (1992).

22. See, e.g., Bullock 1972 and Fowler, Douglass, and Clark 1980.

23. This finding is consistent with that in Mondak 1995a.

24. See King 1991 and Cox and Morgenstern 1993 and 1995.

25. Informing citizens about their representatives' performance is, in fact, a goal of the NC Center.

26. We hesitate to give a causal interpretation of this coefficient because legislators who are planning to retire may shirk.

27. This finding is consistent with that of Kiewiet and Zeng 1993.

28. See Mondak 1995b and 1995c and Petracca 1995 for discussions of the potential effects of term limits on the average quality of the legislature.

29. The calculation is as follows: On average, 23% of all representatives are in their first term, 20% are in their second term, 16% in their third term, 12% their fourth term, and 29% their fifth or higher term. Assign "years of effective experience" as follows: first term = 0, second term = 1, third term = 2, and fourth term or higher = 3. The average number of "years of effective experience" in the NC house is thus 208.6. Turning all those with five or more terms into first-timers would reduce this figure to 105.3, a drop of 49.5%. Gilmour and Rothstein (1994) analyze this effect of term limits.

30. See, for example, Persson and Tabellini 2000 (Chapter 4 and the cites therein).

REFERENCES

- Aldrich, John H. 1995. *Why Parties?* Chicago, IL: University of Chicago Press.
- Aldrich, John H., and David W. Rohde. 2000. "The Consequences of Party Organization in the House: The Role of the Majority and Minority Parties in Conditional Party Government." In *Polarized Politics: Congress and the President in a Partisan Era*, ed. Jon Bond and Richard Fleisher. Washington, DC: CQ Press.
- Aldrich, John H., and David W. Rohde. 2001. "The Logic of Conditional Party Government: Revisiting the Electoral Connection." In *Congress Reconsidered*, 7th ed., ed. Lawrence C. Dodd and Bruce I. Oppenheimer. Washington, DC: CQ Press.
- Ansolahehere, Stephen, and James M. Snyder, Jr. 1999. "Money and Institutional Power." *Texas Law Review* 77: 1673-1704.
- Ansolahehere, Stephen, James M. Snyder, Jr., and Charles Stewart. 2000. "Old Voters, New Voters, and the Personal Vote: Using Redistricting to Measure the Incumbency Advantage." *American Journal of Political Science* 44: 17-34.
- Banks, Jeffrey S., and Rangarajan K. Sundaram. 1993. "Adverse Selections and Moral Hazard in a Repeated Elections Model." In *Political Economy: Institutions, Information, Competition, and Representation*, ed. William A. Barnett, Melvin Hinich, and Norman Schofield. New York: Cambridge University Press.
- Bullock, Charles S. III. 1972. "Freshman Committee Assignments and Re-election in the United States House of Representatives." *American Political Science Review* 66: 996-1007.
- Converse, Philip E. 1966. "The Concept of a Normal Vote." In *Elections and the Political Order*, ed. Angus Campbell, Philip Converse, Warren Miller, and Donald Stokes. New York: Wiley.
- Cotter, Cornelius P., James L. Gibson, John F. Bibby, and Robert J. Huckshorn. 1984. *Party Organizations in American Politics*. New York: Praeger.
- Cox, Gary W., and Eric Magar. 1999. "How Much Is Majority Status in the U.S. Congress Worth?" *American Political Science Review* 93: 299-309.
- Cox, Gary W., and Matthew D. McCubbins. 1993. *Legislative Leviathan*. Berkeley, CA: University of California Press.
- Cox, Gary W., and Matthew D. McCubbins. 2002. "Agenda Power in the U.S. House of Representatives, 1877 to 1986." In *Party, Process, and Political Change in Congress: New Perspectives on the History of Congress*, ed. David W. Brady and Matthew D. McCubbins. Stanford, CA: Stanford University Press.