The Transition to Republican Rule in the House: Implications for Theories of Congressional Politics

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The 1994 congressional elections were dramatic. The Republicans won control of the U.S. House, ending the longest continuous reign by a single party in the nation's history and including the defeat of a sitting Speaker for the first time this century. These results caught nearly everyone by surprise. Hardly a pollster, pundit, scholar, or even Republican party leader anticipated such GOP victories in the House.

As dramatic as the election returns proved to be, Republican activities within the House in the 104th Congress were equally as dramatic. Speaker-to-be Newt Gingrich (GA) led an aggressive change in the rules and practices of the House, apparently with the hope that such changes would result in dramatically different policies forthcoming from it. In this article we investigate the nature of the structural and procedural changes, focusing in particular on the manner in which the newly elected Republican majority reorganized its partisan and leadership institutions with the apparent expectation of using them to enact outcomes the party collectively sought to achieve.

Our purpose is to consider what these changes reveal, not just about the different views between the two parties as to the appropriate ways to conduct the public's business, but also as to the importance and role of structure and process in congressional politics. The House has long been the more highly structured and rules-driven of the two chambers. Over the last few decades, the

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scholarly community has made tremendous strides in understanding the nature, origin, and consequences of these rules. It is thus an unfortunate coincidence that this understanding has developed in the longest period of single-party control of the House in history, providing a restricted range of empirical observation from which to develop this understanding. The 1994 elections and the consequent shift in party majority provide us with a long-hidden perspective on these questions.

We, of course, cannot understand the nature and impact of internal organization on the Congress without theory to guide us. In this article, we develop further the logic of "conditional party government," a perspective we have proposed elsewhere as an explanation of the impact of political parties on behavior within the legislature.[1] We contrast that explanation with a theory offered most forcefully by Keith Krehbiel[2] that majorities rule and that, therefore, the policy outcome expected to be adopted by either chamber is that of the ideal preference of the median member.[3] The latter account argues that internal organizations may be useful, efficiency-enhancing devices, but by and large such internal organizations, rules, and procedures have rather small impact on the kinds of outcomes and policy directions the Congress would choose. The former perspective argues that the whole purpose of developing such rules is to use them to try to affect outcomes and to change the direction of policy. It might seem that such dramatic differences in central claims would be easily resolved by empirical observation. In fact, both perspectives have strong plausibility, both theoretically and empirically. It is our hope that the results of the Republican victory of 1994 will provide the circumstances to investigate these competing explanations.

Testing the conditional party government explanation involves the following steps: first, demonstrating that the condition in conditional party government holds (at least up to a reasonable approximation); second, demonstrating that at least the majority party members choose to develop mechanisms by which

[1] David W. Rohde, *Parties and Leaders in the Postreform House* (Chicago: University of Chicago Press, 1991); John H. Aldrich, *Why Parties? The Origin and Transformation of Party Politics in America* (Chicago: University of Chicago Press, 1995).

[2] Keith Krehbiel, *Information and Legislative Organization* (Ann Arbor: University of Michigan Press, 1991); Krehbiel, "Where's the Party?" *British Journal of Political Science* 23 (April 1993): 235–266; Krehbiel, "Institutional and Partisan Sources of Gridlock," *Journal of Theoretical Politics* 8 (January 1996): 7–40.

[3] Recently, Krehbiel in "Institutional and Partisan Sources of Gridlock" developed the fuller logic of passage not just within a single chamber but through both chambers and in the context of the possibility of presidential veto and override attempts. The result reflects the impact of not just the ideal point of the median member in, say, the House, but also various other median points, veto points, etc. At least in the 1996 article, however, he continues to contrast his expected outcome with that hypothesized to be chosen under the conditional party government explanation. Because we will be focusing empirically on the organizing of the party and Congress under conditional party government, rather than on location of policies actually chosen, we will develop here the logic of the single-chamber, majorities rule explanation. In either case, Krehbiel's explanations do not predict partisan "bias" to rules or especially policy outcomes.

the party (its conference, leadership, or other institutions) could seek to realize the goals shared broadly (though hardly universally) by its members; and third, demonstrating that the resulting outcomes are shaped in part by the actions of the majority party, and that those outcomes therefore differ significantly from those that would be expected under the majorities-rule explanation—and of course differ in the ways hypothesized by the conditional party government explanation. This agenda is substantial, and in this article we examine the House of Representatives in the 104th Congress with respect to the first two steps. We begin with a brief account of the contrasting perspectives, turning then to the evidence that the 1994 elections have provided. The theory section offers broad outlines of the contrasting perspectives; the evidence section provides the basic story; subsequent sections provide more detailed theoretical developments addressed to particular aspects of the empirical events to be explained.

Theory

Majorities Rule

Keith Krehbiel has offered the most extensive contemporary account of the claim that internal organizations are of relatively little consequence to the basic direction of outcomes chosen by legislatures. His view is that the House, no matter how encumbered by party, committee, seniority, and other structures, rules, and norms, is first and foremost an institution governed by majority rule. The keys to this explanation of legislative policy making are two continuing exercises of majority rule. Hence, even when time and location of the actions are remote from these applications of majority rule, they effectively govern the entirety of the institution.

The first use of majority rule is the election of members to—and their anticipation of reelection at the end of—each Congress. This application of majority rule is the primary mechanism believed to hold the members responsive to and held responsible by a majority in their district. That the Republicans won a majority of the votes and of the seats in 1994 does not imply that there is a majority in the public who want what the Republicans stand for, although that is a common understanding (especially of the winners, of course, which may be the most important thing). With or without an electoral mandate being revealed, this repeated application of electoral majority rule has the presumed effect of determining what sorts of policy outcomes members would like to see chosen, due to their desire for election and reelection.

The second application of majority rule is simply that almost everything that passes the House must be voted in by pure, simple majority rule over the status quo at final passage. No matter what one's views about the internal organization in the House, this fact has genuine consequences. In the final analysis, of all policies that could be chosen by the House, only those that a majority of

the full House prefer to the status quo can pass.[4] In spatial settings, the requirement of finding alternatives that some majority strictly prefer to the then-current status quo tends to yield outcomes that are close to the center of preferences in the chamber. These features put a lot of constraint on what legislation can actually be enacted, leaving policy making far from the "chaos" or "anything can happen" results under pure majority rule lacking these features.[5]

Partisan theories do not deny that election and reelection (especially given the short two-year term) and the requirement of majority votes on passage exert a great constraint on outcomes that are chosen by the House—or any legislative body with these features. The characteristic of the majoritarian explanation, however, is that these features are, for all intents and purposes, entirely governing of the outcomes produced by the House. According to Krehbiel, the floor majority works its will. The majority party does not have the ability to skew policy outcomes in its favor—that is, away from the floor median and closer to the median of the majority party. If it tried to do so, it would be defeated by defections from its partisans to join with the opposition, and so on for each other internal institutional arrangement (for example, committees, special rules, etc.). Therefore, this explanation seems to us to imply two major hypotheses relevant to this discussion: policies that are passed by the House will be those favored by the floor majority and, therefore, will be located near the center of floor preferences; because the floor rules, members will invest few resources and little power in internal organizations, such as party organizations, except in so far as they help the floor achieve what it (or more accurately, what they) want more efficiently.

The first of two major problems about this centerpiece assumption is, simply, that there may be no one majority. There may be, and at least in theory there usually are, very many majorities. Even in the (empirically implausible) unidimensional case, where the median voter theorem applies, that central, strong equilibrium outcome is not the product of one, single majority, but sometimes consists of a majority formed of the most liberal half of the legislature, and sometimes of a majority of the most conservative half. In the much more realistic case of at least two policy dimensions, the range of policy alternatives may also be extensive. The key point is this: unless there is a majority to work remotely to achieve a desired policy outcome, there is little reason to expect that those actions that distantly precede final passage in time or location will be predicted on anticipation of what "the" majority wants. With many possible majorities and especially with many possible outcomes supportable by some majority, these alternative majorities could in principle be played off

[4] See Kenneth A. Shepsle and Barry R. Weingast, "Institutionalizing Majority Rule; A Social Choice Theory with Policy Implications" *American Economic Review* 72 (May 1982): 367–71 for proof.

[5] See Richard D. McKelvey, "Intransitivities in Multi-dimensional Voting Models and Some Implications for Agenda Control," *Journal of Economic Theory* 18 (June 1976): 472–82; and Norman Schofield, "Instability of Simple Dynamic Games," *Review of Economic Studies* 45 (October 1978): 195–211.

against each other, especially in remote settings like committee hearing rooms. The question, therefore, is whether the aphorism that House majorities are hard to attain and harder to maintain has any substance.

The second major problem is that, even if there were a single floor majority, there is no "it" to the majority, but only a "they." That is, the floor majority is no more than a collection of preferences, perhaps expressed in votes. Like all collectivities, collective action problems are endemic. While this is true of any coalition in legislatures, a floor majority is unlike a partisan majority (or certain other potential legislative coalitions) because the floor majority has no organization to it, while the political party does. To use the language of Gary Cox and Mathew McCubbins, no one on the floor can be expected, even in principle, to "internalize the externalities" of the majority.[6] That is, no one finds it in their interest to act on behalf of the floor, as the Speaker, majority and minority leaders, and others find it in their interests to act on behalf of their party and its collective interests.[7] Thus, even if there is a majority on the floor, it is unlikely to act as a collective, and it is especially unlikely for anyone to act in its collective interests in settings remote in time or place from voting on the floor.

Conditional Party Government: Internal Structures Matter

The alternative view is that the various internal rules, procedures, and traditional practices that are so extensive in the House have genuine consequences. Both the preceding and the current explanations assume that rules matter, but for the majorities explanation, the only rules of consequence for outcomes are those governing the election of members and the passage of legislation on the floor. Advocates of that theory would argue that additional rules (such as those defining committees, jurisdictions, House and party leadership, and the like) may have consequences, but only those consequences designed to ensure that the floor majority is able to achieve its desired outcomes more efficiently or effectively. The claim we advance is that under specifiable conditions these internal rules are empowered and employed to realize outcomes different from what would happen in their absence.

The most notable among the internal structural features in virtually all legislatures is the political party. While the U.S. House might have a much stronger web of formal rules than the Senate, both chambers are organized and otherwise structured by political parties. The partisan affiliation of legislatures is often, indeed usually, associated with substantial differences in policy preferences. While less true in the United States than in many democracies, partisan differentiation is still substantial, and it is widely believed that policy cleavages

[6] Gary W. Cox and Mathew D. McCubbins, *Legislative Leviathan* (Berkeley: University of California Press, 1993).

[7] Indeed, that the Speaker is far more likely to be thought of as the leader of the majority party than as the leader of the House of Representatives speaks clearly about this point.

have strengthened substantially in the last few years.[8] Further, members invest significant resources in partisan institutions in Congress, empowering a wide variety of party offices and procedures from leadership through whip to conference/caucus organizations, and so on. (These, of course, are the primary subject of this analysis.) Finally, partisan votes are commonplace in legislatures. Even in the U.S. Congress, strict party votes always organize the House, and party unity votes are increasingly common (and often increasingly sharply dividing the two parties) on a wide range of substantive and procedural matters. Our basic argument is that as partisan-based elections increasingly elect members whose policy preferences are similar within and differentiated between the two parties, these members choose to strengthen partisan organizations within the House, and these leaders and organizations with enhanced resources are employed to seek to realize the collective partisan interests of members. These electorally-induced, party-cleaving policy preferences are often thereby effectuated in the policy agenda and at last realized in increased party divisions in voting on the floor.[9]

This explanation is called "conditional" party government. The word conditional simply means that the nature of its predictions depends upon the distribution of policy views in the full House and between affiliates of the two parties. Thus the clearer there is a majority-party viewpoint—that is, the more homogenous are the preferences of the majority party and the more distinct they are from the policy views of the minority—the more there should be a party effect. Moreover, the explanation has two different kinds of predictions. One concerns resources. As noted, our hypothesis is that, as the condition is increasingly well satisfied, partisans are increasingly likely to expand the powers granted to party leadership and organizations, and to increase the resources channeled to them to act on those powers. This hypothesis contrasts with that of the floor-majorities explanation, in which there is no reason for individual members to give up their resources to partisan institutions, rather than use them for their own purposes or for purposes designed to make the floor majorities' outcomes realized more easily. These resources, in our account, are provided to assist partisans to realize their collective interests and thereby to solve collective action problems within the party (and not within the full chamber).

Some of these collective interests might be shared by both parties as collectivities. More often, of course, the parties, as collections of affiliates, seek different ends. Indeed, that is necessarily the case when the condition is fully satis-

[8] For evidence, see Aldrich, *Why Parties*?

[9] It is, of course, quite correct that observing increased party-line voting in a legislature does not demonstrate that partisan organizations within the House are strengthening (see below for elaboration and see the Appendix for formal demonstration). It could be, as Krehbiel argues in "Where's the Party?" merely a coincidence, because members are voting their electorally induced policy preferences. It is not, however, a mere coincidence that the electorate induces cleavages between affiliates of the two parties. Rather, these are the consequences inter alia of partisan institutions, albeit institutions that are electoral rather than internal to the House.

fied. The majority party would prefer outcomes away from the center on the floor and toward the center of its members, while the minority party would prefer just the opposite.[10] Thus, in addition to expecting that partisan affiliates will empower and enrich party institutions when the condition in conditional party government is increasingly well approximated, we would also expect that the majority party, because it is the majority party, will be able to use its majority status to empower and enrich its own partisan mechanisms more than can the minority party.

The point of strengthening intralegislative partisan mechanisms is to try to achieve what it is in the collectively shared interests of the party to achieve. We noted that the two parties may share incentives to seek to control the agenda so that issues are defined in terms of partisan cleaving dimensions, rather than along other possible lines. In addition, we would anticipate that when the condition in conditional party government is reasonably well approximated, each party would empower its leaders to try not only to control the agenda but also to obtain policies along that dimension that are within the range of policies preferred by its members. Because the condition is approximately satisfied, that means that to the degree that policies are closer to the center of one party, they will be farther from the center of opinion in the other party. Since it remains true that any bill must eventually be voted in over the status quo by at least a simple majority of members in order to pass, the center of the full chamber exerts its own pull here. Unlike the floor majorities explanation, however, the conditional party government explanation implies that the attractive force of the center is balanced to a degree by the pull of the parties, typically the majority party in particular. Thus, this explanation anticipates that policies that will be chosen will be somewhere between the center of the floor and the center of the majority party. Just where in that range the final outcome will be located depends, inter alia, on the degree to which the condition in conditional party government is satisfied and on how much greater the strength in power and resources the majority party is compared to the minority.

In sum, given that the condition in conditional party government is reasonably well satisfied, we can identify three hypotheses that contrast the floor majority with conditional party government explanations. First, members of at least the majority party allocate increased power and resources to the party leadership and related institutions of the party-in-government, and they expect that their leaders will employ both the extant and new powers and resources more often. The floor majorities explanation would imply that granting such resources to partisan institutions is wasteful and extracts opportunity costs

[10] Note that such a conclusion necessarily requires some degree of party cleavage. Otherwise, if "Democrat" and "Republican" carried no policy differentiation, and thus the two party memberships were distributed identically to each other and thereby the whole House, then both would want collectively just what the full House would want collectively. But that is also, of course, to say that the condition in conditional party government is entirely unsatisfied.

from its members, unless they happen to be used to achieve nonpartisan outcomes favored by floor majorities.

Second, if the conditional party government explanation is true, the majority party will capitalize on its majority status, and it will have and allocate more power and resources to its party than the minority will be able to allocate for its uses. If the floor majorities explanation holds, then either there should be no such resource allocations, or both parties should put them to use to achieve nonpartisan policies favored by floor majorities.

Third, if the conditional party government explanation holds, then policies should be chosen that are between the center of the majority party and the center of the full House. This result would be expected to obtain only on the subset of issues that were important to the parties, with their conflicting preferences rooted in their respective electoral coalitions. If the floor majorities explanation holds, then the policies adopted should be those at the center of the full chamber.

Clearly it will not be possible to offer in this or any other limited account a full test of these competing perspectives. The discussion below, therefore, will concentrate on the first two hypotheses offered here, leaving the third hypothesis for future analysis. Even though the test is not complete, however, we believe that important matters are addressed here and that the results provide some discrimination regarding the accuracy of these theories. As we have just shown, the majoritarian and partisan theories have different expectations about the allocation of power to party structures and the relative influence of the majority party leadership compared to the minority. In the sections that follow, we seek to use these contrasting perspectives to make sense of the changes in rules and procedures adopted by the new Republican majority after the 1994 elections.

The New Republican Majority and Institutional Change

The institutional changes introduced by the Republicans were remarkable in their number and scope. The only comparable set of changes during the last eighty years—those imposed by the Democratic reformers of the 1970s—may have been as far-reaching, but they were enacted over the course of a number of years. The GOP majority passed numerous measures profoundly affecting the power relationships within their party and the House at large, all within the matter of a few weeks. In this section we will describe and discuss some of the most salient examples.

Committees and Their Chairs

Selection of chairs. Until the 1980s, the House Republicans persisted in strictly observing the seniority norm as the basis for selecting committee leaders. Then in 1986, after a decade of observing the Democrats move away from

strict seniority, the GOP adopted some rules changes that followed suit in certain ways.[11] In particular, like the Democrats, they permitted the party leader to name the Republican members of the Rules Committee. In succeeding Congresses, they also experienced efforts within the GOP Conference to block certain members from appointment as ranking members of individual committees.[12] After the 1994 elections, however, a much larger departure from previous practices occurred.

Within a week of the surprise result of the 8 November elections, rumors began to circulate that some Republican members who were in line by seniority for major committee chairmanships would be bypassed. Almost immediately after the existence of their new majority was confirmed, observers began to speculate whether Newt Gingrich would use his power over membership on Rules to bar Gerald Solomon of New York, then ranking minority member of the committee, from becoming chair. Solomon had briefly opposed Gingrich in 1993 for the right to succeed Bob Michel (IL) as party leader, but he quickly withdrew after it became clear that he had no chance.[13] Gingrich, however, did not seek to punish his former adversary, and Solomon was announced as the new chair on 16 November.[14] The same day, on the other hand, the new acting chairman of the Appropriations Committee was announced—Robert Livingston (LA), who ranked fifth in committee seniority.[15] The second ranking Republican was John Myers (IN). "According to aides, Myers was not considered the right person to initiate the huge budget cuts favored by Republicans. Also, some Republicans were upset by Myers's vocal opposition to the Penny-Kasich deficit reduction package," which had been rejected by the House earlier in the year.[16] The member next in line after Myers—Bill Young (FL)—was interested in the post, but reportedly backed off after Livingston emerged as the leadership's favorite, and fourth-ranking Ralph Regula of Ohio was also skipped.

By the end of the week after the elections, it was also confirmed that the senior Republican on two other major committees, Energy and Judiciary, would be bypassed.[17] To his misfortune, it was the same person who suffered on both committees: Carlos Moorhead (CA). Moorhead had been ranking member on Energy in the previous Congress and was second in seniority to the retiring chair of Judiciary. On Energy, Thomas Bliley (VA) was chosen to be

[11] See Rohde, *Parties and Leaders in the Postreform House.*

[12] William F. Connelly, Jr. and John J. Pitney, Jr., *Congress' Permanent Minority?* (Lanham, MD: Rowman and Littlefield, 1994), 26.

[13] Ibid., 58–59.

[14] Gabriel Kahn and Timothy J. Burger, "Solomon, Livingston Win Chairs," *Roll Call*, 17 November 1994, 1, 42. They report that Gingrich permitted Solomon to head Rules after consulting other Republican members, and then only after "he had a 'come to Jesus' meeting" with Solomon.

[15] The committee needed an acting chair because the ranking member, Joe McDade (PA) was under federal indictment and could not succeed to the chair under Conference rules.

[16] Kahn and Burger, "Solomon, Livingston Win Chairs," 42.

[17] Karen Foerstel, "Gingrich Flexes His Power In Picking Panel Chiefs," *Congressional Quarterly Weekly Report*, 19 November 1994, 3326.

chair, and on Judiciary Henry Hyde (IL); each was next in committee seniority behind Moorhead. With regard to Energy, a staff member said that Moorhead "doesn't project the right image. He's not an activist and we need an activist person." Regarding the other committee, a "Republican spokesman" said that the "leadership will want a strong, articulate spokesman for chairman of judiciary," because a large portion of the "Contract With America" (the ten-point legislative agenda that had been endorsed by almost all GOP candidates for the House) would go through the committee.[18]

This was the most significant departure from seniority in the selection of committee leaders since the Democrats dumped three chairs after the 1974 elections. Beyond their occurrence, however, other aspects of these decisions are striking. Unlike the case of the Democrats twenty years earlier, this was not an instance in which pressure from freshman insurgents played a major role. This was clearly a leadership choice, imposed from the top after consultation. The decisions were announced by Gingrich and the top leadership. Moreover, the timing of the decisions—within a week after the election—demonstrates their source. Virtually none of the newly elected freshmen had come to town; they could not have been consulted about the choices, much less have initiated or urged them. Well before the Republican Conference could meet, and before any formal change in the method of choosing committee chairs could be considered, Gingrich and his allies simply asserted the power to choose the chairs of the committees that were most important to them. "He [Gingrich] totally dominated the process," Commerce Chair Bliley said.[19]

Powers. Significant changes were also made in the powers of committees and their chairs, directly and indirectly. Three full committees (District of Columbia, Merchant Marine and Fisheries, and Post Office and Civil Service) were abolished, with their jurisdictions parceled out to other committees. Because of these decisions, and because of new rules that limited all but three committees to a maximum of five subcommittees each and limited members to a maximum of two committees and four subcommittees, twenty-five subcommittees were also eliminated. In addition to the committee slots lost because of the abolition of the three committees, the GOP reduced most other panels somewhat, for a total net loss of 106 committee slots (12 percent) from the total of 892 in the 103d Congress.[20] The staff allocations for committees were reduced by an average of one-third, and committee and subcommittee chairmen were given a term limit of three terms. The ability of the Speaker to refer bills simultaneously to more than one committee was eliminated, although sequential and

[18] Craig Karmin, "Gingrich Ignores Seniority in Selecting Key Chairmen," *The Hill*, 16 November 1994, 9.

[19] Richard Wolf, "Speaker's Team Concept Has Put his House in Order," *USA Today*, 8 March 1995.

[20] These calculations are based on comparisons of the committee rosters listed in the supplements to *Congressional Quarterly Weekly Report* published on 1 May 1993 and 25 March 1995.

split referrals were retained. This change would reduce the ability of committees to bottle up bills they did not favor.

The discussion of these new arrangements, during and after their adoption, makes clear that they were intended to reduce the ability of the committee system to serve as an independent locus of power. As William Connelly and John Pitney have pointed out, there has been for some time a conflict among House Republicans between "party activists" on the one side and "committee guys" on the other. "By 1993, committee-oriented members had declining influence within GOP ranks."[21] That year the Conference imposed a six-year term limit on ranking committee members, and unsuccessful efforts were made by activist conservatives (including Gingrich) to depose a number of ranking members. In the 104th Congress, proponents of the reduction of committees like Robert Walker (PA), probably Gingrich's closest ally in the House, believed that "the proliferation of committees and subcommittees has been a detriment to the legislative process. . . . Our system will prevent members from getting locked into the status quo."[22] The supporters of these changes recognized that power would flow away from the committees to Gingrich and the leadership, but as one of the more ideological of the new committee chairs—Don Young (AK)—said, "I believe the House can't run as a total democracy."[23]

Some new rules more directly affected committee chairs. One abolished proxy voting in committees. This practice had always irked Republicans, because it had permitted Democratic chairs to create quorums and to control the outcomes of votes when no other members of their party were physically present at committee meetings. Ending proxy voting would, in Robert Walker's words, "cut down on the number of powerful little fiefdoms."[24] On the other hand, new rules granted committee chairs the power to appoint subcommittee chairs (rather than following seniority rights as the Democrats had) and control over all committee staff, with none allocated directly to subcommittees. Some subcommittee chairs had opposed the staff change, but "Gingrich argued that full committee chairmen should have control over the direction of their panels."[25] The new majority whip, Tom Delay of Texas, said, "This notion that we've got to have 100 and some odd [subcommittee] fiefdoms is over. [Subcommittee chairs] need to understand that they're going to be tied to the chairmen."[26] Another rule transferred the power to try to block passage of limitation amendments to appropriations bills (which prohibit expenditure of funds for specified purposes) from the subcommittee chair who would be managing the bill on the floor to the Republican floor leader. "The change further erodes

[21] Connelly and Pitney, *Congress' Permanent Minority?* 26.

[22] Guy Gugliotta, "In New House, Barons Yield to the Boss," *Washington Post*, 1 December 1994.

[23] Ibid.

[24] Ibid.

[25] Mary Jacoby, "For Gingrich, 2002 or Bust," *Roll Call*, 15 December 1994, 14.

[26] Jonathan D. Salant, "New Chairmen Swing to the Right; Freshmen Get Choice Posts," *Congressional Quarterly Weekly Report*, 10 December 1994, 3493.

authority of subcommittee chairmen, who may have a vested interest in their bills that is at odds with the leadership."[27]

Relationships between committees and the leadership. Gingrich argued that chairmen should control their committees, but the operation of the new arrangements makes clear that they were to have control relative to other committee members, not relative to the leadership. Reports indicate that Gingrich played a more active role in committee activities than any other Speaker in over eighty years. Before the subcommittees of a committee could be consolidated and their chairs named, the chair of the full committee had to consult with Gingrich. When it came time for William Clinger (PA), chairman of the Government Reform and Oversight Committee, to appoint subcommittee chairs, he gave two of the posts to freshmen "at the behest of Gingrich, according to [a] Clinger spokesman."[28] To do this, Clinger had to skip over two more senior committee members.

Another Gingrich practice that served to undermine committees as independent loci of power was the use of task forces. Gingrich did not, of course, originate this practice; the Democratic majority had employed task forces for a long time.[29] Gingrich's use of them was, however, more extensive. Five task forces were formed early in the 104th to deal with elements of the "Contract with America," and others were created to address guns and immigration policy. By the end of March, the total had reached fifteen, and GOP freshmen had announced their intention to set up four more to consider abolition of specific cabinet departments.[30] The Speaker's spokesman, Tony Blankley, said that Gingrich saw use of task forces "as a device for finessing some institutional obstacles to decision-making."[31]

Reports indicate that Gingrich also became actively involved in committees' legislative activities, including the choice of which bills to consider. "The chairmen could not schedule so much as a subcommittee hearing without first asking the permission of the House leadership." Staff of the Speaker and the majority leader "hold twice-weekly meetings with top committee aides to see that the panels are complying with the leadership's master schedule and to seek consistent themes in the legislative actions."[32] However only Gingrich and Majority Leader Dick Armey (TX)—and not committee chairs or staff—had regular access to the leadership's computerized scheduling system.[33] Unlike the

[27] Mary Jacoby, "New GOP Rules Lock In Power," *Roll Call*, 8 December 1994, 24.

[28] Janet Hook, "House Republicans Rehearse Taking the Reins of Power," *Congressional Quarterly Weekly Report*, 17 December 1994, 3548.

[29] Barbara Sinclair, *Majority Leadership in the U.S. House* (Baltimore: Johns Hopkins University Press, 1983), 142–46; Rohde, *Parties and Leaders*, 87–88.

[30] Deborah Kalb, "The Official Gingrich Task Force List," *The Hill*, 29 March 1995, 8; Kalb, "Government by Task Force: The Gingrich Model," *The Hill*, 22 February 1995, 3.

[31] Kalb, "Government by Task Force," 3.

[32] Thomas Rosenstiel, "Why Newt Is No Joke," *Newsweek*, 10 April 1995, 26.

[33] Richard Cohen, "The Transformers," *National Journal*, 4 March 1994, 531.

practice when Democrats were in the majority, staff of the Speaker began attending the markups of bills in the Appropriations Committee and interacting with committee staff during the decision making.[34]

"Each Republican member of the Appropriations Committee . . . was required to sign a 'letter of fidelity.' [It] pledged the members to cut the budget as much as Gingrich wanted."[35] In February, Appropriations Chairman Livingston communicated to the thirteen subcommittee chairs that the Speaker had just asked him to make over $10 billion in recissions to pay for defense and disaster supplementals. "Like a good soldier, . . . I went and did it," he said. Indeed, Livingston considered himself a Gingrich lieutenant and indicated that he saw the Speaker in probably "12 meetings per week."[36] The domination of the chair selection process noted above was a constant reminder that chairs set a course independent of the Speaker's lead at a great risk. Bill Archer (TX), chairman of Ways and Means, said: "He understands and trusts that I am going to be a part of the leadership, and not a maverick."[37]

Participants emphasize that Gingrich was consultative and not dictatorial, but there are indications that he and his allies could resort to coercion when it seemed needed. When one committee chair told the Speaker that he would not be able to meet the deadline that had been imposed for consideration of one of the elements of the Contract, "Gingrich dropped his normally jovial manner. 'If you can't do it,' he said coldly, 'I will find someone who will.'"[38] When John Myers considered challenging Livingston for the chairmanship of Appropriations because he thought his seniority entitled him to the post, he backed down "when he was reportedly notified his challenge would cost him a subcommittee chairmanship."[39]

Leaders' Powers

Committee assignments. In addition to reducing the independent power of committees and their leaders, Gingrich and the Republican leadership proposed rule changes that enhanced their own powers. Surely the most striking of these was the adoption of a new committee assignment system. The House Republicans' Committee on Committees had been established in the aftermath of the revolt against Speaker Joseph Cannon, and at least since the 1950s through the late 1980s it retained the same basic structure.[40] Each state that had a Republican in its House delegation had a seat on the committee, with the

[34] Jennifer Senior, "Gingrich Immerses Self in Key Committees," *The Hill*, 1 March 1995, 3.

[35] Rosenstiel, "Why Newt Is No Joke," 27.

[36] Senior, "Gingrich Immerses Self in Key Committees," 3.

[37] Wolf, "Speaker's Team Concept Has Put his House in Order," 5A.

[38] Rosenstiel, "Why Newt Is No Joke," 27.

[39] Gabriel Kahn, "Republicans Pick New Committee Chairs," *Roll Call*, 8 December 1994, 14.

[40] Nicholas A. Masters, "Committee Assignments," *American Political Science Review* 59 (June 1961): 345–57.

state's members choosing the representative. The committee employed a weighted voting system, with each member casting as many votes as there were GOP representatives in his or her delegation.

This system granted decisive influence over committee assignments to the senior members of the largest GOP delegations, like New York and California. Perhaps more important, it deprived the leadership of any impact beyond what could be garnered through persuasion. In 1988, however, the Republicans decided to move away from this historical set of arrangements, and after the deliberations of two study committees established by the GOP Conference, they adopted a number of party reforms.[41] One of these set up a new Committee on Committees, with only twenty-one members. As in the previous system, the members had as many votes as there were Republican representatives from their state. The significant innovation here was to grant a substantial formal impact to the two top party leaders: the minority leader was given twelve votes, and the whip six. Newt Gingrich, then only a middle-seniority activist member who was not yet in the leadership, was an active supporter of this change. "It makes the leadership the balancing weight. . . . It's part of a series of steps House Republicans have been taking to increase Michel's capacity to lead."[42]

Six years later, Gingrich personally revisited the design of the GOP's committee assignment system. Eight days after the election, he announced that there would be a new Committee on Committees, with a drastically revised allocation of votes.[43] After discussion, the new committee, called the Steering Committee, was expanded slightly and the plan was adopted by the GOP Conference early in December 1994. There were a total of thirty votes (down from 196 in the previous Congress), and only two of the committee's twenty-five members had more than one vote: Gingrich with five and Majority Leader Armey with two. Thus in the 103d Congress, Republican Leader Michel cast 6 percent of the votes on the Committee on Committees; Gingrich now had 17 percent. In addition, nine votes were allocated to members elected from geographic regions, four to chairs of major committees, two to representatives of the sophomore class and three to freshmen, one to a representative of small states, and four to other party leaders.[44] The new plan drastically reduced the voting power of representatives from big states like Florida and California, but there was little opposition once Gingrich announced he wanted the new arrangements. Bill Young, the Florida representative on the old Committee on Committees, said that the plan, "does tend to dilute Florida's strength. But he

[41] Rohde, *Parties and Leaders*, 136–37.

[42] Mike Mills, "GOP Selects Leaders: Michel, Cheney, Lewis," *Congressional Quarterly Weekly Report*, 10 December 1988, 3475.

[43] Timothy J. Burger, "Ax to Fall on Three House Panels: DC, Post Office, Merchant Marine," *Roll Call*, 17 November 1994, 1.

[44] Salant, "New Chairmen Swing to the Right," 3494. The committee chairs are from Appropriations, Budget, Rules, and Ways and Means; the leaders are the whip and the chairs of the Conference, the Policy committee, and the Campaign Committee.

said he will support it because Gingrich wants it."[45] During conference consideration, only two members spoke against it.[46]

The Rules Committee. Another enhancement of Gingrich's power came not from new rules, but as a consequence of heading the new majority. That was dominant influence over the Rules Committee. Over the previous decade and a half, the Democrats had increasingly used Rules' control over the terms of floor debate to try to advance their legislative and political agendas.[47] The Republicans had vigorously complained about these practices, which restricted the amendments the GOP could offer and imposed other limitations, and they had promised that if they achieved a majority such constraints would be a thing of the past. After their victory, these pledges were reiterated. In November, Chairman-designate Solomon said: "The liberal Democrat leadership was so liberal and far to the left they couldn't afford to let bills come to the floor under open rules because their own conservative Democrats would have sided with the Republicans. . . . We don't have that situation. We are not factionalized in our party."[48] As a consequence, he stated that he planned to grant open rules (permitting all germane amendments) on 75 percent of the bills considered by Rules in 1995.

This would have been a substantial change, because by GOP calculations the proportion of open rules granted had dropped from 85 percent in the 85th Congress to 30 percent in the 103rd.[49] Indeed, Gingrich stated in November that "[w]e very specifically made the decision early on in our Contract with America that we would bring up all ten bills under open rules."[50] However, when the first bill from the Contract came to the floor under an open rule, the House considered it for five days (disposing of only 22 of 168 proposed amendments) and then temporarily set it aside. Whip Tom Delay accused the Democrats of "dilatory tactics," and Solomon warned: "It looks like we're going to have to increasingly restrict rules if the Democrats won't cooperate."[51]

[45] Mary Jacoby, "Big States Big Losers in Gingrich's Plan for Committee on Committees," *Roll Call*, 1 December 1994, 3.

[46] Mary Jacoby, "Conference Adopts Gingrich's Steering Panel Setup," *Roll Call*, 8 December 1994, 22.

[47] Stanley Bach and Steven S. Smith, *Managing Uncertainty in the House of Representatives* (Washington, DC: Brookings Institution, 1988); Rohde, *Parties and Leaders*; Barbara Sinclair, "House Special Rules and the Institutional Design Controversy," *Legislative Studies Quarterly* 19 (November 1994): 477–94.

[48] Mary Jacoby, "'Chairman' Solomon Says He Plans to Grant Open Rules on 75 Percent of Bills Next Year," *Roll Call*, 28 November 1994, 18.

[49] Jonathan D. Salant, "Under Open Rules, Discord Rules," *Congressional Quarterly Weekly Report*, 28 January 1995, 277.

[50] Mary Jacoby, "Six Weeks Into Majority, GOP Asks: How Open Should Open Rules Be?" *Roll Call*, 13 February 1995, 20.

[51] Salant, "Under Open Rules, Discord Rules," 277.

Contrary to the implications of these statements, however, restrictive rules did not affect only liberal Democrats; nor did resistance to them stem only from that source. In March, for example, Republican moderates expressed anger over the restrictions in the rule on the recissions bill and threatened to vote against similar rules in the future.[52] Then on the tax-cut bill, a conservative Democratic amendment that was opposed by the GOP leadership was not permitted a vote. To secure enough Democratic votes to approve a rule on the bill, the GOP leadership was compelled to present a revised version.[53] Disputes over rules also led to debates in an effort to score political points in the media regarding what proportion of rules were open or restricted. As of early April, the Republicans claimed that 72 percent of the rules were open; Democrats said it was only 26 percent. The disagreement stemmed partly from conflict over what to count as a rule, but it also resulted from Solomon's changing the definition of what constituted an open rule from that which he had previously used and which the Democrats employed for their count.[54] Whatever the method of counting that is used, however, it is clear that the Republican leadership was willing to use their control of the Rules Committee to affect the options that could be considered on the floor and thereby advance their legislative agenda.

Institutional Change: Genesis and Consequences

The discussion in the preceding section is not an exhaustive account of institutional changes under the GOP majority, but it does cover the main points. We now move to a consideration of why these changes were possible, and what political and policy consequences can be anticipated, both from the point of view of the architects of the new arrangements and of the theoretical accounts we have discussed.

Initial Assessments of the Reforms and their Theoretical Accounting

The thrust of the reforms discussed in the last section was consistently in the direction of shifting power toward the Speaker, often at the expense of committees and subcommittees. In this and succeeding sections, we consider the implications of these reforms for the theories we have discussed. That the changes often reduced the power of committees, for example, implies that theories about the impact of structure on Congress that require strong committees are less plausible explanations of the 104th Congress than of the 103rd.

With respect to the partisan and majoritarian theories, both Krehbiel and we have pointed out that no one test will be conclusive. As Krehbiel has noted, for example, the observed increases in party voting could be due to the "coinci-

[52] Mary Jacoby, "Centrists In GOP Threaten On Rules," *Roll Call*, 20 March 1994, 1.

[53] Mary Jacoby, "Three-Quarters 'Open,' or Two-Thirds 'Closed'? Parties Can't Agree on How to Define Rules," *Roll Call*, 13 April 1995, 15.

[54] Ibid., 7.

dence" of Democrats increasingly wanting to express more liberal preferences than Republicans, as well as or instead of reflecting the increased strength of party organizations. On the other hand, we demonstrated that patterns of votes (such as party-line voting) do not necessarily distinguish between choices near to the center of the whole House from those near the center of the majority party.[55] What will be decisive, therefore, is a series of observations over a variety of circumstances and behaviors.

We are aided in our evaluation by the series of hypotheses outlined above that distinguish between the two accounts. In our view, the increasingly rich web of evidence—part of which we have presented here—accumulates to provide greater corroboration for conditional party government than for other explanations, including the majoritarian theory. This web of evidence supports the following sets of observations.

First, the changes in rules and procedures discussed above are data that apply directly to the first and at least partially to the second of the hypotheses distinguishing the two explanations. The Republican majority and its leaders chose to invest considerable resources in altering rules and procedures. If these were ineffective in helping them achieve desired outcomes, why expend such resources? Of course, that these new arrangements were relatively consistent in direction strongly suggests that they were designed to undo things that previous Democratic party or bipartisan majorities had chosen to enact, and to create a stronger majority-party leadership.

Second, as to motivation, Republicans consistently referred to the Democratic House as having been far too liberal. They were even more consistent in emphasizing that they were reforming for the purpose of achieving Republican—indeed Gingrichian—objectives. Furthermore, they used words like "revolution" or "profound transformation" repeatedly. Invariably, they spoke of policy changes as the motive they had for their decisions to invest considerable resources in reform.

Third, Krehbiel's critique of party theory is primarily a critique of the position that intralegislative party rules and procedures are consequential for policy outcomes relative to floor majorities. Parties may (or may not—he is silent on this point) matter in elections, but elections serve to shape in great part the preferences representatives want to realize in the House. His critique, therefore, is only that intrahouse party procedures do not lead representatives to vote contrary to those preferences shaped by forces, perhaps electoral and even partisan, outside the chamber.

The "Contract with America" and its consequences illustrate, perhaps far more clearly and substantively than usual, that such a view is untenable. The 1994 House elections were based, at least in some part, on the provisions of

[55] John H. Aldrich and David W. Rohde, "Theories of the Party in the Legislature and the Transition to Republican Rule in the House" (paper delivered at the Annual Meeting of the American Political Science Association, Chicago, 1995), appendix.

the "Contract." About as close to a European-style party program as found in American history, "The Contract" helped shape the elections, thereby helping to shape the preferences members wanted to realize. The "Contract" took on much greater importance after the election than before, particularly in public forums and news outlets. The new majority, and especially Gingrich, used it to justify many of their actions from November 1994 through the first 100 days of the new Congress. The "Contract," thus, was in part a justification for some of the institutional changes (indeed it included some of the reforms), and it was used to try to constrain the majority party members to hold the party line behind the substantive proposals contained in it. The point, therefore, is that in this case the preferences about policy outcomes differentiated by party were endogenous (that is, partly shaped by forces within the House); and indeed the elections were in part endogenous to this effort.

The most notable results of the elections were, of course, the creation of Republican majorities in the House and Senate. We will see evidence below that disproportionately more moderate Democrats lost or left their seats in the 103rd Congress, and disproportionately conservative Republicans won. The consequence was that one of the major conditions for the existence of conditional party government—intraparty homogeneity on policy, and interparty division—was strengthened. Even the previous state of this condition in the mid-1980s was sufficiently strong to generate the original observations about conditional party government.

Conditional party government roughly requires as its basic condition that the majority party have sufficient agreement on what it wants to achieve to empower its leaders and provide them with enough resources to achieve those outcomes. We ordinarily see such realization manifested in party voting, something quite frequent in the 104th Congress. But, as noted earlier, agenda control may be as important as preference realization. It may take leadership effort and the structuring of the choice situation to help ensure that party differences serve as the bases for proposal formation and enactment, rather than other alternative coalitions and their differences serving as those bases. A number of the GOP's reforms seem to have been designed to help control the agenda, to ensure that the Speaker's—and presumably the Republican majority's—priorities defined the terms of debate.

Conditional Party Government Revisited

The intended consequences of the GOP reforms. Based on an evaluation of the evidence, we conclude that the dominant purpose of the rules changes adopted by the new Republican majority was to strengthen the ability of the party leadership to shape the House agenda to their advantage and to increase party cohesion on policy. The changes regarding committees are a central feature of this effort. In this century, committees have been the principal competitors for power with the leadership, and the revolt against Speaker Cannon and

subsequent developments sharply tilted the balance in favor of the committees.[56] We have argued that Gingrich and his allies wanted to reduce the independent power of committees and their chairs, especially as roadblocks to policy change. For that reason the dispersion of power had to be reduced, and centralization was the order of the day.

In most instances this process undermined full committees and especially their chairs. The personal domination of the selection of major chairs by Gingrich and the violation of seniority in a number of instances sharply reduced committee independence and put chairs in a more subordinate relationship to the party leadership. The seniority system was the bedrock of committee independence, and as Nelson Polsby, Miriam Gallaher, and Barry Rundquist have pointed out, in this regard it is basically a dichotomous variable.[57] If seniority is only a partial influence on chair selection, chairs must become more responsible to the other sources of influence over the choice. Other changes that weakened chairs include the ban on proxy voting and limits on the chairs' terms. We find one aspect of this last change particularly interesting, for the GOP also adopted a limit on the Speaker's term, but it was eight years rather than the six chosen for chairs. Gingrich had endorsed the idea of a limit for himself (after the proposal had begun to gain favor among the freshmen), but had proposed the longer term on the grounds that he should have the same limit as the president, because he was the head of a coequal branch of government.[58] It strikes us, however, as more than coincidence that this arrangement also means that replacements for all of the committee chairs in the 104th Congress would be chosen while Gingrich was still Speaker, giving him significant leverage over the behavior of members who aspired to those posts.

Not all of the new arrangements, however, disadvantaged the chairs. Two that worked in the other direction were the ability of full committee chairs to choose subcommittee chairs and to depart from seniority in the process, and the right of chairs to appoint all subcommittee staff. But these cases also served to undermine decentralization, in this case to subcommittees. Power here was shifted up to the full committee level, which had already been constrained by the other reforms we have discussed. Furthermore, other changes also reduced the dispersion of power to the committee system as a whole, including the abolition of three full committees, twenty-five subcommittees, and over 100 committee slots; the use of task forces as alternatives to committees; and the increased involvement of the party leadership in the substantive functioning of the committees.[59]

[56] Joseph Cooper and David W. Brady, "Institutional Context and Leadership Style: The House from Cannon to Rayburn," *American Political Science Review* 75 (June 1981): 411–25.

[57] Nelson W. Polsby, Miriam Gallaher, and Barry Spencer Rundquist, "The Growth of the Seniority System in the U.S. House of Representatives," *American Political Science Review* 63 (September 1969): 787–807.

[58] Mary Jacoby, "For Gingrich, 2002 or Bust," *Roll Call, 15 December 1994, 1.*

[59] An analogous example, which we did not mention above, was the abolition of 28 "legislative service organizations" (commonly known as caucuses), like the Democratic Study Group. These organizations served the interests of members with shared concerns (some being bipartisan, as with the Space

The instances in which Gingrich chose to dominate the selection of committee chairs involved those panels that were most important to his legislative agenda, both during the "Contract" period and later. This was not a case of replacing moderates with conservatives, but rather replacing "committee guys" with activists who were more committed to the leadership's priorities on matters within their committee's jurisdiction.[60] Control over the Rules Committee permitted Gingrich great leeway in shaping the specific choices offered on the floor, and the Speaker's sharply increased influence over committee assignments enhanced his influence with the rank and file regarding policy choices. Members who wanted desirable committee assignments knew that Gingrich would have an important, if not determinate impact on their getting what they desired, thus offering them incentives to be responsive to the leaderships' wishes. Thus all of the changes in institutional arrangements that we have considered point in the same direction: toward a less decentralized House with much more power concentrated in the majority party leadership.

Given this characterization of the goals of the Republican organizational change, we must now turn to the issue of their feasibility. Assuming for the sake of argument that the new powers granted to the leadership were consequential, we are left to answer the question of why they were delegated by the rank and file. Why leaders should want to be more powerful is not mysterious. Less clear is why the rank-and-file membership of a party would be willing to let them be more powerful, especially given the textbook view that members are independent entrepreneurs who are solely interested in reelection and independent of party.[61]

The 1994 elections and party coalitions in the House. Conditional party government depends on intraparty homogeneity (especially in the majority party), and on interparty differences. If there is much diversity of preferences within a party, a substantial portion of the members will be reluctant to grant

Caucus) and were repositories of independent expertise on issues. Their abolition removed another potential source of competition with the leadership.

[60] Indeed, Gingrich accepted the appointment of a few more moderate members as chairs, but on less consequential committees as with Benjamin Gilman of New York for International Relations. Those chairs are, however, closely watched and are often under pressure to produce legislative results that depart significantly from their own preferences and from what they would probably have sent to the floor under the old institutional arrangements. See, for example, the discussion of Gilman's role on the State Department Reauthorization bill in Carroll J. Doherty, "Gilman Under Party Pressure," *Congressional Quarterly Weekly Report*, 13 May 1995, 1335.

[61] David R. Mayhew, *Congress: The Electoral Connection* (New Haven: Yale University Press, 1974). On the "textbook" view, see Kenneth A. Shepsle, "Congressional Institutions and Behavior: The Changing Textbook Congress" in John E. Chubb and Paul E. Peterson, eds., *American Political Institutions and the Problems of Our Time* (Washington, DC: Brookings Institution, 1989). Additional perspectives on the matter of delegation will be found in D. Roderick Kiewiet and Mathew D. McCubbins, *The Logic of Delegation: Congressional Parties and the Appropriations Process* (Chicago: University of Chicago Press, 1991); and Cox and McCubbins, *Legislative Leviathan*.

strong powers to the leadership or to resist the vigorous exercise of existing powers, because of the realistic fear that the powers may be used to produce outcomes unsatisfactory to the members in question. If, on the other hand, preferences within the party are relatively homogenous, members will be more supportive of strong leadership powers due to the reduced chance that those powers could be used against the members' interests. Similarly, the degree of interparty difference is relevant. As it increases, members of a party will be more supportive of vigorous party leadership, because the policy consequences of victory by the other party will tend to become increasingly negative.

Party homogeneity and interparty divergence had increased in the 1980s in both houses of Congress,[62] but these tendencies were strongly reinforced by the elections of 1992 and particularly 1994. Of the forty-seven GOP freshmen elected in 1992, then House Minority Leader Michel said "seven are thoughtful moderates, and the other forty are pretty darn hard-liners, some of them really hard line," creating a GOP Conference that was "the most conservative and antagonistic to the other side" that he had ever seen.[63] The 1994 elections continued this trend. Using ideological rankings of House members in the 103d Congress published by Roll Call,[64] the Democrats who retired or lost their seats came disproportionately from the middle of the ideological spectrum in the House and from the most conservative segment of the Democratic party. This left the Democrats more homogeneous, and their party's median position shifted to the left.[65]

Regarding the Republicans who were first elected in 1994, evidence during and after the election indicates that they tilted even more sharply to the right than did the Class of 1992. During the campaign, a significant proportion of GOP candidates identified with the Christian Right and its agenda. Soon after their election, many freshmen made clear that they favored radical changes in policy and in the House. As Representative-elect Sam Brownback (KS) said, the GOP leadership can "see the . . . fervor in our eyes and the revolutionary zeal."[66] For many, this zeal translates into strong policy commitments regardless of whether they are politically popular. One member of the Class of 1994,

[62] See Rohde, *Parties and Leaders*; and Rohde, "Electoral Forces, Political Agendas, and Partisanship in the House and Senate" in Roger H. Davidson, ed., *The Postreform Congress* (New York: St Martin's Press, 1992).

[63] Quoted by Connelly and Pitney, *Congress' Permanent Minority?*, 23 from Timothy J. Burger, "Bob Michel Defends Statement Labeling Frosh as 'Hard-Line,'" *Roll Call*, 16 August 1993, 1. Patricia R. Hurley and Brinck Kerr, "First Term Members in the 103rd House: Their Effects on Partisanship and Policy" (paper delivered at the Annual Meeting of the Midwest Political Science Association, Chicago, April 1995) show that freshmen of both parties in the 103rd House were more supportive of their respective parties' positions than were more senior members.

[64] *Roll Call*, 28 January 1993, 32–33.

[65] Paul R. Abramson, John H. Aldrich, and David W. Rohde, *Change and Continuity in the 1992 Elections*, rev. ed. (Washington, DC: CQ Press, 1995), 337–39.

[66] Timothy J. Burger and Mary Jacoby, "In Baltimore, Frosh Pledge 'Revolution,'" *Roll Call*, 12 December 1994, 1.

John Shadegg (AZ) said, "The freshmen aren't interested in coming here to be reasonable and to settle for what they can get. They don't want to go along to get along."[67] Another freshman, Matt Salmon (AZ) said, "This is an ideological class . . . that really believes we were sent here to make a difference."[68]

These anecdotal data, which we believe more systematic analysis will confirm, indicate that the seventy-three Republican freshmen elected in 1994 made the GOP Conference more homogeneously conservative, shifting its center of gravity to the right. Thus the two party contingents in the House became more homogeneous, and the difference between the party centers increased and met the underlying requirements for conditional party government. Members of the majority were willing to grant strong powers to their leaders, because they had substantial consensus on policy objectives, because it was unlikely that the powers would be used toward ends of which they did not approve, and because the alternatives favored by the opposition were so unpalatable. Furthermore, these principal underlying forces were reinforced and enhanced by a couple of other conditions.

Gingrich and the freshmen: A special relationship. The willingness of the GOP Conference—or of any contingent of it—to delegate power to leaders could have been mitigated by lack of confidence in the goals and actions of particular leaders, and most especially Speaker Gingrich. It is clear, however, that for the freshmen and like-minded members, the reverse was true; they believed that Gingrich shared their aims and that he would use his authority to advance their shared cause. This confidence partly stemmed from Gingrich's activities in recruiting many of the freshmen to run and from fundraising and other electoral activities on their behalf. It also stemmed from the creation and marketing of the "Contract with America." The "Contract" was drafted by the GOP leadership, and they brought over 300 GOP House candidates together in September 1994 to sign it. It indicated to the freshmen that their leaders really wanted significant changes in policy. For example, in mid-November, Representative-elect Michael Forbes of New York said: "This year the leaders are the insurgents," and another freshman, John Christensen of Nebraska, said: "I trust the leadership with everything. . . . I trust their decision-making and their vision for the country."[69]

This close tie with the enormous freshman class (over 31 percent of the Conference by itself, and with the sophomores a majority in the 104th) gave Gingrich tremendous leverage at the opening of the 104th Congress and probably partly explains why there was so little resistance to his institutional designs. Other GOP members had to know that the freshmen would be responsive to

[67] Jeff Shear, "Force Majeure?," *National Journal*, 11 March 1995, 601–04.

[68] Jackie Calmes, "House GOP Freshmen, Unafraid of Sacred Cows, Face Moment of Truth in Balanced-Budget Talks," *Wall Street Journal*, 11 May 1995.

[69] David S. Cloud, "Gingrich Clears the Path For Republican Advance," *Congressional Quarterly Weekly Report*, 19 November 1994, 3322.

Gingrich's plans, and few of these others had any ties to the new members, making it virtually impossible to organize any opposition if they had wanted to. The freshmen trusted Gingrich. They endorsed his view, stated early in November, that the GOP had to change "from a party focused on opposition to a majority party with a responsibility for governing. That requires greater assets in the leader's office."[70] Many of them, on the other hand, distrusted the senior committee leaders who lost ground in the reforms.[71]

Gingrich reinforced his relationship with the freshman soon after the election by the way he treated them. As we noted, he included three of them on the Steering Committee, the new committee on committees, and then he used his influence on that committee to secure an unprecedented share of desirable committee assignments for freshmen. They received seven of the eleven new appointments to Appropriations, eight of the nine to Commerce, and three of the eight to Ways and Means. Majority Leader Armey was quick to point out that the last time a GOP freshman was appointed to Ways and Means was 1966; that was a Texan named George Bush. One of the freshman on the Steering Committee, Jerry Weller of Illinois, said: "Our best friend in the whole process was Newt Gingrich. The first thing he asked was 'What do the freshmen recommend?'"[72] Gingrich also directly appointed one member of the Class of 1994 and three sophomores to fill four of the five vacancies on the Rules Committee, and he personally intervened to secure two subcommittee chairmanships for freshmen.

The freshmen responded to this treatment not only by supporting the institutional changes that Gingrich wanted, but also by following the leadership's lead on policy. An analysis of floor voting during the first 100 days, done by the Democratic Congressional Campaign Committee, indicates that average support for the Republican leadership position among the GOP freshmen was 97 percent, and no individual from the Class fell below 90 percent.[73] Many of the freshmen were even responsive to Gingrich when his plans went against their own ideological inclinations. For example, all but two of them supported the leadership's version of the balanced budget amendment, which dropped the requirement for a three-fifths majority for tax increases that many of them had used as a basis for their campaigns.[74] And most of them agreed to postponement of controversial social issues like repeal of the ban on assault weapons, abortion, and school prayer until later in the 104th Congress.

[70] Ibid., 3319.

[71] One place this became clear was during the sometimes heated debate on the proposed constitutional amendment to limit congressional terms. For example, freshman Mark Sanford (SC) referred to senior members as "an unnecessary 'political working class,'" and Nick Smith (MI), elected in 1992, said they were "a little more receptive . . . to special interests." Guy Gugliotta, "Young, Old Cast Slurs As GOP Unity Cracks," *Washington Post*, 30 March 1995.

[72] Gabriel Kahn and Benjamin Sheffner, "Class of '94 Hits Jackpot," *Roll Call*, 12 December 1994, 1.

[73] Tim Curran, "97 Percent Solution," *Roll Call*, 5 June 1995, A1.

[74] Graeme Browning, "The GOP's Young Turks," *National Journal*, 25 February 1995, 481.

This account does not imply that all of the GOP freshmen saw their preferences as completely coincidental with those of Gingrich or the party leadership, nor that they regarded themselves—despite Democrats' charges to the contrary—as merely robots to follow the Speaker's directions. The old "Boss" model of congressional leadership is no more applicable to Republicans in the 104th Congress than it was to Democrats in the decade before.[75] For example, the Conservative Action Team (known as CATS), a group of about fifty of the most conservative members of the Republican Conference, was formed in April 1995, and the bulk of its membership comes from first termers.[76] Its purpose was to make sure that the party did not deviate from the conservative ideological line. In the words of one of the group's co-chairs, John Doolittle of California, "our leadership gets pressure from the liberal members of our Conference all the time. . . . It needs to get some pressure from conservative members . . . who dominate the Conference."[77] Gingrich had to show responsiveness to these pressures. While he sought to postpone social issues, he had to make the commitment that they would be taken up. On 17 May, for example, he publicly stated that "House Republicans are totally committed" to bringing to a floor vote each of the ten items in the Christian Coalition's "Contract with the American Family."[78] Despite these caveats, however, it is clear that the freshmen generally saw the Speaker as an ideologically kindred spirit who was trying to harness the energies of the new members to make the Congress produce the kinds of policy outcomes they desired. In the words of freshman Brownback of Kansas, "Basically, he's using us to institute the revolution."[79]

Two-way communications. Finally, Gingrich facilitated the concentration and exercise of power by his efforts to maintain interactive communications with all segments of the party. As we noted, there was frequent interchange between the party leadership and committee leaders. Appropriations Chair Livingston said in February: "I probably see the Speaker in twelve meetings per week. I've spoken to him twice today already." A Gingrich spokesman indicated that the Speaker met with Armey and the top committee chairs as a group two or three times a week.[80] Wanting to keep close contact with a major portion of his base, Gingrich met with a revolving group of freshmen every week.[81] He also demonstrated his openness to the other ideological wing of the party. One of the members of the group of GOP moderates, known as the

[75] See Rohde, *Parties and Leaders*, 35–37.

[76] Gabriel Kahn, "GOP 'CATS' Aim at Lunch Bunch,'" *Roll Call*, 4 May 1995, 1.

[77] Eliza Newlin Carney, "Family Time," *National Journal*, 29 July 1995, 1948.

[78] Laurie Goodstein, "Gingrich Vows to Pursue Christian Coalition Agenda," *Washington Post*, 18 May 1995.

[79] Carroll J. Doherty, "Time and Tax Cuts Will Test GOP Freshman Solidarity," *Congressional Quarterly Weekly Report*, 1 April 1995, 916.

[80] Senior, "Gingrich Immerses Himself in Key Committees," 3.

[81] Doherty, "Time and Tax Cuts Will Test GOP Freshman Solidarity," 916.

"Tuesday Lunch Bunch," served as a liaison to the party leaders and sat in on Monday leadership meetings.[82] This communicative approach made all segments of the party feel like they had a share of the action and permitted Gingrich to exercise central leadership rather than contend with the balkanized power structure that characterized the House before the revitalization of party structures. As Bob Livingston said, "It is no longer a feudal system. It's a federation. . . . It enhances cohesion—cohesion, not coercion."[83]

Conclusions

In this article we have sought to offer a perspective on the Republican regime in the House of Representatives and to shed some light on whether the partisan or majoritarian theories of congressional organization and behavior provide better accounts of the phenomena of interest. Here we examined the first two of three hypotheses that distinguish these two theories. The final evidence in this regard will involve the analysis of policy outcomes, which we are pursuing. Thus final conclusions must await that analysis.

In our view, the consideration of these two hypotheses indicates that the partisan theoretical perspective provides the better explanation for the events of the 104th Congress. This view does not deny the importance of the preferences of the center on the floor, but it does argue—in contrast to the pure majoritarian theory—that the center on the floor is not the only force that is consequential for behavior, organization, and outcomes. It contends that party structures, especially those of the majority, are also important in certain instances. The elements of the theory of conditional party government are rooted in earlier work going back two decades,[84] but its implications were far from universally accepted. No analysis anticipated the strengthening of parties in the House in the 1980s,[85] but those events are implied and explained by conditional party government. Moreover, few anticipated the further strengthening of the majority party that occurred in the 104th Congress, but the concept of conditional party government seemed to apply even more accurately to this case than to the earlier Democratic Congresses for which it was originally devised. Gingrich and his allies wanted to strengthen the GOP party leadership in order to gain greater control over the agenda and greater influence over the choices of Republican members. The party Conference was willing to grant these greater

[82] Gabriel Kahn, "In Intramural Skirmish, the GOP Moderates' 'Tuesday Lunch Bunch' Wins First Big Victory," *Roll Call*, 16 March 1995, 12.

[83] Wolf, "Speaker's Team Concept," 5A.

[84] See, for example, Cooper and Brady, "Institutional Context and Leadership Style" and David W. Rohde and Kenneth A. Shepsle, "Leaders and Followers in the House of Representatives: Reflections on Woodrow Wilson's *Congressional Government*," *Congress and the Presidency* 14 (Autumn 1987): 111–33.

[85] See Shepsle, "Congressional Institutions and Behavior: The Changing Textbook Congress."

powers because the party had a high degree of preference homogeneity, which had been reinforced by the large and very conservative freshman class of 1994.

His new powers over the appointment of committee chairs and over committee assignments and his special relationship with the freshmen gave Speaker Gingrich increased influence over the policy decisions of GOP members, both among the committee leadership and the rank and file. This influence and other powers (control over the Rules Committee) gave the leadership greater control over the agenda. Finally, the combination of influence over individuals and over the agenda has enhanced the party leaders' ability to achieve the policy outcomes they desired. Gingrich made it clear from the beginning that he intended to use his powers toward policy goals, although clearly these goals were linked in turn to political ends like maintenance of the Republican majority. For example, in a letter to the chief lobbyist of the National Rifle Association in late January 1994 he stated: "As long as I am Speaker of this House, no gun control legislation is going to move *in committee or on the floor* of this House." Nor was this merely a reflection of bravado in the early days of the new majority, because at the end of July, when the letter came to light, Gingrich's deputy press secretary announced: "The pledge still stands."[86] This is a far cry from the situation in the House under the speakership of Democrat Sam Rayburn, who had to cajole compliance from the committee barons to get anything done.[87] Widely shared preferences within the Republican party led to the strongest party leadership in the House since the revolt against Speaker Cannon, and these strengthened powers were partly responsible for the passage of a wide-ranging legislative agenda in a remarkably short time.

These conclusions do not imply, however, that the Republican leadership had achieved dictatorial control in the House, nor that it was guaranteed continued policy success. The degree of preference homogeneity within the party is partly dependent on the mix of issues the party addresses. As we saw, Gingrich used his influence over the agenda to delay consideration of relatively divisive social issues, but those increasingly required legislative action. This makes success more difficult, and by July 1995 the GOP had suffered a few significant defeats, including the leadership's first loss on adoption of a special rule.[88] Indeed, that very control over the agenda became more difficult as the tug-of-war over what should be on the agenda intensified. For example, both pro-choice and pro-life Republican women members warned the Speaker that the inclusion of anti-abortion provisions in appropriations bills risked costing the party the support of women voters.[89] On the other hand, addressing this

[86] George Lardner, Jr., "Gingrich Promised NRA on Gun Control," *Washington Post*, 1 August 1994. (Emphasis added.)

[87] Cooper and Brady, "Institutional Context and Leadership Style."

[88] It occurred 12 July, on the Interior Appropriations bill and involved an unusual coalition of Democrats and GOP conservatives from the CATS group. See Timothy J. Burger, "After a Defeat, House Leaders Must Regroup," *Roll Call*, 17 July 1995, 1.

[89] Marcia Gelbart, "GOP Women Tell Leaders to Soft-pedal Abortion," *The Hill*, 26 July 1994, 1.

issue had the highest salience to some Christian conservative GOP representatives. Freshman Tom Coburn (OK) said, "From my personal view, right-to-life has to be a component of any political party I'm associated with. . . . And the day that it's not, that's the day I walk."[90] Balancing these competing views was a challenge for the leadership.

The leadership's difficulties, moreover, were exacerbated by the narrow partisan balance. The majority could endure more defections than the Democrats, but not a lot more. Small partisan majorities make it more likely that a well-defined party position exists,[91] but the situation makes what defections do occur more hazardous. The most effective way to hold they party together is to prevent divisive issues from getting on the agenda in the first place, which was not always possible for the Republican leadership. Despite these difficulties, however, Speaker Gingrich was through his own action and the support of ideological allies in a stronger position to influence outcomes than any predecessor in a long time. A relatively homogeneous party chose to delegate strong authority to him to get a job done, or as he put it: "It's consensual authority. They [the party members] as a team give me my authority."[92]*

[90] Carney, "Family Time," 1951.

[91] See Aldrich, *Why Parties?" 216–218.*

[92] Wolf, "Speaker's Team Concept," 5A.

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