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## *Preferences, Partisanship, and Whip Activity in the U.S. House of Representatives*

Using Democratic whip counts from the 92d House, we compare representatives' stated intentions to their actual roll-call votes to detect evidence of party pressure. After arguing that this strategy understates real party influence, we nonetheless point to evidence of member conversion by party leaders. On 16 bills analyzed, two-thirds of the switches between the count and the vote occur in the direction favored by party leaders. We examine one bill in depth, showing how the efforts of party leaders were consequential to the outcome. The pattern of movement on this bill, along with data from the larger set of bills, provides evidence that leaders act strategically, targeting the members whose persuasion requires the fewest resources.

The recent literature on the U.S. Congress has come to focus in large part on a debate between scholars who believe that parties wield influence over member behavior and those who believe that member behavior is driven by preferences.<sup>1</sup> A key difficulty in resolving this debate is that behavior is often equated with revealed preference, a troubling assumption. Behavior is in fact strategic and subject to many forces beyond policy preferences. Assessing the independent influence of partisanship on legislative behavior requires data that separate members' preferences from their actions. Only this approach will reveal the degree of congruence between preferences and actions, and what explains the inconsistencies between them.

We turn to the House whip system as a source of information on member preferences distinct from the observed behavior of roll-call voting. Using whip counts from the 92d Congress (1971–72) located in the Thomas P. "Tip" O'Neill archives, we take the behind-the-scenes reports of members' voting intentions as estimates of their policy preferences. We then compare Democrats' stated intentions to their actual roll-call votes on the same measures. Although the majority of members maintain a consistent stand between the count and the vote, considerable movement also occurs. A small number of legislators convert from one side of a bill to

the other, a change that suggests party pressure may have a role in determining member behavior. The lion's share of the movement—roughly two-thirds of switching members, on average—is in the direction favored by party leaders. Moreover, we argue that this evidence understates the true influence of parties on members' actions for several reasons.

We also examine in depth one bill for which the conversion efforts of Democratic leaders were clearly consequential to the outcome. Identifying the types of members most likely to be converted to the party's position on the bill provides further evidence that the movement between whip count and vote is primarily due to party influence. The shift of more partisan and liberal members toward the party indicates that power exerted by party leaders, as opposed to change in policy preference or district pressure, is the dominant force behind observed changes in position. It is notable that partisanship affects conversion in favor of the party even after one controls for ideological and constituent preferences. The pattern of movement on the single bill, as well as the number of conversions on all bills we consider, also provides us with evidence of how party leaders exercise their influence: leaders act strategically, targeting the members whose conversion requires the fewest resources.

We improve on earlier work by moving in two new directions. First, we reexamine the party-preference debate by studying activity *within* rather than *across* parties. That is, we ask whether or not influences within a party, particularly pressure from party leaders, affect a member's vote rather than whether or not party membership itself affects a member's vote. This shift in focus allows us to employ more nuanced measures of partisanship than the dichotomous indicator of party affiliation typically used to indicate a myriad of partisan influences. Evaluating partisan influence within a party caucus recognizes that party leaders affect their own members differentially and shows precisely how party leaders wield influence.

Second, using original whip count data provides us with measures of members' preferences on *specific* bills. These preferences can be compared with actual roll-call votes to reveal evidence of party influence occurring between the whip count and the vote. This comparison allows us to pair specific intents with specific actions rather than use global measures to predict actions on bills that might not adhere neatly to a single issue dimension.<sup>2</sup> This bill-specific approach also permits us to reveal more of the complexity of politics by enabling us to examine how various influences, including party pressure, carry different weights depending on the context. It is likely that leaders build coalitions on a bill-by-bill (or least issue-by-issue) basis, so this approach is perhaps more realistic than analyses conducted at a higher level of aggregation.

### The Hunt for Party Discipline<sup>3</sup>

Partisanship can be defined broadly as the “the impact and influence of political parties on the . . . behavior of [their] members” (Rohde 1991, 2). This definition provides a useful foundation for thinking about party influence. We seek to narrow its scope in light of recent informational critiques that have surfaced in the congressional literature. Krehbiel’s most recent contributions to the party-preference debate have challenged scholars to define what is meant by “party influence.” Krehbiel offers his own definition with the claim that “significant party behavior” only occurs when we observe institutional organization, member behavior, or legislative outcomes that are different from those we would expect if parties did not exist (Krehbiel 1999a, 32–35). Although this connection has not been made before, Krehbiel’s definition follows the logic of Dahl’s (1957, 202–03) classic statement that “A has power over B to the extent that he can get B to do something that B would not otherwise do.”

Using this understanding of power, we recast Rohde’s definition as the *independent* impact of a party on the behavior of its members. For partisanship to matter, member behavior cannot be fully explained by other sources, such as constituency preferences or ideology. A party has power when it can influence members to coordinate their behavior with that of the party *in spite of* constituency preferences or personal ideology. That is, a party has power if it can cause a member to act differently than the member would have in the absence of the party.

The evidence required to demonstrate independent party influence is difficult to find. As Kingdon (1989) demonstrated in his work on congressional decision making, it is rare that the “field of forces” acting on a legislator is incongruent. On most roll-call votes, one’s own preferences, those of constituents, and pressure from other actors (including the administration, interest groups, and even one’s own party) are in alignment. Indeed, the tight correspondence between member preferences and party has been a significant practical problem in the party-preference debate. Scholars arguing for preference-driven members often point out that the correlation between preferences and party prevents us from isolating any statistically significant, independent impact of party on member behavior. The preference camp is especially skeptical of using standard measures of partisanship as evidence for party effects for this reason. Measures of voting cohesion, after all, are merely reflections of the preferences that led like-minded members to affiliate with the same party (Krehbiel 1993, 2000). Scholars supporting preference-driven theories reject, as empirically unsupported, inferences from partisanship data that party leaders may have influenced

some members to vote the party line in spite of opposing preferences. Thus, much party power remains a counterfactual that goes unobserved, since members cannot be randomly assigned to parties.<sup>4</sup>

We believe that research on the party-versus-preferences debate ought to continue to search for yet undiscovered “observable implications” of a mostly unobservable process of party coercion (King, Keohane, and Verba 1994). These implications must include cases in which the “field of forces” is not in total alignment. Best would be situations where most forces, somehow captured in Krehbiel’s rather large conception of preferences, push a legislator in one direction initially, after which the party tries to wield power by reversing the legislator’s position.

In recent years, scholars have sought creative ways to gain leverage on the problem. Ansolabehere, Snyder, and Stewart (2001) used candidate surveys to assess preferences outside of the legislative context. They found that a member’s party affiliation has an independent effect on roll-call voting even when these self-reported preferences and constituents’ voting patterns are controlled. Moreover, the party effects are stronger on procedural than substantive matters and on close rather than lopsided votes, as one might expect. Binder, Lawrence, and Maltzman (1999) revisited Krehbiel’s analysis of the “A to Z” bill and subsequent discharge effort. They identified a less problematic measure of preferences and demonstrated strong effects of partisanship on legislators who cosponsored the bill to not sign the discharge petition. Snyder and Groseclose (2000) made a theoretical distinction between lopsided and close votes, expecting preferences to dominate the former and party to play a potential role in the latter. Using this approach, they found that roughly half of the close roll calls in the House and Senate show signs of party influence, with party sometimes having more effect than preferences. Cox and Poole (2002) believe that limiting the analysis to close votes creates a pro-party bias, although their alternative approach also found consistent party influence over time. Finally, while offering additional complaints about the Snyder and Groseclose approach, McCarty, Poole, and Rosenthal (2001) also read different party effects from roll calls. Because a two-cutpoint model does not improve much upon a one-cutpoint classification, they suggested that partisanship’s most significant role is in determining legislators’ ideal points. They also found that the simple act of switching parties has a dramatic influence on ideological voting patterns, a strong suggestion of straightforward party influence. Nokken (2000) provided a more extensive analysis of party switchers, showing that their leadership support scores are also heavily influenced by party labels (see also Hager and Talbert 2000).

Although prior authors have been clever in their efforts to distill partisanship from the preferences elixir, the results have been subject to criticism. Many of the complaints are methodological in nature. Scholars on both sides of the debate have implicitly assumed that all roll-call votes are the same. Because votes can be comfortably arrayed on an unidimensional scale, researchers tend to assume that ideology matters equally on all roll calls. But we know this is not the case. Some bills provoke a great deal of constituency pressure because they are high-salience matters, others are subject to heavy lobbying from interest groups, and yet others allow members considerable leeway to vote their own predispositions (see Miller and Stokes 1963). Some of the work cited here acknowledges differences across broad classes of votes, such as procedural and substantive matters (see also Froman and Ripley 1965). Clearly, one should not expect partisanship to have the same effect on all votes. Party leaders in the U.S. Congress have limited political capital and only modest sanctions and rewards with which to persuade members. Shrewd leaders will use these resources sparingly and on the members and bills where they will be most effective.

For the most part, arguments on behalf of partisan, informational, and distributional models of congressional politics have been blanket characterizations of rather complex dynamics. We diverge from this tradition and thus concur with Hurwitz, Moiles, and Rohde (2001) that bills differ greatly but systematically in the degrees to which these motivations are active. The nature of the floor agenda determines, in large part, which factors will carry the most weight in determining how members vote.<sup>5</sup> Advocates of the partisan model would not suggest that parties are a dominant influence on every vote; rather, there are situations where party leaders choose to exert themselves. Fortunately for those who believe that parties matter, the advocates of alternative models, particularly informational accounts, have made clear what must be done to demonstrate that parties “matter.” One merely need show that, once factors such as preferences are controlled, partisanship has an independent effect on member behavior.

### Using House Whip Count Data

We have located information that allows us to overcome a primary obstacle to resolving the party-preference debate: separating preferences from actions. When preferences are distinct from behavior, we can meet the challenge issued by proponents of informational models of legislative behavior, namely, control for preferences to establish what independent role other factors have in determining behavior. The data

come from whip counts conducted of Democrats in the House of Representatives in the era just before the major reforms of the mid-1970s. Whips engage in a variety of activities, but one of their important tasks is to conduct head counts of the membership. These counts are usually conducted on behalf of a committee chair or the leadership and ask members how they plan to vote on an upcoming piece of legislation.

Although the whip system was heavily studied early in its development (Dodd and Sullivan 1981; Froman and Ripley 1965; Ripley 1964), it has been all but abandoned by the literature since then (cf. Evans et al. 2003; Sinclair 1981, 1983, 1995). Building on Sinclair's substantive understanding of how the whip system operates, we wish to turn attention back to the whip count in particular as a useful device for settling some of the controversies in the party-preference debate. The whip count is a concerted attempt by a party to gather support before a floor vote; it also provides a behind-the-scenes report of members' intentions on a bill. Thus, the period between whip count and vote is a logical place to look for significant party behavior.

By comparing specific whip count responses with the positions these same members took on the actual votes, we can infer the role that party leaders played in the interim. We recognize that the measure of preference at the whip count stage of the legislative process, usually just a few days before the floor vote, is already the sum of several factors beyond pure preference alone. Constituent and interest group influence, as well as some party pressure, must affect how a legislator answers the whip count. We view the whip count response as a member's composite preference. It is the best summary of how a member intends to vote at that point in time. A majority of the movement that occurs in the brief period of time between whip count and vote can be expected to result from the party pressure applied to members not yet supportive of the party position. The fact that our measure of preference already contains influences beyond raw policy preference gives us confidence that the movement we see is due to party pressure rather than yet-unaccounted-for constituent and interest group influence. The preexisting party effect in the composite preference measure means we are underestimating the role of any party pressure we do find. Our new data allow us to separate out the effect of party pressure on behavior between the whip count and floor vote only. Additional party effects prior to and during the whip count could be uncovered with preference measures prior to the whip count.

Data come from the Thomas P. "Tip" O'Neill archive in the Burns Library at Boston College. O'Neill's reign as Speaker from the 95th to 99th Congresses is heavily documented (Farrell 2001; O'Neill 1987).



We rely on material from the 92d Congress (1971–72), in which O’Neill was Majority Whip. Among the items in the archives are 26 Democratic Party whip counts.<sup>6</sup> Many of the count sheets include handwritten notes from assistant whips to O’Neill, records kept by staffers working in the whip office, and other memoranda about upcoming votes. Unfortunately, some of the counts lack complete documentation. Our analysis relies on 16 votes for which satisfactory records on the whip counts exist. Representatives’ responses fell into one of five categories: Yes, No, Absent, Undecided, or No Answer. In nearly every case the whip question is worded so that the party’s preferred position is “Yes.”<sup>7</sup>

A clear benefit of whip counts is that they survey members on *specific* bills (Sinclair 1995) rather than abstract views about government policy that might be implied by roll-call indexes. This focus allows us to pair specific intentions with specific actions. We merge the count data with the actual roll calls taken on the same bills (using ICPSR file 0004). Fortunately, the whip’s office worded each member survey in a specific enough way for direct comparisons to be made with nearly identical votes. More information on the how bills are chosen for counts and the ways in which counts are conducted on the ground is provided by Sinclair (1983, 1995).

Consider one example we analyze from July 1972. Whip count number 10 in the 2d session of the 92d House asked all Democrats, “Will the Member support H.R. 13853, the Emergency Community Facilities and Public Investment Act of 1972, as reported by Banking and Currency?” The staff of 19 assistant whips, each representing a geographic zone, contacted their House colleagues and asked this question. The results were then reported to Majority Whip O’Neill. One day later, a vote took place on the bill. These data reveal what members told leaders their intentions were and how they actually voted, allowing us to analyze the discrepancies as possible indicators of party influence. A few studies have taken this approach, but the most comprehensive rely on presidential head counts rather than those conducted by congressional leaders (Sullivan 1990a, 1990b). This work provides a foundation on which to begin studying the power of party leaders in Congress itself.

### A Conservative Test of Party Influence

Empirically, we believe the deck is stacked strongly against our finding a party effect, for at least three reasons. First, in the modern era, partisanship and preferences are terribly difficult to untangle. Beyond the abstract understanding that the party to which a member



belongs is highly correlated with measures of ideology, we find a powerful empirical relationship between our measures of party support and ideology within the Democratic caucus. For example, the correlation between a Democrat's "party unity" score and his NOMINATE score is  $-.91$  in our dataset.<sup>8</sup> This tight connection makes it nearly impossible to separate the effects of the two variables. We thus agree with Grofman, Koetzle, and McGann (2002, 100), who conclude, "Contra Krehbiel, we do not think that it is essentially impossible to separate out party and ideology, although we would agree that, *at present*, this is a very, very difficult task" (emphasis in original). To the degree that any difference between party and preferences can be found, our investigation surely understates the extent to which each matters.<sup>9</sup>

Second, the early 1970s was a period of particularly weak congressional parties. The Democrats held a sizable majority of 254 members. The preferences of the Democrats were extremely heterogeneous at the time, divided primarily along regional and seniority lines. Indeed, the mean Democrat stood at a moderate  $-.183$  on the NOMINATE scale with a standard deviation of  $.440$ , a real contrast with the stark interparty differences of recent years. Democrats ranged from traditional conservatives like James Haley of Florida (NOMINATE of  $.729$ ) to idealistic liberals such as Ron Dellums of California (NOMINATE of  $-.996$ ). The 92d Congress falls just between the textbook era of the 1950s and 1960s and the party-strengthening reforms of the mid-1970s, which attracted a new breed of legislator (Loomis 1988; Rohde 1991). Differences of opinion and strategy between Democratic leaders and the rank and file inhibited communication, coordination, and top-down discipline. In short, the Congress we have chosen to study represents one of the lowest points of party strength in the modern era.

These facts are widely known, so we offer only a little evidence to emphasize the point. Consider a few measures of partisanship. A general indicator, the "party voting" score, fell below 30% three times in the early 1970s, after hovering around 50% in the textbook years before and the postreform era soon after (see, for example, Patterson and Caldeira 1988).<sup>10</sup> A more specific measure, Snyder and Groseclose's (2000) measure of party pressure, reached its 1971–98 low point in the very time period we are analyzing.<sup>11</sup> Partly in reaction to the fragmentation in the majority, the modern whip system of counting and influencing roll-call votes was in its infancy in the early 1970s (Ripley 1964; Sinclair 1981, 1983). The fledgling nature of the whip system further reduced the power of leaders to pressure reluctants among the rank and file. In summary, the incoherent nature of member

preferences and the lack of an established mechanism for party pressure via a well-developed whip system suggest that the power of Democratic leaders to have an independent effect on member behavior should be minimal. Any demonstration of party influence is almost certainly an underestimate of its potency in the House more generally.

Third, the final whip counts already reflect substantial partisan effects. As noted previously, whip counts are not indicators of “raw” preferences, untainted by party preferences. Because a count signals leadership interest in the outcome, a mere contact from a deputy whip exerts pressure to go along with the party. Our discussions with Susan Hirschmann, former chief of staff to Majority Whip Tom Delay (R-TX), suggest that interpersonal lobbying accompanies the count. The final whip count produced before the vote represents the accumulation of party influence that accompanies the survey of members. The scholarly literature verifies that counting is itself a form of lobbying because it indicates that the leadership has an interest in the vote (Ripley 1964; Sinclair 1995; cf. Sullivan 1990b on presidential counts). Sinclair (1995) notes that after the initial count is conducted, a refined count takes place that includes more explicit “persuasion” by the whip task force. As Hook (1987) writes, “The best whips are those who can count not only noses, but twist arms. They don’t just tally votes, they deliver them” (3158). In addition, by the time a whip count is completed and voting intentions are recorded, some backroom negotiations have probably already taken place that researchers cannot observe. Therefore, we begin with a measure of preferences that already includes substantial party pressures. This inclusion makes it difficult to demonstrate a party effect beyond that already contained in the whip count itself.<sup>12</sup>

In short, these new data represent a compelling approach to the party-preference debate, and one that heavily favors those who doubt that parties exert any independent effect at all.<sup>13</sup> Thus, a failure to observe party effects does not necessarily mean that party leaders are impotent, merely that we have failed to reject the null hypothesis in a context in which the null is privileged. If party effects are observed, then we almost surely understate their true size in a more representative context.

### **All Votes Are Not the Same**

Research on both sides of the party-preference debate tends to search for blanket effects that apply to all votes. Exceptions to this common practice suggest real diversity in the relative power of parties across votes. Ansolabehere, Snyder, and Stewart (2001) and Snyder and Groseclose (2000) have shown that party matters more often in

some Congresses than others and much more in policy areas such as Social Security and the budget than on energy or moral issues. A recent analysis by Hurwitz, Moiles, and Rohde (2001) went even further. By disaggregating the data down to the bill level, Hurwitz and colleagues showed that even on bills all lumped under the rubric of agriculture policy, some invoked partisan cleavages, others were mostly distributive in nature, and others were combinations of these two dimensions. Their work suggests that instead of asking if parties matter, legislative scholars should be identifying when, where, and why they matter. Although most votes fit neatly onto a single ideological scale (Poole and Rosenthal 1997), one should not assume that ideology is all that motivates legislator behavior or even that it matters equally on all bills, especially in an era in which party preferences are heterogeneous.

Consider the House vote on final passage of the Family Assistance Act on June 22, 1971. Technically Title IV of H.R. 1, the measure would have established an income floor for working families and increased other welfare benefits. Aside from one rejected amendment, the act came to the floor as a stand-alone measure. In anticipation of the vote, a preliminary whip count was conducted on June 17. In this count, 110 Democrats indicated that they planned to vote with the party, another 52 said they would vote against the party, and the remainder were either unreachable or undecided.

Sixteen Democrats switched from saying they would vote against the party to voting with the leadership when the bill hit the floor. Only one Democrat, Frank Denholm of South Dakota, voted against the bill after telling the whip he would vote with the party. The 16 members who moved toward the party run the gamut from extreme liberal Henry Hesltoski of New Jersey (NOMINATE score of  $-.979$ ) to conservative Richard Ichord of Missouri (NOMINATE of  $.332$ ). In fact, all but 5 of these 16 members have NOMINATE scores above  $-.5$ . We shall show that ideological preferences do influence who is persuaded by the party, but this case serves to illustrate a different point: although preferences are surely important, they are far from the whole story and not consistent in their effects across members or bills. The literature currently phrases the problem as separating party from preferences, yet one might very well conceive of the difficulty as distilling preferences out of party.

### Conversion Effects

We begin with the aggregate picture, comparing members' reported intentions during the whip count to their votes on the same bills. A cross-tabulation of the whip responses and roll-call votes for a

TABLE 1  
Patterns of Whip Counts and Roll-Call Votes

Roll-Call Vote		Whip Count	
		Yes	No
	Yes	<i>Consistent With</i>	<i>Converted Toward</i>
	No	<i>Converted Away</i>	<i>Consistent Against</i>

theoretical bill appears in Table 1. The horizontal axis shows whether a member said he would vote with the party (Yes) or against the party (No). The vertical axis indicates whether the member actually voted with the party or not.<sup>14</sup> We consider members who say “yes” to the whip count and vote the party’s preferred position to be *consistent with* the party. Members who do the opposite are *consistent against* the party. Members who said “no” and then voted “yes,” or said “yes” and then voted “no,” are *converted*. They are converted *toward* the party if they move from no to yes and converted *away* from the party if they move from yes to no.

For most legislators, consistency is the norm. On most bills, a large majority of Democrats were with the party during both the whip count and on the vote. Unfortunately, this group can tell us little about party effects since their consistency could be interpreted in a number of ways. Being consistently with the party, for example, could be due to a wide variety of factors, of which partisanship is only one. On the other side, a small number of legislators were opposed to the party on both the count and the vote. These opponents might suggest the limits of party pressure, but their lack of change also tells us little about party effects because we do not know if party leaders actually lobbied these members between the count and the vote.

It is only the members who changed their positions who reveal to us something about party pressure. Because it requires leaders to dislodge members from positions to which they have already committed, we expect that conversion is generally difficult. Table 2 reports the number of Democrats who moved toward and away from the party position between the whip count and the vote on 16 measures considered in the 92d Congress.

TABLE 2  
Conversion between Count and Vote

Measure under Consideration	Converted Toward	Converted Away
Family Assistance Act (H.R. 1)	16	1
CBS contempt of Congress citation (H.Res. 534)	6	3
Emergency Loan Guarantee Fund (H.R. 8432)	8	5
Equal Employment Opportunity Commission (H.R. 1746)	4	14
Internal Security Act Title II (H.R. 234)	1	1
Internal Security Act concentration camps provision (H.R. 820)	5	0
Equal Rights Amendment Wiggins amendment (H.J.Res. 208)	7	1
Campaign funding provision of the Tax Reform Act (H.R. 10947)	35	7
Select Committee on Privacy, Human Values, & Dem. Inst. (H.Res. 164)	2	12
Economic Opportunity Act amendments (H.R. 12350)	1	0
Federal Water Pollution Control Act amendments (H.R. 12350)	6	0
Fair Labor Standards Act (H.R. 7130)	10	0
State and Local Fiscal Assistance Act rule (H.Res. 996)	18	8
State and Local Fiscal Assistance Act (H.R. 14370)	35	4
Emergency Community Facilities & Public Investment Act (H.R. 13853)	1	11
Consumer Product Safety Act (H.R. 15003)	4	2
Mean	9.94	4.31

*Note:* Cell entries are numbers of Democrats changing positions between whip count and vote. Items are listed chronologically in the order they reached the floor during the 92d Congress.

Although the numbers are small, the data are largely consistent with party pressure effects.<sup>15</sup> In most cases, a trivial number of members defected from the party (probably because of idiosyncratic district or personal factors), yet the leadership was able to bring on board anywhere from 1 to 35 Democrats who were initially opposed. In only 3 of the 16 cases were the number of members moving away from the party position greater than the number moving toward it.

The important point to take from Table 2 is that the number of Democrats moving toward the party is roughly double that moving away from it. On only a few votes do leaders appear to have lost more Democrats than they gained. Fewer than 10% of Democrats who stated an intention switched sides on the roll-call vote, but more than two-thirds of those Democrats shifted in the direction the party preferred.<sup>16</sup>

To further support our hypothesis that the movement we see is due to party pressure, we turn to another piece of evidence, this one dealing with the timing of votes. If conversions are a tough test of party influence, then we would expect votes to be delayed when the whip counts find substantial opposition within the party. Indeed, in our dataset, the number of days between the count and the vote grows as the number of legislators opposed in the count rises ( $r = .54, p < .05$ ). The strategy seems to work: The longer the amount of time between the initial whip count and the vote, the greater the number of conversions. Delay is positively related to the absolute ( $r = .58$ ) and net ( $r = .55$ ) number of conversions (both significant at  $p < .05$ ), indicating that more conversions are possible the longer a floor vote can be postponed by the party leadership.

We find the ability to move a pivotal group of party members a sign of surprisingly strong parties in an era known for party fragmentation. Given the secondhand knowledge of whip activities, we infer that this movement is the result of strategic conversion by leaders. In the mid-1970s, the whip system and leadership became remarkably effective at identifying the most likely converts and using a series of nonthreatening tactics to bring them back across the aisle before the vote (Dodd and Sullivan 1981; Sinclair 1995). Whips are not apt to use brute force often for fear that it would work against the leadership in the future.

### Pocket Votes

Just as leaders do not want to strong-arm members for fear of losing political capital, members are not apt to misrepresent themselves often or systematically in the whip counts for fear of gaining unfavorable reputations. Members quickly learn not to cry wolf to exact more concessions from leaders without good reason (Sinclair 1995; Sullivan 1990a, 1990b; cf. Ripley 1964). Sullivan's study of presidential head counts demonstrates that legislators simply cannot misrepresent themselves during whip counts because it weakens their power to send credible signals to leaders later.

Leaders have limited political capital and should not waste it on members who are most difficult to convince or on votes that are unlikely to be close. King and Zeckhauser (2003) point out that many roll-call votes either "win by a little or lose by a lot" for this reason. Leaders secure what they call "options" on votes, which are more commonly known as "pocket" or "if" votes. Shrewd leaders allow members who are reluctant to support the leadership position to vote against the party unless their votes are needed.

There are numerous anecdotes about the use of “if” votes by leaders. Speaker Sam Rayburn (D-TX) reportedly asked reluctant junior members to sit in the front row on the House floor as the vote took place. If the vote appeared close, then he would call on them to vote with the party; otherwise, they were free to vote against it (Farrell 2001; O’Neill 1987). In the 1960s, the leadership would routinely line up 8 to 10 pocket votes when it needed them (Froman and Ripley 1965).

King and Zeckhauser (2003) described how “strategic waiting” affected the vote on the 1990 anti-flag-burning measure. The Democratic leadership behind Speaker Thomas Foley (D-WA) encouraged its members to vote against the amendment, but many of their constituents were strongly for it. As the 15-minute voting took place, the Democrats switched their votes from “nay” to “yea” as it became evident that their party would prevail. Apparently the “if you need me” votes were called in by the leadership late in the course of the roll call. Binder, Lawrence, and Maltzman (1999) also provided evidence for the use of pocket votes on the “A to Z” budget-cutting measure. Democrats apparently convinced some members of the party who had sponsored the bill not to sign the discharge petition releasing it from committee.

Our investigation of notes in the O’Neill archives provides more support for the idea that pocket votes are behind some narrow party victories. One of the incomplete whip counts in the files concerns the Emergency Employment Act of 1971 (H.R. 3613). As the bill was being whipped, the leadership was assessing its chances and deciding how much it ought to lobby the membership. A note in the files says, “Jim Wright reported that Tiger Teague would vote yes if it were needed.”<sup>17</sup> Fortunately for Teague, his vote was not needed. Soon after, a memo arrived on Majority Whip O’Neill’s desk from a leadership staffer.

I am confident that we have the votes to pass the bill. It would be nice to build up as big a vote as possible—it might influence the President’s decision about a veto. On the other hand, you may not wish to use up credit with Members on a bill which we have the votes to pass anyhow. You may desire to save yourself for items where your personal intervention would make the difference between victory and defeat (*memorandum from John Barriere of the Democratic Steering Committee, May 1971*).

The staffer appears to have been correct. The Emergency Employment Act passed the House floor easily, 245–141, with 193 Democrats voting for it.



Our evidence on conversions is systematic, but we have only anecdotal support for the use of pocket votes. Nonetheless, the combination of private and public information highlighted here suggests that the use of “if” votes by the leadership is widespread, at least on the votes where it matters most. Since party leaders might call in only a portion—if any—of their pocket votes on any bill, we might observe less party influence in the roll call than actually exists behind the scenes. The practice of holding pocket votes contributes to the hard test of partisanship that characterizes our use of whip counts.

### **An Outcome-Consequential Case**

At least one of our votes appears relevant to satisfying Krehbiel’s (1999b) request that partisan behavior not only exist downstream in the lawmaking process but be “outcome-consequential.” The Emergency Loan Guarantee Fund (H.R. 8432), a program to provide quick grants to failing businesses, particularly Lockheed, passed the House by a narrow three-vote margin, 192–189, on July 30, 1971. The Democratic leadership in the House was clearly working on behalf of H.R. 8432 and decided to conduct a whip count two days before the vote. As Table 2 shows, three more members were converted in the direction the party preferred than away from the party position. Not surprisingly, the members who shifted in the party direction were more liberal (mean NOMINATE score of  $-.133$ ) and partisan (mean party unity score of  $74.8$ ) than those who shifted away from it (scores  $.012$  and  $62.6$ ).

To investigate these relationships more fully, we estimate multivariate models that explain members’ stances toward H.R. 8432. We begin by estimating simple logit models to explain how members responded to the whip count and then voted. The two logit columns of Table 3 show the results using three measures: partisanship, (roll call) ideology, and district preferences. We measure partisanship using the standard party unity score, which captures how often each Democrat voted with the party. We measure members’ ideological preferences using first-dimension W-NOMINATE scores. And we proxy district preferences with the percentage of the 1972 presidential vote won by Democrat George McGovern.<sup>18</sup> As previously explained, the high intercorrelation of these three variables makes the task of demonstrating party influence particularly difficult.

The results show that although ideology alone determined a member’s initial position on H.R. 8432 (with conservative Democrats being predictably less favorable), partisan loyalty played an independent role on the vote. The coefficient on the party loyalty variable goes

TABLE 3  
Explaining Whip Counts and Votes on the  
Emergency Loan Guarantee Fund (H.R. 8432)

Variable	Logit		Multinomial Logit		
	With Party on: Count	Vote	Consistent With	Converted Toward	Converted Away
Partisanship (Party Unity)	.009 (.021)	.025* (.015)	.008 (.023)	.126* (.071)	.048 (.070)
Ideology (NOMINATE)	-.052* (.024)	-.051** (.018)	-.060* (.026)	-.215* (.095)	-.124 (.093)
District Preferences (McGovern Vote)	-.429 (2.07)	-.258 (1.46)	.891 (2.29)	6.44 (4.04)	2.27 (5.32)
Constant	2.51** (.771)	1.10* (.492)	2.63** (.847)	-1.15 (1.84)	.568 (1.66)
Log Likelihood	-77.4	-144.3		-108.4	
N	131	225		124	

*Note:* "Consistent Away" is the baseline category for the multinomial logit model. NOMINATE scores have been rescaled to the same range as party unity scores for comparability.

\* $p < .05$ ; \*\* $p < .01$ , one-tailed test.

from insignificant during the whip count to statistically significant on the vote. Ideology surely mattered, and even if one naively assumes that the NOMINATE score captures no partisan influences, it is clear that party loyalties were activated when the rubber hit the road on the roll call.

In addition to analyzing the whip count and roll-call vote separately, we can examine them jointly to determine the degree to which party influence mattered in all possible configurations of alignment with the party position. To do this, we create a new four-category variable that indicates how each member behaved on both the count and the vote. These categories mirror the cells in Table 1. Members may remain consistent (same position between the count and vote) or be converted (change sides between the count and vote). Within each category, a member is either for or against the party position on the vote. We model this discrete choice situation using multinomial logit. The most oppositional members (consistent against the party) serve as the arbitrary baseline category. The results are shown in the multinomial logit columns of Table 3.

If party leaders attempt to convert members to the party position, then we expect leaders to behave strategically. Faced with limitations on time and political incentives with which to bargain, leaders should focus their efforts on conversion campaigns with the perceived greatest marginal utility; they should target members who the leadership believes can be converted with the minimum amount of resources. Strategic leaders would target members with higher levels of past party unity and liberal ideological preferences since these members tend to be the most supportive of the party position. Evidence of leaders' strategic action on the "A to Z" budget amendment has already been provided by Binder, Lawrence, and Maltzman (1999).

Examining changes of position between whip count and vote, we find this expected pattern of recruitment within the whip system holds. Ideology affects nearly every type of member, but partisanship exerts influence precisely where it should: in recruiting members who are initially opposed to the leadership. Ideology matters more in that equation too, suggesting that the conversions are heavily strategic, with leaders apt to first go after the most supportive Democrats—from a partisan and ideological standpoint—to secure a majority. And this clear party effect is apparent despite the correlation between party unity and ideology being almost perfect. This tight connection and a control for district preferences sets a high hurdle for demonstrating party effects, but we nonetheless manage to do so.

If we assume that party leaders are not influencing members' behavior, then we should expect a different pattern of movement between positions on the whip count and vote. Were members merely educating themselves about the bill, reassessing the match between their preferences and the bill and then changing positions, there would be no reason to expect a switch to occur any more frequently among more liberal members or the loyal partisans. And were additional information about constituent preferences on the bill motivating conversions, we would expect district preferences to be the primary causal factor behind a change in position on the bill.

Rather than indiscriminately targeting members for recruitment to the party position, party leaders act strategically, focusing on members who generally support the party and more liberal policies. Considering who party leaders target, we believe the data suggest that party leaders recruit members to the party position not only through political payoffs and logrolling, but also by activating partisan loyalties and liberal sentiments that encourage support of the party. Activating these sympathies may facilitate negotiating trades of political support or favors that lead members to toe the party line.

## Conclusion

Congressional parties are far from dictators, but their leaders can offer incentives that encourage members to vote in ways contrary to what their native preferences would suggest. Depending on the issue, leaders acting through the whip system can finesse and nudge a modest number of reluctant members to their side. Researchers should avoid, however, spinning an anecdote or two into lore about party power. Krehbiel has provided a service to legislative scholars by reminding them that the influence of parties is something that must be demonstrated, not assumed. And demonstrating party influence is far more difficult than it once seemed, especially if Krehbiel's assertions are taken at face value. We show here that parties matter even in this narrow theoretical view of parties. One could also argue that legislative preferences themselves are a product of partisanship rather than a nuisance to be eliminated in the study of party influence (see, for example, McCarty, Poole, and Rosenthal 2001). We believe that defining preferences more precisely and determining their origins—electoral or otherwise—would be fruitful lines of inquiry for future research (Burden, Caldeira, and Groseclose 2000).

By shifting the burden of proof and registering complaints about commonly used measures of partisanship that can overestimate party pressure, Krehbiel has encouraged students of Congress to dig for more creative evidence to weigh in on the party-preference debate. We have done so by examining a new dataset of paired whip counts and votes. This approach has several benefits. First, it provides a measure of preferences separate from behavior, enabling us to control for preferences and test for an independent effect for party influence. Second, it moves beyond thinking about partisanship as a dichotomy and assuming that party effects are uniform. Here we are observing how leaders of one party, the Democrats, are able or unable, depending on the bill at hand, to pressure members to act differently than they would otherwise. Party leaders attempt to pressure members within their own party, after all. We find this approach more realistic than a model that includes a party dummy variable as a proxy for party influence. Third, our approach allows comparison of specific preferences with specific actions rather than attaching rough aggregate measures to specific outcomes. We of course control for members' partisan and ideological outlooks in a general way, but within the contexts of particular votes. Fourth, unlike traditional measures of partisanship that Krehbiel finds biased toward finding party effects, our approach is clearly biased away from finding such effects. Because we set a high threshold for observing party influence, the effects we do observe almost certainly understate just how much power leaders have on members of their party.

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## NOTES

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1. Where preferences come from is yet another debate deserving of attention. The terms *ideology* and *preferences* are used interchangeably in this paper to designate the public positions preferred by a legislator (Burden, Caldeira, and Groseclose 2000; Rohde 1991).

2. Fishbein and Ajzen's (1975) theorizing about the relationship between attitudes (preferences) and behavior indicates that being specific is important. Questions about intentions should be measured at the same level of specificity as the behavior.

3. This heading is ruthlessly lifted from McCarty, Poole, and Rosenthal 2001.

4. Indeed, this understanding is what motivated the original development of the theory of "conditional party government" (Rohde 1991). The power of party leaders depends heavily on the homogeneity of the party caucuses, which in turn is affected by electoral decisions made endogenously by candidates.

5. Note that a wise majority party leadership could slant the agenda toward issues that make it appear as though it is exerting no influence on its members.

6. Evans et al. (2003) and Sinclair (1983, 1995) documented that the number of whip counts, as well as the number of total roll-call votes, began increasing significantly around this time. For example, Dodd and Sullivan (1981) reported that 53 Democratic whip counts were conducted in the 93d House. The increase is likely due to the development and expansion of the whip system coupled with the 17 counts dealing with special Watergate and related issues of legislative-congressional relations. In contrast, Froman and Ripley (1965) found that only 10 whip counts were conducted in 1963, which would amount to approximately 20 per Congress. By the late 1970s, there were perhaps 80 whip counts conducted during each Congress (Sinclair 1995), reaching a maximum of over 100 Democratic counts in the 95th (Evans et al. 2003). Discussions with Susan Hirschmann, former chief of staff to Majority Whip Tom DeLay (R-TX), suggest that several dozen counts were done each year in the 1990s; they were also more professional and complete than the counts we analyze from the early 1970s.

7. In this analysis, we set aside members who responded in any way aside from "Yes" or "No." Uncertainty about the underlying preferences of members giving the "Undecided" and "No Answer" responses causes us to refrain from drawing conclusions about their movement between the whip count and vote. The inchoate nature of the whip system in the 92d House contributes to the ambiguity in interpretation of the

breakdowns of the groups' preferences. We cannot be certain, for example, whether a deputy whip recording "No Answer" for a particular member of the party means that the member was simply unavailable or that the member purposely avoided the whip because of opposition to the bill in question. See Evans et al. 2003 for a discussion of these issues.

8. We measure party unity as the percentage of votes on which a legislator voted in agreement with a majority of his or her party.

9. Moreover, one would expect party leaders trying to build majority coalitions to take ideological preferences into account. Rather than view preference effects as evidence against party power, we should take them as evidence *for* it since leaders are strategic about whom they lobby (Binder, Lawrence, and Maltzman 1999). This strategy should be even more apparent within a party than across parties, and we are analyzing effects with only the Democratic caucus.

10. A "party vote" occurs when a majority of Democrats votes one way and a majority of Republicans votes the other. The frequency of party voting is the percentage of votes in a time period that meet this criterion. The party-voting score is a rough but imperfect measure because it does not distinguish between a 51–51 vote and 100–100 vote.

11. Snyder and Groseclose find that the smallest party differences over the course of the twentieth century occurred in the 91st–93d Congresses (1969–74). Moreover, most of the differences were due to preferences rather than party pressure.

12. There is a fourth factor working against us: a large number of members who did not respond to the whip counts at all.

13. This approach is exactly the opposite of so many measures of partisanship, which are biased toward finding spurious party effects (Krehbiel 1993, 2000).

14. Note that Yes and No in this table do not always correspond to yea and nay roll-call votes.

15. The 92d House contained 254 Democrats. After the removal of those Democrats who did not respond "Yes" or "No" to the whip count or who failed to vote on the roll call, and the exclusion of members who were consistent between them, the sample size has understandably shrunk.

16. It is possible that the "errors" the NOMINATE procedure makes in classifying members are partly due to party pressure. Unfortunately, because of a small number of cases in each category, our matching of converted and misclassified members was inconclusive on this point.

17. At the time, James Wright was in the party leadership and fellow Texan Olin "Tiger" Teague was chair of the Veterans' Affairs Committee. Wright would later become Majority Leader and Speaker. Leadership staff notes indicate several pocket votes on other bills as well. For example, Assistant Whip Clement Zablocki (D-WI) mentions four "reluctant yeses" on the Fair Labor Standards Act (H.R. 7130).

18. The careful reader will note that the 1972 presidential election, although heavily ideological and thus a good measure of district preferences (LeoGrande and Jeydel 1997), occurred at the end of the 92d Congress (1971–72) and thus could not have literally caused any of the effects observed. We used the 1972 vote rather than the 1968 vote because we think legislators would act in *anticipation* of voter reaction in the upcoming election rather than on the basis of voter preferences in their old districts. Fortunately, the results are the same regardless of which year is used.

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