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The Electoral Costs of Party Agenda Setting: Why the Hastert Rule Leads to Defeat

Jesse Richman
Old Dominion University, jrichman@odu.edu

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This study demonstrates that unconditional blocking of bills opposed by a majority of the majority party—as implied by the party cartel model and advocated by former Speaker Dennis Hastert—can produce conditions in which the majority party loses popular support and loses elections. The theoretical analysis and empirical results imply that the use of negative agenda power to block bills is circumscribed by this risk of electoral defeat. As a result, the opportunity for effective negative agenda control is conditional on majority party issue advantage, party polarization, and the distribution of status quo locations. In particular, majority party roll rates should sometimes be nonzero, blocking increases the odds of majority party defeat in House of Representatives elections, and policy change is most likely on issues with status quo that the model suggests are the riskiest to block.

To block or not to block? In 2003 Republican House Speaker Dennis Hastert asserted that "the job of the Speaker is not to expedite legislation that runs counter to the wishes of the majority of his majority" (Babington 2004). In 2013, Hastert's successor, John Boehner, fundamentally disagreed, arguing that he should determine "Where's the ground that we fight on? Where's the ground that we retreat on? Where are the smart fights? Where are the dumb fights that we have to stay away from?" (Easley 2013, 2). Boehner believed his willingness to allow passage of bills opposed by his copartisans would contribute to his party's subsequent electoral victories by neutralizing electorally dangerous issues.

In their seminal work *Setting the Agenda*, Cox and McCubbins (2005) largely sided with Hastert: "No dimension j on which the status quo (SQ_j) is preferred to the floor median (F_j) by a majority of the majority party is ever scheduled for floor consideration" (42). Majority party leaders use agenda power to prevent their party from experiencing a "roll" in which a majority of the party opposes legislation that is nevertheless voted on and passed. The only point at which Cox and McCubbins softened their argument for unconditional blocking was in chapter 6 of their book, where they added an exogenous cost. After briefly making the point that some issues are too costly to block, they left the issue of public pressure or other sources of blocking costs mostly unexplored. This study fills that gap by endogenizing blocking's electoral costs.

I extend the literature on the policy costs of blocking for majority party moderates (Jenkins and Monroe 2012) to include electoral costs for the majority party. Jenkins and Monroe (2012) provided evidence that the policy losses borne by moderate majority party legislators are substantial enough that they must be compensated for. My analysis takes the exploration of blocking's costs into the electoral arena.

Blocking carries electoral costs when it gives moderate voters strategic incentives to defeat a majority party representative they are ideologically aligned with. As noted by Buchler (2011), Grofman (1985), and Peress (2008) in other contexts, incremental or gridlocked policy making can create incentives for strategic non–proximity voting in elections. Critically, I show that when consideration of relatively extreme status quos is blocked by the incumbent majority party, moderate voters may gain by strategically voting into power what had been the minority party. For moderate majority party sympathizers, changing party control may be the

only way to move an extreme status quo blocked by the majority party back to the center.

I provide evidence that policy losses that blocking creates for moderates generate electoral risks to which the majority party may have to respond. Because a loss of majority control often means major policy and perquisite losses for the incumbent majority party, majority party leaders may moderate blocking in order to avoid electoral defeat. However, there are also equilibrium conditions in which blocking leads to loss of majority status, and I explore empirical evidence linking blocking to electoral defeat in US House elections.

This study connects the analysis of negative agenda control—blocking—with the broader body of research examining conditions for the exercise of particular partisan powers. As with work by Carson et al. (2010) and Lebo, McGlynn, and Koger (2007), I argue that the exercise of party influence can harm the electoral prospects of majority party legislators, which can constrain the use of party power, and I show that these constraints are in part mediated by the characteristics of the opposition party. As with the literature on conditional party government (Aldrich 1995; Aldrich and Rohde 2001; Rohde 1991), I identify conditions for the exercise of majority party power that are only sometimes met.

This study also contributes to a growing literature examining influences on the congressional agenda. In some respects, this study's focus on the electoral costs of blocking provides a negative agenda parallel to the argument made by Harbridge (2015) that "the need to establish a record of legislative success, including the passage of legislation into law, constrains partisan agenda-setting" (51). There are also important intersections with Adler and Wilkerson's (2012) emphasis on electoral accountability for problem solving in Congress: this study is about the electoral consequences of failing to address problems. As with work by Butler and Powell (2014), I examine contexts in which voters punish their legislator for actions by the party, although the specific scenario (party blocks popular legislative change) is not one they studied.

The first two sections of the article analyze a multi-period party cartel model in which the threat of electoral loss leads the majority party to strategically balance policy and electoral considerations when setting the agenda, and identify the empirical implications of the model. The next two sections examine empirical evidence for key model predictions: that blocking is associated with electoral losses and that more electorally risky status quos are more likely to be moved toward the chamber median.

THE MODEL

I begin with the standard unidimensional spatial model of the legislature. Single-peaked legislator ideal points for each issue j

are distributed along a dimension. Let F_j be the chamber median, while m_j is the minority party median and M_j is the majority party median. Without loss of generality I assume $m_j < F_j < M_j$. In line with the negative agenda control model of Cox and McCubbins (2005), legislation dealing with each issue j is considered in the following manner during each legislative session. Each issue starts session t with an initial status quo (q_{jt}) and the majority party median then decides whether to allow legislation to reach the floor concerning that issue. Each issue that is considered by the floor will have the outcome decided by pure majority rule, producing a bill B_j that passes the legislature at the preference of the chamber median ($B_j = F_j$), establishing a new status quo q_{jt+1} with which play begins in period $t + 1$. Each legislator, including m, F, and M derives utility from policy choices using a symmetric utility function with a single peak at the legislator's ideal point on the issue dimension.

Instead of ending play after a single period, as in the classic party cartel model of Cox and McCubbins (2005), I consider a second legislative session following an election. Voters have outcome-based utility functions that are symmetric and single-peaked on each issue. In the election, the median voter in each district selects between minority party (c_i) and majority party (C_i) candidates. Candidate policy ideal points on all issues meet the assumption that $c_{ij} < C_{ij}$ based upon an evaluation of expected utility in session 2, with the distance $C_{ij} - c_{ij} = P \geq 0$ set as a constant degree of party issue polarization for all districts. The key polarization in the model is in the district of the chamber median legislator.[1] I define *majority party issue advantage "a_j"* as equal to $|c_{ij} - v_{ij}| - |C_{ij} - v_{ij}|$ or alternately $P - 2|C_{ij} - v_{ij}|$. By assumption $a_j \geq 0$ because if $a_j < 0$, then even simple proximity models predict majority party defeat, a case that is not the focus of this model. Thus, if the majority is defeated, the chamber median will shift from F_j to $f_j = F_j - P$, a distance a_j farther away from the median voter.

After the election, the party with a majority of the seats in the legislature organizes the chamber and decides whether to permit consideration of bills that would alter each status quo as discussed above. At the end of this second session of the legislature, the game ends.

I first solve the game for a single representative issue and then extend the results to multiple issues. The solution is by backward induction, beginning with the final period of play. I begin by noting that voters can anticipate the policy con-

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1. The assumption of constant polarization across districts simplifies modeling by ruling out substantively unimportant problems such as a change in the identity of the chamber median district after a change of party control. Variation in polarization across issues is explored below.

sequences of giving each party control in the second period to be the result of standard cartel agenda setting.

Definition 1. The blockout zone is the region of the issue space in which the majority party median prefers the status quo to the outcome of a majority rule decision.

If M is the majority party, all issues in $[F_j, F_j + 2(M_j - F_j)]$ are in the blockout zone.

If m (the initial minority) becomes the majority party, all issues in $[f_j, f_j - 2(f_j - m_j)]$ are in the blockout zone.

Claim 1. In the final period, all issues in the majority party blockout zone will be blocked.

Proof. In the final session the majority party will block all issues because this is the last period of play. Cox and McCubbins (2005) have shown that consideration of issue j if and only if the majority party median (M_j) prefers the policies of the floor median (F_j) to the status quo (q_{jt}) maximizes utility for the majority party median.

Electoral decisions depend upon expectations about policy outcomes in the final session. If the status quo is outside the blockout zone, the voter in the median district v_{fj} will prefer that the majority party (M) retain control and will prefer to elect F_j so long as that majority party is more proximate to the voter ($a_j > 0$). However, if the issue status quo is inside the blockout zone, whether the voter prefers that the minority party gain control of the chamber depends upon how close the minority party candidate f_j is to v_{fj} as analyzed below.

Claim 2. *Defeat condition.* For status quo in the blockout zone, if $|v_{fj} - f_j| < |q_j - v_{fj}|$, then the median district median voter will prefer the minority candidate.

Proof. If the minority wins control of the chamber, then f_j will become the new chamber median. If and only if the utility expected to arise from shifting the status quo to f_j is greater than the utility of the current status quo will the voter choose to elect the minority party candidate. From claim 1, the outcome of M retaining the majority is q_{jt}. Because utility is single-peaked and symmetric, if the distance from the pivotal voter (v_{fj}) to f_j is less than the distance from the pivotal voter to q_{jt}, then the utility of a party switch is greater

than the utility of retaining the current incumbent majority party.

Figure 1 illustrates an instance in which the median voter of the chamber median district prefers to change party control. The blocked status quo (q) is farther from the district median voter in the district than the minority party candidate. Because the policy outcome that results from selecting the minority (f) is closer to V than the policy outcome associated with selecting the majority candidate (q), V is best off voting for the minority candidate.

Claim 3. *Loss of majority control if defeat condition is satisfied.* For status quo in the blockout zone that satisfies the condition for defeat of the majority (M) in the median district ($|v_{fj} - f_j| < |q_j - v_{fj}|$), the equivalent defeat condition will hold for all majority party districts with $M_{ij} < F_j : |v_{ij} - f_j| < |q_j - v_{ij}|$, and M will lose majority status.

Proof. The distance $|q_j - v_{ij}|$ is strictly greater than $|q_j - v_{fj}|$ for $v_{ij} < v_{fj}$ because when the defeat condition holds, $q_j > F_j$. Similarly, the quantity $|v_{ij} - f_j|$ will be smaller than $|v_{fj} - f_j|$ if $v_{ij} > f_j$ (and if $v_i < f_j$, then v_i will always be better off with f_j than F_j when $q_j > F_j$). Consequently, if the defeat condition for issue j is satisfied for the median district, the incumbent majority party (M) will be defeated in enough seats that it will become the minority party after the election and f_j will become the new chamber median.

If the median district prefers to change party control, all incumbent party candidates positioned below the chamber median will be defeated as well, leading to a change in majority control. Such districts will be better off electing minority party representatives because the utility expected to arise from shifting the status quo to f_j is greater than the utility of the current status quo for all such districts if the condition specified in claim 3 is satisfied.

The final step in solving the model is to examine the initial legislative period. If blocking gives voters an incentive

Blockout Zone

Voter V strategically chooses minority candidate *f* over majority party candidate *F* because the policy outcome with a minority party victory (*f*) is closer to V than the outcome under majority-party blocking (q).
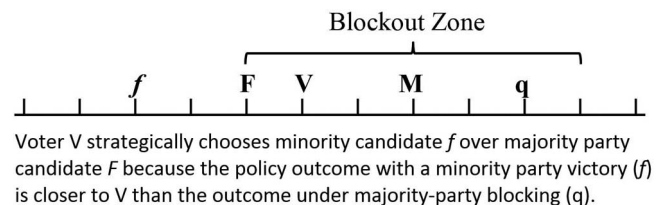
Figure 1. Example of majority party defeat condition

to defeat the majority party, then party leaders can forestall such defeat by relaxing negative agenda control. Claim 4 develops the conditions under which the majority party allows such reduction in blocking to occur based upon party leaders' expectations concerning electoral consequences.[2] Blocking can be reduced by allowing the majority to be rolled or the response could be more subtle, embedded in compromise or omnibus legislation.

Claim 4. The following summarizes conditions for blocking, rolls, and incumbent majority election victory:
(1) If $q_j < F_j$ or $q_j > F_j + 2(M - F_j)$, then no blocking needed, majority victory.
Otherwise (if status quo is in blockout zone):
(2) If $\left| v_{fj} - f_j \right| > \left| q_j - v_{fj} \right|$, then blocking, majority victory.
(3) If $\left| v_{fj} - f_j \right| < \left| q_j - v_{fj} \right|$ and $2U_M(F_j) > U_M(q_j) + U_M(f_j)$, then no blocking, majority victory.
(4) If $\left| v_{fj} - f_j \right| < \left| q_j - v_{fj} \right|$ and $2U_M(F_j) < U_M(q_j) + U_M(f_j)$, then blocking, majority defeat.

Proof. Parts 1 and 2 follow directly from claim 1 and claim 2. Parts 3 and 4: Suppose that in session 1, there is a representative issue with a status quo q_j in the blockout zone, such that the defeat condition $\left| v_{fj} - f_j \right| < \left| q_j - v_{fj} \right|$ is expected to hold true in the election and party control will therefore switch. For the majority party median, the policy utility across periods of allowing a roll is $2U_M(F_j)$—policy will be located at the preference of the chamber median in both periods—while the utility of blocking is $U_M(q_j) + U_M(f_j)$. Since $U_M(q_j) > U_M(F_j) \geq U_M(f_j)$, allowing a roll makes the majority party worse off in period 1 but better off in period 2. Therefore, the decision whether to allow a roll or to block and accept electoral defeat will depend upon the relative payoffs. If $2U_M(F_j) > U_M(q_j) + U_M(f_j)$, then the incumbent majority party benefits from permitting a roll.

Figures 2A and 2B illustrate the range of best responses by the majority party as a function of status quo locations (horizontal axis) and the degree of majority party advantage (fig. 2A) and party polarization (2B) for issues within the blockout zone (assuming linear utility functions). If the majority party issue advantage exceeds the policy costs of

blocking (2A), then the district median voter has no better alternative to the (blocked) status quo, so the majority party can block and win. When the majority party must choose between accepting defeat and allowing a roll (i.e., majority advantage is not sufficiently strong), polarization becomes important (fig. 2B). Here the majority trades off the immediate policy losses associated with relaxing agenda control with the long-term policy losses associated with electoral defeat. In the short term, blocking preserves valued status quo locations. In the longer term (if the defeat condition is satisfied), blocking puts those locations at risk for more substantial change. If polarization is high enough, the majority always prefers permitting a roll, because this avoids the larger policy costs that arise from loss of majority status.[3] In the model, blocking leads to loss of majority status when the policy cost of not blocking is greater than the policy cost of losing majority status.

The analysis above is for a representative issue. Extension to multiple issues raises some intriguing additional implications. Although the defeat condition remains a situation in which the median district median voter derives higher utility under a change of party control, with multiple issues the location of any one issue status quo becomes less important. In the multiple issue model, the majority party can safely block some issues that would (if the only issue) lead to its defeat, provided that in the aggregate the median voter in the median district still prefers majority control to minority control.

Claim 5. If $Uv_f(f) > Uv_f(q_{t+1})$, the majority party will be defeated.

Proof. Define q_{t+1} as the outcomes across issues resulting from the first period, with some issues retained at the status quo and others moved to issue-chamber median F_j. Define $Uv_f(f)$ as the utility of the median district across all issues from a change in party control. Claim 1 implies that f and q_{t+1} are the expected outcomes of the second period if m and M, respectively, hold a majority in the chamber. Therefore, the median voter of the median district should support M or m conditional on the preference between f and q_{t+1}.

Corollary 1. The majority party may permit consideration of some but not all blocked issues and ex-

2. Clearly such electoral expectations may at times be wrong, leading to unnecessary relaxation of agenda control and/or electorally dangerous blocking. In addition, party leaders might behave in ways contrary to this model if some unmodeled factor (e.g., threat of primary defeat) caused them to alter their behavior.

3. Absent intradistrict party polarization ($P = a = 0$), the ideology of the chamber median will not change with a switch in party control ($f_j = F_j$). In this extreme case, the majority will always block because $U_M(F_j) > U_M(q_j)$ and always be defeated because $|0| < |qj - vfj|$.
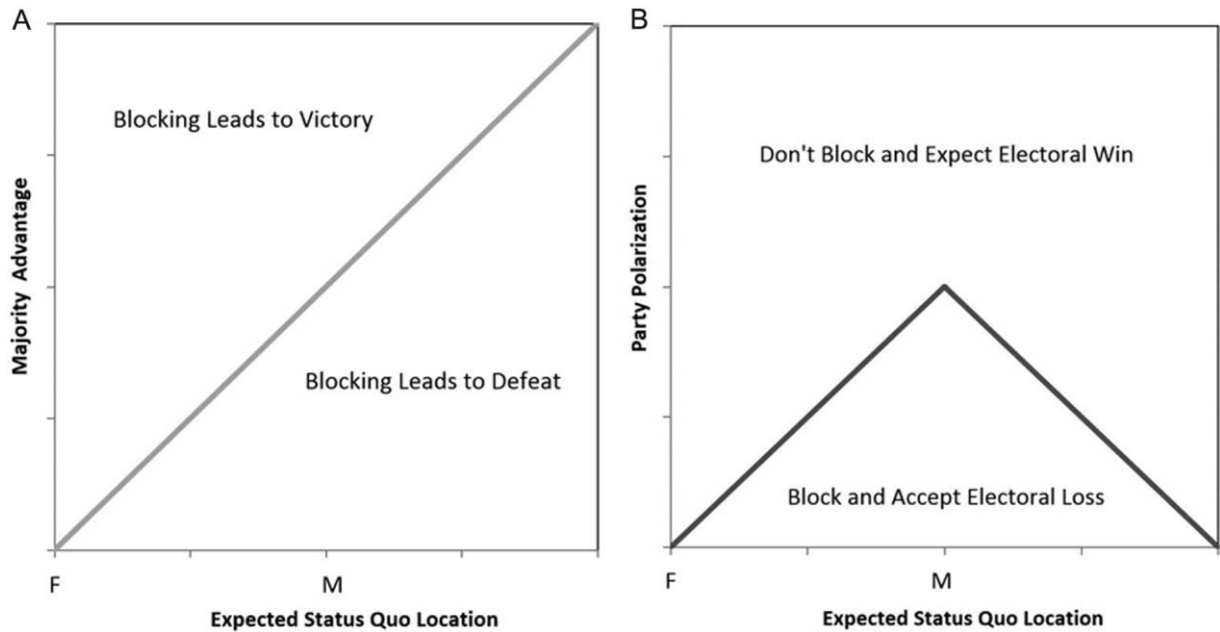
Figure 2. *A*, majority party defeat condition; *B*, majority strategy in session 1 when defeat condition is satisfied

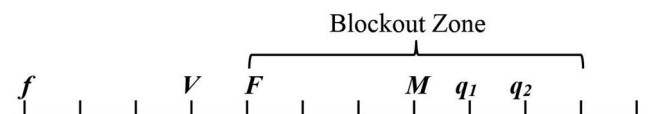treme blockout zone status quos are the most likely to be considered.

Discussion: To maintain majority status, the majority must achieve the victory condition $Uv_f(f) \leq Uv_f(q_{t+1})$. If the defeat condition of claim 5 is satisfied, then to change this to a majority victory condition, the majority party will need to allow consideration of at least one issue. Consider the example in figure 3. Two issue status quos, q_j and q_i, are located within the majority party blockout zone. Because the median district median voter is better off when the more extreme q_j is addressed, there are a range of defeat conditions that can be turned into victory conditions by allowing consideration of q_j but not q_i. As a bonus for the majority, moving extreme status quo (q_j) leads to fewer members being rolled and to smaller utility losses for the majority median.[4]

Corollary 2. When the majority party permits consideration of some but not all blocked issues, issues with a smaller majority party issue advantage (*a*) are more likely to be considered.

Discussion: Suppose that majority party issue advantage (*a*) is high for one issue and low for another, but that the issue status quo has the identical position relative to majority party members' preferences, and hence the same location in the blockout zone. The policy costs of unblocking both issues are the same for the majority, but the issue with the smaller a_j is more electorally dangerous because the median voter suffers a smaller policy loss from a change in party control. Hence, there exists a set of defeat conditions that can be turned into victory conditions by allowing consideration of the low majority advantage issue but not by allowing consideration of the high advantage issue.

Simulated policy consequences

Conditions in which the majority party will choose to relax negative agenda control (or will suffer electoral defeat) are quite likely to arise in a party cartel model, and they limit majority policy gains over time. Simulations provide a useful means to contrast the policy outcomes of the classic party cartel model with those under the equilibrium analyzed above.

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4. Salience of issues is relevant in two circumstances. Some issues may be so salient to voters that the only way the majority party can change a defeat condition to a victory condition is by relaxing negative agenda control on that particular issue. If some issues weigh more heavily in the utility calculations of voters than they do in the utility calculations of legislators, these "salient for voters" issues will unblocked more often.

Faced with the defeat condition, majority party median M strategically allows consideration of q_2 but not q_1 because M derives less dis-utility and the median voter V is better off with q_2. In addition, fewer majority party members are rolled.

Figure 3. Majority choice of issues for party roll

In the simulations reported in figure 4, I fix the location of the majority party median and the floor median (0.5 for floor median and 0.75 for party median). The initial distribution of status quo locations is uniform, with all issues on the minority party side. To highlight the key role of blocked status quo, I tilt this election in favor of the majority party by assuming that each majority party legislator C_i serving in session 1 was elected by a district i with a median voter (v_i) who exactly shares the preferences of the legislator ($C_i = v_i$). This is a polar case with initial conditions most advantageous to the electoral interests of the majority. If a policy issue status quo is considered, the chamber median prevails (F at 0.5 under initial majority party control). Subsequent random shocks (ϵ_{jt} normally distributed with mean zero) shift status quo locations between sessions, as suggested by Cox and McCubbins (2005, 41).[5] Hence, $q_{j,t+1} = F + \epsilon_{jt}$ if the status quo is not blocked, and $q_{j,t+1} = q_{j,t} + \epsilon_{jt}$ if the status quo is blocked.

The solid line in figure 4 reflects a situation in which all issues in the "blockout zone" are blocked in accord with the Hastert rule (and by assumption the majority party is never defeated). The dashed line reflects two-period equilibrium play in the model developed above with polarization and majority issue advantage both equal to the distance between the majority party median and the chamber median (0.25). Here the majority party responds strategically to the risk of defeat. The dotted line reflects equilibrium play in the two-period model with no polarization and no majority issue advantage, a condition in which the majority party always blocks and accepts defeat.

The policy consequences of introducing electoral costs are readily apparent in figure 4. Under the Hastert rule with no risk of defeat, the mean status quo location shifts considerably further toward the majority median. This reflects the repeated revision of status quo outside of the blockout zone and the gradual random movement of status quo from the floor median deeper into the blockout zone. However, the ability of the majority party to shift status quo in its favor is constrained by the risk of losing elections.

Alternative model assumptions

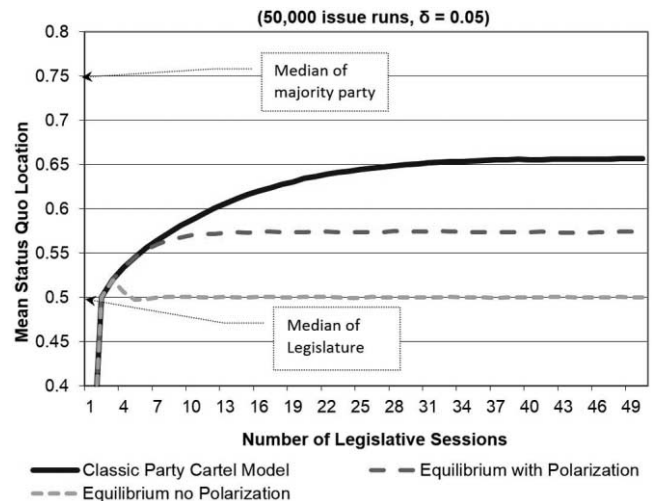The analysis offered above differs dramatically from that of Buchler (2011, 15), which presents a formal model sug-

Figure 4. Simulated effect of negative agenda setting on mean SQ location (50,000 issue runs, δ = 0.05).

gesting that "party agenda control can allow majority party extremists to defeat more centrist minority party candidates." Buchler's analysis implies that Hastert's rule blocking increases the incumbent majority party's chances of winning elections, but I show that blocking can undermine the majority's chances. The key differences between our approaches are (i) I allow for the possibility that the incumbent majority party will lose majority status, while Buchler assumes it is guaranteed to remain in control of the chamber,[6] and (ii) in my model, voters care about policy outcomes, whereas in Buchler's model, voters care about whether they agree with their representative on realized roll call votes.[7]

A modicum of prospective voting, combined with the possibility of majority defeat is sufficient for a counterexample to Buchler's analysis without abandoning the assumption that voters care only about agreement on realized roll call votes. Suppose that the status quos for all issues are lodged far into the incumbent majority party's blockout zone. Since no issues will be acted upon, voters will not agree with the incumbent on any votes. Prospectively, if the incumbent majority party were defeated, such voters would agree with their new representative on a positive number of votes and—if all status quos were sufficiently extreme—disagree on zero.

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5. Shocks might reflect policy implementation, new information, or the emergence of new issues. Biased shocks with mean ≠ 0 could either speed up or delay this pattern. Larger shocks lead to more rapid convergence but also lead to less extreme movement of the mean status quo away from the chamber median. In fig. 4 the shock standard deviation is 1/10 the size of the blockout zone (0.05).

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6. My model may be better at describing those instances in which the majority party's grip on power dramatically unravels as in the 1,994 2006 and 2010 US House elections.

7. There is some evidence that voters care about policy issues and outcomes rather than simply about agreement on (past) roll call votes (Abbe et al. 2003; Adler and Wilkerson 2012; Ansolabehere and Iyengar 1994; Brasher 2009), though more work is needed to fully test Buchler's assumptions.

It is also possible that leaders do not care as much about policy as my model assumes. Party leaders motivated by retaining the benefits of office (e.g., Cox and Magar 1999) as well as policy will allow more rolls and accept fewer defeats. A preference for perquisites shifts the boundaries between parts 3 and 4 of claim 4. Priority on winning elections (relative to policy) increases willingness to accept policy losses that forestall electoral losses.

Another concern might be whether voters can reasonably be expected to carry out the sophisticated strategic calculations in the model. The key factor is that opposition campaigns have a strong incentive to point out majority-blocked issues because blocking creates a slate of issues about which the public in swing districts agrees with the opposition candidate (and the opposition candidate's party more generally) about the direction of policy change desired. For instance, when House Republican leadership blocked consideration of the Senate version of the Violence Against Women Act, it played directly into the "war on women" theme of contemporary Democratic campaigns.

Finally, the Cox and McCubbins's (1993) model of parties emphasizes the idea that parties nurture the value of their electoral "brand" (see also Butler and Powell 2014). Hence, one might argue that the majority party derives a positive electoral benefit from blocking through concealing intraparty factionalism. Let the brand benefits of blocking be termed b. To integrate b into the model, add it to the utility voters receive from voting for majority legislators if blocking is maintained. Hence, the defeat condition becomes $|v_{fj} - f_j| + b < |q_j - v_{fj}|$ if and only if the majority has not violated the Hastert rule. The region within which the majority party can block and win expands as a result. In addition, avoiding defeat through allowing a majority party roll would become more uncommon. Aside from these shifts in boundaries, however, the analysis would remain substantively similar.

EMPIRICAL IMPLICATIONS
There are a number of empirical implications of the model including these: (i) blocking leads to majority party defeat, (ii) roll rates will be nonzero, (iii) rolls are most likely for relatively extreme blocked status quo, and (iv) roll rates will be higher when party polarization is higher.

Blocking leads to majority party defeat
The key implication of the model, and one not tested in the literature, is that blocking increases the likelihood of majority party defeat. In claim 4, the only condition in which the majority party is defeated is when it blocks consideration of issues. Several specific implications follow: (i) the risk of defeat is higher when the blockout zone is larger because more issues are likely to be blocked, (ii) the risk of defeat is higher when more issues are blocked because there are more issues for which a majority of voters can potentially benefit from a change of party control, and (iii) the risk of defeat is higher when the status quo location is closer to the majority party median. The first and second implications follow from the fact that blocking leads to defeat (claims 2 and 3), and the third implication follows from the pattern shown in figure 2: the probability that blocking will lead to majority party electoral defeat, conditional on party polarization, increases as the mean status quo location moves closer to the majority party median. I test these predictions below.

Positive majority roll rates
The equilibrium results above amend the argument by Cox and McCubbins (2005) that negative agenda control is constant, with a majority-party roll rate of zero. In my multiperiod party cartel model, the majority party sometimes chooses to relax negative agenda control for issues that are too electorally dangerous. Thus, the majority party roll rate will not always be zero.

No new empirical tests are offered here, but this does account for an empirical fact identified by Cox and McCubbins (2005). Although low, the majority party roll rate in the House of Representatives is often nonzero. This implication is also consistent with the one of the conclusions that Cox and McCubbins (2005, chap. 6) reached when they examined instances of majority party rolls: rolls often involved high salience and electorally risky issues.[8]

Several cases in which speakers have explicitly reflected upon their strategic agenda control choices reinforce the notion that blocking is sometimes abandoned in order to enhance electoral prospects. In his autobiography, former Democratic speaker of the house Tip O'Neill recalled his reaction to the legislative agenda pursued by Ronald Reagan in 1981. "As Speaker, I could have refused to play ball with the Reagan administration by holding up the president's legislation in the Rules Committee. But in my view, this wasn't a politically wise thing to do" (O'Neill and Novak 1987, 344). O'Neill elaborates that he sacrificed agenda control in order

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8. There are, of course, other reasons why party rolls might be allowed beyond the reasons articulated in this study. For instance, on occasion a measure reaches the floor through a discharge petition, although party pressure, concerns about primary challenges, and/or a desire by members to preserve status quo they would not vote for (Van Houweling 2001) appear to ensure that this is very rare. Green (2010) argues that speakers sometimes bring up legislation to satisfy their personal reelection concerns or to aid the "institutional presidency" despite opposition by party members.

to protect the Democratic majority. The majority was rolled (Cox and McCubbins 2005, 257), but the majority survived. Hastert's majority-of-the-majority agenda setting fared little better among his successors: Nancy Pelosi and John Boehner both publically refused to endorse his policy, while opining that the speaker should have more flexibility (Ota 2007; UPI 2010). Boehner actively broke the Hastert rule for a fiscal cliff bill, disaster relief, and violence against women bills even though the bills were opposed by a majority of the House Republican Party. Although Boehner's actions clearly and intentionally violated what Cox and McCubbins (2005, 209) term "the minimal fiduciary standard—debarring office-holders from using their powers to roll the majority party," Boehner was reelected as speaker in both the 113th and 114th Congresses. Reelection despite violation of the Hastert rule may reflect the strategic value of addressing electorally dangerous issues, even for members who do not want to vote for such bills.

Conditions for majority roll

Rolls will be most likely in specific circumstances. One key circumstance is the presence of a relatively extreme blocked status quo. As illustrated in figure 3, rolls should be most likely for blockout zone status quos that are more extreme, as blocking such status quos carries the largest electoral costs, and allowing rolls on such status quos offers the largest electoral benefits. I offer a preliminary test this implication below.

Party polarization also influences the likelihood of a roll, as shown in figure 2B. As the majority party and minority party become more polarized, the policy costs of a loss of majority status increase. If the defeat condition is satisfied, there is always a level of polarization below which the majority party will not allow a roll and above which the majority party will allow a roll (as illustrated in fig. 2B). Thus, the majority party will allow more majority party rolls when the parties are more polarized.[9]

No new empirical tests are offered here because Keith Krehbiel (2007) has already found evidence for a positive relationship between party polarization and the roll rate.

EMPIRICAL TESTS

All model results build on key implications concerning the relationship between blocking and electoral defeat, so I focus on testing these predictions. In particular I investigate whether larger blockout zones, more blocked issues, and a mean status quo location closer to the majority median are associated with a heightened risk of majority electoral loss. I also briefly investigate whether more extreme blockout zone status quos are more likely to be revised toward the median.

Blocking and defeat

The dependent variable of majority defeat is measured as a dichotomous measure of whether the majority became the minority and as a continuous measure of the portion of House seats won by the current majority party. Both measures are based on the election at the end of each Congress. Party codes compiled by Poole and Rosenthal (2007) and official election outcomes for recent sessions are the basis of these variables. The 17th House of Representatives is excluded: party membership was too fluid for accurate characterization.

The blockout zone is measured as two times the distance from the chamber median to the majority party median in the first dimension of DW Nominate space (Poole and Rosenthal 2007). I focus on the first dimension because it has consistently explained a large portion of votes in Congress and because the theories being tested are built upon one-dimensional models. Larger blockout zones provide more opportunity for blocking and more potential for blocking electorally risky extreme status quos.[10]

The first of two measures of the degree to which issues are blocked is the change in the number of issues raised in House roll call votes. Change in the total number of issues raised in House roll call votes can be used to measure the extent of majority blocking if the number of active issues in American politics at time t and prior time periods is roughly the same. Therefore, an increase in the number of issues raised will reflect the decision of the majority party to address a larger portion of the issues, and a decrease in the number of issues raised will reflect more blocking, with the attendant risks of defeat.[11] The issue coding is based on a count of the total number of specific issues considered on the floor of the House of Representatives. Keith Poole, Howard Rosenthal, and their collaborators (Poole and Rosenthal 2007) coded votes in Congress using 107 specific issue codes for the 1st through 107th sessions of Congress.[12] Issue change is measured as the ratio of the number

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9. Polarization in the model is intradistrict polarization, which McCarty, Poole, and Rosenthal (2009) have shown is the primary factor in shaping overall polarization.

10. Also status quos with large random shocks are less likely to remain in small blockout zones.

11. Obviously this measure will be somewhat noisy. For instance, voice votes will be missed.

12. Some examples from the beginning of the list of issues include these: Abortion/Care of deformed newborns, Agriculture, Airlines/Airports/Airline Industry, Alien and Sedition Laws, Amnesty (all wars), and Arms Control.

of issues raised in the current session divided by the average number of issues raised in the previous two sessions of Congress.[13] Values greater than one indicate an increase in the number of issues and values less than one indicate a decrease in the number of issues.

Although it is available for fewer sessions, the number of issues House committees blocked from reaching the floor more precisely assesses whether issues are being blocked. The Congressional Bills Project (Adler and Wilkerson 2002) codes all bills introduced in the 80th through 112th sessions of Congress using a standard set of issue subcategories derived from the Policy Agendas Project. An issue is coded as "blocked" if bills were introduced that dealt with the issue but no bills were reported by committee to the full chamber.[14] The portion of issues reported has ranged between 51% and 72%. As one would expect, as the blockout zone grows larger, the portion of issues considered diminishes ($r = -0.51$).

The final measure uses status quo location estimates (Richman 2011) to directly evaluate the mean status quo location and its proximity to the majority party median. As illustrated in figure 2, majority defeat should become more likely as the mean status quo location approaches the party median. Although Richman's status quo estimates provide the most precise indication of status quo locations relative to party preferences, estimates are available for only a few sessions, and status quo locations are available only for a limited number of issues. Richman (2011) calculated estimates for the 103rd through 110th sessions of Congress, which I updated to include issue locations at the end of the 111th and 112th sessions of Congress using the same methodology. Richman's measurement approach is unique in its ability to estimate status quo locations across time for issues that were not addressed. Other leading strategies (e.g., Peress 2013) can only estimate status quo for issues that received floor votes.

The status quo estimation technique joins data from legislator surveys conducted by Project Vote Smart with an ideological scaling of roll call votes. Once legislators' ideological positions have been assessed using roll call votes, survey responses are used to identify policy status quo locations. The intuition behind status quo location estimation is that the legislator with policy preferences closest to the current policy status quo should be the legislator most reluctant to see any change in current policy when asked in the survey. For instance, legislators who want to see the capital gains tax rate increased will be to the left of the status quo, legislators who prefer to see it reduced will be to the right of the status quo, while a legislator who prefers to see the current rate maintained has an ideal point close to the status quo.

The ideal point with the strongest preference for maintaining the current status quo is identified by Richman (2011) using an ordered logit model in which the dependent variable is an ordinal survey response with categories for decreasing spending or taxes below the current level, maintaining the current status quo, and increasing spending or taxes above the current level. The resulting status quo estimates are located in a common space that includes all legislators.

I use status quo location estimates to measure the mean policy location shortly before the elections that took place at the end of the 103rd through 112th Congresses across the following issues: alcohol taxes, spending on the arts, capital gains taxes, cigarette taxes, corporate taxes, defense spending, spending on environmental cleanup and enforcement, taxes on high-income earners, and foreign aid, as these are the only issues with estimates available for most sessions.

Control variables

Midterm loss for the president's party is coded 1 when midterm losses will aid the majority, zero for presidential election years, and −1 when midterm losses will aid the minority. The variable should have a positive effect on the majority's electoral prospects. *Presidential Coattails* is coded 1 when the winner of the presidential election is of the same party as the majority, −1 when the winner is not from the same party as the House majority, and 0 in midterm years. Other control variables, including macro-partisanship, public policy mood, divided government, majority win rate, majority party unity, legislative productivity, and party polarization, are examined in the online appendix.

Majority defeat

In table 1, models 1–3 examine the effects of blockout zone size and change in the number of issues presented on the seat share held by the majority party. Model 4 examines sessions of Congress from the 81st through the 107th using the mea-

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13. Two sessions dampen random variation from session to session while remaining current. One-session measures and inclusion of additional sessions yielded similar results, although the *p*-value for the three-session issue change fell short of statistical significance ($p = .16$).

14. One possible concern is that when an issue is sure to be blocked, the minority may have less incentive to introduce it. However, the structure of the model addresses this concern: sometimes such issues will be brought to the floor if the majority party deems that blocking them will be too electorally risky. Electoral position taking provides an additional incentive to introduce bills.

Table 1. Blocking and Majority Seat Share Post-Election

	Model 1	Model 2	Model 3	Model 4	Model 5
Size of majority blockout zone	−.196*		−.273*		
	(.080)		(.081)		
Portion of issues reported by committee				.403*	
				(.191)	
Increase in number of issues voted on		.119*	.141*		
		(.048)	(.047)		
Status quo bias toward majority party ideology					−.452*
					(.175)
Mid-term effect	.044*	.031	.050*	.035*	
	(.017)	(.016)	(.017)	(.013)	
Presidential coattails	.058*	.063*	.056*	.023*	
	(.016)	(.016)	(.016)	(.013)	
Constant	.639**	.447**	.518**	.305	−.037*
	(.033)	(.052)	(.056)	(.122)*	(.012)
N	110	103	103	33	10
Adjusted R^2	.26	.24	.32	.19	.36
Durbin-Watson	2.15	2.20	2.17	1.73	1.89

Note. Prais-Winsten AR(1) model. Standard errors are in parentheses.
* $p < .05$ (two-tailed).
** $p < .01$ (two-tailed).

sure of committee blocking. Model 5 examines sessions of Congress from the 103rd through the 112th with the status quo location measure. All analyses use AR(1) time series models.[15]

The results presented in table 1 suggest that blocking can be costly for the majority party in subsequent elections. In all five models, the hypothesized effect of blocking is statistically significant ($p < .05$). Majority parties that block more, have larger blockout zones, or are defending status quo locations closer to the majority party median win fewer seats. Although each measure of blocking has limitations, taken together these results provide substantial support for the notion that blocking can be electorally costly for the majority party.

The results presented in table 1 are substantively sizable. For instance, the results presented in model 3 imply that a one standard deviation change in the size of the majority party blockout zone is associated with a 4.3% shift in the seat share of the majority party (nearly 19 seats in the modern Congress). A change from the minimum to the maximum size of the blockout zone is associated with an 18% swing (about 79 seats). A one standard deviation change in the number of issues raised is associated with a 3.1% shift in the majority seat share (nearly 14 seats in the modern House), and a move from the minimum to the maximum change in issues raised produces a swing of 18% (nearly 80 seats in the modern House). Similarly, for every 1% increase in the portion of issues not blocked in committee, the majority party typically wins almost 2 additional seats. A move from the observed minimum to the observed maximum is associated with a gain of 37 seats. Finally as the mean status quo location moves closer to the majority party median, the majority party tends to lose more seats: a shift from the sample minimum to maximum bias toward the majority party is expected to be associated with a 16.8% swing in the post-election share of the incumbent majority party.

15. Similar results were obtained for models 1–4 using more complex time series models than the Prais-Winsten AR(1) including ARMA (2, 2). The analysis of status quo locations (model 5) would not converge for some models and should be considered less reliable in any case, given the very small number of observations. Limiting consideration to sessions of Congress after the imposition of Reed's rules also does not change the results substantially.

Control variables had the expected effects. Midterm loss and presidential coattails are regular and predictable features of US congressional elections, and these patterns are apparent across most models. These variables were excluded from model 5 because of the extremely small N.[16]

Similar patterns obtain when the dependent variable is reduced to a binary indicator of whether the majority party lost majority status in the next election (1) or not (0). While reducing the variability in the data in this way arguably makes sense because the theoretical prediction concerns loss of majority status, the uncertainty attendant on election outcomes should lead the causal effects of majority blocking on election outcomes to remain important even in instances where party control does not change.

Table 2 analyzes the same independent variables but uses a dichotomous dependent variable—whether the majority party lost majority status or not. All of the blocking variables retain statistically significant effects in the equations predicting majority party defeat in table 2. Larger majority blockout zones were associated with a higher probability of defeat, while reporting more issues, voting on more issues, and less status quo bias toward the majority party were all associated with reductions in the probability of defeat. Models 3 and 4 are linear probability time series models instead of logit models because of problems with completely determined observations.[17]

Movement of extreme blockout zone status quos

The decision to unblock a status quo should be conditional upon the degree to which it is electorally risky. As argued above, this risk is larger for a more extreme status quo, and smaller for a less extreme status quo, although such movement need not involve an explicit party roll if packaged with policy changes to other issues favored by party members. Using the Richman (2011) status quo and outcome estimates described above, this section briefly analyzes the implication that status quos in the party cartel blockout zone that are farther from the chamber median will be more likely to be altered.

I analyze all initial status quos meeting the criteria for measurement quality outlined by Richman (2011) that were located within the party cartel blockout zone, a total of 50 observations. For each such status quo (q_{jt}), I measured the distance between the status quo and the chamber median $|F_j - q_{jt}|$. Larger distances should be associated with a higher likelihood that policy will shift toward the median. I measure changes toward the chamber median using the value $|F_j - q_{jt}| - |F_j - q_{jt+1}|$. Positive values indicate a move toward the chamber median, while negative values indicate a move away from the chamber median. If blocking is unconditional, then no status quo locations should change, and there should be no relationship between the initial status quo location in the blockout zone and moves toward the chamber median. On the other hand, if (as hypothesized) more extreme status quo locations pose larger electoral risks, such status quo locations should experience larger shifts toward the chamber median. I include one control variable, an indicator for Hastert's status as speaker. The period analyzed (104th through 112th Congresses) includes four sessions in which Dennis Hastert was speaker. In line with the Hastert rule, less movement of blockout zone status quo toward the preferences of the chamber median should be expected under Hastert's tenure.

The results reported in table 3 are consistent with expectations. When the initial status quo location was farther from the chamber median within the blockout zone, the outcome location moved toward the median more ($p < .045$, two-tailed). In addition, there was significantly less movement toward the median when Hastert was speaker.

CONCLUSION

This study demonstrates that unconditional negative agenda setting of the sort described in the party cartel model (Cox and McCubbins 2005) and advocated by former Speaker Dennis Hastert (Babbington 2004) can produce conditions in which the majority party loses popular support and loses elections. The theoretical analysis and empirical results imply that the ability to use negative agenda power is circumscribed by this risk of electoral defeat. Some blocked issues are issues on which the opposition can campaign and win. Therefore, the opportunity for effective negative agenda control is conditional (on party polarization and the distribution of status quo locations): majority party roll rates should sometimes be non-zero, and blocking will increase the odds of majority party defeat.

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16. With 10 observations, inclusion could produce severe overfitting of the model. An analysis that includes both variables (available by request) indicates a very strong and statistically significant effect for the status quo location bias measure ($B = -0.668, p < .001$). Presidential coattails also have a significant effect ($p < .001$), but midterm loss is not statistically significant ($p = .195$). Perhaps this hints that the midterm loss phenomenon reflects shifts in status quo locations toward the president's party. Two recent exceptions (1998 and 2002) both occurred in years when the mean status quo location shifted away from the president's party.

17. For instance, in the logit version of model 4, status quo bias toward the majority party predicted all observations perfectly, making it impossible to estimate parameters precisely.

Table 2. Blocking and Loss of Majority Status

	Model 1	Model 2	Model 3	Model 4
Size of majority blockout zone	3.39*	5.13*		
	(1.91)	.(2.24)		
Portion of issues reported by committee			−2.64*	
			(.96)	
Increase in number of issues voted on		−2.52*		
		(1.31)		
Status quo bias toward majority party ideology				4.48*
				(.92)
Mid-term effect	−1.99*	−2.20*	−.23*	
	(.64)	(.70)	(.08)	
Presidential coattails	−1.76*	−1.70*	−.08	
	(.59)	(.59)	(.08)	
Constant	−3.33	−1.40	1.84*	−.34*
	(.95)	(1.49)	(.61)	(.05)
N	111	104	33	10
Pseudo R^2	.25	.30	.36	.68

Note. Logit models, except for models 3 and 4, which are Prais-Winstein AR(1). Standard errors are in parentheses.
   * $p < .05$ (one-tailed).

Arguably the electoral risks of Hastert rule agenda setting my model captures played out in particularly dramatic form in 2006 as multiple sessions of Hastert's own rule as speaker came to a close. Republican blocking helped hand Democrats multiple effective campaign issues. For example, at least two of the issues that made up the Democrats' successful "Six for '06" national agenda were ones on which Republican leaders could probably have crafted compromises that moved policy without even rolling the party.[18] Would "Four for '06" have won as many votes?

Extending Cox and McCubbins's "first commandment" to capture the response to electoral risks leads to a "golden rule" of party agenda setting: "Thou shalt love thy opponent's popular issues as thy own." An example of such "golden rule" agenda setting was the Republican leadership's compromise on the minimum wage in 1996 that bundled minimum wage increases with tax cuts (Stewart 2001) to unblock a status quo while avoiding an explicit partisan roll.

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18. A minimum wage increase was one component of the Democrats' "Six for '06" platform. Almost half of the Republican delegation in the House backed a minimum wage increase in January 2007. Similarly, Hastert blocked passage of an intelligence reform bill in 2004 because it lacked majority support within the majority party (Babington 2004), yet in 2007 most Republicans backed an intelligence bill drafted by Democratic-majority committees.

The analysis here has focused on the US House of Representatives, as with Cox and McCubbins's (2005) study, but as with their study, there are significant opportunities to extend this analysis to a range of other legislatures with different institutional structures, including the US Senate and US state legislatures. Although almost all legislatures grant substantial blocking power to leaders, leaders' ability to use that power is circumscribed by the danger that they will undermine popular support for their party.

Table 3. Do Extreme Blocked Status Quos Shift More toward the Median?

	Policy Outcome Movement toward House Median
Initial status quo distance from median	1.29
	(.63)*
Hastert speaker (indicator)	−.08
	(.04)*
Constant	−.24
	(.11)
N	50
Adjusted R^2	.08

Note. OLS regression. Standard errors are in parentheses.
* $p < .05$ (one-tailed).

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