

*The electoral connection and the Congress*

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How to study legislative behavior is a question that does not yield a consensual answer among political scientists. An ethic of conceptual pluralism prevails in the field, and no doubt it should. If there is any consensus, it is on the point that scholarly treatments should offer explanations — that they should go beyond descriptive accounts of legislators and legislatures to supply general statements about why both of them do what they do . . . .

Mostly through personal experience on Capitol Hill, I have become convinced that scrutiny of purposive behavior offers the best route to an understanding of legislatures — or at least of the United States Congress. In the fashion of economics, I shall make a simple abstract assumption about human motivation and then speculate about the consequences of behavior based on that motivation . . . .

The discussion to come will hinge on the assumption that United States congressmen are interested in getting reelected — indeed, in their role here as abstractions, interested in nothing else . . . . Surely it is common for congressmen to seek other ends alongside the electoral one and not necessarily incompatible with it. Some try to get rich in office, a quest that may or may not interfere with reelection. Fenna assigns three prime goals to congressmen — getting reelected but also achieving influence within Congress and making “good public policy.”<sup>1</sup> . . . . Anyone can point to contemporary congressmen whose public activities are not obviously reducible to the electoral explanation; Senator J. William Fulbright (D., Ark.) comes to mind. Yet, . . . the electoral goal has an attractive universality to it. It has to be the *proximate* goal of everyone, the goal that must be achieved over and over if other ends are to be entertained. One former congressman writes, “All members of Congress

have a primary interest in getting re-elected. Some members have no other interest.”<sup>2</sup> Reelection underlies everything else, as indeed it should if we are to expect that the relation between politicians and public will be one of accountability.<sup>3</sup> What justifies a focus on the reelection goal is the juxtaposition of these two aspects of it — its putative empirical primacy and its importance as an accountability link. For analytic purposes, therefore, congressmen will be treated in the pages to come as if they were single-minded reelection seekers. Whatever else they may seek will be given passing attention, but the analysis will center on the electoral connection.

Yet another question arises. Even if congressmen are single-mindedly interested in reelection, are they in a position as individuals to do anything about it? If they are not, if they are inexorably shoved to and fro by forces in their political environments, then obviously it makes no sense to pay much attention to their individual activities. . . .

The actual impact of politicians’ activities is more difficult to assess. The evidence on the point is soft and scattered. It is hard to find variance in activities undertaken, for there are no politicians who consciously try to lose. There is no doubt that the electorate’s general awareness of what is going on in Congress is something less than robust.<sup>4</sup> Yet the argument here will be that congressmen’s activities in fact do have electoral impact. Pieces of evidence will be brought in as the discussion proceeds.<sup>5</sup>

The next step here is to offer a brief conceptual treatment of the relation between congressmen and their electorates. . . . A congressman’s attention must rather be devoted to what can be called an “expected incumbent differential.” Let us define this “expected incumbent differential” as any difference perceived by a relevant political actor between what an incumbent congressman is likely to do if returned to office and what any possible challenger (in primary or general election) would be likely to do. And let us define “relevant political actor” here as anyone who has a resource that might be used in the election in question. At the ballot box the only usable resources are votes, but there are resources that can be translated into votes: money, the ability to make persuasive endorsements, organizational skills, and so on. By this definition a “relevant political actor” need not be a constituent; one of the most important resources, money, flows all over the country in congressional campaign years.<sup>6</sup>

It must be emphasized that the average voter has only the haziest awareness of what an incumbent congressman is actually doing in office. But an incumbent has to be concerned about actors who do form impressions about him, and especially about actors who can marshal resources other than their own votes. Senator Robert C. Byrd (D., W. Va.) has a “title list” of 2,545 West Virginians he regularly keeps in touch

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with.<sup>7</sup> . . . Of campaign resources one of the most vital is money. An incumbent not only has to assure that his own election funds are adequate, he has to try to minimize the probability that actors will bankroll an expensive campaign against him. . . . Availability of money can affect strength of opposition candidacy in both primary and general elections.

A final conceptual point has to do with whether congressmen's behavior should be characterized as "maximizing" behavior. Does it make sense to visualize the congressman as a maximizer of vote percentage in elections – November or primary or, with some complex trade-off, both? For two reasons the answer is probably no. The first has to do with his goal itself, which is to stay in office rather than to win all the popular vote. More precisely his goal is to stay in office over a number of future elections, which does mean that "winning comfortably" in any one of them (except the last) is more desirable than winning by a narrow plurality. The logic here is that a narrow victory (in primary or general election) is a sign of weakness that can inspire hostile political actors to deploy resources intensively the next time around. By this reasoning the higher the election percentages the better. No doubt any congressman would engage in an act to raise his November figure from 80 percent to 90 percent if he could be absolutely sure that the act would accomplish the end (without affecting his primary percentage) and if it could be undertaken at low personal cost. But still, trying to "win comfortably" is not the same as trying to win all the popular vote. As the personal cost (e.g. expenditure of personal energy) of a hypothetical "sure gain" rises, the congressman at the 55 percent November level is more likely to be willing to pay it than his colleague at the 80 percent level.

The second and more decisive reason why a pure maximization model is inappropriate is that congressmen act in an environment of high uncertainty. . . . Behavior of an innovative sort can yield vote gains, but it can also bring disaster (as in Senator Goodell's case). For the most part it makes sense for congressmen to follow conservative strategies. Each member, after all, is a recent victor of two elections (primary and general), and it is only reasonable for him to believe that whatever it was that won for him the last time is good enough to win the next time. When a congressman has a contented primary electorate and a comfortable November percentage, it makes sense to sit tight, to try to keep the coalition together. . . .

Whether they are safe or marginal, cautious or audacious, congressmen must constantly engage in activities related to reelection. There will be differences in emphasis, but all members share the root need to do things – indeed, to do things day in and day out during their terms. The

next step here is to present a typology, a short list of the *kinds* of activities congressmen find it electorally useful to engage in. The case will be that there are three basic kinds of activities. It will be important to lay them out with some care, for [later] arguments will be built on them.

One activity is *advertising*, defined here as any effort to disseminate one's name among constituents in such a fashion as to create a favorable image but in messages having little or no issue content. A successful congressman builds what amounts to a brand name, which may have a generalized electoral value for other politicians in the same family. The personal qualities to emphasize are experience, knowledge, responsiveness, concern, sincerity, independence, and the like. Just getting one's name across is difficult enough; only about half the electorate, if asked, can supply their House members' names. It helps a congressman to be known. "In the main, recognition carries a positive valence; to be perceived at all is to be perceived favorably."<sup>8</sup> A vital advantage enjoyed by House incumbents is that they are much better known among voters than their November challengers. They are better known because they spend a great deal of time, energy, and money trying to make themselves better known.<sup>9</sup> There are standard routines – frequent visits to the constituency, nonpolitical speeches to home audiences,<sup>10</sup> the sending out of infant care booklets and letters of condolence and congratulation. Of 158 House members questioned in the mid-1960s, 121 said that they regularly sent newsletters to their constituents;<sup>11</sup> 48 wrote separate news or opinion columns for newspapers; 82 regularly reported to their constituencies by radio or television; 89 regularly sent out mail questionnaires.<sup>12</sup> . . . Congressional advertising is done largely at public expense. Use of the franking privilege has mushroomed in recent years. . . . By far the heaviest mailroom traffic comes in Octobers of even-numbered years.<sup>13</sup> . . . Advertising is a staple congressional activity, and there is no end to it. For each member there are always new voters to be apprised of his worthiness and old voters to be reminded of it.

A second activity may be called *credit claiming*, defined here as acting so as to generate a belief in a relevant political actor (or actors) that one is personally responsible for causing the government, or some unit thereof, to do something that the actor (or actors) considers desirable. The political logic of this, from the congressman's point of view, is that an actor who believes that a member can make pleasing things happen will no doubt wish to keep him in office so that he can make pleasing things happen in the future. The emphasis here is on individual accomplishment (rather than, say, party or governmental accomplishment) and on the congressman as doer (rather than as, say, expounder of constituency views). Credit claiming is highly important to congressmen, with the

consequence that much of congressional life is a relentless search for opportunities to engage in it.

Where can credit be found? If there were only one congressman rather than 535, the answer would in principle be simple enough. Credit (or blame) would attach in Downsian fashion to the doings of the government as a whole. But there are 535. Hence it becomes necessary for each congressman to try to peel off pieces of governmental accomplishment for which he can believably generate a sense of responsibility. For the average congressman the staple way of doing this is to traffic in what may be called "particularized benefits."<sup>14</sup> Particularized governmental benefits, as the term will be used here, have two properties: (1) Each benefit is given out to a specific individual, group, or geographical constituency, the recipient unit being of a scale that allows a single congressman to be recognized (by relevant political actors and other congressmen) as the claimant for the benefit (other congressmen being perceived as indifferent or hostile). (2) Each benefit is given out in apparently ad hoc fashion (unlike, say, social security checks) with a congressman apparently having a hand in the allocation. A particularized benefit can normally be regarded as a member of a class. That is, a benefit given out to an individual, group, or constituency can normally be looked upon by congressmen as one of a class of similar benefits given out to sizable numbers of individuals, groups, or constituencies. Hence the impression can arise that a congressman is getting "his share" of whatever it is the government is offering....

In sheer volume the bulk of particularized benefits come under the heading of "casework" — the thousands of favors congressional offices perform for supplicants in ways that normally do not require legislative action.... Each office has skilled professionals who can play the bureaucracy like an organ — pushing the right pedals to produce the desired effects. But many benefits require new legislation, or at least they require important allocative decisions on matters covered by existent legislation. Here the congressman fills the traditional role of supplier of goods to the home district. It is a believable role; when a member claims credit for a benefit on the order of a dam, he may well receive it. Shiny construction projects seem especially useful.<sup>15</sup>

A final point here has to do with geography. The examples given so far are all of benefits conferred upon home constituencies or recipients therein. But the properties of particularized benefits were carefully specified so as not to exclude the possibility that some benefits may be given to recipients outside the home constituencies. Some probably are. Narrowly drawn tax loopholes qualify as particularized benefits, and some of them are probably conferred upon recipients outside the home districts.<sup>16</sup> (It is difficult to find solid evidence on the point.) Campaign

contributions flow into districts from the outside, so it would not be surprising to find that benefits go where the resources are....

So much for particularized benefits. But is credit available elsewhere? For governmental accomplishments beyond the scale of those already discussed? The general answer is that the prime mover role is a hard one to play on larger matters — at least before broad electorates. A claim, after all, has to be credible. If a congressman goes before an audience and says, "I am responsible for passing a bill to curb inflation," or "I am responsible for the highway program," hardly anyone will believe him....

Yet there is an obvious and important qualification here. For many congressmen credit claiming on nonparticularized matters is possible in specialized subject areas because of the congressional division of labor.... Thus many congressmen can believably claim credit for blocking bills in subcommittee, adding on amendments in committee, and so on. The audience for transactions of this sort is usually small. But it may include important political actors (e.g. an interest group, the president, the *New York Times*, Ralph Nader) who are capable of both paying Capitol Hill information costs and deploying electoral resources....

The third activity congressmen engage in may be called *position taking*, defined here as the public enunciation of a judgmental statement on anything likely to be of interest to political actors. The statement may take the form of a roll call vote. The most important classes of judgmental statements are those prescribing American governmental ends (a vote cast against the war; a statement that "the war should be ended immediately") or governmental means (a statement that "the way to end the war is to take it to the United Nations"). The judgments may be implicit rather than explicit, as in: "I will support the president on this matter." But judgments may range far beyond these classes to take in implicit or explicit statements on what almost anybody should do or how he should do it: "The great Polish scientist Copernicus has been unjustly neglected"; "The way for Israel to achieve peace is to give up the Sinai." The congressman as position taker is a speaker rather than a doer. The electoral requirement is not that he make pleasing things happen but that he make pleasing judgmental statements. The position itself is the political commodity....

The ways in which positions can be registered are numerous and often imaginative. There are floor addresses ranging from weighty orations to mass-produced "nationality day statements." There are speeches before home groups, television appearances, letters, newsletters, press releases, ghostwritten books, *Playboy* articles, even interviews with political scientists. On occasion congressmen generate what amount to petitions;

whether or not to sign the 1956 Southern Manifesto defying school desegregation rulings was an important decision for southern members.<sup>17</sup> Outside the roll call process the congressman is usually able to tailor his positions to suit his audiences. A solid consensus in the constituency calls for ringing declarations. . . . Division or uncertainty in the constituency calls for waffling; in the late 1960s a congressman had to be a poor politician indeed not to be able to come up with an inoffensive statement on Vietnam ("We must have peace with honor at the earliest possible moment consistent with the national interest"). On a controversial issue a Capitol Hill office normally prepares two form letters to send out to constituent letter writers — one for the pros and one (not directly contradictory) for the antis.<sup>18</sup> . . .

Yet it is on roll calls that the crunch comes; there is no way for a member to avoid making a record on hundreds of issues, some of which are controversial in the home constituencies. Of course, most roll call positions considered in isolation are not likely to cause much of a ripple at home. But broad voting patterns can and do; member "ratings" calculated by the Americans for Democratic Action, Americans for Constitutional Action, and other outfits are used as guidelines in the deploying of electoral resources. . . .

These, then, are the three kinds of electorally oriented activities congressmen engage in — advertising, credit claiming, and position taking. . . . The organization of Congress meets remarkably well the electoral needs of its members. To put it another way, if a group of planners sat down and tried to design a pair of American national assemblies with the goal of serving members' electoral needs year in and year out, they would be hard pressed to improve on what exists. The second point is that satisfaction of electoral needs requires remarkably little zero-sum conflict among members. That is, one member's gain is not another member's loss; to a remarkable degree members can successfully engage in electorally useful activities without denying other members the opportunity successfully to engage in them. . . .

A scrutiny of the basic structural units of Congress will yield evidence to support both these prefatory points. First, there are the 535 Capitol Hill offices, the small personal empires of the members. . . . The Hill office is a vitally important political unit, part campaign management firm and part political machine. The availability of its staff members for election work in and out of season gives it some of the properties of the former; its casework capabilities, some of the properties of the latter. And there is the franking privilege for use on office emanations. The dollar value of this array of resources in an election campaign is difficult to estimate. . . . In 1971 a House member put it at \$100,000 (including a sum for general media exposure).<sup>19</sup> The value has certainly

increased over the last decade. It should be said that the availability of these incumbency advantages causes little displeasure among members. . . .

A final comment on congressional offices is perhaps the most important one: office resources are given to all members regardless of party, seniority, or any other qualification. They come with the job.

Second among the structural units are the committees, the twenty-one ~~standing~~ committees in the House and seventeen in the Senate — with a scattering of other special and joint bodies. Committee membership can be electorally useful in a number of different ways. Some committees supply good platforms for position taking. The best example over the years is probably the House Un-American Activities Committee. . . . whose members have displayed hardly a trace of an interest in legislation.<sup>20</sup> . . . Some committees perhaps deserve to be designated "cause committees"; membership on them can confer an ostentatious identification with salient public causes. . . .

Some committees traffic in particularized benefits. Just how benefits of this sort are likely to be distributed by governments has been the subject of theoretical speculation. . . . In giving out particularized benefits where the costs are diffuse (falling on taxpayer or consumer) and where in the long run to reward one congressman is not obviously to deprive others,<sup>21</sup> the members follow a policy of universalism.<sup>22</sup> That is, every member, regardless of party or seniority, has a right to his share of benefits. There is evidence of universalism in the distribution of projects on House Public Works,<sup>23</sup> projects on House Interior,<sup>24</sup> projects on Senate Interior,<sup>25</sup> project money on House Appropriations,<sup>26</sup> project money on Senate Appropriations,<sup>27</sup> tax benefits on House Ways and Means,<sup>28</sup> tax benefits on Senate Finance,<sup>29</sup> and . . . urban renewal projects on House Banking and Currency.<sup>30</sup> . . . House Public Works, writes Murphy, has a "norm of mutual advantage"; in the words of one of its members, "[W]e have a rule on the Committee, it's not a rule of the Committee, it's not written down or anything, but it's just the way we do things. Any time any member of the Committee wants something, or wants to get a bill out, we get it out for him. . . . Makes no difference — Republican or Democrat. We are all Americans when it comes to that."<sup>31</sup> . . . An interesting aspect of particularistic politics is its special brand of "rules." There have to be allocation guidelines precise enough to admit judgments on benefit "soundness" (no member can have everything he wants), yet ambiguous enough to allow members to claim personal credit for what they get. Hence there are unending policy minutiae; an example is the one in public works where the partners are the Corps of Army Engineers with its cost-benefit calculations and the congressmen with their ad hoc exceptions.<sup>32</sup> . . .

Finally, and very importantly, the committee system aids congressmen simply by allowing a division of labor among members. The parceling out of legislation among small groups of congressmen by subject area has two effects. First, it creates small voting bodies in which membership may be valuable. An attentive interest group will prize more highly the favorable issue positions of members of committees pondering its fortunes than the favorable positions of the general run of congressmen. Second, it creates specialized small-group settings in which individual congressmen can make things happen and be perceived to make things happen. "I put that bill through committee." "That was my amendment." "I talked them around on that." This is the language of credit claiming. It comes easily in the committee setting and also when "expert" committee members handle bills on the floor. To attentive audiences it can be believable....

The other basic structural units in Congress are the *parties*. The case here will be that the parties, like the offices and committees, are tailored to suit members' electoral needs. They are more useful for what they are not than for what they are. It is easy to conjure up visions of the sorts of zero-sum politics parties could import into a representative assembly. One possibility — in line with the analysis here — is that a majority party could deprive minority members of a share of particularized benefits, a share of committee influence, and a share of resources to advertise and make their positions known. Congressional majorities obviously do not shut out minorities in this fashion. It would make no sense to do so; the costs of cutting in minority members are very low, whereas the costs of losing majority control in a cutthroat partisan politics of this kind would be very high.... The general picture of the congressional party system is one of a system in slow decline — or, to put it another way, a system whose zero-sum edges have been eroded away by powerful norms of institutional universalism. In a good many ways the interesting division in congressional politics is not between Democrats and Republicans, but between politicians in and out of office. Looked at from one angle the cult of universalism has the appearance of a cross-party conspiracy among incumbents to keep their jobs.<sup>33</sup>

## NOTES

- 1 Richard F. Fenno, Jr., *Congressman in Committees* (Boston: Little Brown 1973), p. 1.
- 2 Frank E. Smith, *Congressman from Mississippi* (New York: Random House, 1964), p. 127. It will not be necessary here to reach the question of whether it is possible to detect the goals of congressmen by asking them what they are, or indeed the question of whether there are unconscious motives lurking

behind conscious ones. In Lasswell's formulation "political types" are power seekers, with "private motives displaced on public objects rationalized in terms of public interest." Harold D. Lasswell, *Power and Personality* (New York: Viking, 1948), p. 38.

3 Of other kinds of relations we are entitled to be suspicious. "There can be no doubt, that if power is granted to a body of men, called Representatives, they, like any other men, will use their power, not for the advantage of the community, but for their own advantage, if they can. The only question is, therefore, how can they be prevented?" James Mill, "Government," in *Essays on Government, Jurisprudence, Liberty of the Press, and Law of Nations* (New York: Augustus M. Kelley, 1967), p. 18. Madison's view was that the United States House, by design the popular branch, "should have an immediate dependence on, and an intimate sympathy with, the people. Frequent elections are unquestionably the only policy by which this dependency and sympathy can be effectively secured." *The Federalist Papers*, selected and edited by Roy Fairfield (Garden City, N.Y.: Doubleday Anchor, 1961), no. 52, p. 165.

4 Donald E. Stokes and Warren E. Miller, "Party Government and the Saliency of Congress," ch. 11 in Angus Campbell et al., *Elections and the Political Order* (New York: Wiley, 1966), p. 199.

5 The most sophisticated treatment of this subject is in Warren E. Miller and Donald E. Stokes, "Constituency Influence in Congress," ch. 16 in Campbell et al., *Elections and the Political Order*, pp. 366-70. Note that a weird but important kind of accountability relationship would exist if congressmen thought their activities had impact even if in fact they had none at all.

6 To give an extreme example, in the North Dakota Senate campaign of 1970 an estimated 85 to 90 percent of the money spent by candidates of both parties came from out of state. Phillip M. Stern, *The Rape of the Taxpayer* (New York: Random House, 1973), p. 384.

7 Robert Sherrill, "The Embodiment of Poor White Power," *New York Times Magazine*, February 28, 1971, p. 51.

8 Stokes and Miller, "Party Government," p. 205. The same may not be true among, say, mayors.

9 In Clapp's interview study, "Conversations with more than fifty House members uncovered only one who seemed to place little emphasis on strategies designed to increase communications with the voter." Charles L. Clapp, *The Congressman: His Work as He Sees It* (Washington, D.C.: Brookings, 1963), p. 88. The exception was an innocent freshman.

10 A statement by one of Clapp's congressmen: "The best speech is a non-political speech. I think a commencement speech is the best of all. X says he has never lost a precinct in a town where he has made a commencement speech." *The Congressman*, p. 96.

11 These and the following figures on member activity are from Donald G. Tachron and Morris K. Udall, *The Job of the Congressman* (Indianapolis: Bobbs-Merrill, 1966), pp. 281-88.

12 Another Clapp congressman: "I was looking at my TV film today — I have done one every week since I have been here — and who was behind me but Congressman X. I'll swear he had never done a TV show before in his life but he only won by a few hundred votes last time. Now he has a weekly television show. If he had done that before he wouldn't have had any trouble." *The Congressman*, p. 92.