Timing and Characteristics of Institutional Changes in the House:
A Constitutional Theory of House Organization

GISELA SIN
University of Illinois
378 Lincoln Hall
702 South Wright Street
Urbana, Illinois 61801
Ph. 217-333-1356
gsin@uiuc.edu

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On January 6 2009, at the beginning of the 111th Congress, the US House of Representatives adopted a package of rules and procedures that significantly reversed important rules the same Democratic majority had adopted just two years earlier. The new rules considerably relaxed the “pay as you go budget requirements” by which “any mandatory spending increases or tax cuts had to be offset with tax increases or spending cuts elsewhere” (CQ Weekly, January 12 2009) making it easier for spending bills to avoid the pay as you go mandates. Under the new rules, the majority can attach an emergency designation to a spending bill –if the bill is necessary to respond to an act of war, terrorism, natural disaster or period of sustained low economic growth- and exempt it from the pay as you go requirements. In addition, the new rules also allow legislators to procedurally link those exempted bills with other bills that do not meet the waiver requirements. Why did the Democratic majority loosen up the rules they themselves adopted two years earlier under fiscal discipline pledges? Most scholars would point to changes inside the House of Representatives, arguing that considerable variation in the party or floor median after the 2008 election explains the rules change. My theory points in another direction. I argue that the relaxed rules are the result of changes in the preferences not of House members, but of the President. What mattered at the beginning of 2009, when the House met to decide on its rules and proceedings, was presidential change. While strict pay-as-you-go rules were useful as a bargaining tool when facing a republican President, they became too rigid to push the agenda of the newly elected Democratic president. I claim that when deciding over their internal organization, House members look ahead at the preferences of the institutions whose approval is required to make laws.

Why would House members look ahead at such preferences? House members achieve policy-related goals by passing legislation. Article I, Section 7 of the Constitution allows the House to make laws only if outside actors respond in particular ways. A
A typical bill comes to the floor from a House committee. If a majority of the committee’s members and a majority of the entire chamber pass the bill, the bill can become a law only if both the Senate and President approve. If the Senate passes a different version of a bill than the House, the two chambers must eliminate all differences before seeking Presidential approval. If both chambers agree on a joint bill and the President accepts, then the joint bill—and not the original House bill—becomes law. Otherwise, no new law is made.

In other words, the Constitution requires the House to bargain with other actors if it wants to enact new laws. The negotiations may be explicit or implicit, they may be public or private, but they are unavoidable. This fact motivates my constitutional theory of legislative organization (CTLO), which clarifies how constitutional requirements to build lawmaking coalitions affect House members’ organizational incentives. The results identify the conditions under which factions in the majority party will use institutional design to achieve their legislative objectives.

I follow previous theories by portraying House members as rational, strategic and acting with policy-related goals in mind. My new direction concerns the treatment of the Senate and the President and the analysis of the House in terms of factions. I examine the relationship among President, Senate and House factions to predict changes in the distribution of power in the House. While current theories emphasize the distribution of ideological preferences within a chamber (Krehbiel 1991, Schickler 2000, Cox and McCubbins 1993, 2005; Rohde 1991; Aldrich 1994; Aldrich and Rohde 2000), my theory incorporates not only House internal distribution of preferences but also the preferences of the Senate and the President. The results depend on the intra and inter party politics game among the Senate, President and House factions.

First, I claim that legislators will alter institutional design when changes in the preferences of the Senate, President or House factions modify the relative position
among them. A change in the ideal point of constitutional actors can change House members’ expectations about the policy consequences of particular allocations of power in the House.

Second, I argue that the characteristics of the new institutional design depend on the preferences of the Senate and the president relative to the ideal point of House factions. The new institutional design in the House will decentralize power among House members when the preferences of both Senate and President are close to the preferences of the faction holding the Speakership or the preferences of the minority party. While the logic in the former is that rules guarantee the minority faction in the majority party that it will be able to avoid drastic changes in policy, the logic in the latter is that the majority party designs new institutions to increase bargaining power vis-à-vis the opposition. The new institutional design will centralize power in the House when the preferences of the Senate and the president are different and each is close to one of the factions in the House. In this case majority party factions have no fear of drastic moves in policy outcomes, and use rules to take advantage of the benefits of delegation. The centralization of rules at the beginning of 2009 is a good example. While the preferences of the Senate were closer to those of the “Blue Dogs”, the preferences of the president were aligned with the faction of the Speaker. “Blue Dogs” did not fear delegating power to Pelosi’s faction because they knew they could count on the Senate to avoid drastic policy changes.

The findings imply that rational and foresighted members of the House who care about policy outcomes have an incentive to incorporate the strategic implications of the constitution’s legislative requirements into their organizational decision-making. House members rationally anticipate the need to coalesce with the Senate and the President and incorporate that need into their institutional designs, making different organizational
decisions than they would if they were part of an isolated entity that could make laws on its own.

After discussing alternative explanations, I develop a simple analytic model of legislative organization that lays out the paper’s leading hypotheses. Using data on institutional changes adopted by the House since 1880 until 2000 I present the results which explain the reasons for changes in the institutional design of the House. I show that when House members face a new “constitutional” bargaining environment, they are far more likely to alter the existing distribution of power in the House by modifying its institutional design. Furthermore, the characteristics of such design depend on the particular ideological location of the Senate, president and House factions.

ESTABLISHED THEORIES OF LEGISLATIVE ORGANIZATION


Those that emphasize the nonpartisan nature of the House (Krehbiel and Gilligan 1989, 1990, Krehbiel 1991, 1996 and 1998) expect institutional change after electoral shocks or other exogenous factors substantially shift the location of the median voter on the floor, who plays a key role in the theory. A variant of this argument focuses on shifts on the floor median with respect to party medians (Schickler 2000 and 2002). While the floor median is still the pivotal decision maker, “when it moves closer to the median member of the majority party, she will favor rule changes that enhance the majority party’s agenda control. By contrast when she moves closer to the median member of the minority party, she will favor rule changes that limit the majority party’s agenda control
and that instead create more opportunities for the minority party and cross party coalitions.” (2000:270).

Theories that emphasize the role of parties focus on membership changes in the majority party and its relationship with the minority party. The party cartel theory (Cox and McCubbins 1993, 2005) argues that while agenda control has, since the 1880s, been under the control of the majority party, variations in “who” holds this power is a result of changes in the party median or the level of party homogeneity. The Conditional Party Government (CPG) model (Aldrich 1984, Rohde 1991, Aldrich and Rohde 1998, 2000, 2001, 2004) adds on another important factor, changes in the level of polarization between majority and minority party: “When the conditions of CPG are met (intra-party preferences becoming more homogeneous, while divergent preferences between Democrats and Republicans), congressional members should strengthen the power of the institutional party to solve collective goods problems” (Aldrich, Rohde and Berger, 2002:15). The party capacity theory (Binder 1997) presents a slight variation, focusing on “the balance of power between majority and minority coalitions as the engine of change in parliamentary rights” (1997:12). Variations in size and cohesion between the two major parties explain the creation or suppression of rules that enhance minority rights.

All these theories have very precise and distinct predictions with respect to the timing and characteristics of institutional changes in the House. At the same time, all of them exclusively focus on the preferences of House members. Organizational changes are expected whenever the House undergoes membership variation. These theories have transformed scholarly and public understandings of how the House works. They have provided a foundation and set the agenda for subsequent work. My effort builds on these accomplishments. On one hand, I build on partisan theories’ emphasis on the importance of political parties especially the majority party in House organization;
adding an analysis of parties in terms of factions and their relationship with the party of
the Senate pivot and the president. On the other hand, my theory builds on Schickler’s
ideological balance of power in the floor theory but takes a more general perspective: the
balance of power among the actors needed to make laws. At the end, the new direction I
take incorporates elements that are apparent empirically and consequential
theoretically.

THE CONSTITUTIONAL THEORY OF LEGISLATIVE ORGANIZATION
(CTLO)

In this section I present my theoretical argument. I begin by laying out the main
assumptions I make, and then I describe in detail my theory providing at the same time
numerous examples.

I explain the timing and characteristics of institutional changes in the House
analyzing not only shifts in the preferences of House actors but also changes in the
preferences of the Senate and President. I find that they affect the strategic calculations
House members make about policy outcomes.

The logic behind this statement lies in the Constitution, which requires the House to
bargain with the Senate and the President if it wants to make new laws. Rational House
members know that they need to coordinate with these external actors to achieve their
favored outcome and they use institutional design with this idea in mind.

I assume the House is made up of three factions. Two factions represent the majority
party, and one faction represents the minority party.¹ This assumption is a fairly
uncontested regularity emphasized by scholars which I also research extensively.² Even
though the ideology and membership of these groups evolved and changed throughout

¹ I decided to consider two factions in the majority party and treat the minority party as
homogeneous –just one faction- because in my theory what matters is how intra party politics
within the majority party in the House play out in the bigger constitutional environment.
² In Appendix A I identify and describe in detail party factions in the House since 1880.
history, the constant feature emphasized by researchers is the presence of these two different ideological tendencies within each party.3

Second, I assume that one of the factions in the majority party holds the Speaker position and has the priority right of recognition to propose standing rules for the chamber at the beginning of a Congress (i.e. to propose a distribution of power). This assumption simply recognizes that the Speaker of the House belongs to or has the same preferences as one of the House factions. For example, Speaker Pelosi is commonly identified with the liberal faction of the Democratic Party by scholars, journalists and her own voting record and position on various issues. In the same vein, scholars agree in classifying Speaker Joseph Cannon (1903-1910) within the conservative Republican faction.

Third, I make a simplifying assumption regarding the preferences of the president and Senate. I assume the President and the Senate are unitary actors and share the same policy preferences as one of the factions in the House. On one hand, this assumption acknowledges that the President’s preferences are closer to one of those two well-carved groups in his party. President George W. Bush was closer to the conservative republican faction than to the moderates. When Bill Clinton inaugurated his presidential term, he was closer to the moderate Democrats (usually identified with the Democratic Leadership Council) than the liberals’. On the other hand, this assumption also acknowledges the key position of the filibuster pivot point in the Senate and its relationship with the preferences of one of the House factions.4

What matters in my theory is the relative stance in a two dimensional space of the three House factions, the Senate and the President. I argue that shifts in the preferences

3 An example of factions is the split in the contemporary Republican Party between moderates and conservatives. Another example are the “regular or conservative” Republicans and the “progressive or insurgent” Republicans during the early twentieth century.
4 A future project would consist on analyzing the Senate in terms of factions to understand the interplay among factions from the House and the Senate and the president.
of these constitutional actors that change the relative position among them affect (a) the timing of institutional changes in the House and (b) the type of institutional changes House members choose to adopt.5

Timing of Institutional Changes

To achieve legislative outcomes the Senate, the president, and a majority of the House need to agree. I call the set of achievable legislative outcomes that all actors can agree on the Constitutional Set (CS). When the preferences of one or more of these constitutional actors change considerably, the CS changes too. The new set of legislative outcomes could be substantially different from those expected before and it can affect House members’ chances of reelection or the probabilities of obtaining their preferred policy result. The presidential change in 2009 implied that a whole set of bills that were not feasible under a Republican president could now become law. This change in the CS affected House members’ probabilities of reelection in different ways.

As a result, a new CS can modify the values of current and potential House institutional designs – the offers that House members are willing to make or accept. To see how, note that a certain institutional design in the House that is effective when the President is in hands of the minority party would probably be less useful if said constitutional actor changed preferences. For example, while the pay-as-you-go rule was useful for the Democratic majority as a way to tie its hands in front of a Republican President, such rule was less useful for the same majority once Obama was elected president. Under the new circumstance, the majority party would derive more utility from an institutional design that would help them better deal with a president that is closer to its preferences. Such dynamics fuel the finding that changes in the Senate or

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5 The results I present in this paper are derived from the formal model developed in Sin and Lupia (2008). It is a complete information model, in two dimensions, which we solved for a unique subgame-perfect Nash equilibrium.
President that affect the CS can influence the *timing* of changes in the balance of power in the House.

**Type of Institutional Changes**

In my stylized account, institutional design through the adoption of new rules and procedures can take two forms. It can centralize power in a smaller set of hands, or distribute it more widely among a greater number of legislators. An example of rules that centralized power is the set of reforms implemented by the new Republican majority in the 104th Congress by which “Speaker Gingrich...emerged as the most powerful congressional leader in decades” (Evans and Oleszek 1997: 3). An example of institutional design that decentralized power are the reforms brought up by the revolt against Speaker Cannon which transferred the power to elect chair and members of the Rules committee from the Speaker to a majority of the House.

In agreement with established theories of delegation and House organization, I find that rules and procedures that *centralize* agenda setting power in the House occur when the majority party as a whole obtains higher gains by delegating power to leaders and reaping the benefits of delegation. However, this finding doesn’t come from a sole focus on parties’ level of homogeneity, polarization, capacity, or the distance between the floor median and the party medians. The Senate and the president are key to explain why legislators decide to centralize power in their leadership. I argue that when the

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6 There are also other types of rule changes in the House that do not shift the distribution of power inside the House. They only affect the procedural posture of the House vis-à-vis the Senate and the President. By affecting the institutional prerogatives for inter-branch bargaining, these types of rules influence the capacity of the House to produce laws close to its preferences. An example is the Holman Rule, which “allows amendments to be made to an appropriation bill even though they change existing law and are germane only in a general way to the subject matter of the bill” (Hasbrouck 1927:115), so “the majority party can insert some of its legislative priorities – those the President would veto if submitted separately- in the safe confines of a general appropriations bills that must be passed” (Cox and McCubbins 2005:82).

7 Delegation increases the effectiveness of the majority party, making it easier to pass legislation. It lessens transaction costs and saves time and energy to legislators (i.e. reduces opportunity costs). By delegating on leaders, members of the House can take full advantage of the time and resources concentrated in the leadership of the party. See Cox and McCubbins 1993, Kiewit and McCubbins 1991, Lupia and McCubbins 1994.
preferences of the Senate and president are different and each is close to one of the factions in the House, legislators have an incentive to centralize power in the House leadership. The logic behind this premise is simple. If both factions in the House know that the position of the Senate and the president is such that policy outcomes will not move drastically in the direction of just one of the factions, then they are much better off by centralizing power in the leadership and reaping the benefits of delegation. If each faction in the majority party knows that it can count on a President or Senate to push for policies of its liking, they will prefer to delegate power in leaders, collect the benefits of delegation and use the gains in utility towards their own benefits (e.g. more time for campaigning, fundraising, initiating bills, etc). Under these circumstances, no matter the level of party homogeneity, party polarization, party capacity or the distance between floor and party medians, changes in rules that concentrate power in hands of the leadership will likely occur. This argument explains why the fiscal conservative “Blue Dogs” Democrats supported the weakening of the pay-as-you-go rule. Blue dogs knew that while the new President was closer to the liberal faction in the Democratic Party, they could still count on the Senate pivot to keep policies from moving drastically away from their preferences. Because the preferences of the Senate and the president were different and each was close to different factions in the House, Blue Dogs were aware that looser constraints on the leadership did not imply drastic moves in policy outcomes.

As a result, after a change in the CS in which the Senate and the President end up closer to different factions of the majority party in the House, I expect the enactment of new rules and procedures that centralize power in the leadership.

Legislators will choose institutions that decentralize power in the House when the preferences of both the Senate and the president are close to the preferences of the same

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8 The logic works in the same way when the Senate and President share preferences with the minority party and one of the factions from the House majority party.
faction in the House—either both are close to the faction in the majority party holding
the Speaker position or they are close to the faction representing the minority party.

When the preferences of the Senate and president are closer to the preferences of the
faction representing the minority party, the majority party in the House creates new
rules and procedures to increase its bargaining power vis-à-vis the opposition. First, the
majority in the House knows that bills will become law only if the opposition party,
represented in the Senate and the president, agrees to it. As a result, the House majority
will seek to enhance its bargaining power by increasing the number of veto points in the
House. They will achieve this objective by decentralizing power as a means of giving
more House members veto power over legislation.

When the preferences of both Senate and president are close to the faction from the
majority party that holds the Speaker position and most agenda setting power, changes
in rules are precisely used to avoid drastic changes in policy outcomes. The intuition
behind this premise is the following. If the preference of the faction which has most
agenda setting power is closer to both the Senate pivot and the president, the expected
policy outcomes would also be close to such preferences. The policies that could become
law can be radically different and affect the value of a certain distribution of power in the
House. For example, the presidential change from progressive Theodore Roosevelt to
conservative William H. Taft in 1909 meant that not only the Senate but also the
president were now close to the conservative faction. The change in the CS denoted an
important loss in policy utility for Progressive Republicans. Where Progressive
Republicans foresaw a particular set of policy outcomes when a progressive was
President, the election of a conservative President meant that without a change in the
House’s allocation of power, policy outcomes would move to the right. While several
major “progressive” bills became law during Roosevelt’s presidency and the first six
years of Cannon as a Speaker; a few months after Taft’s inauguration the conservative Payne-Aldrich Tariff bill became law. Facing this distribution of constitutional power, members of the disadvantaged faction –in this case the Progressive Republicans- can advocate a renegotiation of the rules that determine agenda setting power. By removing power from the leadership and distributing it more widely among legislators, one or both of the disadvantaged factions gain an institutional guarantee, an instrument they can use in the event policy moves in an undesirable direction. The conservative policies under the Taft presidency –of which the Payne-Aldrich tariff bill is an example-, gave Progressives the incentive to unite with Democrats and change the power sharing arrangement in the House. To avoid a further shift in policy, it was incentive compatible for the Speaker’s former allies to diminish his powers. Here a shift in the President, which tilted the balance of power in favor of Conservatives, provides a key piece of the explanation.

In conclusion, I find that the timing and characteristics of House members’ decisions on new institutional design is not independent of the constitutional requirements to make laws. This lack of independence has important implications.

**EMPIRICAL IMPLICATIONS**

In what follows I present the empirical implications of the theory laid out in the previous section –CTLO. The hypotheses state the conditions under which we should expect new power sharing arrangement in the House.

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9 The Newland Reclamation Act of 1902, the Act of 1903 that established the Department of Commerce and Labor, the Pure Food and Drug Act of 1906, the Hepburn Railroad Rate Act of 1907 and various labor legislation (employer’s liability, child labor).

10 Empirically, the renegotiation takes different forms. It can be initiated by the Speaker’s faction as a way to compensate the other majority party faction; it can be negotiated between the factions in the majority party or negotiated between a faction from the majority party and the minority party.
Empirical Implications Regarding Timing of Procedural Change

1. Shifts in the distribution of power in the House should be more likely after a change in the CS.

2. Shifts in the distribution of power in the House should be less likely if there are no changes in the CS.

Empirical Implications Regarding Type of Procedural Change

3. After a change in the CS, the new rules in the House will be more likely to decentralize power in the membership if the preferences of both the Senate and the president are close to the
   a. Faction in the majority party that holds Speaker position and most agenda setting power (S=P=F1) OR
   b. Minority party (S=P=F3).

4. After a change in the CS, the new rules in the House will be more likely to centralize power in the leadership if the preferences of the Senate and the president are close to
   a. Faction in the majority party that does not hold the Speaker position (S=P=F2) OR
   b. Different factions in the majority party (S≠P ∈ {F1, F2}) OR
   c. One of the factions from the majority party and the minority party (S≠P ∈ {F1, F2, F3})

In Figure 1 I show graphically the empirical implications of the Constitutional Theory of Legislative Organization (CTLO).
In what follows I operationalize the hypotheses and construct their indicators. First, I define the dependent variable – changes in the distribution of power in the House- and explain how I measured and operationalize it. Then, I define the main independent variable in my theory – changes in the CS and changes in relative distances among constitutional actors. To operationalize this variable I identify changes in the CS, distinguish and measure factions in the majority party, and develop indicators for the Senate and the President. In the last section, I analyze the data using ordered logit estimation and discuss the results.

The unit of analysis is the individual Congress. I analyze each Congress from the 46th Congress until the 106th Congress (1880-2006). This gives me a total of 61 Congresses or observations.
**Outcome Measurement**

The outcome I want to explain is changes in the distribution of power in the House. To operationalize this concept, I focus on formal changes in rules and procedures that move power from the Speaker to committee chairs to House members and back again to the Speaker. I follow convention and use Schickler’s (2000) list of rule changes as a baseline. His list “includes any alterations in rules that were intended either to advantage or to undermine the majority party and its leaders in their efforts to shape the House agenda...the rules changes analyzed had a substantial influence on the degree of agenda control exercised by the majority party and its leaders” (Schickler 2000:271-2).

I also included in the analysis the changes in the Democratic caucus after 1971: “Prior to 1971 committee-related reforms in the House were primarily changes in the House rules, which had to be voted on by the full membership. After 1971 most committee reforms were in the form of resolutions passed by the Democratic caucus. The post-1970 reforms dealt primarily with the selection of committee chairmen and the make-up and powers of subcommittees.” (Rohde 1974:39). I decided to include the Democratic caucus rules changes because they had a direct impact in the distribution of power in the House: “Clearly...the powers of the committee chairmen have been reduced” (Rohde 1974:47). By authorizing a secret ballot on committee chairs if 20% of the caucus demanded it, by establishing a limit on the number of subcommittee chairs anyone could hold and by enacting the Subcommittee Bill of Rights the caucus reforms moved power from committee chairs --and consequently the Southern Democratic faction-- to the liberal Democratic faction (Bibby and Davidson 1972, Rohde 1974 and 1991, Ornstein 1974, 1975 and 1976). “DSG members agree that the reforms enacted in January and February signaled a major change in the flow of House power and a major

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1For a list of changes in Rules and procedures, please see Appendix A. The appendix also details the differences between Schickler’s list of rules and procedures and mine’s.
victory for the DSG itself” (“Democratic Study Group: a winner on House reforms”, CQWR, 2 June 1973: 1366-1371). The inclusion of these changes does not alter Schickler’s coding of the dependent variable.

To determine the effect of rule changes (centralization-decentralization of power in the House) I generally followed Schickler (2000) and Binder’s (1997) decisions regarding whether a change enhanced minority rights –what I call decentralization of power- or suppressed them –what I call centralization of power. Each congress from 1880 until 2000 (46th-106th Congress) is coded to reflect whether there was any institutional change at all, if the institutional change concentrated power in the leadership position or if the institutional change decentralized power among a broader number of legislators.

This ordinal dependent variable scores

-1, if rule changes adopted in a particular Congress decentralized power in the House –distributed power more broadly among legislators.
0, if no rule changes were adopted in a particular Congress.
1, if rule changes were adopted in a particular Congress that centralized power in fewer hands.

Some scholars characterize rule changes after 1890 that decentralize power as “creation of minority rights” (Binder 1997, Schickler 2000). However, I argue that the real outcome of decentralization is the empowerment of one section of the majority party. This argument coincides with that of Cox and McCubbins, who claim that when power in the House has changed hands, “it has simply been redistributed within the majority party, not allocated to any minority party members” (2005:26).

See Appendix A for a detailed explanation on differences with Schickler on the coding of rule effects.

Schickler (2000) also treats this variable as ordinal, where -1 represents decentralization, 0 no changes in rules and 1 centralization. Binder (1997) divides the analysis into two separate parts. On the first one she analyzes the cases where minority rights are enhanced. In the second part she analyses the cases where minority rights were suppressed.
Constitutional Theory of Legislative Organization (CTLO), Independent Variable

My variable is the combination of the two elements laid out in the previous section --whether a change in the CS occurs or not, and the relative position of the Senate and president with respect to factions.

The result is a nominal variable that takes the value of:

- 0 if in a particular congress there was no changes in the CS ($\sim \Delta$ CS)
- 1 if in a particular congress there was a change in the CS ($\Delta$ CS) such that in the new distribution of preferences the Senate and president are close to either the Speaker’s majority party faction ($F_1$) or the minority party ($F_3$) ($S=P=F_1$, $S=P=F_3$)
- 2 if in a particular congress there was a change in the CS ($\Delta$ CS) such that in the new distribution of preferences the Senate and president are close to either the faction that does not hold the Speaker position ($F_2$) or any two different factions in the House ($S=P=F_2$, $S \neq P \in \{F_1, F_2, F_3\}$)

In order to measure this variable I need to develop indicators by which I can distinguish between the following situations:

(i) $\Delta$CS from $\sim \Delta$CS,

(ii) $S=P \in \{F_1, F_3\}$ from $S=P=F_2$ and $S \neq P \in \{F_1, F_2, F_3\}$

Constitutional Set

To distinguish between $\Delta$CS from $\sim \Delta$CS, I laid out the different types of CS. If a change in the preferences of the House factions, Senate or president entail a new type of CS, then a change in the CS has occurred. Table 1 describes the five types (the types are

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15 Even though the motives for decentralization in each case is different –avoid drastic changes in policy outcomes in the first and increase bargaining power vis-à-vis the opposition in the second-, I collapsed them together because the outcome is the same in both cases. In another working paper I’m conducting case studies that show the mechanisms at work in each case.

16 The motive for centralization in all cases is the same: enjoy benefits of delegations without fear of a significant move in policy outcomes.
exhaustive and mutually exclusive) and connects them with the expected rules change and the reasons for such a change.

Table 1: Types of Constitutional Set

<table>
<thead>
<tr>
<th>Type of CS</th>
<th>Senate and President’s preferences close to</th>
<th>Expected rules change in the House</th>
<th>Objective of rules change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Minority Party</td>
<td></td>
<td>Increase bargaining power vis-à-vis-opposition</td>
</tr>
<tr>
<td>2</td>
<td>Faction in the majority party which holds the speaker position and most agenda setting power</td>
<td>Decentralization of power</td>
<td>Avoid drastic policy changes</td>
</tr>
<tr>
<td>3</td>
<td>Faction in the majority party that does not hold the speaker position</td>
<td></td>
<td>Enjoy benefits of delegations without fear of a significant move in policy outcomes</td>
</tr>
<tr>
<td>4</td>
<td>Different factions from the majority party\textsuperscript{17}</td>
<td>Centralization of power</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>One of the factions from the majority party and the minority party</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The movement from one CS type to another introduces the need for new rules in the House. Each type presents different requirements in terms of the most effective rules and procedures needed to deal with a particular constitutional environment. In what follows I introduce examples that show the mechanisms at work when the CS changes.

\textsuperscript{17} Empirically I also identify a situation in which the Senate and/or President are equidistant from both factions. Being equidistant means that both factions can count on the Senate or President and that neither faction will be highly favored in terms of policy outcomes. Therefore, in such cases I also expect changes in rules and procedures that centralize power in the leadership.
Changes in CS: examples

The change from the 60th to 61st Congress described before --W. H. Taft replaces Theodore Roosevelt in the White House-- represents a change in the CS from type four (i.e. Senate closer to the majority party faction that holds the Speaker position –the conservatives; president closer to the other faction in majority party, the progressives) to type two (i.e. Senate and president closer to Speaker Cannon’s conservative faction). In my theory the change in the CS and the resulting distribution of constitutional preferences generates the famous revolt against Speaker Cannon. Progressives needed an institutional instrument that would guarantee that policy would not move further to the conservative side. The CS changed again in the 62nd Congress, when the new Democratic majority in the House faced an opposite Senate and President who were closer to the House minority party. This change in the CS from type two to type one triggered the enactment of the Holman rule and the removal of the Speaker’s power to appoint members and chairs of committees, clearly in the direction of decentralization. With these changes the Democratic majority in the House implemented rules to better deal with an opposite Senate and president.\textsuperscript{18}

The changes from the 103rd to the 104th Congress, when the Republican Party took over the House and the Senate, represent a change from a CS type four to type five. The new Republican majority in the House –with a close Senate but opposite President-deemed necessary to enact new rules and procedures that centralized power in the leadership in order to implement its agenda. The election of a Democratic president in 2008 marked a change in the CS from type five to type four. While the Senate pivot remained close to the moderate Democratic faction in both Congresses, the president changed factions. Given the new CS, the Democratic majority deemed a new set of

\textsuperscript{18} Theoretically, if there are several changes in the CS, from type two to type one and back to two, etc. each time there will be further decentralization. The decentralized rules that are beneficial when a faction in the majority party fears drastic policy changes may not be the most useful when the majority party is trying to increase the number of veto points.
procedures necessary (e.g. the relaxation of the pay-as-you-go rules, the constrain on the minority party’s ability to present motions to recommit) that would help the majority party in passing the policies feasible under the new president.

A change in the preferences of any of the constitutional actors is a necessary but not a sufficient condition to create a new CS. For a change in preferences to be significant in terms put forth by my theory, it needs to alter the relative position among constitutional actors. House factions, Senate or president could change preferences without modifying the resulting relative position among them, that is, without producing a change in the CS. If the CS is constant, there is no need for changes in the organization of the House. For example, the transition from the 82nd to the 83rd Congress entailed a change in the preferences of House factions. In this transition, Democrats lost the majority they held in the House and Senate as well as the Presidency to the Republicans. Even though this change in preferences of constitutional actors was very drastic, the CS did not change. The relative position of the Senate pivot and president with respect to House factions was still the same. In agreement with my theory, House members did not change their organization. Rules and procedures that were functional for a relative distribution of power were still useful under the same circumstances.

**Factions, Senate and President**

To distinguish between S=P ∈ {F1, F3} from S=P=F2 and S≠P ∈ {F1, F2, F3}, I need to develop indicators for F1, F2 and F3, S and P that would allow me to measure the distance among them and identify each of the cases. First, I classify factions in the House since 1880 based on the vast literature on party factions at the state and national arena. Once I identify the factions, I calculate their median using Common Space DW-NOMINATE scores. To operationalize the Senate, I use the filibuster pivot point. Lastly, I develop an indicator of the position of the president. Once I identify the position of
each of the constitutional actors since 1880 I can decide on whether there was a change in the CS from one Congress to the next and the actual distribution of preferences.

**Factions in the House**

To identify factions that existed in the Democratic and Republican parties since 1880 until 2006, I conducted an extensive literature review on sources that focus on “sections” in the US and their translation into parties and congress\(^9\) as well as work that analyzes intra-party factions in state and national political parties, presidential primaries and Congress.\(^20\) These scholars analyze parties and factions through the study of roll call votes and votes in national conventions, or analyze in detail a specific historical period or particular party in the nineteenth or twentieth century.\(^21\)

The most striking characteristic is that scholars usually coincide in distinguishing two well-carved, stable groups within parties. Although the formalization of the factions varies significantly – ranging from formal groups like the Democratic Study Group funded in the late 50s to informal network of legislators- scholars identify two distinct

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\(^9\) Scholars that focus on sections argue that “The sectional alignment of political conflict has been extraordinarily stable... for Key as for Frederick Jackson Turner, sectionalism operating through the two major parties came to dominate the institutional structure of Congress” (Bensel 1984: 6). Bensel’s (1984) categorization of sectional alignments in core and periphery also distinguish two main groups inside each political party. As early as 1925, Hanna Grace Roach was claiming a “division of the party [Republican Party] into an Eastern and Western wing, the North Atlantic or new England opposed to the North Central group and South.” Hanna Grace Roach 1925, VO Key 1964, Fredrick Jackson Turner 1932, 1969; Julius Turner 1970, Bensel 1984.


\(^21\) The easiest way to classify House members into factions would have been to choose an arbitrary cut-point in an ideological continuum and classify legislators depending on whether they are to the left or right of the arbitrary cut point. This is the strategy that Fleisher and Bond (2004) follow, by defining “moderate Democrats as moderate liberals (Democrats with scores between zero and -0.2 on the liberal side of the distribution), and moderate Republicans as moderate conservatives (Republicans with scores between zero and +0.2)” (Bond and Fleisher 2004: 435). However, I wanted to find a way to classify factions that was exogenous to the NOMINATE scores. These scores are based on roll calls, which are determined by the agenda, the power factions have, etc. Furthermore, most of the factional activity occurs well before roll call votes are taken.
ideological tendencies inside each party. There is also a general agreement when scholars characterize each faction. First of all, they place legislators into factions based on their particular ideology. Second, they identify the regions and the home state these groups are coming from, pointing out that historically and until the mid-90s party ideology has been generally unified at the state and local levels, which means that the state’s party delegation to Congress is considered to be ideologically cohesive. Appendix B describes in more detail the factions and the issues that distinguish them.

With respect to factions, I also distinguish between the faction in the majority party that holds the Speaker position (F1) from the faction that does not (F2), that is, between the majority and minority factions within the majority party. To link each Speaker to the faction in the majority party to which it belongs, I strongly relied on newspapers on the election of the Speaker, biographies, scholarly articles and books that analyze the position of the Speaker in the internal party politics of Congress.\textsuperscript{22} For a more detailed account of the methodology I follow see Appendix C.

Table 2 presents a summary with the list of factions in the Democratic and Republican parties. It shows the years that scholars agree on in considering key in the formation and termination of a faction.

<table>
<thead>
<tr>
<th>Table 2: Factions in the Democratic and Republican Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start /End Congress/Year</td>
</tr>
<tr>
<td>46\textsuperscript{th} – 51\textsuperscript{st}</td>
</tr>
<tr>
<td>(1879-1891)</td>
</tr>
</tbody>
</table>


\textsuperscript{23} Representatives from the 11 states from Confederacy (South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, Arkansas, North Carolina, Tennessee) plus Delaware, Maryland, West Virginia, Missouri, Kentucky, New York, Pennsylvania, Illinois.

\textsuperscript{24} Rest of the states.
26 Representatives coming from the South, 11 states from Confederacy plus Maryland, West Virginia and Kentucky- and the West.
35 The Common Space scores produce ideal points and cutting planes for the roll-call votes that maximize the number of correctly classified voting decisions. Like DWNOMINATE scores, Common Space scores range from -1 to +1 and are comparable among different Congresses. More important, these scores allow for the comparison between House legislators and Senators: “The House and Senate were scaled as if they were one legislature using the 630 Legislators who served
I calculated each median in one and also two dimensions – the weight parameter for the second dimension is .4063.

Because my theory identifies factions in the majority party but treats the minority party as homogeneous, to operationalize minority party I simply estimate the median of the party.

In all, these indicators allow me to then compute distances from each faction to the Senate and president.

**Senate**

The Constitution requires a majority of the Senate to pass a bill. However, Senate rules on debate mean that bills in the Senate effectively need supermajorities to pass. Once a Senator receives recognition to the floor, said Senator may address the chamber for as long as he or she wishes, and a simple majority of the Senate is insufficient to end the debate. Instead in the contemporary Congress three-fifths of the Senate must invoke the “cloture rule” to terminate a filibuster. Because of the supermajority requirements, I identify the Senate’s preferences with the preferences of the pivotal Senator needed to invoke cloture and end a filibuster.

The cloture rule was adopted for the first time in 1917, so “from 1917 to 1975, when a two-thirds majority was required to impose cloture, the filibuster pivots were the 33rd and 67th percentile senators” (Wawro and Schickler 2006:26). Because in my theory what matters is the relationship of the Senate with respect to the House, for those

---

36 I examine Senate composition for each Congress at the time when the new rules in the House were enacted. For the cases when rules were adopted more than once in a singular congress, I coded the filibuster pivot for each case (if they were different). However, differences in the Senate pivot point never amounted to a change in which of the factions was closer to the preferences of the Senate.

in both the House and Senate as “glue” (bridge observations).” (Keith Poole, http://voteview.ucsd.edu).
cases in which the House majority is Democratic, the filibuster is at the 67th percentile from the most liberal senator.\textsuperscript{37}

In 1975 the number of Senators needed to invoke the cloture rule changes, requiring three/fifths of the Senate membership to end a filibuster. As a result, the filibuster pivot since the 94th Congress is the Senator at the 40th percentile from the most liberal senator if the House majority is Republican and at the 60th percentile from the most liberal senator if the House is Democratic.

For the pre-cloture senate, I follow Wawro & Schickler (2006) and identify the pivot with the strict majority. They argue that “When an issue was salient to both the majority and the minority, the pre-cloture Senate was essentially majoritarian” (2006:28) “…oversized coalitions were not necessary to pass legislation…” (2006:90). For this period the filibuster pivot changes depending on the number of Senate members.\textsuperscript{38}

Additionally, Wawro and Schickler claim that “…senators would not have always needed to resort to invoking cloture to pass bill in the few decades after cloture reform because the costs to obstructionists at earlier points in a congress would have been too great. We expect to find that bare majorities continue to enjoy a measure of success even after 1917…” (2006:95). For that reason, I decided that the filibuster pivot from the 65th until the 69th Congress would still be the strict majority, at the 49th percentile from the most liberal or most conservative senator, depending on which party held the majority in the House.

\textsuperscript{37} If the majority in the House is Republican, the filibuster is at the 67th percentile from the most conservative senator. In fact, until the 85th Congress the total membership of the Senate was 96 Senators – it reached 100 when Alaska and Hawaii became states in 1959- so the filibuster pivot was at the 64th percentile from the most liberal senator if the House majority was Democrat, and at the 33rd percentile from the most liberal senator if the House majority was Republican.

\textsuperscript{38} For the 46th-50th Congress the filibuster pivot was the 39th senator starting from the most liberal or most conservative senator, depending which party held the majority in the House. From the 51st -53rd Congress the filibuster pivot was at the 45th percentile, 54th -59th Congress at the 46th percentile, 60th -61st Congress at the 47th percentile, and from the 62nd -64th Congress at the 49th percentile.
After estimating the filibuster pivot, I calculated the distance between this point and the median of each of the majority party factions and the minority party. To this end, I used Common Space DW-NOMINATE scores (Royce Carroll, Jeff Lewis, James Lo, Nolan McCarty, Keith Poole, and Howard Rosenthal, February 2009) in two dimensions.

For each Congress I coded whether the Senate filibuster pivot was closer to (i) the median of the majority party faction that also holds the Speaker position (i.e. $S=F_1$), (ii) the median of the other faction in the majority party (i.e. $S=F_2$), or (iii) the median of the minority party (i.e. $S=F_3$). In a few cases the Senate is equidistant from both factions in the majority party. In those cases I coded the Senate as such.\(^{39}\)

**President**

To decide on the location of the President’s preferences with respect to the three factions in the House I conducted an extensive research regarding the position of the President in his party at the start of the presidential term. To this end, I relied on scholarly articles and books on particular presidents, presidential campaigns and party conventions, analysis of roll call data, newspaper coverage of the presidential primaries and president’s biographies.\(^{40}\) I examine articles on each president from The New York Times systematically starting two months before the presidential nomination at the national party convention until the opening of the Congressional sessions. Newspapers that describe state delegation votes and speeches were particularly useful to link the future president with a faction from his party.\(^{41}\)

\(^{39}\) The Senate was equidistant from the two factions in the majority party in the 55\(^{th}\), 56\(^{th}\), 57\(^{th}\) and 67\(^{th}\) Congress.


\(^{41}\) I was hesitant about using Common Space scores for Presidents. First, because for Presidents before Eisenhower the scores are based on only a few roll call votes, they have to be used very cautiously (Poole, www.voteview.com). Second and most important because each presidential common score is based on roll call votes taken throughout each presidential term. This could or could not coincide with the perception the different factions in the House had about the President at the beginning of the term. For example, when Coolidge became President after Harding’s
Based on those sources I coded whether the president was closer to (i) the faction in the majority party with most agenda setting power (i.e. P=F1), (ii) the other faction in the majority party (i.e. P=F1), (iii) the minority party (i.e. P=F1). In some cases, the president was coded as equidistant from the two factions. This was the case for the inauguration of Harding’s presidency, which coincides with the 67th Congress.42

**CTLO’s Independent Variable**

With indicators on the position of the Senate filibuster pivot and the president with respect to the majority party factions and the minority party for each Congress since 1880. With this data I compare two consecutive Congresses to determine whether there has been a change in the CS or not –as defined above. After setting apart such Congresses I coded for each Congress whether the distribution of constitutional preferences was (i) S=P ∈ {F1, F3} or (ii) S=P=F1 or S≠P ∈ {F1, F2, F3}. The last step is to incorporate each Congress in one of the categories of the independent variable.

**RESULTS**

In this section I show the results from the statistical analysis I conduct. First, I explain very succinctly the competing hypothesis and the variables I use to measure them. Then, I describe my variable and provide descriptive statistics. Using an ordered death in 1923, the progressive faction in the Republican Party easily identified Coolidge with the conservatives. The only information progressives had about him was his conservative role as governor of Massachusetts. His position on the issues of extreme importance to Progressives (e.g. reduction of railroad rates, aid for wheat farmers, and relief from taxation) was unknown: “The Republican leaders today, two weeks before the assembling of Congress, are without a program. They say privately they do not know what tack will be assumed on bonus, taxation, and the questions uppermost in the public mind” (NYT November 17, 1923). As a result, in 1923, at the beginning of Coolidge’s presidency, the Progressives identified him with the conservative faction in the Republican Party. However, if we look at the common space score, Coolidge’s 1st dimension score is .382 which would indicate he was midway between the two Republican factions.

42Progressives who united behind him had supported Harding’s election as President. The two progressive presidential nominees General Leonard Wood and Hiram Johnson stated, “there was no choice to support any but the Republican Party” (NY Times, July 10, 1920). Furthermore, some of the more prominent figures in his cabinet were very close to Progressives (e.g. Secretary of State Hughes and Secretary of Commerce Hoover).
logit model I analyze the effect of all independent variables, the size of the effect and the predicted probabilities for the outcome response.

My hypothesis involves two key explanatory variables: change in the CS and relative position of Senate and president with respect to House factions. The independent variable –CTLO, is a nominal variable that takes the value of 0 (ΔCS), 1 (ΔCS S=P=F1, S=P=F3), and 2 (ΔCS S=P=F2, S≠P ∈ {F1, F2, F3}).

I test my theory against competing hypotheses; the conditional party government model of Aldrich-Rohde and Binder, the party cartel theory of Cox and McCubbins and the ideological balance of power in the floor model of Schickler. I use Schickler's data (APSR 2000), which allows for a systematic test of how well each approach explains distribution of power in the House. The first variable, Party Homogeneity measures the change in party level homogeneity and claims that as the majority party becomes more homogeneous rule changes that enhance the leader's agenda control become more likely. The second variable, Party Polarization measures the changes in the distances between the median of each party and argues that as the distance between majority and minority party becomes larger, changes in rules that enhance the majority party are more likely. The third, Party Capacity, measures the difference in party size and level of party cohesion between majority and minority party. The greater the party capacity, the more likely is the majority party to strengthen agenda control. The last variable is Floor Median, which measures the movement of the floor median towards or away from each of the party medians. As the floor median moves closer to the majority party, rules change in favor of the majority party are more likely, when the median moves away from the majority party rule changes that favor the minority party are have greater probability. 43

Table 3 contains descriptive statistics for all the variables I use in the analysis.

43 For a detailed description on each variable and how they are measured see Appendix D
I use an ordered logit regression to test the causal mechanisms. The dependent variable takes the value of -1 (decentralization), 0 (no change in rules) and 1 (centralization). Since the CTLO variable is a nominal variable with three categories, I include two indicator variables as independent variables in the model. The first indicator variable singles out cases that experience a change in the CS, where the relative distribution of preferences is $S=P \in \{F_1, F_3\}$. The second indicator variable distinguishes congresses that experience a change in the CS whose allocation of preferences is $S=P=F_1$ or $S\not=P \in \{F_1, F_2, F_3\}$. The reference category is no change in the CS.

Table 4 presents ordered logistic regression estimates of three models that predict rule changes in the House; the first model omits CTLO variables while the second includes them. The third model only incorporates the variables supported by my theory.

Model (1), which excludes the CTLO variables, suggest that the balance of power hypotheses (Schickler 2000) is a significant predictor of House rule changes ($b=6.63$; $SE=2.47$). However, when CTLO variables are added the floor median variable is not significant anymore. The new variables added are a strong and statistically significant predictor of changes in House rules. Furthermore, a likelihood ratio test comparing the full model that included CTLO variables (Model (2)) with a nested model (Model 1) improves the predictive accuracy of the model considerably ($\chi^2=14.99$, 2df, $p<.001$).

The variable $\Delta CS S=P \in \{F_1, F_3\}$ is negative and statistically significant ($b=-3.1$; $SE=1.05$), meaning that congresses in which there is a change in the CS and Senate and President share preferences with the main faction in the majority party or the minority

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44 The ordered logit model maintains the restrictive proportional odds assumption. I tested the parallel regression assumption and estimated the generalized ordered logit model (GOLM) using Williams (2005). The Wald test of parallel lines assumption showed that the final model does not violate the proportional odds/parallel lines assumption.
party are more likely to decentralize rules in the House when compared to congresses in which the CS did not change. The size of the effect can be interpreted in terms of change in the odds of producing different outcomes. The odds of experiencing decentralization of rules compared to no changes or centralization are 18.9 times larger when this independent variable equals 1, holding all other variables constant. Equivalently, the odds of having no change in rules or centralization are 95% smaller in the same cases (ΔCS \( S=P\in\{F_1, F_3\}\)), holding all other variables constant. These results confirm my predictions regarding decentralization of power in the House.

The variable \( \Delta CS, S=P=F_1 \) or \( S\neq P\in\{F_1, F_2, F_3\} \) is positive and also statistically significant (b=1.99; SE=.75, meaning that in congresses where there is a change in CS and the Senate and the President share preferences with different factions in the House or both with the minor faction from the majority party, the probability of centralization in rules is higher compared to cases with no change in the CS. The odds of centralization in rules is 6.47 times larger or 84.5% greater in these cases than when we have no change in the CS or we do have change in the CS and \( S=P\in\{F_1, F_3\} \), holding all other variables constant.

Model (3) also confirms my central prediction. When I remove the competing hypotheses' variables, my variables become significant at the .001 level.\(^45\)

To further show effect of my theory on the likelihood of rule changes in Congress, I looked at the predicted probabilities of the CTLO variables, holding the others at their mean.

FIGURES 2 AND 3 ABOUT HERE

\(^{45}\) I conducted a measure of fit test between Model (2) and Model (3). The Bayesian Information Criterion (BIC) shows that Model 3 is strongly preferred, as BIC1 – BIC2 <0 and =9.140. For this measure of fit, when the absolute difference between the two models is between 6-10, there is strong evidence for the first mode, which in this case is Model (3).
Figure 2 shows the predicted probabilities of decentralization in rules and procedures for the cases where the CTLO independent variables change from zero to one. We can observe that as both variables, $\Delta CS$ and $\Delta S$, $S=\text{P}\in\{F_1, F_2, F_3\}$, reach 1 the probability of decentralization in rules and procedures reaches almost 0%. However, as the latent variable corresponding to $\Delta CS S=\text{P}\in\{F_1, F_3\}$ equals 1 the probability of decentralization reaches more than .6, holding all other variables at their means.

In figure 3 I plot the effect that changes from zero to one in the CTLO independent variables have on the probability of centralization of rules and procedures. As the latent variable $\Delta CS S=\text{P}\in\{F_1, F_3\}$ reaches 1, the probability of centralization increases reaching about .8, holding all other variables at their mean. When there is not change in the CS (reference category), then the probability of centralization is a little over .2. To the contrary, as the latent variable $\Delta CS S=\text{P}\in\{F_1, F_3\}$ equals 1 the probability of centralization decreases to zero.

The results strongly show that change in the constitutional set have a strong effect on the probability of rules change in the House. Moreover, the directionality of such changes –whether they centralize or decentralize power in the House- is greatly determined by the relative position of the preferences of Senate and President with respect to House factions. These results show the explanatory power of the theory I develop in this paper and confirm that changes in House rules follow a predictable and orderly pattern determined bt preferences in the constitutional environment.

CONCLUSION

In this paper I argue that the rationale for factions in the House to alter distribution of power depends on the Senate and President’s preferences. Changes in the relative position of such preferences with respect to factions influence the kind of power-
sharing arrangements that House members pursue. I argue that rules change depend on the strategic calculus of the factions from the majority party. Such strategic calculus is affected by changes in the CS and the policy stance of the Senate and the President relative to that of the factions in the House.

As the empirical results suggest, incorporating Senate and Presidential change into the analytic framework generates reliable explanations of temporal variations in the House’s allocation of power. Changes in the ideological balance among constitutional actors, as measured by the position of the Senate and President with respect to House factions, offers a consistent explanation of House rules change.
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Peskin, Allan. 1984. Who were the Stalwarts? Who were their rivals? Republican factions in the Gilded Age. Political Science Quarterly, Volume 99, Number 4 Winter 1984-85.


Roach Hanna Grace, 1925, Sectionalism in Congress (1870-1890) APSR , vol 19 No 3, August : 500-526.))


Table 3: Descriptive Statistics for Independent Variables

<table>
<thead>
<tr>
<th>Name</th>
<th>Mean</th>
<th>Standard Deviation</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Party Homogeneity</td>
<td>-6.34</td>
<td>.07</td>
<td>-.22</td>
<td>.23</td>
</tr>
<tr>
<td>Party Polarization</td>
<td>.002</td>
<td>.046</td>
<td>-.098</td>
<td>.154</td>
</tr>
<tr>
<td>Party Capacity</td>
<td>12.6</td>
<td>8.49</td>
<td>-7.66</td>
<td>31.6</td>
</tr>
<tr>
<td>Floor Median</td>
<td>-.005</td>
<td>.15</td>
<td>-.40</td>
<td>.44</td>
</tr>
<tr>
<td>CS S=P ∈ {F1, F3}</td>
<td>.13</td>
<td>.34</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>CS S=P=F1, S≠P ∈ {F1, F2, F3}</td>
<td>.39</td>
<td>.49</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

Table 4: Ordered Logit Estimates for Models of House Rules Changes, 1880-2000

<table>
<thead>
<tr>
<th>Variable</th>
<th>Model (1)</th>
<th>Model (2)</th>
<th>Model (3)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Party Homogeneity</td>
<td>-4.47</td>
<td>-1.91</td>
<td>-----</td>
</tr>
<tr>
<td></td>
<td>(4.83)</td>
<td>(5.44)</td>
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<tr>
<td>Party Polarization</td>
<td>10.3</td>
<td>-.20</td>
<td>-----</td>
</tr>
<tr>
<td></td>
<td>(8.45)</td>
<td>(7.82)</td>
<td></td>
</tr>
<tr>
<td>Party Capacity</td>
<td>.03 (2.47)</td>
<td>.02 (.03)</td>
<td>-----</td>
</tr>
<tr>
<td>Floor Median</td>
<td>6.63 **</td>
<td>4.57 (2.44)</td>
<td>-----</td>
</tr>
<tr>
<td></td>
<td>(2.47)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CS S=P ∈ {F1, F3}</td>
<td>-----</td>
<td>-3.1**</td>
<td>-3.3***</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1.05)</td>
<td>(.98)</td>
</tr>
<tr>
<td>CS S=P=F1 or S≠P ∈ {F1, F2, F3}</td>
<td>-----</td>
<td>1.99 **</td>
<td>2.33***</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(.75)</td>
<td>(.70)</td>
</tr>
<tr>
<td>Threshold #1</td>
<td>-2.33</td>
<td>-2.8</td>
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<td></td>
<td>(.72)</td>
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<td>Threshold #2</td>
<td>.78</td>
<td>1.3</td>
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<td></td>
<td>(.55)</td>
<td>(.65)</td>
<td>(.41)</td>
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<td>df</td>
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<td>2</td>
</tr>
<tr>
<td>N</td>
<td>61</td>
<td>61</td>
<td>61</td>
</tr>
</tbody>
</table>

***p<.001, **p < .01, *p < .05; Ordered Logit Estimates Robust standard errors in parentheses
**Figure 2** Predicted Probability of Decentralization of power in the House

![Graph showing predicted probability of decentralization](image)

**Figure 3** Predicted Probability of Centralization of power in the House

![Graph showing predicted probability of centralization](image)
### Appendix A: List of changes in the rules and procedures of the House

<table>
<thead>
<tr>
<th>Congress</th>
<th>Code</th>
<th>Rule Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>46th</td>
<td>1</td>
<td>Required debate on suspension of the Rules and previous question; reinstated seconding of suspension motions. First definite rule (as opposed to precedent) establishing the priority of conference reports over other House business.</td>
</tr>
<tr>
<td>47th</td>
<td>1</td>
<td>Suspension votes reduced from two thirds to a simple majority for some bills; limited dilatory motions in contested election cases; Rules Committee granted power to report bill-specific rules.</td>
</tr>
<tr>
<td>49th</td>
<td>1</td>
<td>Removal of the Holman Rule</td>
</tr>
<tr>
<td>51st</td>
<td>1</td>
<td>Reed’s rules adopted: abolished disappearing quorum; restricted dilatory motions</td>
</tr>
<tr>
<td>52nd</td>
<td>-1</td>
<td>Reed’s rules repealed; increased Rules committee prerogatives; Restored Holman Rule.</td>
</tr>
<tr>
<td>53rd</td>
<td>1</td>
<td>Readopted Reed’s disappearing quorum rule, increase prerogatives of the Rules committee (allow the committee to sit while the House was in session); the rule of 100 members as a requisite for quorum in the Committee of the Whole. By the end of the session all the remainder of Reed’s rules had been readopted.</td>
</tr>
<tr>
<td>54th</td>
<td>1</td>
<td>Readopted remainder of Reed’s rules. Removal of the Holman Rule.</td>
</tr>
<tr>
<td>61st</td>
<td>-1</td>
<td>Strengthened Calendar Wednesday; created discharge process; motion to recommit guarantee for minority; enlarged Rules committee and removed Speaker from chairmanship of Rules committee.</td>
</tr>
<tr>
<td>62nd</td>
<td>-1</td>
<td>Remove Speaker power to appoint chair and committee members; tightened germaneness requirement on revenue bills. Restoration of the Holman Rule.</td>
</tr>
<tr>
<td>64th</td>
<td>-1</td>
<td>Made Calendar Wednesday process more workable</td>
</tr>
<tr>
<td>66th</td>
<td>1</td>
<td>Appropriation committee got exclusive jurisdiction over appropriation matters – before this congress control over appropriations was distributed among 7 committees.</td>
</tr>
<tr>
<td>67th</td>
<td>1</td>
<td>Gave the chair of Rules more discretion over when to report bills</td>
</tr>
<tr>
<td>68th</td>
<td>-1</td>
<td>Liberalize Discharge rule, loosened germaneness rule on revenue bills; rules pocket veto banned; two-thirds vote require to waive layover rules</td>
</tr>
<tr>
<td>69th</td>
<td>1</td>
<td>Discharge petition rule tightened</td>
</tr>
<tr>
<td>72nd</td>
<td>-1</td>
<td>Liberalized Discharge rule; loosened Speaker control over discharging conferees</td>
</tr>
<tr>
<td>73rd</td>
<td>1</td>
<td>Special orders reported by Rules Committee made non-divisible</td>
</tr>
<tr>
<td>74th</td>
<td>1</td>
<td>Discharge petition signatures increased from 145 to 218</td>
</tr>
<tr>
<td>79th</td>
<td>1</td>
<td>House Un-American Activities Committee granted standing committee status. Legislative Reorganization Act</td>
</tr>
<tr>
<td>81st</td>
<td>-1</td>
<td>21-day rule adopted, making it easier to bypass Rules Committee</td>
</tr>
<tr>
<td>82nd</td>
<td>1</td>
<td>21-day rule repealed</td>
</tr>
<tr>
<td>87th</td>
<td>1</td>
<td>Rules Committee expanded from 12 to 15 (+2 Democrats, +1 Republican)</td>
</tr>
<tr>
<td>89th</td>
<td>1</td>
<td>21-day rule adopted, making it easier to bypass Rules -- in this version the Speaker had complete discretion in recognizing members seeking to make motions under this rule, and any member of a committee designated by that committee, might make the motion. Limited obstruction tactics House rules amended to make it possible for the House to send bills to conference by majority rule.</td>
</tr>
<tr>
<td>90th</td>
<td>0</td>
<td>21-day rule repealed, Changes in the Rules committee:</td>
</tr>
<tr>
<td>91st</td>
<td>1</td>
<td>Legislative Reorganization Act of 1970.</td>
</tr>
<tr>
<td>92nd</td>
<td>1</td>
<td>Minority party guarantee of committee investigatory staff funding eliminated. Amended Rules XX and XXVIII as they pertained to non-germane Senate amendments. First round of Dem. caucus reform: (1) upon the demand of 10 members, a separate vote could be held on any committee chair; (2) limit on the # of subcommittee chairmanships a member could hold (no more than one).</td>
</tr>
<tr>
<td>93rd</td>
<td>1</td>
<td>Second round of Caucus reform: (1) automatic votes on all chairmen and secret ballot on</td>
</tr>
</tbody>
</table>

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46 The subsequent actions taken in 1972 and 1974 remedied unanticipated problems with the 1970 provisions and extended the newly established procedures to cover other parliamentary contingencies.
them if 20% of the caucus demanded it, (2) Subcommittee Bill of Rights: (i) each committee would caucus and adopt rules that fixed jurisdictions of subcommittees and matters submitted to the appropriate jurisdiction within two weeks (before Subc. were numbered so chairman could send bill to any Subc. he chose), (ii) gave staff and resources, (iii) ratio of Democrats – Republicans similar to the ratio in full committees. Created Steering and Policy Committee chaired by the Speaker that would make recommendations on legislative priorities and party policy. This committee would also recommend to the Committee on Committees nominees for Chairman of House standing committees.

Limits on minority obstruction; various devices adopted to expedite business (for example, made workable the rule to cut time spent in quorum calls). Guarantee of 1/3 funds for minority for temporary staff. Amended Rules XX and XXVIII as they pertained to non-germane Senate amendments.47

<table>
<thead>
<tr>
<th>Congress</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>94th</td>
<td>1</td>
</tr>
<tr>
<td>95th</td>
<td>1</td>
</tr>
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<td>96th</td>
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<td>98th</td>
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<td>100th</td>
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<td>102nd</td>
<td>1</td>
</tr>
<tr>
<td>103rd</td>
<td>1</td>
</tr>
<tr>
<td>104th</td>
<td>2</td>
</tr>
</tbody>
</table>

Proxy voting ban in committee eliminated; eliminated 1974 guarantee of one-third of funds for minority investigatory staffing; Rules Committee can waive requirement for 2-hour availability of conference reports; reference of legislation to more than one committee is allowed; abolished House Un-American Activities Committee.

Increased number of days for suspensions; Speaker is given the authority to set time limits on each committees’ consideration of a bill; limited obstruction tactics; abolished Joint Committee on Atomic Energy

Increased threshold for demanding a recorded vote; limited obstruction tactics

Limited Riders to Appropriation bills. Restoration Holman Rule.

Waves two-thirds rule for consideration of Rules Reports

Series of changes, including requirement that any legislation with direct spending or revenues include a binding Congressional Budget Office estimate for “pay as you go” sequestration

Package of changes allowing delegates to vote in Committee of the Whole and allowing Committee chairs to declare a quorum once a majority of members had been present for some part of the session; eliminated three select committees, made public the names of members who sign discharge petitions

Eliminated three committees (DC, Merchant Marine and Post Office, jurisdiction were given to existent committees); several issues in the Commerce committee’s turf were divided among other committees, proxy voting banned, required supermajority for tax increases; term limits on committee and subcommittee chairs (3 terms) and Speaker (4 terms), committee staff cut by 1/3 compared to 103rd, members may serve in no more than 2 standing committees and 4 subcommittees, Speaker may no longer send a bill to more than one committee simultaneously, committee chairs given more authority over hiring subcommittee staff.

Differences in Coding with Schickler (2000):

- I added to this list rule changes identified by Cox and McCubbins (2005) and Binder (1997) that were not incorporated in Schickler’s original list but had significant effects on the distribution of power within the House. The additions make the story of each Congress richer but mostly do not change Schickler’s coding of the dependent variable. They modify the coding of the dependent variable only in two opportunities, the 67th and the 100th Congress. In neither of these cases Schickler notes a change in the rules and procedures of the House. In the 67th Congress, the new rules and procedures gave the chair of the Rules Committee more discretion over the management of bills. In the 100th Congress the new rules waived the two-thirds rule for consideration of Rules reports

- 46th Congress: Schickler codes this Congress as not having any rules changes. He argues that the two changes he identifies cancel each other – on one hand the new rules required

47 The subsequent actions taken in 1972 and 1974 remedied unanticipated problems with the 1970 provisions and extended the newly established procedures to cover other parliamentary contingencies.
30 minutes debate on suspension of the Rules and previous question (decentralization) and on the other they reinstated seconding of suspension motions and established the priority of conference reports over other House business (centralization). I coded this Congress as centralizing power in the leadership, as the requirement that suspension motions had to be seconded by a majority significantly curtailed the power of the minority—who generally used these motions to embarrass the majority and to delay business (Bach 1990, Carr 2005). Although the debate requirement was important because it allowed the minority to express its views, it did not grant this minority any power to set the agenda or modify the course of action in the House (Carr 2005).

- 49th Congress: Neither Schickler nor Cox and McCubbins count the removal of the Holman rule as a “minority victory or majority loss”. The rule is removed because “the majority party enjoys a president of the same party and does not need the additional ability to create omnibus vehicles” (Cox & McCubbins 2005: 82).

- 52nd Congress: Schickler codes it as not having any rule changes, because he argues that the two changes he identifies cancel each other—on one hand Reed rules were repealed (decentralization of power) and on the other there was an increase in the Rules committee prerogatives (centralization of power) (2000:284). I coded this Congress as decentralizing rule from the leadership because the significance and impact of the abolishment of Reed’s rules far outweighs the increase in prerogatives of the Rules committee (Binder 1997, Alexander 1916). Furthermore, the rule that increased the Rules committee prerogatives “protected bills carrying the Rules Committee’s endorsement from many filibuster tactics, but not from the disappearing quorum” (Schickler 2001:50).

- 60th Congress: Schickler codes the as having pro-minority changes (creation of Calendar Wednesday). However, this change was adopted after the presidential election, during the lame duck sessions. I view this change as a concession from the conservative faction in the Republican Party that wanted to guarantee Progressive republicans that the election of a conservative President would not mean a drastic move in policy outcomes. As a result, I code the 60th Congress as having no changes in rules.

- 62nd Congress: Schickler classifies this Congress as having pro-majority changes. I coded this Congress as decentralizing power among the members of the Democratic majority. The main transfer of power was from the Speaker—removal of his powers to appoint committee members—to the membership of the Ways and Means Committee. The restoration of the Holman Rule obeys to a Democratic majority facing a Republican President. It is an instrument to better deal with an opposing president.

- 66th Congress: Schickler (2000) does not take into account this rule change. However, he identifies it in Schickler (2001).

- 67th Congress: reported by Cox and McCubbins.

- 79th Congress: Schickler codes it as having a pro-minority change (House Un-American Activities committee is granted standing committee status). Binder (1997) does not code this congress as creating minority rights. I code this congress as concentrating power in hands of the Southern Democratic faction—which controlled the Speaker position. At this point in time, the committee was an instrument of conservative democrats. The maneuver to make it a standing committee was made by Representative John Rankin (D-Mississippi) “who took his associates by surprise and engineered the resolution providing permanent standing for the panel” (NY Times, Jan 13 1945). The coalition that voted to make this committee permanent included “137 Republicans and 70 Democrats... Sixty-three of the Democrats voting for the Rankin resolution were southerners. Thus it was a coalition of Republicans and Southern Democrats...” (Carr 1952: 21-22). This move by Rankin was viewed as one of the most “remarkable procedural coups in modern history” (Carr 1952: 19). Rankin was very active in the committee, he made the decision to focus the spotlight of the committee investigations on Hollywood, to conduct hearings to investigate radio programs in the New York Regional Office of price Administration—all in disagreement with the chair of the committee (NY Times, Jul 1 1945). The first chair of the committee was Representative E. Hart (D-New Jersey), “a compromise choice” for Democrats, although he was soon replaced by Representative Wood (D-Georgia).

- 81st Congress: Schickler codes this Congress as having a pro-majority rule change (adoption of 21 days rule). I coded as a decentralization of power from the conservative
democrats to the liberal democrats. The adoption of the 21 days rule made it easier to bypass the Rules committee, a stronghold of Southern Democrats. This rule gave committee chairs of committees the right (on specified days) to bring certain special rules to the floor—namely, those that their committee had submitted to the Rules Committee and that Rules had not favorably reported to the floor within 21 days.

- **82nd Congress:** Schickler codes this congress as having a pro-minority change in rules (elimination of the 21 days rule). I coded this Congress as centralizing power in the Southern conservative Democratic faction. The elimination of the rule meant that liberals lost an instrument with which they could bypass the conservative Rules committee.

- **90th Congress:** Schickler codes it as having pro-minority changes. I coded it as having no changes in rules. In this Congress the 21 day rule, which had been adopted on the 89th Congress is eliminated—making it more difficult for the Speaker to bypass the conservative Rules committee. However at the same time, the liberal Democratic faction added more members to the rules committee (H. Smith, the former chair of the committee had failed to gain the nomination for his seat) and forced this committee to adopt new rules concerning their regular meeting (to which Colmer, the new chair, agreed). That is, with these changes in rules power stayed inside the liberal faction, who wanted some type of mechanism to bypass the rules committee.

- **91st Congress:** Schickler codes this Congress as having "no change" in rules because he identifies pro-majority changes (reading of Journal dispensed with, unless ordered by a majority) and pro-minority changes (required debate time, staff funds). I coded this congress as centralizing power in the Northern liberal faction of the Democratic Party. The Reorganization Act removed more power from committee chairs by constraining the use of proxy voting and by enabling the House to give separate consideration to nongermane Senate amendments to House passed bills and to provisions of conference reports.

- **100th Congress:** this change in rules is identified by Cox and McCubbins (2005).

- **103rd Congress:** Schickler codes it as not having any change in rules. He argues that the existent changes cancel each other. On one hand the new rules centralized power by instituting a package of changes allowing delegates to vote in Committee of the Whole, allowing Committee chairs to declare a quorum once a majority of members had been present for some part of the session and eliminating three select committees. On the other hand the rules made public the names of members who signed discharge petitions (decentralization of power in Schickler’s account). I coded this congress as centralizing rules and procedures.
Appendix B: Factions in the Democratic and Republican Party

Factions in the Democratic Party

46th-53rd Congress (1879-1895): Conservative Democrats48 - Reform Democrats49

Reform Democrats, coming from the Southern and Western states were opposed to Northeastern democrats in their demands of tougher railroad regulation, reduction of tariffs and an expansive banking system. Harriet (1976) describes their differences arguing that “Throughout the period the Northeast [Conservative Democrats] tended to vote more strongly for the gold standard and ‘hard money,’ which meant currency stability, or even contraction, and the West tended to vote for ‘soft money,’ which promised expansion of the nation’s money supply”. (1946:478).

54th-72nd Congress (1895-1933): Anti Bryan Democrats50 - Pro-Bryan Democrats51

Later on and until 1930, the reform Democratic faction embraced the figure of William Jennings Bryan. Representatives from the rural Western and the South supported Bryan’s position on railroad regulation, tariff reductions and free coinage. The Conservative democrats became the anti-Bryan faction. They distinguished themselves mostly for their economic conservatism: high tariff, minimum intervention of the government in the economy, gold standard and anti-imperialism. As Kent (1928:341-2) states, “In his subsequent campaigns he [Bryan] widened and deepened this sectional division between South and West on the one hand and East on the other...The entire South and West were Silver; New England and the Middle Atlantic States were opposed [to a silver platform]...His anti-trust and government ownership of railroads campaigns were aimed at his section [the East], designed to be popular in the South and West”.

73rd -106th Congress (1934-2000): Conservative/Moderate Democrats52- Liberal Democrats53

49 Representatives coming from the South --11 states from Confederacy plus Maryland, West Virginia and Kentucky- and the West.
In very general lines, from the 1930’s and until 2000 the main division in the Democratic Party has been between Conservatives-Moderates from the South and Liberals from the North and West. Their main differences originated on the economic and social realms of the New Deal and became even more pronounced when it included racial issues. Until the late 70’s and early 80’s Southern and Northern democrats mostly fought over social welfare and civil rights policies. While southerners protected segregation and defended state rights Northerners supported greater government involvement in the society and the economy. Ornstein and Rohde (1978:280) suggest that in the 1960s “the long-term Democratic majority had been maintained through a coalition forged by diverse groups at opposite poles, Southern members (mainly rural and conservative), and Northern liberals.” During the 80’s and 90’s these two groups formalized their ideological tendency through different organizations (e.g. CDF, DLC, DAC).

**Factions in the Republican Party**

*46th-51st Congress 1879-1891: Conservative Republicans - Moderate Republicans*

In this period, the Republican Party was divided between conservatives – also known as Stalwarts or Old Guard and moderates – also known as Half Breeds. Peskin (1985: 715-6) explains that “The stalwarts were those Republicans most directly threatened by the revival of the Democratic Party that began in the mid 1870’s...With a distinctive constituency and a coherent set of goals, the Stalwarts were, for a time, a genuine, recognizable element in Republican and national

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54 In the 80’s conservative and moderate Democrats grouped around the Conservative Democratic Forum (CDF) and the Democratic Leadership Council (DLC). They advocated a centrist policy agenda and focused on winning the presidency – objective fulfilled when W. Clinton won the 1992 presidential elections. By the mid 90’s conservative Democrats founded the Blue Dogs group. It is important to note that Blue Dogs do not come from a specific region or state, their members comprised various states and regions in the country. Another group that concentrated moderate-conservative Democrats was the “New Democrats”, which “spouse policies of lean government and fiscal responsibility. On social issues they tend to be more liberal, however, than another conservative group of Democrats, the so-called Blue Dogs.” (Ota 2000). Liberal democrats coalesced with trade unions and became the ones opposed to the Vietnam War and supporting minority rights, consumer protection, environmentalism. It is in this period when “for the first time in the postwar period the liberals institutionalized themselves within the party... Steversonians announced...the establishment of the Democratic Advisory Council (DAC), an affiliate of the DNC.” (history...Ross: 2701). In the late 50’s they formed the Democratic Study Group.

55 Representatives from the 11 states from Confederacy (South Carolina, Mississippi, Florida, Alabama, Georgia, Louisiana, Texas, Virginia, Arkansas, North Carolina, Tennessee) plus Delaware, Maryland, West Virginia, Missouri, Kentucky, New York, Pennsylvania, Illinois.

56 Rest of the states.
politics….when Charles J. Guiteau shot Garfield he announced “I am a Stalwart of the Stalwarts,”
as if that explained all.”

52nd -72nd Congress, 1891-1933: Conservative Republicans\textsuperscript{57} - Progressive Republicans\textsuperscript{58}

Later on and until the 1930’s, the base of the Conservative Republicans expanded to include all
states east of the Mississippi with the exception of Wisconsin and Minnesota. To the contrary, all
the representatives coming from states west of the Mississippi, plus Wisconsin and Minnesota
became part of the Progressive faction in the Republican party. “The struggle was, in essence, a
contest for control of to Republican party, to decide whether it would become a progressive party
dominated by the Midwest, or a conservative party, dominated by the East” (Nye 1951: 272-3).

Progressives were advocates of state reform, labor and social welfare programs, consumer
interests, trust legislation, institutional and tariff reform, railroad regulation and conservation.
Conservatives were pro-business and believed in minimal state intervention in the economy, low
taxes and protective tariffs. In terms of Bensel (1984), they represented the industrial commercial
core. “It was tax policy which most sharply delineated the deep and continuing divisions within
the GOP” (Harbaugh 1973: 2093).

73rd – 106th Congress, 1933-2006: Conservative Republicans\textsuperscript{59} - Moderate Republicans\textsuperscript{60}

After the 1930’s representatives coming from the Northeast gradually started to identify with the
moderate faction in the party. The Republicans coming from the South, Midwest and West
became the conservative republican faction. While the Moderates progressively lost control of the
party and became a minority, the conservative republicans slowly gained more power in the late
70’s and 80’s, when Reagan became President and Newt Gingrich founded the Conservative
Opportunity Society (COS).

\textsuperscript{57} All states east of the Mississippi with the exception of Wisconsin and Minnesota (Schousen 1994, Aldrich
1951, Gwinn 1957, Nye 1951, Chiu 1928, Hasbrouck 1927)\textsuperscript{58}

\textsuperscript{58} Representatives coming from states west of the Mississippi, plus Wisconsin and Minnesota (Schousen
1963, Berdahl 1951, Gwinn 1957, Nye 1951, Chiu 1928, Hasbrouck 1927)\textsuperscript{59}

\textsuperscript{59} Republicans coming from the South, Midwest and West became the conservative republican faction
1963)\textsuperscript{60}

\textsuperscript{60} Representatives coming from Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New
Appendix C: Faction in the majority party that holds the Speaker position

An important element in my theory is the identification of the main or majority faction in the Majority Party. This is the faction that holds the Speaker position, has considerable agenda setting powers and has the right to propose a distribution of power to the other factions at the beginning of each congressional term.

To identify this faction, I linked each Speaker to the faction in the majority party to which it belonged. Although I took into account the state where the Speaker was from, I strongly relied on newspapers accounts on the election of the Speaker, biographies, scholarly articles and books that analyze the position of the Speaker in the internal party politics of Congress.

Sometimes the decision to classify a Speaker in one or another faction was very difficult, especially because some Speakers seemed to change positions throughout their tenure. One of the cases is Joseph W. McCormack (D-MA). When he was elected as Speaker in the 88th Congress he was without a doubt identified with the liberal faction of the Democratic party. However, by the end of his tenure (end of the 1960’s), all the liberal democrats members continuously complained on McCormack’s “too moderate” positions. In this case, I decided to classify McCormack as closer to the liberal faction of the Democratic Party. Even though he was probably more moderate during the 90th Congress, he was definitely not closer to the conservative democrats than to the liberal’s.

When Speakers were replaced I also investigated the decision behind such replacement. If the replacement occurred in the middle of the session—for example, when the Speaker dies—and the new Speaker belonged to the same faction then the change is not relevant (most the cases fall in this category). However, when the new Speaker belonged to a different faction in the majority, then the change was relevant as it could mean a change in the CS, and was recorded as such. In the 74th Congress, J.W. Byrns (D-TN) from the liberal Democratic faction dies and is replaced by Bankhead (D-AL), conservative democrat. Because he dies 15 days before the 74th Congress closed its sessions, I decided to classify this congress’ Speaker as belonging to the liberal Democratic faction. The second case is during the 87th Congress, when Rayburn (D-TX) from the conservative Democratic faction dies and is replaced by McCormack (D-MA), liberal democrat. The change occurs 7 months before the end of the Congress. I decided to identify the Speaker of
this congress as belonging to the conservative Democratic faction. The third case is Wright (D-TX), from the conservative-moderate faction who resigns and is replaced by Foley (D-WA), from the liberal faction. In this case, I classified the Congress as liberal-moderate because Foley assumes as a Speaker just 6 months after the opening session.

In many cases I observed the Speaker deciding not to seek the nomination as Speaker in the following term. I conducted an in depth investigation of these cases. In most of them, the reason for the decision was related to intra-party politics. Reed’s (R-ME) resignation to his seat in the 55th Congress is related to McKinley who became the President in that term –they had strong differences on many issues. Gillet’s (R-MA, conservative republican), decision to seek a Senate seat is related with Coolidge (conservative republican) becoming the President –the progressives exchanged the election of a moderate Speaker for supporting the tightening of the discharge rule.
Appendix D: Established Theories of Legislative Organization

All the variables described in this appendix come from Schickler (2000)

Partisan theories, Cox and McCubbins, Aldrich and Rohde

Party Homogeneity = Homogeneity(t ) – Homogeneity(t-1)

Homogeneity = MajSD (Standard Deviation of the Majority Party’s members for each Congress in the 1st Dimension) / FloorSD (Standard deviation of all House Members’ 1st Dimension)

Conditional Party Government, Aldrich and Rohde Party Polarization Hypothesis

Party Polarization = Polarization(t) – Polarization(t-1)

Polarization = Absolute Value (MedianMaj – MedianMin)

Party Capacity. Binder

PartyCapacity = CapacityMaj – CapacityMin

CapacityMaj = # of minority members/ total number of members * MinCohesion (Rice cohesion score for minority party)

CapacityMin = # of minority members/ total number of members * MinCohesion (Rice cohesion score for minority party)

Floor Median, Schickler

Floor Median = abs (Floor Median – Median Minority Party) – abs(Floor Median– Median Majority Party) (t) - abs (Floor Median – Median Minority Party) – abs(Floor Median– Median Majority Party) (t-1)