Senate Collective Action and the Legislative Reorganization Act of 1946

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Abstract

The rules of the United States Senate make it difficult for parties to pursue collective action even if a significant portion of the party is in agreement over policy. Despite this unfavorable procedural environment, scholars of political parties have observed high levels of party success on the Senate floor. In this paper, we argue that success on the chamber floor is due to the ability of the Senate majority party to coordinate, but not coerce, unity on procedural matters. We suggest this coordination was facilitated by the establishment of policy committees following the adoption of the Legislative Reorganization Act of 1946. The committees provided a focal point for the parties to overcome the collective action problems inherit in all legislatures and advance a legislative agenda. The result of the committees establishment was a marked increase in party unity voting on procedural votes relative to substantive votes in the years following its passage.
On February 25, 2010, the United States Senate began consideration of H.R. 4691, the Temporary Extension Act of 2010. The measure sought to continue unemployment insurance benefits, subsidize health premiums for uninsured and extended current Medicare payment rates (Hulse and Pear 2010; Stanton 2010b). H.R. 4691 had passed the House via voice vote and was expected to quickly pass the Senate as well. However, on February 26th, Senator Jim Bunning (R-KY) objected to a unanimous consent agreement that would have allowed the measure to pass that day.

Bunning’s decision had significant repercussions for both parties. Due to the chamber’s scheduling rules, majority party Democrats would be unable to force a vote on the measure until the following week (Hulse 2010a). Republicans were also put in a difficult position by Bunning’s decision to obstruct a fairly popular measure in a tough economic climate. They attempted to convince Bunning to drop his objections to the bill while distancing themselves from his actions (Pierce 2010). Despite intense criticism from opposing and fellow partisans, Bunning was able to delay the passage of the measure for over a week, forcing thousands of federal employees to be temporally furloughed (Stanton 2010a).

Senator Bunning’s obstruction of H.R. 4691 conforms to the popular perception that lawmaking in the United States Senate is highly individualistic. Despite serious concerns that his actions could severely damage their brand name, Senate Republicans were unable to persuade Bunning to drop his objections and allow a popular measure to be quickly enacted. The rules of the Senate allow individual senators like Bunning or a small minority of the chamber from either party to obstruct the legislative process. Because members can filibuster (Binder and Smith 1997; Koger 2010; Wawro and Schickler 2006), not agree to unanimous

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1On March 1, Senator Susan Collins (R-ME) took to the floor on behalf of “numerous” other Republicans in an unsuccessful attempt to persuade Bunning to drop his objections (Pierce 2010). Senator John Cornyn (R-TX) noted that Bunning was “one senator” and did not “represent the position of the caucus (Hulse 2010b).”

2H.R. 4691 passed the United States Senate on March 2, 2010 with broad bipartisan support by a vote of 78 to 19. Bunning argued that his opposition to the measure was rooted in his opposition to the costs being added to the deficit as emergency spending (Hulse and Pear 2010). Ultimately, he dropped his objections in exchange for a recorded vote on a substitute amendment he sponsored (Stanton 2010a).
consent agreements (Ainsworth and Flathman 1995; Smith and Flathman 1989), propose legislation at virtually any point through the lack of a germaneness requirement (Smith and Gamm 2002) or place anonymous holds on bills (Evans and Lipinski 2005) it is more difficult for the majority party to control the Senate floor (at least in comparison to the U.S. House). Despite this unfavorable procedural environment, scholars of political parties have observed high levels of party success on the Senate floor (Cox and McCubbins 2001). In what follows, we will present evidence that shows a heightened degree of party unity voting on procedural votes well before the recent rise in polarization (McCarty and Rosenthal 2006).

We argue that the establishment of party policy committees following the adoption of the Legislative Reorganization Act of 1946 provided a focal point that allowed the parties to coordinate legislative strategy on the floor. While this increased coordination did little to prevent individuals from obstructing certain nominations and measures, it allowed party leaders to identify priorities that had broad support, minimize intra-party divisions on those priorities through deal-making and structure procedural votes necessary to successfully ensure their passage. This, we argue, facilitated the majority party’s ability to maximize its policy output given the procedural environment, and eventually led to higher levels of party unity on floor. To examine this question, we adopt a two-pronged approach. First, we examine the Congress at the vote-level by looking at the overall proportion of votes that could be classified as “party unity votes” before and after the establishment of the policy committees. In short, we find that prior to the creation of the Senate policy committees, there was little difference in levels of party unity voting depending on vote-type. After the passage of the LRA, party unity voting was significantly higher on procedural votes compared to votes on substantive matters. Notably, these changes do not appear to be present in the House – which did not create a companion set of policy committees.

Second, we employ a micro-level analysis by examining individual senators’ procedural party support scores in several different ways. The evidence at both levels is consistent with our theory that parties began to shift disagreements off of the floor and coordinate on their
agenda. This heightened degree of party unity began a decade before the “master of the Senate,” Lyndon Johnson became majority leader (Caro 2002) and almost 30 years before the return of party power in the post-reform House (Rohde 1991). The next section discusses the passage of the Legislative Reorganization Act and Senate policy committees in greater detail. We then outline our theory that policy committees facilitated the solving of intra-party coordination problems. Finally, we provide descriptive evidence before fitting several models to demonstrate changes in party support. We conclude by discussing our results in light existing literature on individualism in the Senate and the rise of the conservative coalition.

Party Policy Committees and the Legislative Reorganization Act

On August 2, 1946, President Harry S. Truman signed the Legislative Reorganization Act into law, dubbing it “one of the most significant advances in the structure of Congress since its establishment (Byrd 1988, 548).” The President’s signature marked the end of intense debate over the best way to reform the United States Congress. Scholars had expressed concerns over the legislature’s loss of authority to the executive branch, the fragmented jurisdiction of the committee system, insufficient staffing and travel allowances for members, the growing congressional workload and the weakness of political parties – among other issues (Davidson 1990; Waggoner 1946). In early 1945, the Joint Committee on the Organization of Congress was established in order to investigate reform proposals. Nearly a year later, the committee submitted 37 recommended congressional reforms.

A formal discussion of this issue was underway by 1941. In that year, the American Political Science Association formed a committee to investigate problems with the United States Congress. The committee – under the leadership of Professor George B. Galloway – produced a report in 1942 that outlined a number of reforms (Byrd 1988; Matthews 1981).

Perhaps the most ambitious proposed reform sought to streamline the committee systems in both chambers. In doing so, the number of Senate standing committees was to be reduced from 33 to 13 and the 48 committees in the House were combined into 19. Other recommended changes included reforming the budget process, increased funding for committee staff, a pay-raise for members and changes in scheduling for committee and floor action (Schneider et al. 2003).
One of the most controversial of the committee’s recommendations was the creation of policy committees for the majority and minority parties. In an article written for the New York Times, Senator Robert La Follette, Jr. (R-WI) stated that the “policy-making in Congress is splintered and uncoordinated,” and the new committees will “coordinate the legislative program,” and were “designed to help crystallize the determination of party policy on major issues and to promote party responsibility for the performance of platform promises (La Follette Jr. 1946).” Specifically, the original Senate resolution called for “a policy committee, consisting of seven members, for the formulation of over-all legislative policy of the respective parties (S. 2177, sec. 244(a) 1946).” Observers had long complained about the lack of “unity of command in Congress (Ritchie 1997, 3).” As such, the provision sought to create committees that facilitated partisan coordination and increase the parties’ abilities to sheppard an agenda through both chambers (Gamm and Smith 2002). This, supporters hoped, would further serve to increase partisan accountability by letting the people understand each party’s position on major issues (Heller 1945).

Debate over the Legislative Reorganization Act began in the Senate on June 6. It would pass 49 to 16 just four days later; with the policy committee provisions attached. Navigating the bill through the House proved much more difficult. Speaker Sam Rayburn (D-TX) found the creation of majority and minority party policy committees objectionable.⁵ This objection was likely rooted in Rayburn’s unwillingness to weaken his substantial influence in setting the chamber’s agenda (Galloway 1946; Ritchie 1997; Schneider et al. 2003). Additionally, the procedural uncertainty within the chamber further increased the speaker’s role in the House (Byrd 1988). In contrast, since no individual senator had the same powers as the Speaker, the formation of the policy committees was likely viewed as less of a threat. As a result, the policy committee provisions were dropped from the House bill when it was finally

⁵The House debate also featured a substantial amount of debate over the inclusion of a pay raise and pension plan for members. House members were concerned about how voting for such a provision would be seen by their constituents. Ultimately, the chamber adopted an amendment dropping the base salary from 15,000 dollars, as specified by the Senate bill, to 12,000 dollars.
passed nearly six weeks later.

The House’s decision to exclude the policy committees generated significant criticism. The Washington Post noted that the policy committees were the primary mechanism by which reformers thought to centralize party responsibility and increase coordination with the executive. It lamented it as a “critical loss” and blamed Rayburn for its defeat. Galloway (1946) argued that Rayburn’s decision would appear to political laymen as “an astonishing piece of political piracy” and noted that news articles characterized it as a “a travesty on the democratic process.” Rather than send the bill to conference, the Senate concurred with the House amendments. Disagreement would likely have been fatal for the Act as many House members had already left Washington (Galloway 1946). After passing the bill, the Senate established policy committees separately.

Senate historian Donald Ritchie (1997) has provided valuable insight into the workings of the newly formed Republican committees though a careful study of the committee minutes. He argued that while the committees possessed no formal powers to coerce voting behavior, during the early years of the committee it strived to, “build party discipline,” “determine consensus within the party on issues,” “reconcile conflicting views among Republican senators to maintain party harmony,” “consider questions of floor strategy,” “devise strategies to promote those policies,” and “to preserve party unity (Ritchie 1997, 15-38).” Over time, these responsibilities have increased (Peterson 2005; Kelly 1995).

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6 See “Stripped Reform Bill,” The Washington Post, July 20, 1946. Congressman Everett Dirksen (R-IL) objected on the claim that Rayburn was responsible for the exclusion of this provision. He claimed the editorial was “an unconscionable distortion of the facts” and the decision to remove the policy committees was made by the entire joint committee in order to secure the bill’s passage (Congressional Record, 79th Congress, July 25, 1946, 11047).

7 See Byrd (1988) on this point as well.

8 In terms of leadership, the Republican Policy Committee chair was traditionally someone other than the formal party leader. Senator Robert Taft (R-OH) chaired the committee from its inception through 1952 when he subsequently took on the position of majority leader. Taft utilized the Policy Committee chairmanship as the basis for his leadership within the chamber (Schickler 2001). In contrast to Taft and the Republicans, the Democratic leader also chaired the policy committee. After the chair, membership on the committee also varied by party and over time. The Republicans on the committee tended to be part of the leadership such as the floor leader and the whip. Starting with the 83rd Congress (1953-1955), two-thirds of the committee chairs were allowed on the committee and soon afterwards the party tried to achieve a
Thus far, the limited research in political science on the effect the act had in Senate party building has looked only at the committee’s ability to coerce support for key votes. In perhaps the most detailed look at the question, Truman (1959) found little support for the thesis that party policy committees led to a high degree of voting cohesion. Specifically, he argued that high levels of disagreements existed amongst the policy committee members in the 81st Senate. He concluded by arguing that although the policy committees have played only minimal role in establishing voting for members, they have proved to be important “communications centers (Truman 1959, 131).”\(^9\) We believe that the establishment of party policy committees served a more fundamental role in chamber policy-making by giving senators an opportunity to coordinate on legislation where there was some degree of agreement. Specifically, the policy committees allowed parties to better coordinate on legislative priorities, ensuring greater floor unity on procedural votes.

**Party Coordination and Collective Action in the Senate**

In the United States House, the chambers’ strong central leader – the Speaker – can use the Rules Committee to set the agenda and keep unwanted legislation from coming to the floor (Cox and McCubbins 1993, 2001, 2002, 2005). Although the Senate does have formal party leadership positions, namely the majority and minority leaders, no one member of the Senate has the same power as the Speaker of the House (Rohde 1991; Aldrich and Rohde 1998, 2000, 2001). We argue that absent strong leaders, the adoption of policy committees in the Senate were needed to help the parties coordinate on legislative priorities and enact an agenda. While this certainly does not prevent minority obstruction, the policy committees allowed the parties to pull intra-party disagreements off the floor into the meeting rooms.

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\(^9\) Cooper (1988, 282) echoes this point, arguing that “too often the significance of the Senate policy committees is unduly minimized. In fact, they have performed important service, educational and communications functions.”

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Since collective action problems become easier to solve as the number of actors decreases (Olson 1965), they may be overcome in the relatively small Senate with a minimal set of tools such as meetings to hash out floor strategy. If we are correct and disagreement was pulled off the floor and the majority was more likely to advance an agenda with some degree of consensus, then this should lead to higher levels of party unity voting.

The idea that the Senate leadership strives to solve coordination and collective action problems is not new. Gamm and Smith (2002) argue that if members are in agreement about an issue, then someone must solve the coordination problem to choose a strategy that will help the party achieve the goal. As the workload increased during the first half of the 20th century and senators were laboring on more issues (Davidson 1990) it is likely that coordination between even like-minded partisans became more difficult. Moreover, the ratification of the 17th Amendment in 1913 ensured that senators would be reelected independent of the state parties. This likely further strained intraparty coordination, making the establishment of the party policy committees more of a necessity.

Increased coordination does not imply that leaders can force members to act against their will, only that if members are in agreement, the leadership can coordinate activities between party members. If enough party members were unified on an issue, they would frequently present it to the full caucus. They could then use the committees to develop a legislative plan and then disseminate that plan to the other party members. If the party agreed, it would then move forward. Although the Democrats and Republicans did not run the policy committees in the same fashion, they both met regularly to agree on what items to put on the agenda and what to leave off.

Since there are fewer members in the Senate compared to the House it may be relatively easy to bargain with other members to solve collective action problems from time to time. For example, if a significant portion of the caucus wanted action, or non-action on an issue, 

\footnote{This is consistent with Lee (2009, 13), who argues that senators can solve collective action problems by simply meeting around a “common lunch table.” To us, the policy committees provided a setting for senators to discuss policy face-to-face. We are unsure if lunch was served.}
then the majority party may be able to convince enough senators to vote with the party, and the legislative agenda can proceed. In return, members may get to add their amendment to the bill or have some of their legislation placed on the agenda in the near future. Again, this would require some degree of cooperation among the caucus to decide who to buy off and who to ignore. This would have been made easier after the policy committees were formed and they met regularly to discuss party strategy.

Once the majority comes to some degree of consensus, how could they advance their legislative agenda? In order to pass legislation in the Senate, party leaders must negotiate unanimous consent agreements (Sinclair 1989; Smith and Flathman 1989; Ainsworth and Flathman 1995) or utilize other, more time-consuming procedural tactics. These include – but are not limited to – utilizing the majority leader’s right to priority recognition in conjunction with a simple majority motion to proceed.11 Additionally, majority coalitions may seek to employ cloture motions to overcome a minority filibuster.12 Maintaining party unity on these procedural votes is essential to keep legislation from unraveling and getting bogged down with additional amendments added late in the legislative process (Den Hartog and Monroe 2011).

Moreover, maintaining unity on certain types of procedural votes should be easier compared to substantive votes since they may be less visible to constituents (Arnold 1990; 2010). It specifies that if multiple senators request recognition at the same time “priority of recognition shall be accorded to the Majority and Minority Leader, the majority manager and the minority manager, in that order (Gold 2004, 40).” Scholars have pointed out the important implications it has had on policy-making in the Senate. Byrd (1988) argues that the right of first recognition has since become the most important power enjoyed by the majority leader. Scholars and other majority leaders have echoed this point. Gold (2004, 40) points to a biography of former majority leader Mike Mansfield (D-MT), which argued that the right allowed the leader to “outflank any other senator in offering motions or amendments, and to the most important voice, rarely overruled, in shaping the nature and timing of Senate business.” It guarantees that the majority leader will be the first member allowed to propose a motion to proceed, to report a unanimous consent agreement or offer an amendment (Gamm and Smith 2002; Beth et al. 2009). These powers are critical in order for the majority leader to manage the Senate’s floor time effectively.

12A cloture petition must lie over for two calendar days before it is voted on. Then, an additional 30 hours of debate and amending activity can occur before a final vote is taken on the measure. Measures that alter the Senate’s standing rules require a three-fifths majority to end cloture (Davis 2011).
Den Hartog and Monroe 2011). If procedural unity breaks down, the agenda setting advantage will disappear. Thus, in order for a party to enjoy legislative success, a high degree of party unity will be needed on procedural votes and solving cooperation problems must be accomplished to guide a piece of legislation to a successful final passage vote. If procedural mechanisms can be used to structure the agenda correctly, then members will have more freedom to vote with their district on final passage. Given this, we should expect to observe a difference in the levels of party unity when we compare legislative voting on procedural and substantive matters before and after the formation of the Senate policy committees. Thus, our key hypothesis suggests that before the policy committees were able to coordinate activity, we expect to find little difference in party unity when comparing procedural voting with substance. However, afterwards, we expect to see an increase in party unity on procedural votes but not necessarily on substance.

The does not imply that the Senate will be as successful as the House in terms of enacting a partisan agenda. While several scholars have uncovered evidence of low majority roll-rates in the upper chamber (Campbell, Cox and McCubbins 2002; Gailmard and Jenkins 2007), it is important to note that this success is measured using observed outcomes on the floor. Our theory suggests that policy committees provide party leaders with better information as they select proposals to bring forward to the floor. This also facilitates their ability to minimize intra-party divisions. It does not, however, allow them to overcome minority party or individual obstruction – should members be committed to engaging in those tactics (Koger 2010). While House leaders can employ the Rules Committee to pass almost all of the parties’ proposals, Senate leaders utilize coordination to determine which proposals it can bring to the floor and pass – and which it needs to leave off the agenda.

Changes in Party Unity Voting

What evidence would suggest a change in the role of Senate parties? A basic one would be an increase in party unity votes. Increased intra-party coordination should allow the majority
party leadership to better formulate and advance their agenda through the chamber. This, we anticipate, should lead to a greater proportion of party unity votes per Congress. We define a party unity vote as one where a majority of one party votes against a majority of the other party. If the parties were coordinating their efforts after the creation of the policy committees, then we would expect to see an increase in party unity voting after the passage of the act during 79th Congress (1945-47). Figure 1 displays the percent of party unity votes in the Senate from the 45th Congress (1877-79) through the 108th Congress (2003-2004). Reference lines are included for the years 1913 (the adoption of the 17th Amendment) and 1946 (the adoption of the Legislative Reorganization Act).

[Figure 1 Here]

Over the course of the entire time period, the degree of party unity declined. It reached a peak of 82 percent in the 47th Congress (1881-1883) and declined to a low of 33 percent during the 90th Congress (1967-68). However, if we look at levels of party unity before and after the 1946 reform, unity was on the decline until the 79th Congress (1945-1947). As expected, party unity appears to have declined sharply after the move towards direct election of the senators. The adoption of the LRA in the 79th Congress (1945-1947) appears to have led to a slight uptick in the percentage of party unity votes. Although the change in unity following the reform is variable, it gives some indication as to the effect of the creation of the policy committees.

If the parties began to act more cohesively due to increased coordination, then we would expect to see an increase in unity on procedural votes rather than on substantive votes. Using a dataset created similar to Rohde (2004), we calculated the percentage of votes that were party unity votes for both procedural and substantive votes. Votes such as motions to table, cloture votes, motions to proceed and all other procedural votes are included in the procedure category. Votes on the final passage of bills, amendments, resolutions and

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13 Measures of party unity were calculated using vote marginals available at www.voteview.com.
conference reports make up the bulk of the substantive category.\footnote{These data were compiled by Andrea Campbell for the 45th-104th congresses and by the authors for the 105th-108th congresses.}

Figure 2 presents the percent of party unity votes for each of the two categories. Prior to the 79th Congress (1945-1947), there is no discernable difference between the levels of party unity between the two categories. However, beginning with the 79th Congress (1945-1947), there is a striking change in the way members were voting on procedural matters but not much of a change for substantive votes. After the reforms, the percentage of substantive party unity votes still trended downward, although at a slower rate. In contrast, after the creation of the policy committees, there was a marked increase in the percentage of procedural party unity votes. In the 81st Congress (1949-1951), unity on procedural votes was 83 percent. By the 108th Congress, 88 percent of procedural votes pitted a majority of Democrats against a majority of Republicans. While the difference between the two categories varies over the years, these data seem to provide clear evidence that there was a change in the way the parties dealt with procedural matters. As such, it suggests that the parties in the Senate were acting in ways consistent with our argument that the policy committees allowed senators to coordinate on procedural votes. This is consistent with Lee (2009, 73), who argues that party conflict on roll-call votes is reflective of partisan coordination.

\[\text{[Figure 2 Here]}\]

It is possible that these changes in voting patterns are just coincidental and not related the reforms. For example, it is certainly reasonable to think that the end of World War II would usher in an era of greater partisan conflict (Madonna 2011). However, if this were the case, one would expect to see a comparable increase in proportion of party unity votes on procedural issues within the House of Representatives. These data suggest this is not the case. In the ten years before the adoption of the Legislative Reorganization Act, the average proportion of party unity votes on procedural matters in the Senate was 57.17%. In the House, it was a comparable 56.78%. In the ten years preceding the Act’s adoption,
Senate party unity on procedural votes shot up to 72.25%, while the House stayed virtually constant – 56.55%. Again, the House did not adopt the policy committees when the Senate did.

In order to test our hypotheses in a more systematic fashion we next fit several logit models to examine the levels of a party-unity voting on substantive and procedural votes. Again, our key hypothesis is that party unity votes should be more common on procedural votes than on substantive votes after the establishment of the party policy committees. Our data is the universe of all roll call votes in the Senate from the 63rd Congress (1913-1915) to the 90th Congress (1967-1969). By limiting our time series to the post-17th amendment and pre-Legislative Reorganization Act of 1970, we minimize problems with confounding variables. Moreover, as Figure 1 illustrates, party unity increased in the Senate after the 1970 act, so we are biasing against our hypotheses. Fitting a model that extends into the modern era further strengthens our findings.

Our dependent variable is a simple dummy variable coded 1 if the vote was a party unity vote, and 0 if otherwise. Our key independent variables include dummy variables for the type of vote cast. If the vote was procedural in nature, it was coded 1, 0 otherwise. If the vote was on a substantive issue it was coded 1, 0 otherwise. Of the 9,700 votes cast during this era, 2,015 were procedural and 7,536 substantive with the out-category largely being votes on nominations. We also include a dichotomous variable for congresses occurring after the passage of the policy committees labeled LRA. Finally, we created interactions between the vote-type variables and the LRA variable. Thus, the coefficients on the vote-type variables indicate party-unity voting prior to the passage of the LRA and the interactions represent the same measure after the creation of the policy committees. To be clear, to find support for our hypotheses, we need to show that prior to the passage of the LRA, there should be no difference between voting on procedure and substance while after the act, party-unity voting on procedure should be greater than on final substance. We present the results of our models in Table 1.
The results presented here provide further suggestive support for our hypotheses. In models one and two we separately test for changes in party-unity voting in each of the vote-type categories and then put them both together in model three. Model one shows us that prior to the passage of the LRA, procedural votes were no more or less likely to be party-unity votes. However, after the act, we can reject the null of no difference. In model two, we see no difference prior to the act and actually a significant decrease afterwards. Finally, in model three we test our key hypothesis about differences between procedure and final passage before and after the passage of the LRA. A test for significant difference between the coefficients on procedure and final passage indicates no difference (p = .72) while a test of the interactions indicates party-unity voting was significantly higher on procedural votes compared to substance. Thus, the evidence is consistent with our theory that once the committees were established, a party unity vote is significantly more likely to be cast on a procedural matter than on a substantive vote.

Examining Individual Party Support on Procedural Votes

In the preceding sections, we have presented evidence that suggests the adoption of party policy committees facilitated an increase in aggregate party unity on procedural votes. In this section, we examine the impact the policy committees had on individual member’s support for the party on procedural votes. Here, we wish to determine if the increase in party-unity voting was across the board, or isolated to certain types of senators.

We argue that the establishment of party policy committees in the Senate facilitated leadership’s ability to coordinate with rank and file members, leading to greater success on

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15 Due to interactions, we had to use joint hypothesis tests were appropriate.

16 In other results, we also ran a series of congress-by-congress t-tests during our time series examining differences in party-unity voting between procedure and substance. Prior to the passage of the LRA, there was a significant difference in only 23.5 percent of the congresses. In contrast, there was a significant difference in 63.6 percent of the individual congresses afterwards.
the floor. Moreover, because scheduling legislation has become the prerogative of the majority leader, we would expect this effect to be pronounced amongst majority party members. Members of the minority are forced to react to the majority’s scheduling decisions, and while they can certainly obstruct certain measures, it should be more difficult to secure loyalty on votes. If this is the case, we expect that majority party members should exhibit higher individual levels of party unity on procedural votes that occurred during congresses after the establishment of the committees.

To examine this question, we compiled percent party support scores on procedural votes for all members serving between the ratification of the 17th Amendment in 1913 and the Legislative Reorganization Act of 1970. We examined all non-unanimous or near-unanimous roll call votes cast on procedures. We then tabulated the percentage of times a member voted in the same direction as a majority of his party. Members who voted in less than 20% of all procedural roll calls were omitted.

Figure 3 plots the average individual support for the party on procedural matters from the 63rd Congress (1913-1915) to the 90th Congress (1967-1969). A brief glance at the raw data before and after the adoption of the Act supports our hypotheses. Average individual support for the party on procedural matters from the 70th (1927-1929) to 79th Congress (1945-1947) was 73.1%. It jumps to 78.2% between the 80th (1947-1949) and 89th Congress (1965-1967). Excluding Southern Democrats – who frequently abandoned the party position on procedural votes in the post-reform era – the increase is even more pronounced, moving from 73.5% to 80.2%. The figure also suggests that the immediate increase in party unity on procedural matters was primarily confined to the majority party.

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17 See footnote 11 for a more detailed discussion of how the majority leader employs the right of first recognition to set the floor agenda.

18 Votes with greater than 95% support were considered near-unanimous roll calls. As with the previous model, employing an extended time series strengthens our findings.

19 This constituted less than 5% of all members.
To further examine the relationship between the Senate’s establishment of party policy committees and individual party unity on procedural votes, we fit a simple ordinary least squares model. The dependent variable, procedural support, is the percentage of times a member voted in the same direction as a majority of his party in a given Congress. We expect the adoption of the party policy committees would have a positive and significant impact on the procedural support percentage of majority party members. To evaluate this, we include dummy variables for majority party status and for congresses occurring after the adoption of the LRA in the 79th Congress (1945-1947). Given the conditional nature of our hypothesis, these variables are interacted.

We include three additional control variables. First, the mid-20th century featured a number of heated Senate battles over civil rights legislation. As previously mentioned, this led to a pronounced split between Northern and Southern Democrats over usage of obstructive tactics like holds and filibusters. As such, we anticipate that Southern Democrats should have a far lower procedural support score. The larger the majority party is relative to the minority, the less likely it would need to command high levels of party unity to successfully pass legislation. Conversely, small majorities should need a high proportion of their partisans to pass their agenda. Given this, we anticipate that Senates’ with large majorities will be feature lower overall partisan support scores on procedural votes. We control for this using a variable accounting for the percent of all seats controlled by the majority party in a given Congress.

Again, we hypothesize that the primary effect of the policy committees was to allow party leaders to better coordinate with rank and file members on floor activity. Leaders themselves were likely already on board with the majority of their party. Members holding leadership positions in both parties are far more likely to support a majority of their party on procedural votes. Thus, we control for members that hold party leadership positions in the Senate. This included the majority caucus leader, the majority floor leader, the majority whip, the minority caucus leader, the minority floor leader and the minority whip.
Results

Results from the ordinary least squares model are presented in Table 2. The control variables all performed as expected. Both the southern and leadership dummies were significant and in the expected directions. Southern Democrats were significantly less supportive of their party on procedural votes. This is consistent with much of the literature on the evolution of chamber obstruction (Binder and Smith 1997; Wawro and Schickler 2006). Conversely, party leaders were more supportive of the party’s position on procedural votes. This comes as little surprise as leaders are charged with advancing the party’s agenda.

The majority seat share control is negative and significant. This suggests that when the majority controls a large number of seats, it can afford to advance legislative priorities that are not roundly supported by all members. Moreover, bill managers may not feel the necessity to try and buy off members on procedural votes, should those members not support the underlying issue.

Our primary theoretical expectation was that the establishment of party policy committees in the United States Senate significantly increased the majority party’s ability to navigate their agenda through the chamber. The results presented in Table 1 provide further support for this hypothesis. As expected, the variable interacting majority party status and post-LRA act dummies is positive and significant. This conforms to our argument stressing the role increased coordination can play in dictating policy outcomes. While individual members can significantly obstruct and kill measures in the chamber, coordination allows party leaders to broker deals amongst fellow partisans and pursue policies on the floor more efficiently. Moreover, the negative and significant coefficient on the majority party

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20Aggregating data over a wide time interval increases the potential for correlated errors. This suggests the usage of standard errors may be appropriate here. While there is no noticeable effect on the significance of the parameters, robust standard errors clustered on each congress are slightly larger and presented in Table 1.
dummy suggests that prior to the establishment of the policy committees; party support for procedural votes was less reliable.

Conclusion

We have argued the establishment of party policy committees in the Senate helped the parties coordinate activities, advance a legislative agenda and maintain high levels of party unity on the floor by better structuring procedural votes. To explore this question, we examined changes in party unity voting at the congress, bill, and individual member level. We believe the evidence provides strong support for our theory that the party was able to pull disagreements off the floor into the committee meeting rooms.

Our initial results demonstrated that the establishment of the party policy committees preceded a slight increase in the percentage of party unity votes. More strikingly our results indicate that the establishment of the committees led to a significant increase in the proportion of party unity votes on procedural issues. Conversely, the proportion of party unity votes on substantive measures declined following the passage of the Legislative Reorganization Act. The proportion of procedural votes that could be classified as a party unity vote in the House – which did not adopt the policy committees – did not appear to differ in the 10-years before and after the Act.

Next, the results from an ordinary least squares model of average individual support for party positions on procedural votes presented in Table 2 are further suggestive of increased party coordination. Even when controlling for other important factors, the establishment of party policy committees appears to have led to a significant increase in individual majority party senators’ support for party position on procedural issues. These findings suggest that in terms of procedural matters, the parties were successfully able to solve the coordination problems to vote together on the floor.

These results are in some ways striking since the Senate has generally been characterized as a chamber where individuals, not cohesive groups, rule. We feel our results are not
inconsistent with this notion since the creation of the policy committees did nothing to take away from an individual’s right to filibuster. However, they did create a mechanism for coordinating activity where there already existed enough support for a particular item on the legislative agenda. This idea is supported by our examination of qualitative evidence such as the committee meeting minutes and an op-ed written by La Follette.

One could also question our results of increased party loyalty on procedural votes given that the time frame we study includes an era where the Southern Democrats frequently voted with the Republicans to stymie the more liberal Northern Democrats. Again, our results are consistent with previous research since we find the increase in party unity is largely contained to Senators from outside the South. It is also possible that the defection of Southerners encouraged increased unity amongst Northerners but if this were the only factor contributing to changes in party unity voting, we would not expect to find the sharp break evident in Figure 2 immediately following the passage of the LRA.

Although more difficult to discern from the results presented here, we can speculate that these reforms may also have gone some way towards helping the parties to solve collective action problems once the coordination problem was solved. If enough party members could agree on a strategy, then convincing other partisans to come on board would have been easier with a central coordinating committee compared to members negotiating on their own. In sum, it seems that the Senate parties were able to use the policy committees to help coordinate activity largely with respect to procedural matters. While the focus of power within the institution may shift over time, this reform seemed to have sparked a rise in party unity that continues through the current Congress.
References


Lynch, Michael and Anthony J. Madonna. 2010. “Analyzing the Vice President’s Role in Enforcing Order in the U.S. Senate.” Paper presented at a University of Kansas Political Science seminar, Lawrence, KS.


Figure 1: Percent Party Unity in the Senate Pre and Post 1946 Reform

Note: Percent of party unity votes in the Senate from the 45th Congress (1877-79) through the 108th Congress (2003-2004). Reference lines are included for the years 1913 (the adoption of the 17th Amendment) and 1946 (the adoption of the Legislative Reorganization Act).
Figure 2: Percent Party Unity in the Senate Pre and Post 1946 Reform: Substantive and Procedural Votes

Note: Percent of party unity votes in the Senate from the 45th Congress (1877-79) through the 108th Congress (2003-2004). Reference lines are included for the years 1913 (the adoption of the 17th Amendment) and 1946 (the adoption of the Legislative Reorganization Act).
Figure 3: Average Individual Support for Party Positions on Procedural Votes

Note: The “party position” is defined as the position that a majority of the party supported. Unanimous or near unanimous votes are omitted. Members who voted in less than 20% of all possible votes are also omitted from this analysis.
Table 1: Logit Models of Party Unity Votes, 1913-1969

<table>
<thead>
<tr>
<th>Covariate</th>
<th>Model 1</th>
<th>Model 2</th>
<th>Model 3</th>
</tr>
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<tbody>
<tr>
<td>Procedure</td>
<td>0.06</td>
<td>0.64*</td>
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<tr>
<td></td>
<td>(0.14)</td>
<td>(0.20)</td>
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</tr>
<tr>
<td>LRA</td>
<td>-0.58*</td>
<td>0.02</td>
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<tr>
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<td>(0.18)</td>
<td>(0.28)</td>
<td>(0.29)</td>
</tr>
<tr>
<td>Procedure LRA</td>
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<td></td>
<td>(0.24)</td>
<td>(0.33)</td>
<td></td>
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<tr>
<td>Substance</td>
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</tr>
<tr>
<td></td>
<td>(0.14)</td>
<td>(0.18)</td>
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<tr>
<td>Substance LRA</td>
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<tr>
<td></td>
<td>(0.23)</td>
<td>(0.31)</td>
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<tr>
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<td>0.39*</td>
<td>-0.20</td>
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<tr>
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<td>(0.14)</td>
<td>(0.18)</td>
<td>(0.15)</td>
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<td>Observations</td>
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<td>9,700</td>
<td>9,700</td>
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<tr>
<td>Prob &gt; χ²</td>
<td>23.41*</td>
<td>20.56*</td>
<td>35.83*</td>
</tr>
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</table>

* indicates significance at the p = .05 level. These data includes the universe of all roll call votes in the Senate from the 63rd Congress (1913-1915) to the 90th Congress (1967-1969).
Table 2: OLS Estimates for Individual Senator Support on Procedural Votes, 1913-1969

<table>
<thead>
<tr>
<th>Covariate</th>
<th>Coefficient</th>
<th>Standard Error</th>
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<tbody>
<tr>
<td>Majority Party</td>
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<tr>
<td>Post-LRA</td>
<td>0.003</td>
<td>(0.007)</td>
</tr>
<tr>
<td>Majority Party * Post-LRA</td>
<td>0.019*</td>
<td>(0.010)</td>
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<tr>
<td>Southern</td>
<td>-0.036*</td>
<td>(0.006)</td>
</tr>
<tr>
<td>Party Leadership</td>
<td>0.067*</td>
<td>(0.012)</td>
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<tr>
<td>Majority Party Seat Share</td>
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<td>(0.036)</td>
</tr>
<tr>
<td>Constant</td>
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<tr>
<td>R²</td>
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</table>

Note: Coefficients with robust standard errors clustered on Congress listed in parentheses. * indicates significance at the p = .05 level. These data includes all major party senators who served from the 64th Congress (1915-1917) to the 90th Congress (1967-1969).