The Effect of Party Valence on Voting in Congress

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Abstract

Little is known about the effect of the parties’ valence on legislators’ actions. We propose a theory of re-election motivated legislative defection and explore the circumstances under which legislators engage in distancing behavior when their party is associated with negative events. Using congressional voting data and criminal convictions of local politicians during the 106th and 109th Congresses, we find that electorally vulnerable legislators are less likely to vote with their party after convictions associated with co-partisans in their state. Each additional conviction is associated with a 1.3 percentage-point increase in the likelihood that an electorally vulnerable legislator votes against her party suggesting that legislators use their votes to distance themselves from their party when their party’s reputation is tainted. The magnitude of this effect is larger on both substantive votes and when the prosecutor is a co-partisan, suggesting that voters are the target of such distancing behavior.
A party’s valence (i.e., their non-ideological reputation) plays an important role in elections (Stokes, 1963; Groseclose, 2001). Voters punish legislators and parties that are involved in scandals (Alford et al., 1994; Stewart, 1994), and reward legislators when their party is viewed as being more ethical and efficient (Butler and Powell, 2014). What about the effect of valence on legislators’ actions? Legislators have strong incentives to associate themselves with good things and distance themselves from that which is unpopular. Do shocks to a party’s valence, such as those caused by other politicians’ missteps (Nyhan, 2015), affect a legislator’s likelihood of voting with their party?

To test whether legislators respond to changes in their party’s valence, we examine how convictions against individuals associated with the party in their home state affect members of congress (MCs) levels of party voting. In particular, we look at how investigations conducted by the Department of Justice that lead to court convictions against local co-partisans affect the level of party voting of the co-partisan members of the U.S. House from that state.

Using data on party votes from the 106th and 109th Congresses, we find evidence that politicians are sensitive to co-partisan convictions because of electoral concerns. We find that electorally vulnerable legislators (those from non-safe seats), but not MCs in safe seats, become more likely to defect from their parties’ position. Each additional conviction of a co-partisan is associated with a 1.3 percentage point increase in the likelihood that these MCs vote against their party on party votes. The magnitude of this effect is even larger (a 1.8 percentage-point increase per conviction) on substantive votes, which is consistent with our argument that this electorally motivated distancing behavior is targeted at voters rather than party leaders.

Further, these effects are even larger when we look at the politics underlying the decision to prosecute the officials. Building on Gordon (2009)’s finding that the attorney general’s office is more likely to prosecute weaker cases from the opposition party (Gordon, 2009), we explore variation in the political alignment between the prosecutor (attorney general) and
the political official being prosecuted to capture the magnitude of the negative shock to the
brand. We find legislators engage in even greater levels of distancing behavior when prose-
cutors convict members of their own party—that is when the prosecutor, MC, and convicted
official are all of the same party. Following these same-party prosecutorial convictions, elec-
torally vulnerable members distance themselves on substantive votes at even greater levels,
becoming nearly 3 percentage points (per conviction) more likely to vote against her party.
All of this evidence is consistent with our argument that vulnerable legislators use their votes
to distance themselves from their party when their party’s valence is hurt.

While researchers have long recognized the importance of the parties’ valence, it is often
reduced to a simple intercept term in voters’ utility functions that has a straightforward,
mechanistic effect on legislative elections (Groseclose, 2001; Schofield, 2003). Our results
show that the valence aspect of the party brand is much more dynamic than that account
suggests. In particular, electorally vulnerable MCs actively shape their roll call records to
affect the closeness of their association with their party based on their party’s valence record.
As a result, the party valence is something that not only affects elections, but also affects
the dynamics within the legislature.

The evidence we present here that the parties’ valence affects legislators’ votes has po-
tentially wide ranging consequences, and suggests that improving the party’s valence is an
important tool for party leaders trying to pass their legislative agenda. Previous research
on party voting has focused on the direct tools that leaders use to influence members, in-
cluding the rewards they can offer, the punishments they can threaten to use, and tools to
structure the agenda (Rohde and Aldrich, 2000; Cox and McCubbins, 2005). In contrast
to those tools, improving a party’s reputation (valence) is an indirect method for achieving
the leaders’ policy objectives. Rather than working directly on legislators, leaders expend
resources to build their party’s reputation among the electorate (Sellers, 2010).

These results should change how we view and study the role of legislative party leaders.
We should not expect party leaders to simply work behind the scenes; instead, leaders have strong incentives to lead the charge in front of the media. In fact, our results help explain why legislative leaders have been directing an ever increasing amount of resources into media strategies (Lee, 2013). Legislative leaders are investing in the media spin battle as a way not only to win elections, but also to help them achieve their legislative agenda. The impact of the party valence on individual legislators is one of the forces incentivizing leaders to spend more time as chief-salesperson of the party. Our results provide the framework for understanding and studying this critical new aspect of party leadership.

Valence and Party Voting in Legislatures

Scholars studying the impact of party reputations have drawn a distinction between the positional and valence components of the party brand (Stokes, 1963). A party’s positional (ideological) brand affects elections by serving as a shortcut that voters use to identify the ideology of candidates and parties (Woon and Pope, 2008; Peskowitz, 2012). Voters then use this information to punish members who are viewed as being either too extreme or too partisan (Canes-Wrone, Brady and Cogan, 2002; Carson et al., 2010; Koger and Lebo, 2012). By contrast, a party’s valence is represented as an intercept term in a voter’s utility function (Groseclose, 2001; Schofield, 2003; Ashworth and Bueno de Mesquita, 2009). This term takes positive values when the party has a good reputation (leading voters to support them more than they would otherwise), and negative when they have a poor reputation.

Theoretical work suggests that improving (or at least maintaining) the party valence is a major reason that rank-and-file legislators give party leaders power over their members (Cox and McCubbins, 2005). Legislators want their party to be highly regarded because voters punish incumbents from parties with a poor valence reputation. Among other things, this means that legislators want their parties to be seen as being effective at passing policy and
also being ethical in their conduct (Butler and Powell, 2014).\textsuperscript{1} However, because passing legislation sometimes requires legislators to vote for policies that are not in-line with their constituents’ preferences, individual legislators will under-invest in this public good for their party. Rank-and-file legislators give their leaders the power to enforce party discipline when it is needed to overcome this collective action problem and improve the party’s valence (Brady and McCubbins, 2002; Grimmer and Powell, 2013).

The extant research on party government has focused on how party voting can affect the party’s valence. This line of reasoning assumes that increasing levels of party voting (in order to pass the party’s agenda) is a driving force to increase the party’s reputation. This literature has not drawn attention to the converse—the effect of the party’s reputation on legislators’ level of party voting.

Understanding the effect of a party’s valence on party voting is important for understanding how party leaders affect legislative outcomes. Party leaders have a finite limit of legislative tools and resources at their disposal, and do not want to expend this capital unnecessarily. When leaders indirectly build support for their agenda by increasing the value of their party’s valence and/or decreasing the valence of the opposition, they can reserve this capital for future needs. Rather than threatening members or buying them off, improving the party brand diminishes any electoral benefits of defection. If leaders are effectively using this indirect pathway to influence floor votes, then scholars may be underestimating the power that leaders can exercise in the legislative process.

While our argument here is novel, it is broadly consistent with and a natural extension of existing literature. For example, Fenno (1973) and Bianco (1994), argue that legislators are free to vote with their party when constituents trust the legislator. While there are many ways in which legislators gain their constituents’ trust, having a strong party valence

\textsuperscript{1}(Cox and McCubbins, 2005) use the damage to the Republican brand from the 1995 government shutdown to illustrate how legislative accomplishment (or the absence of it) influences a party’s brand.
advantage is one of them. For this reason, party leaders have strong incentives to bolster their party’s valence advantage. If they are able to do so, they open the door for their like-minded, rank-and-file members to vote with them.

**Electoral Vulnerability and Party Defection**

We argue that electorally vulnerable legislators should be particularly sensitive to negative shocks to their party’s valence and that this should lead them to be more likely to vote against their party. The idea that legislators care about reelection is not particularly controversial. While legislators have many goals, they can only work on those goals if they are in office. Thus winning election is a necessary condition for legislators’ other goals. A long literature has shown that legislators are strongly motivated by reelection and that much of their behavior can be understood in light of that goal (Mayhew, 1974). However there are two parts of our hypothesis that are more controversial. First, why should electorally vulnerable MCs be more sensitive to negative shocks to the party brand than legislators in safe seats? Legislators have been characterized as ‘running scared’ as if they are unsafe at all times. If that is true and all legislators prioritize reelection, we might expect safe legislators to care just as much about the party’s valence? Second, why should legislators defect from their party on roll call votes? We turn now to addressing these two questions.

So why should electorally safe legislators be less likely to abandon their party? All legislators must balance their concerns about reelection with their desire to curry and retain favor with party leaders. Party leaders have numerous tools available to help them induce party loyalty (Rohde and Aldrich, 2000; Smith, 2007). Leaders are given these tools for the purposes of maintaining party discipline (Cox and McCubbins, 2005). If legislators deviate too frequently from the party line, they risk facing sanctions from the leadership (Cann, 2008). MCs who represent safe seats are simply less likely to be in a position where the
electoral benefits of abandoning their party outweigh the expected benefits of standing by their party leaders.

Leaders may also affect legislators’ cost-benefit calculation associated with defection by punishing electorally vulnerable legislators less for defections. Party leaders are interested in maximizing the size of their caucus within the chamber, which involves winning seats where support for the party is mixed or even low (Carroll and Kim, 2010). Party leaders may put less pressure on members and be less likely to punish MCs in these electorally vulnerable seats when the party’s reputation in their state is tarnished, which would make it more attractive for these legislators to defect from party’s position on roll call votes.

This brings us to the second question, why should bad news in the form of court convictions affect legislators’ likelihood of voting with the party? Carson et al. (2010) show that voters explicitly punish legislators based on their level of party loyalty. The more that they vote with the party, they more likely voters will punish them. As those authors point out, this occurs in part because partisanship is a feature of American politics that is easy for voters to understand. Voters simply have an easier time identifying their own partisanship than they do with more difficult concepts like ideology (Campbell et al., 1960).

Further, congressional elections are relatively low information affairs. In contrast to presidential elections where voters are more likely to invest in learning about the candidates and their positions, partisanship is likely to play a bigger role in Congressional elections (Mann and Wolfinger, 1980). One way that partisanship enters races is when challengers use it to characterize the incumbent’s lack of independence. Challengers can paint the incumbent as a lackey by using their party voting record against them. While “voters may view an ideologically extreme legislator as principled, ... they may consider a legislator who consistently votes with her party as a ‘party hack,” Carson et al. (2010, p. 603). Our expectation is that when the party brand is tarnished, legislators who are electorally vulnerable should become more likely to vote against their party.
Research Design: Court Convictions

Existing research has shown that when politicians are involved in a scandal, voters evaluate them and government more negatively (e.g. Abramowitz, 1988, 1991; Welch and Hibbing, 1997; Jacobson and Dimock, 1994; Doherty, Dowling and Miller, 2011; Bowler and Karp, 2004). Court convictions that involve the misuse of power have the potential to strongly alienate voters. Indeed, Doherty, Dowling and Miller (2011) show that voters respond particularly negatively towards all types of scandals (moral or financial) that involve the abuse of power.

We hypothesize that these scandals damage the party brand as well as the individuals implicated in the scandal. Previous research, in the form of survey experiments by Butler and Powell (2014) suggest that the negative electoral consequences of scandal extends to fellow co-partisans, not just those directly implicated in the scandals. They find that voters reward legislators for their party’s record of legislative performance and also punish legislators if their party has a record of unethical behavior. Because politicians are sensitive to even relatively minor forms of negative attention (Nyhan and Reifler, 2015), our expectation is that scandals associated with co-partisans should cause electorally vulnerable legislators to vote less with their party. The question is whether these experimental results occur in fact in the real world. It is possible that in more complex situations where more is on the line, such as those found in actual legislative situations, changes to the party’s valence do not affect legislators’ votes (Bullock, 2011).

In our study we use data from Gordon (2009) to test how convictions against co-partisans in the state affect the behavior of MCs. Most of these cases involve the misuse of power, with the modal charge being bribery (p. 541). Gordon “obtained information on [the defendant’s] position and party using Nexis, searching U.S. Attorney press releases, election returns, telephone calls to local city halls, or the Internet more broadly.” (p. 551). From these
sources, he was able to code the partisanship of “mayors and town supervisors, city council members and treasurers, judges, and aides to elected officials.” (p. 541). See Appendix B of Gordon (2009) for a full description of the data collection process.

Gordon (2009) provides data on DOJ prosecutions for the court case that were decided between the years 1998-2000 and again in the years 2004-2006. Because we want to use data that covers full congressional sessions, we use the convictions during the 106th and 109th Congresses (which corresponds to the 1999-2000 and 2005-2006 periods covered in Gordon’s dataset). We use the convictions of these local officials because they are plausibly exogenous to whether members vote with their party in Congress.\footnote{During these years that we study, there were 138 convictions of local public officials with partisan connections. Twenty-eight percent of the convictions involved Republicans and the rest of the convictions in the sample involved Democrats.}

One of our assumptions is that these types of convictions typically receive negative press attention. To evaluate this assumption we used Lexis Nexis to search for newspaper articles covering the scandals. The search included two parts. The first identified Associated Press pieces that were picked up in the major nationwide newspapers. The second identified articles published in newspapers in the states where the convictions occurred. A full list of papers used is given in the Appendix. The number of newspapers published in a state available in the Lexis Nexis search engine varied by state with some states having no papers available in the search engine. And even in states that did have papers indexed in the search engine, the available papers do not always provide full geographic coverage of the state. For instance, Texas only includes two papers - the \textit{Austin American-Statesman} and the \textit{El Paso Times}. As a result, this search likely missed stories that may have appeared in newspapers that are not part of the Lexis Nexis database.

While our search likely underestimates the coverage that these scandals received, it provides a lower bound on the coverage and shows that the convictions received a non-trivial amount of coverage. We found a total of 870 unique articles on the 138 convictions, for an
average of 6.3 articles per conviction. Further, 49 percent of the convictions in the sample had at least some coverage, with 5 percent of the sample having 25 or more articles on the individual convictions. Given the extent of coverage based on the limited nature of the search, co-partisans of those convicted are likely to have been worried about the potential electoral ramifications for own campaigns. We test whether electorally vulnerable MCs alter their legislative behavior as a consequence.

**Sample and Regression Model**

We test whether these convictions affected members’ party loyalty on votes in the US House during the 106th and 109th Congresses. These congresses are chosen to match the time periods of the corruption conviction data made available by Gordon (2009).

In our regression analysis we use legislators’ individual votes on non-unanimous bills using the data provided by Keith Poole (Poole and Rosenthal, 1997, 2015). We further restrict the sample to roll call votes that pit the two parties against each other. In other words, votes where the majority of Democrats voted on one-side and the majority of Republicans voted on the other side. We study these votes because this is where we expect the party valence to matter the most. The other votes represent cases where the majority of both parties are on the same side. In such cases, the majority position is typically the popular position and so we do not expect legislators to abandon their party on a popular, bi-partisan position.

The dependent variable in our models, *defect from party*, is a binary measure that takes a value of 1 when the legislator voted against the majority of members in her party (and 0 if they voted with their party). In other words, this measure is simply the complement of voting with the party. In fact, if we used the traditional party voting measures as the dependent variable the magnitude of the coefficients and standard errors would be the same, only the signs would be flipped (because the model would then be predicting *voting with* and not *defecting from* the party). We code the measure in terms of defection to ease the
substantive interpretation of the model, so that a positive value indicates that an increase in the independent variable makes MCs more likely to defect from their party. In the main analysis we drop abstentions from the model and analyze voting as a binary outcome. In the appendix we present the results of including abstentions using a multinomial logistic regression model (see Table 4). The results of the multinomial logistic regression in the appendix confirm the results presented in the body of the paper.

It is important to use the individual votes as opposed to their party unity scores in order to avoid model misspecification. Analyzing the individual votes allows us to exploit the variation in the data that occurs over the period of the session. That is we can look at voting patterns before and after each corruption conviction in the state. Looking at aggregate party unity scores over a full congress could bias the results. For example, if a conviction occurred late in the Congress it should only affect legislators’ votes subsequent to the conviction. If, however, we used an aggregate party unity score for the session as our dependent variable, we would underestimate any effect of convictions that occurred late in the session because we would be using MCs’ behavior from the entire period, including the period before the conviction when the conviction should have had no effect.

Our primary independent variable, cumulative co-partisan convictions, is a count of the number of convictions against co-partisans from the legislator’s state up to that point in the Congress. To help visualize the cumulative co-partisan conviction variable, Figure 1 shows the data on convictions and our measure of cumulative co-partisan convictions for the Republican House Members from Connecticut in the 109th Congress. The x-axis tracks the date and the y-axis shows the cumulative co-partisan convictions for these House Members. Each vertical line shows the date of each conviction for Republican officials in Connecticut. After each conviction we increase the count on cumulative co-partisan convictions by 1.

As shown in Figure 1, the variable Cumulative Co-Partisan Convictions would be zero for all votes before the first conviction on March 18, 2005. Following that first conviction,
Figure 1: Cumulative Convictions for Republicans in CT, 109th Congress

Note: The convictions occurred on the following dates: March 18, 2005; May 27, 2005; December 12, 2005; and April 25, 2006.

The value would be 1 until the second conviction on May 27, 2005 at which point the value increased to 2. The variable then takes a value of 3 following the third conviction on December 12, 2005, until the fourth conviction on April 25, 2006. The main independent variable then takes a value of 4 following the April 2006 conviction until the end of the Congress because there were no further convictions. Of course, the Cumulative Co-Partisan Convictions for Democrats in Connecticut are calculated separately as well.

Our expectation is that the effect of the convictions depend on the member’s electoral
vulnerability. As discussed above, we expect electorally vulnerable legislators, but not those from safe seats, to be more likely to distance themselves from their party when bad news strikes in the form of co-partisan convictions. To capture an incumbent’s perception of his or her own electoral vulnerability, we include a measure based on the election ratings provided by Congressional Quarterly (CQ) for the election before the Congress (Congressional Quarterly, Annual). One of the advantages of these ratings over actual election outcomes is that they capture the conventional wisdom about the election and are closely followed by Washington insiders. We measure the safety of the seat by using the election ratings provided by CQ in the election that brought the incumbents into office (Congressional Quarterly, Annual). For our analysis we define a a *safe seat* to take a value 1 for any legislator who won in a district where CQ said the party was safe for their party. We interact this variable with the *cumulative co-partisan convictions*. Our expectation is that the coefficient on *cumulative co-partisan convictions* to be positive because electorally vulnerable legislators are more likely to defect from their party after convictions. Further, the coefficient on the interaction term should be negative because legislators from safe seats should be less affected by the convictions than electorally vulnerable MCs.

We also test whether the effect of scandals is different for party leaders relative to rank-and-file members. Our expectation is that party leaders support for the party’s position will be less affected by party scandals. Positions of power within the party are often contingent upon the level of support and loyalty that the legislators show the party. This includes both the donations that legislators make to co-partisans in their chamber, and their positions vis-a-vis the party (Cann, 2008; Deering and Wahlbeck, 2006). Leaders who want to keep their positions, have greater incentives to stick with the party in tough times. For the regression we include an indicator variable for *leader* and also interact this measure with *co-partisan convictions*. The dummy variable *leader* takes a value 1 for everyone who holds any of the following positions: party leader, party whip, Speaker, and chair/ranking member of a
committee. Our expectation is that the coefficient on interaction term rank-and-file member * co-partisan convictions will be negative, indicating that these legislators are less likely to defect from the party’s position following a conviction.

We also control for a linear time trend measuring the month in the Congress (a variable which goes from 1 to 24) and fixed effects for state. We control for the linear month of the session because some authors have argued that legislators are more likely to defect from the party as the election draws closer (Thomas, 1985). Similarly, we control for state fixed effects to eliminate a variety of possible confounding relationships. For example, populous states are simply likely to have more convictions because they have more officials. At the same time, we have theoretical reasons why being from a larger state might be correlated with party voting. As Rohde (1979) argued, it is harder for MCs from larger states to successfully run for higher office because they have more fellow MCs to compete with, thus as a result, they may be more likely to vote with the party because they want to build a career within the House (Rohde, 1979). Not controlling for state fixed effects could thus likely bias the results.

Finally, we use OLS regressions to estimate the models, clustering our standard errors on legislators to account for the fact that we use multiple observations from each legislator. The results are substantively equivalent if a logistic regression model is used instead, and these results are available upon request.

**Results: Electorally Vulnerable Distancing**

Table 1 presents the regression results, with an additional section at the bottom of the table summarizing the effect of each co-partisan conviction by the electoral vulnerability of the legislator. Because the model is estimated using linear regression, the coefficients give the percentage-point change associated with a one unit change in the corresponding
independent variable. Thus each additional co-partisan conviction increases the likelihood that an electorally vulnerable legislator votes against her party by 1.3 percentage points. At the same time, they have no effect on how electorally safe legislators vote. The results provide strong evidence for the main hypothesis: each co-partisan conviction increases the likelihood that electorally vulnerable legislators defect from their party, but has no effect on safe legislators. This is on top of the fact that legislators in safe seats are already 3 percentage points less likely to defect from the party. For safe legislators, the marginal benefit of standing by the party leaders (Cox and McCubbins, 2005) outweighs any electoral benefit from voting against the party.

The 1.3 percentage point effect for electorally vulnerable legislators is a meaningful change (and is also statistically significant at the 0.01 level, two-sided). In the 106th and 109th Congresses that we are studying, legislators voted with their party 90 percent of the time on votes where the majority of both parties voted on opposing sides of the issue. Given the relatively high base rate of support for the party’s position, a 1.3 percentage point effect per conviction on party defection is a substantively important effect, especially for party leaders who are trying to pass their agenda. When leaders are trying to pass a controversial measure, each vote counts.

A 1.3 percentage point increase in the likelihood of defections is also larger in magnitude than the coefficient on the variable for being a leader. Leaders are only 1.1 percentage points less likely than rank-and-file legislators to defect from the party on these votes. Further, the effect of a conviction for electorally vulnerable MCs is close in size to other important levers that can be used to change legislators’ votes. By way of comparison, Carson, Crespin and Madonna (2014) find that when legislative leaders explicitly email legislators instructions on how to vote on a bill, legislators are about 3 percentage points more likely to vote with the party. The effect of a single conviction against a co-partisan is nearly half of the size of the leader’s ability to move the legislator by explicitly telling them how to vote.
Table 1: In-State, Co-partisan Convictions and MC’s Party Voting

<table>
<thead>
<tr>
<th>Dep. Var. = Defect from Party</th>
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<tbody>
<tr>
<td>Independent Variables</td>
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<tr>
<td>Cumulative Co-partisan Convictions</td>
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<td></td>
<td>(0.006)</td>
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<tr>
<td>Safe Seat * Co-partisan Conviction</td>
<td>-0.013*</td>
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<tr>
<td></td>
<td>(0.006)</td>
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<tr>
<td>Leader * Co-partisan Conviction</td>
<td>-0.003</td>
</tr>
<tr>
<td></td>
<td>(0.003)</td>
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<tr>
<td>Safe Seat</td>
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<tr>
<td></td>
<td>(0.010)</td>
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<tr>
<td>Leader</td>
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</tr>
<tr>
<td></td>
<td>(0.013)</td>
</tr>
<tr>
<td>Time Trend (Month)</td>
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<tr>
<td>State Fixed Effects?</td>
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<tr>
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<tr>
<td>Clusters(MCs)</td>
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<tr>
<td>R-squared</td>
<td>0.012</td>
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Effect of Conviction on Legislators in...

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<tr>
<td>Non-safe seats</td>
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<tr>
<td></td>
<td>(0.006)</td>
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<tr>
<td>Safe seats</td>
<td>-0.000</td>
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<td></td>
<td>(0.002)</td>
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Notes: Models are estimated using linear regression. The sample includes all votes from the 106th and 109th Congresses where the majority of Democrats voted against the majority of Republicans (i.e., party votes). Robust standard errors in parentheses. * p<0.05. The dependent variable, *defect from party* is equal to 1 if the legislator voted against her party and equal to 0 if she voted with her party.

Moreover, it is worth noting that this is effect associated with each conviction. If we return to our example of Connecticut Republicans in the 109th Congress, there were four local Republicans convicted during the congress. Which means that by the end of the congress, these convictions would increase the probability that a MC would defect and vote against
her party by over 5 percentage points.

While electoral vulnerability moderates the effect of co-partisan convictions on voting with the party, being in a leadership position does not. The coefficient on the interaction term leader * co-partisan convictions is negative as predicted (leaders are less likely to defect following a conviction), however the coefficient is not statistically significant. Further the magnitude of the effect is one-fourth the size of the coefficient on the interaction term safe seat * co-partisan convictions. Thus the major take-away here is one of electoral vulnerability. When a state co-partisan is convicted, the electorally vulnerable members of the party vote are more likely to defect; their party loyalty diminishing with each additional conviction.

Even the control variables reinforce the importance of electoral considerations in party voting. As already noted, electorally safe legislators are three percentage points less likely to defect from their party (a difference that is statistically significant) while leaders are only 1 percentage point less likely to do so (a difference that is not statistically significant). Finally, the time trend has a statically significant positive sign. While the size of the effect is small, this result suggests that later in the Congress, as the election draws nearer, legislators are more likely to defect and vote against their party.

The key result is not simply that electoral considerations affect how legislators vote, but that changes to the party’s valence has an independent causal effect on how legislators vote. This means that improving the party’s valence is an indirect way for party leaders to achieve policy goals (and not just electoral goals).

As a robustness check, we also looked at the results when including the cases of abstentions. The results in Table 1 excluded the cases where legislators abstain. Table 4 in the appendix includes the abstentions and analyzes the results using a multinomial logit model. In that model, voting with the party is the baseline, omitted category with the coefficients providing the estimates for the effect of the convictions on the probability that MCs either vote against their party or abstain relative to the probability they voted with their party.
The multinomial models confirm the finding here: electorally vulnerable legislators are more likely to defect from their party’s position following a conviction.\footnote{As with the main results here, the negative coefficient on the interaction term in Column 9 on Leader * Co-partisan Convictions is not statistically significant, but points in the direction that suggests that relative to non-leaders, the party leaders are less likely to vote no following a co-partisan conviction. Meanwhile, the positive coefficient in Column 10 shows that these leaders are also more likely to abstain on the vote, than are non-leaders, following a conviction. Caution should be taken in interpreting this result too much. The main effect of a conviction in that model is negative, so the positive coefficient is largely just counteracting that negative effect of co-partisan convictions.}

**Substantive Distancing: Results by Vote Type**

While the aggregated results in Table 1 are strongly suggestive that electorally motivated legislators are engaging in legislative distancing behavior when their party brand is tainted, these results may underestimate the importance of party valence, because that analysis does not differentiate by the type of vote. Rather than concerning themselves with all types of votes, we expect legislators concerned about re-election to be more concerned with distancing themselves from their party on substantive votes (i.e. those of potentially greatest interest to their constituents).

Re-election oriented legislators may be less likely to worry about procedural votes because they are likely to have fewer ramifications for elections. Procedural votes are likely to have less electoral ramifications because it is harder for voters to connect these votes to policy outcomes. In other words, legislators are less likely to feel electoral pressures on these votes because these votes have lower levels of traceability (Arnold, 1990). Further, leaders are also more likely to take a stance on procedural votes (Carson, Crespin and Madonna, 2014). Because of these differences in electoral returns and leadership pressure across vote type, we expect to see electorally vulnerable legislators facing a negative party brand to engage in greater distancing behavior on substantive votes than on procedural votes.

We are able to analyze the impact of co-partisan convictions across different types of votes by using the *Political Institutions and Public Choice* (PIPC) group’s classification of
the type of roll call vote (Rohde, 2010). Their original coding schemes identifies the type of roll-call votes for all votes in Keith Poole’s dataset. In this section we examine the impact of co-partisan convictions on levels of party-voting across three types of votes: substantive, procedural, and dilatory. For our analysis, we follow the coding used by Carson, Crespin and Madonna (2014, p. 735, Table 1).

Table 2: In State Convictions and MC Party Voting by Vote Type

<table>
<thead>
<tr>
<th>Dep. Var. = Defect from Party</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
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<tr>
<td>Independent Variables</td>
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<td>Procedural</td>
<td>Dilatory</td>
</tr>
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<td>0.019*</td>
<td>0.006</td>
<td>0.012*</td>
</tr>
<tr>
<td></td>
<td>(0.008)</td>
<td>(0.004)</td>
<td>(0.005)</td>
</tr>
<tr>
<td>Safe Seat * Co-partisan Convictions</td>
<td>-0.019*</td>
<td>-0.007</td>
<td>-0.011*</td>
</tr>
<tr>
<td></td>
<td>(0.008)</td>
<td>(0.004)</td>
<td>(0.005)</td>
</tr>
<tr>
<td>Leader * Co-partisan Convictions</td>
<td>-0.005</td>
<td>-0.001</td>
<td>-0.004*</td>
</tr>
<tr>
<td></td>
<td>(0.004)</td>
<td>(0.001)</td>
<td>(0.002)</td>
</tr>
<tr>
<td>Safe Seat</td>
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<td>-0.008</td>
</tr>
<tr>
<td></td>
<td>(0.013)</td>
<td>(0.005)</td>
<td>(0.007)</td>
</tr>
<tr>
<td>Leader</td>
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<td>-0.007</td>
<td>-0.003</td>
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<tr>
<td></td>
<td>(0.016)</td>
<td>(0.008)</td>
<td>(0.009)</td>
</tr>
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<td>0.001*</td>
<td>0.002*</td>
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<td>(0.000)</td>
<td>(0.000)</td>
</tr>
<tr>
<td>State Fixed Effects</td>
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<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Observations</td>
<td>292,832</td>
<td>182,619</td>
<td>41,098</td>
</tr>
<tr>
<td>Clusters(MCs)</td>
<td>877</td>
<td>877</td>
<td>877</td>
</tr>
<tr>
<td>R-squared</td>
<td>0.018</td>
<td>0.008</td>
<td>0.015</td>
</tr>
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</table>

Effect of Conviction on Legislators in...
  - Non-safe seats: 0.019* (0.008) 0.006 (0.004) 0.012* (0.005)
  - Safe seats: -0.000 (0.002) -0.000 (0.001) 0.001 (0.002)

Notes: Models are estimated using linear regression. The sample includes all votes from the 106th and 109th Congresses where the majority of Democrats voted against the majority of Republicans (i.e., party votes). Robust standard errors in parentheses. * p<0.05. The dependent variable, defect from party is equal to 1 if the legislator voted against her party and equal to 0 if she voted with her party.
Table 2 shows that the effect of co-partisan convictions does vary systematically with the type of vote. The biggest effect of convictions, as we predicted, is for substantive votes. Column 2 shows that each conviction causes electorally vulnerable legislators to be 1.9 percentage points (per conviction) more likely to vote against the party on substantive votes (an effect which is statistically significant). On procedural votes, by contrast the coefficient is only 0.6, one-third of the size of the coefficient for substantive votes. This is consistent with the idea that parties are able to maintain greater party cohesion on procedural votes (Carson, Crespin and Madonna, 2014).

Political Prosecutions: Results by the Attorney General’s Party

Finally, the effect of co-partisan convictions on party distancing behavior is even larger when we look at the politics underlying the decision to prosecute the officials. Building on Gordon (2009)’s finding that the attorney general’s office is more likely to prosecute weaker cases from the opposition party,\(^4\) we explore variation in the political alignment between the prosecutor (attorney general) and the political official being prosecuted to capture the magnitude of the negative shock to the brand. Because same-party prosecutions are likely to represent stronger cases (Gordon, 2009), we argue that from the voter’s perspective, a prosecutor convicting a member of his or her own party is a strong signal about the egregiousness of the illegality involved. If the prosecutor is convicting a co-partisan, it must be a serious offense.

We can further test our hypothesis about electorally vulnerable members engaging in distancing when their party brand is tainted by looking at whether the effect varies by the party of the attorney general at the time. Our expectation is that when prosecutors convict members of their own party—that is when the prosecutor, legislator, and convicted official are

\(^4\)We also found that there was more coverage of convictions for co-partisans of the attorney general. Our Lexis Nexis search found an average of 7 articles per conviction when the defendant was one of the attorney general’s co-partisan, but only 5 articles per conviction for officials associated with the other party. This is consistent with the claim that the convictions against the attorney general’s co-partisans are likely to be more serious in nature and therefore more newsworthy.
all of the same party—legislators are even more likely to engage in distancing behavior due to the greater severity of the charge and the signal to voters about the severity of the violation. As a result, our expectation is that the distancing behavior should be most pronounced among legislators who are from the same party as the attorney general.

Table 3 tests whether politicians try to distance themselves more if they are from the same party as the attorney general. We do so by including a dummy variable for being a legislator from the attorney general’s party and interacting this dummy variable with cumulative co-partisan convictions. The bottom of Table 3 provides the estimated effect of each conviction for the electorally vulnerable MCs by whether they are co-partisans with the attorney general. The effect of convictions is significantly larger for the attorney general’s co-partisans in each case. Column 1 shows that the effect across all types of votes is 2.4 percentage points per conviction and column 2 shows that the effect for substantive votes is almost 3 percentage points.

Electorally vulnerable members are quick to distance themselves from bad news associated with their party. The results in Table 3 show that legislators engage in even greater levels of distancing behavior when prosecutors convict members of their own party—that is when the prosecutor, MC, and convicted official are all of the same party. On these same party prosecutorial convictions, electorally vulnerable members distance themselves on substantive votes at even greater levels, being nearly by 3 percentage points (per conviction) more likely to vote against her party. All of this evidence is consistent with our argument that vulnerable legislators use their votes to distance themselves from their party when their party’s valence is negatively affected.
Table 3: Effects of Convictions by Shared Partisanship with Attorney General

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>All</td>
<td>Substantive</td>
<td>Procedural</td>
<td>Dilatory</td>
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<tr>
<td>Cumulative Co-partisan Convictions</td>
<td>0.009</td>
<td>0.014</td>
<td>0.006</td>
<td>0.010*</td>
<td></td>
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<tr>
<td></td>
<td>(0.006)</td>
<td>(0.008)</td>
<td>(0.003)</td>
<td>(0.004)</td>
<td></td>
</tr>
<tr>
<td>A.G.’s * Co-partisan Convictions</td>
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<td>0.016*</td>
<td>0.011*</td>
<td>0.012*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0.005)</td>
<td>(0.006)</td>
<td>(0.005)</td>
<td>(0.005)</td>
<td></td>
</tr>
<tr>
<td>Safe Seat * Co-partisan Convictions</td>
<td>-0.011</td>
<td>-0.017*</td>
<td>-0.005</td>
<td>-0.010*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0.006)</td>
<td>(0.009)</td>
<td>(0.004)</td>
<td>(0.005)</td>
<td></td>
</tr>
<tr>
<td>Leader * Co-partisan Convictions</td>
<td>-0.003</td>
<td>-0.005</td>
<td>-0.001</td>
<td>-0.004</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(0.003)</td>
<td>(0.004)</td>
<td>(0.002)</td>
<td>(0.002)</td>
<td></td>
</tr>
<tr>
<td>Attorney General’s Co-partisan</td>
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<td>-0.020*</td>
<td>0.015*</td>
<td>0.006</td>
<td></td>
</tr>
<tr>
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<td>(0.008)</td>
<td>(0.003)</td>
<td>(0.004)</td>
<td></td>
</tr>
<tr>
<td>Safe Seat</td>
<td>-0.031*</td>
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<td>-0.008</td>
<td>-0.008</td>
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<tr>
<td></td>
<td>(0.010)</td>
<td>(0.013)</td>
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<td>(0.007)</td>
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<tr>
<td>Leader</td>
<td>-0.011</td>
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<td>-0.006</td>
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<tr>
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<td>Time Trend (Month)</td>
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<td>0.001*</td>
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<tr>
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<tr>
<td>Observations</td>
<td>489,122</td>
<td>292,832</td>
<td>182,619</td>
<td>41,098</td>
<td></td>
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<tr>
<td>Clusters(MCs)</td>
<td>877</td>
<td>877</td>
<td>877</td>
<td>877</td>
<td></td>
</tr>
<tr>
<td>R-squared</td>
<td>0.013</td>
<td>0.019</td>
<td>0.012</td>
<td>0.017</td>
<td></td>
</tr>
</tbody>
</table>

Effect for Unsafe Seat of Conviction on Legislators in...

|                      | Attorney General’s Party | 0.024* | 0.029* | 0.016* | 0.022* |
|                      | (0.007) | (0.010) | (0.005) | (0.006) |
| Opposite Party of A.G. | 0.009 | 0.014 | 0.006 | 0.010* |
|                      | (0.006) | (0.008) | (0.003) | (0.004) |

Notes: Models are estimated using linear regression. The sample includes all votes from the 106th and 109th Congresses where the majority of Democrats voted against the majority of Republicans (i.e., party votes). Robust standard errors in parentheses. * p<0.05. The dependent variable, defect from party is equal to 1 if the legislator voted against her party and equal to 0 if she voted with her party.

Conclusion

Little research has examined the direct effect that the party valence has on legislators’ levels of party voting. This is surprising, because the concept of party valence has played an im-
portant role in understanding the organization of Congress. Prominent theories have argued that rank-and-file legislators hand over power to legislative leaders for the express purpose of empowering those leaders to build the party’s policy and valence brand. Legislative leaders try to build up the party’s valence by keeping the party’s ethical record clean and by pressing their members to pass major legislation (Cox and McCubbins, 2005). In other words, leaders put pressure on legislators to vote with the party in order to maintain the party’s valence. While prominent work has built on the idea that the party valence is importantly related to levels of party voting, previous studies have not explored the more direct question: Do shocks to the party’s valence affect levels of party voting?

This study answered that question by testing how Members in Congress reacted to convictions in cases brought by the Department of Justice against co-partisans from the legislator’s state. If legislators try to distance themselves from the party when the party’s valence is negatively affected, then we should see that legislators are more likely to vote against their party following a conviction of a co-partisan. We hypothesized that this effect should be stronger for electorally vulnerable incumbents.

We found strong support for this hypothesis, with convictions being correlated with lower levels of party voting for electorally vulnerable members. With each co-partisan conviction, the electorally vulnerable legislators are about 1.3 percentage points more likely to vote against their party. The effect is even larger on substantive bills (nearing 2 percentage points per conviction), and when the politics of the prosecution are taken into account on substantive bills (nearing 3 percentage points per conviction). This evidence suggests that legislators – at least those who are electorally vulnerable – are sensitive to their party’s valence. When the party brand is hurt, legislators who are not in safe seats distance themselves from the party. This may also be evidence of how parties work to protect members representing marginal districts from electoral consequences associated with the party brand. Prior evidence has shown that the parties take steps to protect members in competitive
districts from the negative consequences associated with the ideological brand of the party (Kim and Leveck, 2013). These results provide the first evidence that parties may also take similar steps to protect marginal members who are adversely affected by the valence aspects of the party brand.

Our results also highlight the interconnectedness of politics for elites. There is a rich and growing literature showing that our political life and experiences are interconnected with others around us (Sinclair, 2012). Among legislators and other elites, networks often matter as a way to share information (Coppock, 2014). However, elites are also connected because of their shared party label (Kim and Leveck, 2013). Our results show how the party’s valence brand also connects legislators. When the party brand is changed as the result of one politician’s actions, politicians who are likely to be associated with that action (e.g., because they live in the same state) respond and change their behavior. We have provided evidence of how such negative shocks to a party’s valence can lead legislators to distance themselves from the party. We think that this is part of a more general phenomenon whereby the party brand shapes how the effects of political events spillover within political networks. Further research into the party brand will complement the growing interest in networks and spillover effects in politics.

Our particular finding regarding the effect of local political convictions also shows that local politics are still important (Key, 1949). Recent work shows that local politicians have a hard time differentiating themselves from national politics. Rogers (2013), for example, shows that state economic conditions and state-level policy outcomes are poorly correlated with state legislative elections. Instead, voters appear to largely vote based on national political and economic conditions. Our results show that politics is still, at least partly, a two-way street. Local political conditions, such as the conviction of a co-partisan in their state, affects the behavior of national politicians. In other words, political actors working on the national stage (such as MCs) are still affected by the local conditions of their districts.
Relatedly, our results suggest a much richer view of how the parties’ valence shapes elections. Scholars have long recognized the importance of the party valence for the outcomes of elections (Campbell et al., 1960; Groseclose, 2001; Schofield, 2003; Ashworth and Bueno de Mesquita, 2009). However, research has largely assumed that the party valence is simply an intercept term that enters into voters’ calculations. In contrast, we have shown that party’s valence is not simply an externality that legislators think they can do nothing about. Electorally vulnerable legislators are aware of their party’s valence and proactively take actions to shape how closely aligned they are with their party’s organization. The party valence plays an even more dynamic role in elections than the canonical models suggest.

Finally our findings also suggest that the party brand plays a much more dynamic role within the legislature. We think that doing more to understand party leaders’ media strategies is a particularly fruitful avenue for future research. We need to understand how leaders interact with the media because this is an important and indirect way that party leaders can achieve their policy goals. Most explanations of party leadership focus on either the tools that leaders have to shape the agenda or the carrots and sticks that they have to directly incentivize members to vote with the party. However, party leaders are able to also indirectly gain support for their policies by working on their party’s image. This provides a strong rationale for party leaders to expend resources on the spin they give to the media (Sellers, 2010). Time spent with the media is not separate from their legislative strategy, instead it is an important tool leaders use to achieve their policy goals.
References


Rohde, David W. 2010. Political Institutions and Public Choice House Roll-Call Database. Duke University, Durham, NC.


Appendix

Papers Used in Lexis Nexis Search

• AP Papers
  - The Washington Post
  - The New York Times
  - Chicago Tribune
  - Wall Street Journal
  - The Bond Buyer
  - USA Today

• Alabama (No papers available)

• California
  - Alameda Times-Star (Alameda, CA)
  - The Argus (Fremont, CA)
  - Contra Costa Times
  - The Daily News of Los Angeles
  - The Daily Review (Hayward, CA)
  - Enterprise Record (Chico, California)
  - Eureka Times-Standard (California)
  - Inland Valley Daily Bulletin (Ontario, CA)
  - Inside Bay Area (California)
  - La Opinion
  - Long Beach Press-Telegram (Long Beach, CA)
  - Los Angeles Times
  - Marin Independent Journal (Marin, CA)
  - Monterey County Herald (CA)
  - The Oakland Tribune (Oakland, CA)
  - The Orange County Register
  - Oroville Mercury Register (California)
  - Pasadena Star-news (California)
  - San Bernardino Sun (California)
San Gabriel Valley Tribune (San Gabriel Valley, CA)
San Jose Mercury News (California)
San Mateo County Times (San Mateo, CA)
SqueezeOC
Tri-Valley Herald (Pleasanton, CA)
Vallejo Times-Herald (California)
Whittier Dailey News (California)

Connecticut
The Hartford Courant

Delaware (No papers available)

Florida
The Florida Times union
The Ledger (Lakeland)
The Palm Beach Post
Sarasota Herald-Tribune
Tampa Bay Times
The Tampa Tribune (Florida)

Georgia
The Atlanta Journal-Constitution
The Augusta Chronicle

Hawaii (No papers available)

Illinois
Chicago Daily Herald
The Pantagraph
St. Louis Post-Dispatch
The State Journal-Register (Springfield, IL)

Indiana
Fort Wayne News-Sentinel (Indiana)
South Bend Tribune
• Louisiana
  – The Journal of Jefferson Parish (Louisiana)

• Maryland
  – The Baltimore Sun
  – The Capital (Annapolis, MD)
  – Maryland Gazette

• Minnesota
  – St. Paul Pioneer Press (Minnesota)
  – Star Tribune (Minneapolis, MN)

• Mississippi
  – The Atlanta Journal-Constitution

• Missouri
  – St. Louis Post-Dispatch

• New York
  – The Buffalo News (New York)
  – Daily News (New York)
  – New York Observer
  – The New York Post
  – New York Sun
  – Newsday

• North Carolina
  – Chapel Hill Herald
  – The Herald-Sun
  – The Mecklenburg Times (Charlotte, NC)
  – Raleigh Extra
  – Star-News (Wilmington, NC)

• Ohio
  – Dayton Daily News
• Pennsylvania
  – The Evening Sun (Hanover, PA)
  – Intelligencer Journal/Lancaster New Era (Pennsylvania)
  – The Lebanon Daily News (Pennsylvania)
  – LNP (Lancaster, Pennsylvania)
  – The Morning Call (Allentown)
  – The Philadelphia Daily News (PA)
  – The Philadelphia Inquirer
  – Pittsburgh Post-Gazette
  – Pittsburgh Tribune Review
  – Public Opinion (Chambersburg, Pennsylvania)
  – Tribune-Review
  – The York Dispatch (York, PA)

• Tennessee (No papers available)

• Texas
  – The Austin America-Statesman
  – El Paso Times (Texas)

• West Virginia
  – Charleston Daily Mail
  – The Charleston Gazette

• Wisconsin
  – The Capital Times (Madison, Wisconsin)
  – St. Paul Pioneer Press (Minnesota)
  – Wisconsin State Journal
## Multinomial Results

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<th>(10) Vote with party → Abstain</th>
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<td>(0.138)</td>
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State Fixed Effects: Yes

Observations: 506,422 506,422

Clusters(MCs): 877 877

Notes: Model is estimated using a multinomial logit regression. The sample includes all votes from the 106th and 109th Congresses where the majority of Democrats voted against the majority of Republicans (i.e., party votes). Robust standard errors in parentheses. * p<0.05. The outcome variable is coded so that voting with the party is the baseline category.