Public Attitudes toward Congressional Action: Partisanship and Procedure

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Abstract

Do the details of the legislative sausage making affect public approval for new policies? Most research suggests it does not, but instead people evaluate a new policy on the basis of its congruence with their policy preferences, on the cues provided by their partisan attachments, or on their assessment of the policy's effects. However, research on the public's disdain and suspicion of partisan conflict and legislative wrangling suggests that the way a new policy is passed may affect how the public responds to it. Drawing on a survey experiment included in the University of Utah's module of the 2014 CCES, I find that when people are told partisan conflict or convoluted legislative procedures accompanied the passage of a new law, they are less likely to approve of the new policy. These findings have implications for how we understand the importance of the public's civic knowledge, congressional policymaking, and the effects of partisan conflict democratic governance.

Voters generally care about ends, not means; they judge government by results and are generally ignorant of or indifferent about the methods by which the results are achieved.
        Samuel Popkin (1994, 99)

I don't think procedural stuff really resonates with most Americans. It may add generally to their cynicism, but it is accomplishment—or lack of it—that matters much more."
        Tom Daschle, former Senate majority leader[1]

Laws, like sausages, cease to inspire respect in proportion as we know how they are made.
        John Godfrey Saxe[2]

What explains public attitudes towards the laws passed by Congress? Why does the public react positively towards one new policy but negatively towards another? An important job of the U.S. Congress is to make laws in the public interest. While public interest and public approval do not always mean the same thing, the public's reactions to acts of Congress are important because they can shape the outcomes of future elections, the balance of power in the chambers, and ultimately the next set of proposals that become public policy. This is an important topic.

Most scholarship suggests that people react to acts of Congress on the basis of the details of the new policy. Scholars have shown approval varies with the level of congruence between the new law and the preferences of the public (e.g., Downs 1957; Enelow and Hinich 1984; Wlezien 1995), with the perceived effects and outcomes of the new policy (e.g., Erikson 1989; Nadeau and Lewis-Beck 2001; Tufte 1975), and on the basis of people's partisan attachments (e.g., Campbell et al 1960; Green Palmquist, and Schickler 2002). However, we also know that the public disdains the partisan conflict that is often a natural part of the legislative process (e.g., Hibbing and Theiss-Morse 2001; 2002), and prefers to see decisive action (e.g., Lebo, McGlynn, and Koger 2007; Lebo and O'Green 2011). Nonetheless, we know very little about how the processes of lawmaking affect public approval of new laws. Specifically, we do not know if and how the appearance of partisan conflict during the process affects approval for a new policy, and

we do not know if the public is more or less likely to approve of a law that passed Congress only after the use of unorthodox lawmaking procedures. Here I may a simple argument: the public does not like the sausage making of the legislative process, and as a result, when it is aware of partisan conflict or the use of convoluted procedural mechanisms in the creation of a new law it will be less approving of that the new policy. In other words, the more the public knows about how the sausages were made, the less it will like the final product.

I draw on a survey experiment included the University of Utah's module for the 2014 CCES to test these expectations. The experiment randomly assigned respondents into four groups, each given a description of a hypothetical new transportation policy to read and evaluate. While the first group was provided with just brief policy details, the other three groups were given varying amounts of information about the amount of partisan conflict present during the legislative process, and the use of unorthodox lawmaking procedures, such as budget reconciliation or filibusters, during the law's consideration. The results show that respondents are generally less approving of the policy when they told about either the partisan conflict or the congressional procedures used to pass it, and these results hold regardless of the respondent's partisanship.

These findings have important implications for how we understand public approval of Congress and of public policy, indicating that public support for not only our lawmaking institutions, but the laws they create, are affected by public misunderstanding of legislative conflict and processes. The next section describes factors in public approval of new laws and explains why partisan conflict and congressional procedure may matter. Subsequently, the survey experiment is described in detail and the results of the analyses are presented. The paper concludes with a discussion of what can be garnered from the results.

Factors in the Public Approval of Acts of Congress

Do the processes of lawmaking affect how people view new policies? According to many scholars, they do not. Most scholarship suggests that people will like or dislike a new policy based on their views of the policy itself, their partisan attachments, and their judgments of the policy's effects.

First, a number of scholars suggest the public reacts to new laws based on evaluations of the new policies. In the language of Downs (1957), a person's satisfaction with a new law is a function of its congruence with that individual's policy preferences. In general, liberals are more satisfied with "liberal" policy outputs and conservatives are more satisfied with "conservative" outputs. Both the Downsian median voter theory and the probabilistic voting model (e.g., Coughlin 1992; Burden 1997; Enelow and Hinich 1984) endorse this conclusion, suggesting that the public develops and updates opinions of the parties, and ultimately their voting intentions, as the parties form policy stances and take action passing policies into law. Empirical work has found evidence that the public's policy preferences matter for the approval of new laws as well. Page and Shapiro (2010), for example, find that public response to events, including the passage of new laws, is predictable based on public policy preferences. Looking specifically at levels of governmental spending, Wlezien (1995) finds that governmental spending decisions at one point in time shape public preferences down the line. On many issues, when spending is high, public opinion reacts and shifts to preferring lower levels of spending. Additionally, several scholars have found that public trust in government is affected by the congruence between a person's preferences and policies advanced by the government (e.g., Citrin 1974; Miller 1974)

Second, even if the public is not informed enough to react to the specifics of a new policy, many scholars find people's partisan attachments work as a heuristic. Simply put,

Democrats generally react positively to laws advanced by Democrats, and Republicans tend to prefer laws advanced by Republicans. This understanding is rooted in research presenting a person's party identification as a durable socio-psychological attachment that shapes individuals political opinions and actions (see, e.g., Campbell et al 1960; Green Palmquist, and Schickler 2002). Various studies have found partisan attachments to specifically influence the public's evaluations of issues and policies. Shanks and Miller (1991), for example, show that individuals' partisanship affected their evaluations of the policy direction of the Reagan administration and subsequently their votes in the 1988 presidential election (see, also, Miller and Shanks 1996). Layman and Carsey (2002) show that the signals of partisan elites lead partisans in the public to adopt more partisan positions across issue dimensions, and Bartels (2002) finds that individuals' reactions to governmental performance on various issues are influenced by their partisanship. Some evidence has been found in policy-specific studies as well, including on how public opinion has evolved on health care reform over time (Henderson and Hillygus 2011). Furthermore, numerous scholars have found that party identification affects the political attitudes people develop (e.g., Jacoby 1988; Goren 2005), which at least suggests it would also impact their evaluations of new policies.

Third, some scholars have found that public reaction to policies is based on the results or effects of a policy, or at least the perception of those effects. The lengthy literature on economic voting supports this contention, indicating that people's vote choices are affected by their views of the state of the economy as a consequence of public policy (e.g., Tufte 1975; Kinder and Kiewiet 1979; Erikson 1989; Gomez and Wilson 2001; Nadeau and Lewis-Beck 2001). More broadly, Erikson, MacKuen, and Stimson (2002) find that the public's mood for governmental action is influenced by the perceived effect of public policies on the economy, including levels of

unemployment and inflation. Beyond the economy, the concept of retrospective voting broadly supports the idea that the preferences and voting decisions of individuals in the public are based on their satisfaction with the outcomes of policies passed by each party (e.g., Key 1996; Fiorina 1981; Healy and Malhotra 2013). Further, recent research by Marsh and Tilley (2010) finds that the effects of policy outputs affect overall support for parties in future elections.

Each of these three perspectives suggests that the public's reaction to the policies passed by Congress is primarily driven by aspects of the policies themselves. In other words, the public will approve or disapprove of a new law because of the direction of *the policy*, the effect of *the policy*, and support or opposition from the parties toward *the policy*. However, there are reasons to believe public reactions to new laws are affected by not just the laws themselves, but how those laws were made.

One reason is rooted in the fact that the public not only strongly dislikes political conflict, but is deeply suspicious of conflict occurring in Congress during the legislative process. Hibbing and Theiss-Morse (2002) convincingly show that the public views political conflict as rooted in the influence of special interests, evidence of a disconnect between lawmakers and ordinary Americans, and a consequence of corruption. The participants in Hibbing and Theiss-Morse's focus groups show that Americans erroneously believe there is public consensus on most policy issues and that conflict in Congress can only be the result of forces intervening to subvert the public will. Essentially, there should be no conflict as the right course of action is known. But the public as portrayed by Hibbing and Theiss-Morse underestimates the amount of disagreement within the public, and the complexity of policy issues. As a consequence many Americans are likely to be suspicious when policymaking erupts into partisan conflict, and as a result may be less inclined to support the resulting policies.

Similarly, just as the public hates conflict, it likes action and there is evidence it rewards action at the polls. Lebo, McGlynn, and Koger (2007), for instance, show that congressional majorities that have more success winning close votes on the floor do better in subsequent elections. Lebo and O'Green (2011) similarly show that parties do better at the polls when their president passes more of his or her agenda items. Further, there is evidence that parties and their leaders believe developing a good brand name for their party is essentially to future electoral success, and that passing new laws is an essentially part of developing a brand (e.g., Cox and McCubbins 2005).

In general, these studies suggest that the public dislikes political conflict and prefers decisive action because it believes conflict is a symptom of everything wrong with the political system. It is possible that this abstract angst may affect public support for specific policies. Individuals in the public need not be close followers of politics to know when significant conflict or legislative wrangling has occurred in the passage of new laws. If the conflict is severe, especially drawn-out, or repeatedly discussed in the news, such as with the partisan battle over the passage of the Affordable Care Act and other major laws, it is likely that many people in the public are aware of the conflict. Even if the partisan acrimony was not particularly newsworthy during the legislative battle, news reports about the passage of new laws often note the level of partisan division on the final vote, or over the final policy details. In general, public suspicion of partisan conflict may translate into suspicion about new policies.

A similar effect may be found for public awareness of the legislative process that created the law. Congressional policymaking processes are complex and can be difficult to understand, and if people do not understand the reason for partisan conflict they likely will not understand why convoluted procedural mechanisms need to be used to address policy issues. The public is

unlikely to be aware of all of the procedural steps taken to consider a bill; however, it is not uncommon for news reports about the consideration and passage of new laws to mention some procedural action. Filibusters, for example, are often covered in the media, and another procedural tactic, known as budget reconciliation, is often noted when it is used to pass major legislation. The final passage of the Affordable Care Act in the House and the Senate, for instance, employed budget reconciliation to sidestep cloture requirements and potential Republican filibusters in the Senate, and this move was widely reported at the time.[3] Generally, public awareness of the use so-called "unorthodox procedures" to pass a policy may also reduce public confidence in that policy, as the public is likely to be suspicious of their use, or as the saying goes, generally revolted by seeing the sausages made.

The next section describes the data and methods employed to test these expectations.

Data and Methods

Testing these expectations using data on the amount of public support for actual laws would be difficult, if not impossible. Approval or disapproval of a policy is influenced by many factors, as detailed above. In trying to draw connections between the amount of actual partisan conflict over the passage of a new law, or the use of unorthodox lawmaking procedures, and public support, it would be exceedingly difficult to isolate the effects of these factors from a multitude of others. For these reasons I employ a survey experiment included the University of Utah's module of the 2014 Cooperative Congressional Elections Study (CCES).[4]

The survey experiment asks respondents to read about and then describe their approval or disapproval for a hypothetical new transportation policy on a four-point scale (strongly disapprove, disapprove, approve, and strongly approve). Respondents are randomly selected into one of four groups, each of which is provided with a different description of the policy. The first

group (*policy only*) was given a simple description of the policy. The second group (*partisan conflict*) was given the same description of the policy, but was also told about close partisan votes in the House and the Senate and unified opposition from congressional Republicans. The third group (*unorthodox procedure*) was again given the same policy description as the first group, but was also told about the use of certain unorthodox procedures—specifically the use of budget reconciliation to avoid filibusters from opponents—in the passage of the policy. However, the partisan nature of any opposition to the policy is not noted. Any opposition is left vague. The fourth group (*combined*) was provided with the policy description as well as the details about both the partisan conflict and the use of unorthodox procedural tactics. The specific language provided to each group can be found in the Appendix.

For the analyses, assessing the differences between each group's level of approval or disapproval of the policy will show if awareness of heightened partisan conflict or complex procedural tactics has an effect. The *policy only* group serves as the control for the analyses. The effect of being in the *partisan conflict* group represents the influence of partisan conflict on support for new policies, and the effect of being in the *unorthodox procedure* group represents the influence of public awareness of the sausage making on support for new policies. The *combined* group assesses if the combined effects of these prompts further affects approval.

A few other aspects of the experiment and the write-ups provided to the respondents deserve discussion. First is on the selection of the transportation policy used in the write-ups. I selected transportation policy because it is a distributive policy that typically does not cue partisan conflict or feelings in the public. Specifically, the policy described is a close adaptation of the four-year surface transportation bill passed by Congress in 2005 (P.L. 109-59; the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, commonly

referred to as SAFETEA-LU). SAFETEA-LU was a popular bill that passed with broad

bipartisan support.[5] During its original consideration there was no partisan acrimony present, and

the only controversy was over the Bush Administration's trepidation with the overall price tag

and the inclusion of so many earmarks. The goal in using this policy was to describe something

that should be thoroughly supportable. The law is also old enough that it is not likely

remembered by most respondents, but not so old that the policies seem out of date or unrealistic.

The description of the policy used in the write-up mimics that included in news reports of the

law's passage in 2005 in an effort for realism. Basically, the policy selected and the description

should minimize the likelihood that any partisanship was triggered simply from reading about

the policy details, and to stack the deck against finding any opposition at all to the policy as

described.

Second, the choice to portray Republicans as the opponents of the bill in the language

provided to the *partisan conflict* group is worthy of discussion. Republicans, rather than

Democrats, were described as opponents because SAFETEA-LU was passed by a Republican

Congress and signed by a Republican president in 2005. Noting the GOP as the opponents of the

policy was the furthest from realistic, and ideally makes it less likely that respondents would

indicated disapproval with the policy because of their partisan views rather than the cues

included in the write-ups. Again, the goal was to minimize the likelihood that real-life politics

affected why respondents indicated they approved or disapproved of the policy.

In the analyses of the survey, I consider a number of other factors that may have

influenced respondent's level of approval for the policy to try to further isolate the effect of the

experiment. First, a set of variables assess the general political attachments and attitudes of the

respondents. A seven-point self-reported *ideology scale* measures how liberal or conservative

respondents believe themselves to be. The scale runs from strongly liberal to strongly conservative reflecting the expectation that conservatives are more likely to oppose any policy. A seven-point self-reported measure of each respondent's *strength of party identification* controls for similar concerns. This runs for strong Democrat to strong Republican to align with the ideology measure. I also include a five-point measure of each respondent's *presidential job approval* for President Obama. Those most approving of President Obama should be more likely to approve of the policy because the write-up indicates the law was passed by Congress and is expected to be signed by the president. A five-point measure of each *respondent's congressional job approval* is also included as I expect respondents more approving of Congress will be more approving of the policy. Finally, an eight-point *political knowledge scale* is included. This measure is an additive index of respondents' abilities to correctly identify basic facts about American politics. While there are real questions about the appropriateness of these types of measure for assessing the ability of people to make accurate political decisions, this scale at least provides a rough measure of the political attentiveness and knowledge of many respondents. The specific questions used can be found in the Appendix.

In addition, a set of variables measuring the demographics of each respondent are considered, including a respondent's *age*, gender (*female*), a six-point *education* scale, a sixteen-point *family income* scale, and a dummy indicating if the respondent is *non-white*. These measures control for the well-known influence of demographics on an individual's political opinions.

Two sets of analyses are conducted using these data. The four-point approval scale is used as a dependent variable in an ordered logistic regression analysis. Additionally, the scale is collapsed into a dichotomous approval variable and analyzed using a logistic regression analysis.

These dual analyses allow me to test the influence of the experiment on both general approval for the policy, and the level of approval and disapproval. Each of these analyses was done twice. The first simply looks for the impact of being in each randomized group compared to the control group. The second includes interaction terms between the dummies for each group and the *strength of party identification* variable. These analyses determine if the effects of being in the *partisan conflict* group or the *combined* group are driven solely by disapproval to the bill among Republican respondents (given that these groups note unified and strenuous Republican opposition) or if any increase in disapproval occurs among both Democrats and Republicans in response to the partisan conflict. The next section presents the results.

Analyses and Results

Before presenting any multivariate analyses, it is worth looking at some bivariate and descriptive data. Across groups, respondents were generally approving of the hypothetical transportation policy. Roughly half of respondents indicated they approved of the policy, and 63% indicated their either approved or strongly approved. Only 13% expressed strong disapproval. This outcome was generally expected as the policy description was written to be bland and acceptable. However, there was a large party gap in responses to the policy. While 82% of Democrats either approved or strongly approved of the policy, just 40% of Republicans indicated likewise. This result is understandable for several reasons, even if the gap is larger than may have been expected. First, the law is described as something that will be signed by the president, and the polarizing effect of presidential support for policies is well known (see, Lee 2008). Second, the policy has what appears to be a very large price tag, which should drive down Republican support more than Democratic support. Third, roughly half of the respondents were selected into a group that noted unified Republican opposition to the policy. Regardless of the

reason, Republican respondents were less likely to support the policy then Democrats, something I will return to shortly.

Figures 1 and 2 explore the bivariate relationship between respondents' group assignments in the experiment and their support for the policy. Figure 1, specifically, shows the percent of respondents who noted each of the four levels of approval for the bill split by group, and Figure 2 shows the collapsed dichotomous approval measure by group. The data show some preliminary evidence that being in any of the three treatment groups reduced support. As shown in Figure 1, the rates of strong disapproval and disapproval are slightly higher among those in any of the three treatment groups, and the rates of approval and strong approval are slightly lower. The data in Figure 2 present the story more simply. Respondents in any of the treatment groups were more likely to disapprove of the policy; as much as 10 percentage-points more likely than those in the *policy only* group.

[FIGURE 1 about here]

[FIGURE 2 about here]

These findings are impressive, especially given that the largest effect was found for the *unorthodox procedure* group. Effects for the *partisan conflict* and *combined* groups could simply reflect Republicans swinging against the policy once they read about Republican opposition. But an increase in disapproval for the *unorthodox group* suggests something deeper is at play, and that evaluation of the policy might be affected by people's dislike for sausage making.

Table 1 shows the results of the two regression analyses assessing the impact of the treatments after controlling for the political and demographic variables described above. The first column shows the results of the ordered logistic regression analysis using the four-point approval scale as the dependent variable, and the second column shows the results of the logistic

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regression analysis using the collapsed dichotomous approval indicator. The results confirm that

the treatment effects reduced respondent approval for the hypothetical transportation policy.

Specifically, in both tests, the coefficients for all three groups indicate a decreased likelihood of

support relative to that of the *policy only* group, which serves as the comparison. In addition, all

but one of the coefficients is statistically significant. Interestingly, the *partisan conflict* group did

not significantly affect approval in the ordered logit analysis, though the coefficient comes close

to conventional levels of statistical significance (p=0.12).

[TABLE 1 about here]

Predicted effects give a better idea of the substantive significance of the treatments.

Figure 3 shows the impact of being in each treatment group on the likelihood of a respondent

noting each of the four levels of approval. Each panel shows the predicted likelihood among

respondents in each group along with 95% confidence intervals. In addition, each panel also

includes a horizontal line which indicates the predicted level of approval among individuals in

the *policy only* group. The results show that being in any of the treatment groups reduce the

likelihood of approval or strong approval and increases the likelihood of disapproval or strong

disapproval. The only exception is the effect of the *partisan conflict* group predicting 'approval',

which just misses conventional levels of statistical significance but still shows negative impact.

Across the four panels the magnitudes of the impacts vary, but some are substantial. Most of the

effects predict between a 4 and 6 percentage-point increase or decrease in likelihood.

[FIGURE 3 about here]

The sizes of the effects across the groups are relatively similar as well. While the

unorthodox procedures and *combined* groups consistently show a slightly larger effect, the

differences between the effects across groups are not statistically significant. As before, that the

effects of the groups are similar is somewhat striking. Awareness of the procedural mechanisms involved in the passage of the transportation policy reduced support just as much as awareness of the partisan conflict. Having controlled for other influences on the likelihood of support, such as each respondents' partisan attachments and ideological preferences, these results strongly suggest that awareness of the either conflict or legislative wrangling reduces support for new policies because people are turned off by the appearance of partisan acrimony, legislative gamesmanship, and quite frankly, politics.

The results of the logistic regression analysis in column 2 of Table 1 largely confirm the results of the ordered logistic model; however in this analysis all three treatment group coefficients have statistically significant effects. The predicted effects in Figure 4 show the substantive influence of the treatments. Again, the effects of all three groups are largely similar, reducing the likelihood of approval by between 12 and 14 percentage-points compared to the predicted support of those in the *policy only* group. Again, exposure to the existence of partisan conflict, the use of unorthodox lawmaking procedures, or both, reduced the likelihood that a respondent approved of the hypothetical transportation policy.

[FIGURE 4 about here]

Impressively, these results hold controlling for various strong predictors of policy opinion and policy approval. Respondents' self-reported ideologies and their self-reported strength of partisanship had strong, statistically significant effects, as did a respondent's approval for President Obama. Specifically, more conservative respondents and stronger Republicans were less likely to approve of the hypothetical transportation policy, while those more approving of the job President Obama was doing were more likely to be approving. Generally, it appears respondents on the right of the political spectrum were much less approving of the policy. The

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logistic regression analysis predicts, for instance, that a very conservative, strong Republican

who strongly disapproved of Obama's job performance had just a 27% likelihood of supporting

the hypothetical policy, while a very liberal, strong Democrat who strongly approves of Obama

had a 92% likelihood. Some demographic controls mattered as well. Specifically, there is some

evidence that older respondents were more likely to approve of the policy, as were women. Most

importantly, the effect of the treatments held even after controlling for these factors.

An important question is whether the results found here from the treatments were driven

primarily by increases or decreases of approval from one set of partisans. In other words, it is

possible that only Republicans dropped their support for the bill when exposed to the group

treatments. Given bivariate results above showing a large party gap, this might be the case. Even

though the regression analyses in Table 1 controlled for party identification and ideology, it is

possible that a partisan effect still exists. To be certain, the regression analyses were replicated

including interaction terms between each of the group dummies and the *strength of party*

identification variable. The result of the analyses can be found in the appendix. More important,

the predicted effects from the models are shown in Figure 5.

[FIGURE 5 about here]

For simplicity's sake, Figure 5 shows the predicted effects of the interactions from the

logistic regression analysis. Specifically, the predicted difference between the likelihood of

approval among strong Democrats and strong Republicans is shown for each treatment group.

The results confirm that while a party gap exists across all of the groups, the size of the gap does

not grow with the treatments, and the treatments reduce approval among both Democrats and

Republicans. The gap in approval likelihoods between Democrats and Republicans is 15

percentage-points among those in the *policy only* group. Among those in each of the other groups

the predicted gap is roughly 17 percentage points. The biggest change is the drop in the likelihood among both sets of partisans as they are exposed to any of the treatments, rather than the effect of partisanship within any treatment group.

Generally, the results of all the analyses strongly suggest that when people are aware that there was substantial partisan conflict over the passage of a new policy, or when they become more aware of the procedural mechanisms used in the lawmaking, they are less likely to be approving of the new law, and these results hold across parties, ideologies, and other factors that typically relate to a person's political attitudes and preferences. It appears the old maxim is true—the two things people do not want to see made are laws and sausages. These results have important implications for how we understand democratic governance and public opinion in times of polarized partisan conflict.

Conclusions

The findings of this study provide evidence that the public not only dislikes partisan conflict and legislative politics, but is less likely to approve of new laws and policies made in Washington when they are aware of the existence of these things in relation to that new law. Regardless of a party identification, political ideology, or other relevant political attitudes, when presented with information about political conflict or legislative maneuvering, people sour on the policy passed. Perhaps most striking about these results is that they could be uncovered in a survey experiment that provided just a brief description of the policy, the conflict, and the legislative process. In real world cases, such as the contentious and procedurally-thick lawmaking over the Affordable Care Act, the influence of these things on public support are likely to be even more dramatic as people are repeatedly exposed to partisan conflict and legislative battles as they read and hear about the news.

The findings have important implications for how we understand democratic governance, public policy, and the public. Scholars have generally expected that people's responses to public policy are based on their attitudes towards the policies themselves, or at the very least the influence of political attachments that serve as heuristics, such as their party identification. But here the results suggest the public's support for governmental policies is affected by its misunderstandings of partisan conflict and the legislative process. As Hibbing and Theiss-Morse (2002) show, the public believes partisan conflict to be a symptom of ills, and consequently doesn't understand what the legislative process often needs to be so complex, convoluted, and drawn-out. This stems from the public's lack of understanding of the reasons for political conflict, and the natural consequences of that inside Congress. That this may hurt support for good public policies in a way that has nothing to do with the policies themselves is troubling and suggests a need for better civic education. Ultimately, for a democracy like the United States to develop the best public policies possible, public support, which could affect the future of good policies, needs to be based on accurate understanding of the policy and the political system that produced it.

Future research should further consider the effects partisan conflict and the legislative process have on public opinion. We should also be more careful of the conclusions we draw about the effects of the public's lack of informedness. While we expect that the public is generally ill-informed, most scholarship suggests people can make relatively accurate decisions on the basis of several heuristics. But this study raises the question, what if one of those heuristics is generally flawed. At least some in the public appear to be using political conflict as a heuristic that indicates something is wrong with the politics and policymaking over an issue. This unfortunate assumption has unfortunate effects.

Further, we should take more seriously how facets of the legislative process affect public opinion. Most congressional scholars assume that the public is largely unaware of procedural battles. While this is probably true most of the time, the results here suggest awareness of procedure can be important, and on some highly salient political issues and bills, when major news outlets highlight the use of filibusters, budget reconciliation, or other procedural tactics, it is likely that some in the public become aware, even if they don't understand the specifics of these procedures, and that their attitudes and opinions are affected. As always, a look at the sausage making does not produce enviable results.

The Survey Experiment

Respondents were randomly assigned to one of four treatment groups. The size of the groups varies a bit, with 229 respondents assigned to the *policy only* group, 261 assigned to the *partisan conflict* group, 262 assigned to the *unorthodox procedure* group, and 248 assigned to the *combined* group. The language provided to each group is printed below, with the language added each time italicized or underlined. Language added noting partisan conflict is *italicized* and language added describing unorthodox lawmaking procedures is <u>underlined</u>.

Group #1: Policy only
After months of negotiation, Congress passed a major transportation bill on Wednesday. The bill, which allots $286 billion for roads, bridges, mass transportation, and safety projects over the next six years, is also expected to create thousands of new jobs.

According to the House Committee on Transportation and Infrastructure, 80 percent of the money will go to road projects, 18 percent to mass transit, and the remainder to road safety and other projects. In addition, the bill imposes sweeping new auto safety standards, including provisions that raise rollover standards on minivans and other large vehicles, and a provision that requires the crash test ratings of cars and trucks to be posted on window stickers visible to consumers.

Perhaps most sweeping are new rules that would withhold federal transportation funds from states that do not pass laws allowing police officers to pull over drivers for not wearing their seatbelts. The bill is expected to be signed by the President by the weekend.

Group #2: Partisan Conflict
After months of negotiation, Congress passed a major transportation bill on Wednesday. The bill, *which cleared the House by a close party line vote, 217-202, and was unanimously opposed by House Republicans*, allots $286 billion for roads, bridges, mass transportation, and safety projects over the next six years, and is expected to create thousands of new jobs.

According to the House Committee on Transportation and Infrastructure, 80 percent of the money will go to road projects, 18 percent to mass transit, and the remainder to road safety and other projects. In addition, the bill imposes sweeping new auto safety standards, including provisions that raise rollover standards on minivans and other large vehicles, and a provision that requires the crash test ratings of cars and trucks to be posted on window stickers visible to consumers.

Perhaps most sweeping are new rules that would withhold federal transportation funds from states that do not pass laws allowing police officers to pull over drivers for not wearing their seatbelts. *Senate Republicans strenuously opposed this policy arguing it violated state sovereignty and represented an overreach by the federal government. The bill passed the Senate by a close party-line vote last month.* The bill is expected to be signed by the President by the weekend.

Group #3: Unorthodox Procedures
After months of negotiation, Congress passed a major transportation bill on Wednesday. The bill, which allots $286 billion for roads, bridges, mass transportation, and safety projects over the next six years, and is expected to create thousands of new jobs, <u>was opposed by numerous lawmakers dissatisfied with many of the underlying policies. House and Senate leaders had to rely on a rarely used procedure known as "budget reconciliation" to push the bill through the floor of each chamber. This arcane procedure allowed the Senate to sidestep any filibusters and pass the bill by a simple majority</u>.

According to the House Committee on Transportation and Infrastructure, 80 percent of the money will go to road projects, 18 percent to mass transit, and the remainder to road safety and other projects. In addition, the bill imposes sweeping new auto safety standards, including provisions that raise rollover standards on minivans and other large vehicles prone to rollovers, and a provision that requires the crash test ratings of cars and trucks to be posted on window stickers visible to consumers.

Perhaps most sweeping are new rules that would withhold federal transportation funds from states that do not pass laws allowing police officers to pull over drivers for not wearing their seatbelts. <u>Several senators threatened to filibuster the bill over these rules, but due to the reconciliation process were unable to mount an effective opposition</u>. The bill is expected to be signed by the President by the weekend.

Group #4: Combined
After months of negotiation, Congress passed a major transportation bill on Wednesday. The bill, *which cleared the House by a close party line vote, 217-202, and was unanimously opposed by House Republicans*, allots $286 billion for roads, bridges, mass transportation, and safety projects over the next six years, and is expected to create thousands of new jobs. <u>House and Senate leaders had to rely on a rarely used procedure known as "budget reconciliation" to push the bill through the floor of each chamber. This arcane procedure allowed the Senate to sidestep any filibusters and pass the bill by a simple majority</u>.

According to the House Committee on Transportation and Infrastructure, 80 percent of the money will go to road projects, 18 percent to mass transit, and the remainder to road safety and other projects. In addition, the bill imposes sweeping new auto safety standards, including provisions that raise rollover standards on minivans and other large vehicles prone to rollovers, and a provision that requires the crash test ratings of cars and trucks to be posted on window stickers visible to consumers.

Perhaps most sweeping are new rules that would withhold federal transportation funds from states that do not pass laws allowing police officers to pull over drivers for not wearing their seatbelts. *Senate Republicans strenuously opposed this policy arguing it violated state sovereignty and represented an overreach by the federal government.* However, the budget reconciliation procedure restricted Republicans from mounting a filibuster and the bill ultimately passed by a close party-line vote. The bill is expected to be signed by the President before the weekend.

Political Knowledge Measure

The political knowledge measure included the in regression analyses is an additive index of

whether or not respondents correctly responded to eight knowledge questions in the survey. The

specific items are:

1. Correctly identifying the party in control of the House of Representatives.

2. Correctly identifying the party in control of the U.S. Senate

3. Correctly identifying the party of their state's governor.

4. Correctly identifying the party of their state's first U.S. senator.

5. Correctly identifying the party of their state's second U.S. senator.

6. Correctly identifying the party of their member of Congress.

7. Correctly identifying the ideology of the Democratic Party as left of center.

8. Correctly identifying the ideology of the Republican Party as right of center.

Results of Interactive Regression Analyses

The results of the ordered logistic and logistic regression analyses including interactions between

strength of party identification and the treatment dummies are shown in Table A.1:

TABLE A.1
PREDICTING APPROVAL OF A HYPOTHETICAL TRANSPORTATION POLICY

	Ordered Logit: Four-point scale of approval	Logit: Dichotomous approval
Treatments		
Group #2 (partisan conflict)	-0.293*	-0.382*
	(0.176)	(0.220)
Group #3 (unorthodox procedure)	-0.351**	-0.489**
	(0.179)	(0.211)
Group #4 (combined)	-0.402**	-0.468**
	(0.179)	(0.224)
Group #2 X Strength of party ID	-0.102	-0.149
	(0.084)	(0.113)
Group #3 X Strength of party ID	-0.026	0.069
	(0.086)	(0.106)
Group #4 X Strength of party ID	-0.120	-0.162
	(0.083)	(0.113)
Political controls		
Ideology scale (7-pt)	-0.233***	-0.204***
	(0.050)	(0.060)
Strength of party ID (7-pt)	-0.121*	-0.138
	(0.072)	(0.090)
Presidential job approval (5-pt)	0.273***	0.284***
	(0.062)	(0.072)
Congressional job approval (5-pt)	-0.011	0.017
	(0.063)	(0.078)
Political knowledge scale (8-pt)	-0.041	-0.030
	(0.033)	(0.040)
Demographic controls		
Age	0.007*	0.004
	(0.004)	(0.005)
Female	0.253**	0.374**
	(0.126)	(0.153)
Education	-0.024	-0.018
	(0.047)	(0.059)
Family income	0.000	-0.021
	(0.021)	(0.026)
Non-white	-0.258*	-0.138
	(0.153)	(0.192)
constant	---	1.107***
		(0.388)
cut 1, constant	-2.520***	---
	(0.330)	
cut 2, constant	-0.871***	---
	(0.315)	
cut 3, constant	1.926***	---
	(0.326)	
N	993	993
ePCP	0.386	0.632

*Note:* * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

References

Bartels, Larry M. 2002. "Beyond the Running Tally: Partisan Bias in Political Perceptions."

> *Political Behavior* 24(2): 117-50.

Burden, Barry C. 1997. "Deterministic and Probabilistic Voting Models." *American Journal of*

> *Political Science* 41(4): 1150-69.

Campbell, Angus, Philip Converse, Warren Miller, and Donald Stokes. 1960. *The American*

> *Voter*. Chicago: University of Chicago Press.

Citrin, Jack. 1974. "Comment: The Political Relevance of Trust in Government." *American*

> *Political Science Review* 68(3): 973-88.

Cox, Gary C. and Mathew D. McCubbins. 2005. *Setting the Agenda: Responsible Party*

> *Government in the U.S. House of Representatives*. New York: Cambridge University

> Press.

Downs, Anthony. 1957. *An Economic Theory of Voting*. New York: Harper.

Coughlin, Peter J. 1992. *Probabilistic Voting Theory*. New York: Cambridge University Press.

Enelow, James M. and Melvin J. Hinich. 1984. "Probabilistic Voting and the Importance of

> Centrist Ideologies in Democratic Elections" *Journal of Politics* 46(2): 459-78.

Erickson, Robert S. 1989. "Economic Conditions and the Presidential Vote." *American Political*

> *Science Review* 83(2): 567-73.

Erikson, Robert S., Michael B. Mackuen, James A. Stimson. 2002. *The Macro Polity*. New

> York: Cambridge University Press.

Fiorina, Morris P. 1981. *Retrospective Voting in American National Elections*. New Haven, CT:

> Yale University Press.

Gomez, Brad T. and J. Matthew Wilson. 2001. "Political Sophistication and Economic Voting in the American Electorate: A Theory of Heterogeneous Attribution." *American Journal of Political Science* 45(4): 899-914.

Goren, Paul. 2005. "Party Identification and Core Political Values." *American Journal of Political Science* 49(4): 881-96.

Green, Donald, Bradley Palmquist, and Eric Schickler. 2002. *Partisan Hearts and Minds: Political Parties and the Social Identities of Voters*. New Haven, CT: Yale University Press.

Healy, Andrew, and Neil Malhotra. 2013. "Retrospective Voting Reconsidered." *Annual Review of Political Science* 16: 285-306.

Henderson, Michael, and D. Sunshine Hillygus. 2011. "The Dynamics of Health Care Opinion, 2008 – 2010: Partisanship, Self-Interest, and Racial Resentment." *Journal of Health Politics, Policy and Law* 36(6): 945-60.

Hibbing, John R., and Elizabeth Theiss-Morse. 2001. "Process Preferences and American Politics: What the People Want Government to Be." *American Political Science Review* 95(1): 145-53.

------. 2002. *Stealth Democracy: Americans' Beliefs About How Government Should Work*. New York: Cambridge University Press.

Jacoby, William G. 1988. "The Impact of Party Identification on Issue Attitudes." *American Journal of Political Science* 32(3): 643-61.

Key, V.O. 1966. *The Responsible Electorate*. Cambridge, MA: Harvard University Press.

Kinder, Donald R. and D. Roderick Kiewiet. 1979. "Economic Discontent and Political

Behavior: The Role of Personal Grievances and Collective Economic Judgments in

Congressional Voting." *American Journal of Political Science* 23(3): 495-527.

Layman, Geoffrey C. and Thomas M. Carsey. 2002. "Party Polarization and "Conflict

Extension" in the American Electorate." *American Journal of Political Science* 46(4):

786-802.

Lebo, Matthew J., Adam J. McGlynn, and Gregory Koger. 2007. "Strategic Party Government:

Party Influence in Congress, 1789–2000." *American Journal of Political Science* 51(3):

464-81.

Lebo, Matthew J. and Andrew O' Green. 2011. "The President's Role in the Partisan

Congressional Arena." *Journal of Politics* 73(3):

Lee, Frances E. 2008. "Dividers, Not Uniters: Presidential Leadership and Senate Partisanship,

1981-2004." *Journal of Politics* 70(4): 914-28.

Marsh, Michael, and James Tilly. 2010. "The Attribution of Credit and Blame to Governments

and Its Impact on Vote Choice." *British Journal of Political Science* 40(1): 115-134.

Miller, Arthur M. 1974. "Political Issues and Trust in Government: 1964–1970." *American

Political Science Review* 68(3): 951-72.

Miller, Warren E., and J. Merrill Shanks. 1996. *The New American Voter.* Cambridge, MA:

Harvard University Press.

Nadeau, Richard and Michael S. Lewis-Beck. 2001. "National Economic Voting in U.S.

Presidential Elections." *Journal of Politics* 63(1): 159-81.

Page, Benjamin I. and Robert Y. Shapiro. 2010. *The Rational Public: Fifty Years of Trends in

Americans' Policy Preferences*. Chicago: University of Chicago Press.

Popkin, Samuel. 1994. *The Reasoning Voter: Communication and Persuasion in Presidential Campaigns*. Chicago: University of Chicago Press.

Shanks, J. Merrill, and Warren E. Miller. 1991. "Partisanship, Policy and Performance: The Reagan Legacy in the 1988 Election." *British Journal of Political Science* 21(2): 129-197.

Tufte, Edward. 1975. "Determinants of the Outcome of Midterm Congressional Elections." *American Political Science Review* 69: 812-26.

Wlezien, Christopher. 1995. "The Public as Thermostat: Dynamics of Preferences for Spending." *American Journal of Political Science* 39(4): 981-1000.

FIGURE 1
SUPPORT FOR HYPOTHETICAL TRANSPORTATION POLICY BY TREATMENT GROUP, FOUR-POINT SCALE OF APPROVAL
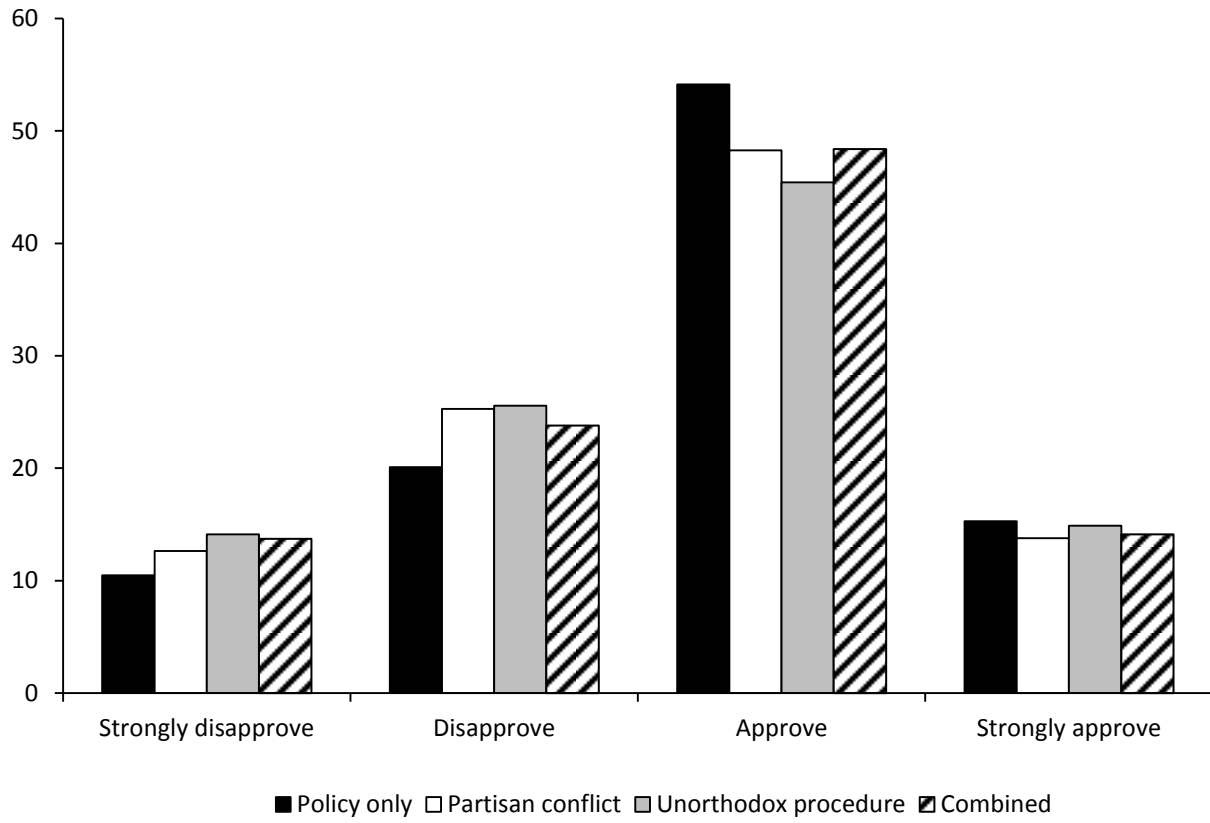
N = 1,000
Source: University of Utah module, 2014 CCES.

FIGURE 2
SUPPORT FOR HYPOTHETICAL TRANSPORTATION POLICY BY TREATMENT GROUP,
DICHOTOMOUS APPROVAL
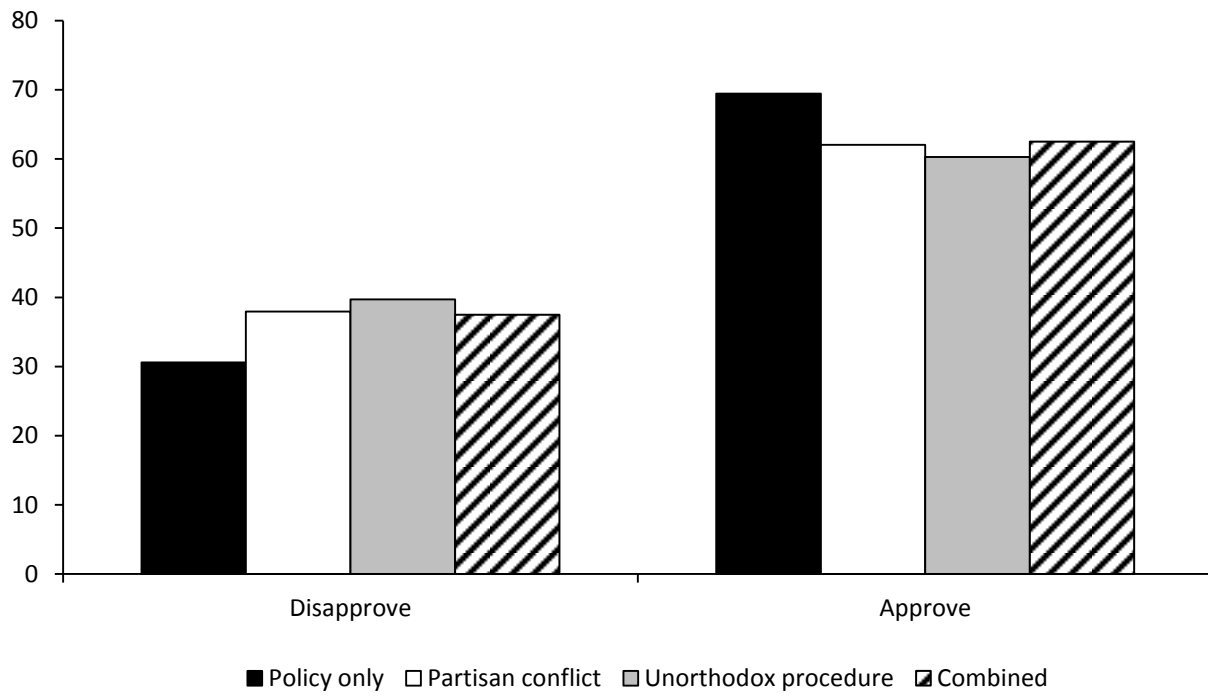
N = 1,000
*Source*: University of Utah module, 2014 CCES.

TABLE 1
PREDICTING APPROVAL OF A HYPOTHETICAL TRANSPORTATION POLICY

|	Ordered Logit: Four-point scale of approval	Logit: Dichotomous approval
Treatments		
Group #2 (*partisan conflict*)	-0.270 (0.175)	-0.413* (0.218)
Group #3 (*unorthodox procedure*)	-0.343* (0.177)	-0.523** (0.216)
Group #4 (*combined*)	-0.369** (0.177)	-0.490** (0.221)
Political controls		
Ideology scale (7-pt)	-0.236*** (0.050)	-0.209*** (0.060)
Strength of party ID (7-pt)	-0.187*** (0.047)	-0.196*** (0.054)
Presidential job approval (5-pt)	0.269*** (0.062)	0.277*** (0.071)
Congressional job approval (5-pt)	-0.009 (0.063)	0.012 (0.077)
Political knowledge scale (8-pt)	-0.041 (0.032)	-0.031 (0.040)
Demographic controls		
Age	0.008* (0.004)	0.004 (0.005)
Female	0.244* (0.125)	0.350** (0.152)
Education	-0.022 (0.047)	-0.013 (0.058)
Family income	<0.001 (0.021)	-0.021 (0.026)
Non-white	-0.247 (0.153)	-0.123 (0.191)
constant	---	1.102*** (0.387)
cut 1, constant	-2.461*** (0.326)	---
cut 2, constant	-0.818*** (0.313)	---
cut 3, constant	1.978*** (0.323)	---
N	993	993
ePCP	0.386	0.632

Note: * $p<0.10$, ** $p<0.05$, ***$p<0.01$

FIGURE 3

THE EFFECT OF EACH TREATMENT ON THE LIKELIHOOD OF SUPPORTING THE HYPOTHETICAL TRANSPORTATION POLICY, FOUR-POINT SCALE OF APPROVAL
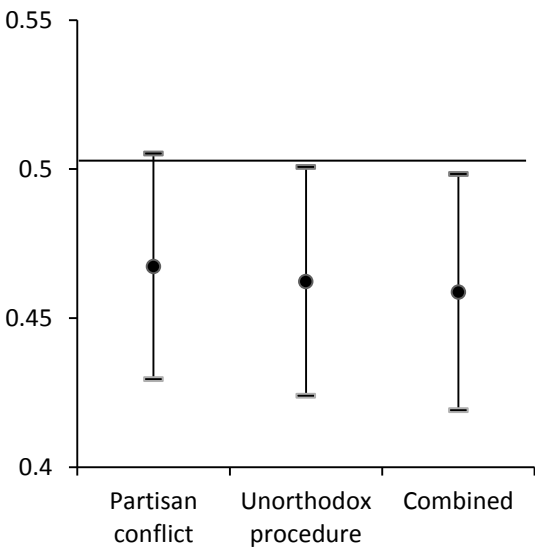
PANEL A: LIKELIHOOD OF 'STRONGLY DISAPPROVE'
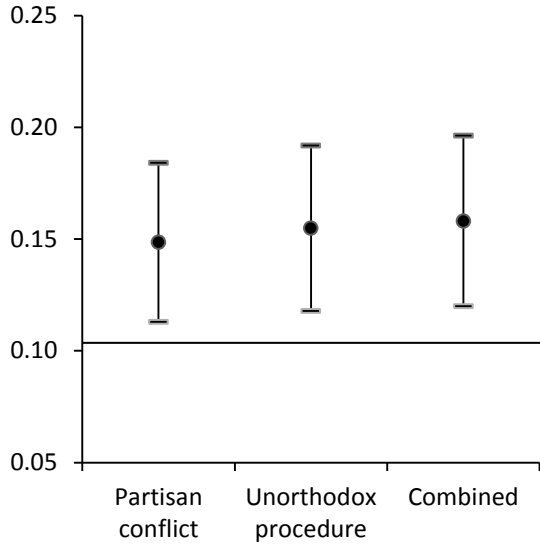
PANEL B: LIKELIHOOD OF 'DISAPPROVE'
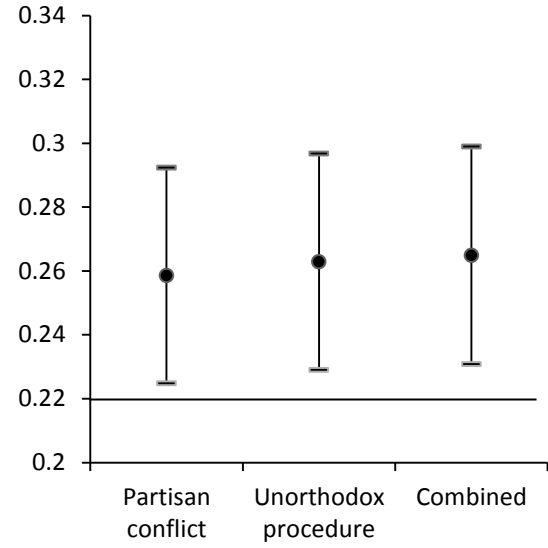
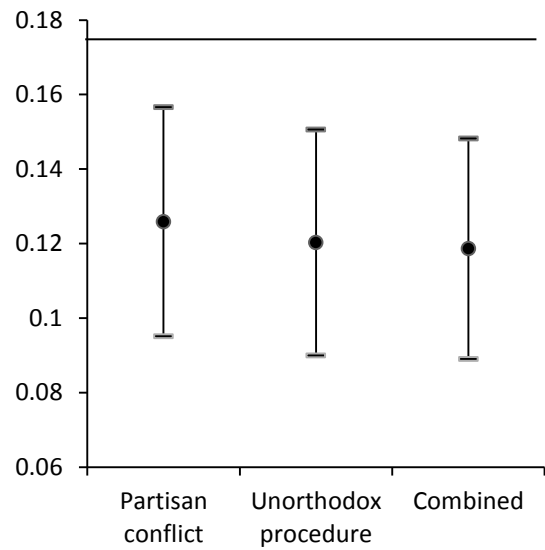PANEL C: LIKELIHOOD OF 'APPROVE'

PANEL D: LIKELIHOOD OF 'STRONGLY APPROVE'

FIGURE 4
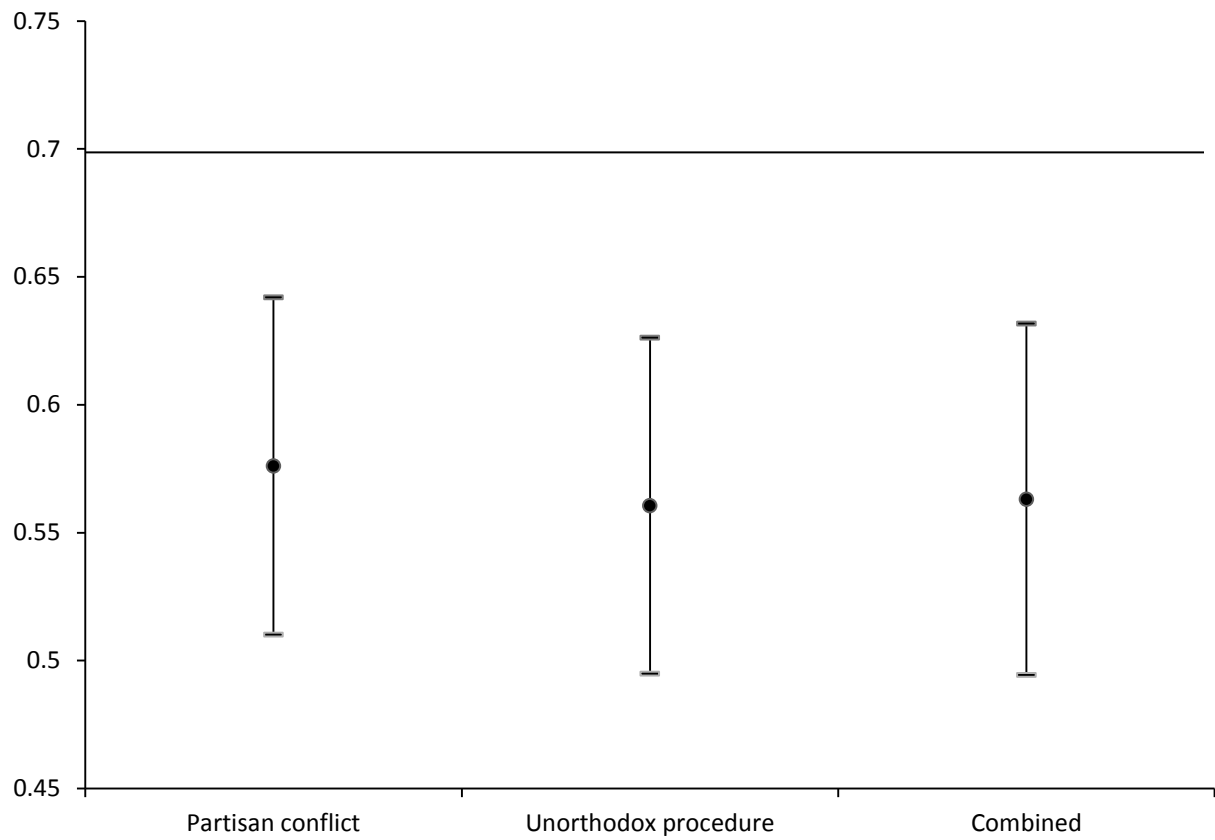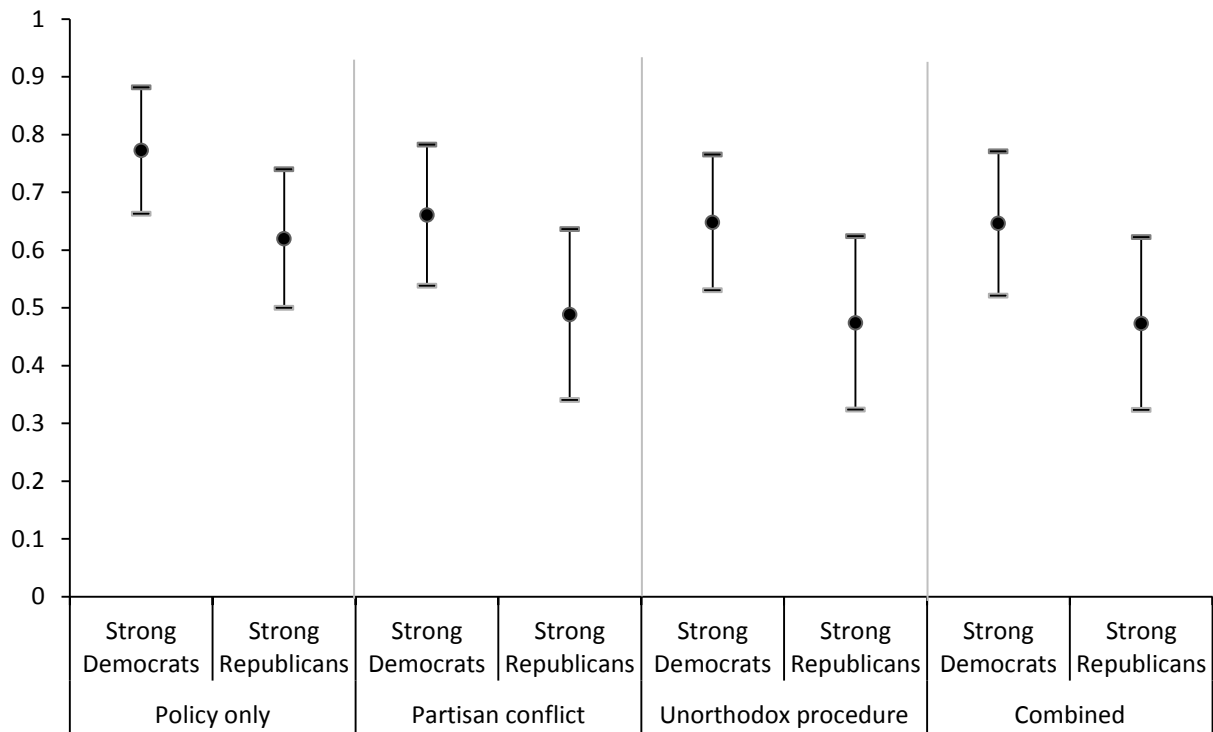**THE EFFECT OF EACH TREATMENT ON THE LIKELIHOOD OF SUPPORTING THE HYPOTHETICAL TRANSPORTATION POLICY, DICHOTOMOUS APPROVAL**

FIGURE 5
INTERACTIVE EFFECT OF THE TREATMENT GROUP DUMMIES AND THE STRENGTH OF PARTY IDENTIFICATION, DICHOTOMOUS APPROVAL

Notes

[1] Quoted in Adam NaGourney, "Procedural Maneuvering and Public Opinion," *New York Times*, March 20, 2010.

[2] On the origin of this quote see, Fred R. Shapiro, "Quote … Misquote," *New York Times*, July 21, 2008.

[3] As search of the *New York Times* archives for instance, returns dozens of articles written in March 2010 that mention, first, the intent of Democrats to use budget reconciliation to pass the Affordable Care Act, and then reporting on its actual use.

[4] The Cooperative Congressional Elections Study (CCES) is a 50,000+ person national stratified sample survey administered online by YouGov Polimetrix. Half of the questionnaire consists of Common Content asked of all 30,000+ people, and half of the questionnaire consists of Team Content designed by each individual participating team and asked of a subset of 1,000 people. The University of Utah's module is a 1,000 person national sample.

[5] Specifically, the bill garnered more than 400 votes in the House and better than 90 votes in the Senate.