

## *Position Taking and Position Avoidance in the U.S. Senate*

David R. Jones

Baruch College, The City University of New York

Why do some legislators take fewer positions on roll-call votes than others? Do these omissions occur by chance, or is it possible that certain legislators avoid taking positions intentionally? This study analyzes whether differential electoral considerations affect the level of position taking among legislators. In particular, it examines whether electoral considerations may actually lead some legislators to avoid taking positions on roll-call votes in an effort to conceal their issue preferences from constituents. Based on U.S. Senate data from the years 1979 to 1996, the results suggest that unwillingness to take positions on roll-call votes is not random. Instead, it is significantly related to factors such as diversity of constituents' opinions, pursuit of higher office, electoral marginality, retirement decisions, and visibility within the institution.

**F**or a representative democracy to function effectively, constituents must have a basis for judging whether their representative shares their preferences on public policy issues and, thus, whether to return that member to office at election time. In practice, however, legislators sometimes remain silent regarding their position on votes before their chamber, not participating in a vote *and* not announcing any position. Why do some legislators take fewer positions on roll-call votes than others? Do these omissions occur by chance, or is it possible that certain legislators avoid taking positions intentionally? The literature suggests that the reelection incentive drives members of Congress to "position take" in order to identify themselves with their constituents (Mayhew 1974).<sup>1</sup> Yet it may also be the case that electoral considerations actually lead some members to refuse to take positions on issues in a deliberate effort to conceal this information from voters.

An earlier version of this paper was presented at the annual meeting of the American Political Science Association in 2000. I thank William Anderson, Scott Desposato, and Monika L. McDermott for their comments on earlier drafts and the Professional Staff Congress of the City University of New York for its financial support of this project.

<sup>1</sup>Members have other goals, such as good public policy or influence within the chamber (Fenno 1978), but the reelection goal is the one that is most clearly related to the decision whether to *take a position or not* (as opposed to whether to cast a yea or nay vote, for example).

In seeking to explain the phenomenon of position avoidance, this study builds on a large body of work about the effects of electoral considerations on legislative behavior. Many authors have looked at the effect of constituency, among other factors, on the voting decisions of members of Congress (e.g., Arnold 1990; Clausen 1973; Kingdon 1973; Mayhew 1974; Miller and Stokes 1963). However, these works have generally focused on the valence of legislators' positions (i.e., liberal or conservative). They have less to say about whether constituency factors might explain whether legislators take a position at all.

Other scholars have analyzed how electoral factors—along with some non-electoral factors—affect legislator *abstention* on roll-call votes, as opposed to simply yea versus nay (see Cohen and Noll 1991; Fiorina 1974; Rothenberg and Sanders 1999, 2000). However, abstention is the failure to cast a vote, which is not the same thing as the failure to take a position. When members are absent from the floor, they can still pair with another member or otherwise announce their position on that vote. Factors that lead members to skip votes, such as the need to tend to one's district, will not necessarily have an effect on members' decisions whether to announce their positions on those votes. For this reason, models of vote abstention, while useful in their own right, are not sufficient for understanding the phenomenon of position avoidance.<sup>2</sup>

Working from the existing literature, this study articulates a model of strategic position avoidance by legislators. Based on the premise that members are motivated primarily by electoral considerations, I develop specific hypotheses regarding which types of members will be more likely or less likely to take positions on roll-call votes. I then test these hypotheses using data on U.S. Senators from the 96th–104th Congresses (1979–1996). The results suggest that unwillingness to take positions on roll-call votes is not a random or aberrant phenomenon, but is significantly related to differential electoral contexts faced by legislators. As such, these findings help to further our knowledge regarding legislative behavior and the electoral connection.

## Position Taking and Position Avoidance

This study assumes that the behavior of legislators can be modeled as rational action in pursuit of defined goals. While legislators can have numerous goals (Fenno 1978), most of them require achievement of one paramount goal: reelection. Mayhew (1974) argues that members of Congress can aid their reelection prospects by making pleasing judgmental statements on public issues—an activ-

<sup>2</sup>More specifically, models of vote abstention generally assume that high vote participation rates represent opportunity costs for legislators and/or that these rates are perceived as measures of legislator effort by constituents. In contrast, merely announcing a position does not necessarily involve any significant opportunity costs or effort on the part of the legislator. Thomas (1991) discusses the relationship between nonvoting and position avoidance, but does not attempt to analyze any specific causal factors.

ity that he refers to as position taking.<sup>3</sup> If a member's position-taking activities signal to constituents that the member holds views similar to their own, presumably they will be more likely to vote for that member in a subsequent election than for a challenger whose positions are either clearly less compatible, or else less well known and hence potentially less compatible (on the importance of ideological positioning in elections, see Downs 1957).

While taking the correct positions may help a member's reelection prospects, taking the wrong positions could prove electorally damaging. Taking positions that are discrepant with those in one's constituency may raise the ire of voters and provide political fodder for would-be challengers. Even positions taken on issues that may not seem particularly salient at the time can come back to haunt a member on election day if they are brought to the attention of voters by a skilled opponent.<sup>4</sup> Since every issue is a potential campaign issue, savvy members will treat every position-taking opportunity as if it could determine their political future.

Given the potential electoral dangers posed by taking the wrong position, legislators who are not certain of what position to take may find that the best strategy is to obfuscate. One form this obfuscation might take is to try to nuance one's position on an issue depending on the audience one is addressing.<sup>5</sup> However, there are some situations in which this strategy of playing to the current audience becomes more difficult. In particular, it is difficult to nuance one's position on a single roll-call vote. On a roll-call vote, members can only choose from one of two options: they are either for or against the motion at hand. More important, the specific wording of the motion is fixed, leaving little wiggle room for members who might ordinarily be tempted to try to play to both sides. Certainly members could try to explain to constituents that they did not really like either option but were forced to choose. However, this strategy may offer little comfort when members are later confronted with a challenger's attack ads linking the member to one of the two positions available on that particular vote. At that point, nuancing one's position becomes trickier and more expensive.<sup>6</sup>

Given the difficulty of playing both sides on a roll-call vote, the best way to obfuscate may be to avoid taking a position on that vote altogether. By taking no position when faced with two fixed options, members reduce the chances that a

<sup>3</sup> According to Mayhew, whatever the form of position taking (speeches, letters, newsletters, interviews, press releases, roll-call votes), the electorally significant aspect is how pleasing the position is to one's constituents, not any particular legislative outcome. Where governmental responsibility for outcomes is widely diffused (as in the U.S.), it is only natural for constituents to base their judgments largely on positions as opposed to outcomes.

<sup>4</sup> On this point see Arnold (1990, 10–11), Key (1961, 263) and Kingdon (1973, 60–68).

<sup>5</sup> On the problem of which political actors to please, see Kingdon (1973, chap. 10).

<sup>6</sup> It may be possible to nuance one's position through votes on a series of differently worded motions, but the same dilemma applies even in this case since a challenger can still pull out any one vote and put the incumbent in the more difficult position of explaining the context.

position will come back to haunt them and maintain more flexibility to nuance a position if the issue arises again.

If the decision to take a position or not is electorally motivated, then differences among members in their willingness to take a position should be related to differences in their electoral contexts. One such contextual factor is the relative ideological diversity or homogeneity of opinions in a legislator's constituency.<sup>7</sup> Legislators whose constituents have generally homogeneous opinions on policy issues are more likely to be the ones that are helped electorally by position taking, as described by Mayhew (1974). In contrast, members with ideologically diverse constituencies are likely to produce a negative reaction among at least some segment of their constituency by taking a position—regardless of which position they take. Therefore, members with more diverse constituencies may engage in more position avoidance as a rational strategy for minimizing potential electoral losses.

Members who seek election to an office representing a differently configured electoral constituency than the one they currently represent (e.g., those who run for higher office) may also have incentives to obfuscate. The difference between the two constituencies sets up a potential dilemma for ambitious politicians. Positions they might ordinarily take in order to please their current constituency may offend important segments of the sought-after constituency, but positions that please the sought-after constituency may offend segments of their current constituency—who they will likely continue to face if their bid for higher office fails. One possible solution for legislators who face this dilemma is to engage in some position avoidance, at least while they are actively running for higher office. In this way, the ambitious politician can help to minimize the risk that either constituency will be put off by a particular position.

Besides incentives to obfuscate, legislators' willingness to take a position may also be related to their perceived level of electoral security. For example, members who win by large margins may be less likely to view position taking as an important activity than those who feel more electorally vulnerable. In this view, those who feel more electorally secure may behave as if the only real value of position taking is instrumental (i.e., the marginal effect a cast vote may have on a legislative outcome), while less secure members will value not only the instrumental benefit of votes, but also perceive the important benefits of position taking as an electoral tool. Of course the most extreme case of freedom from electoral worries is a member who has decided not to run for reelection. These retiring members would seem to have no electoral incentive whatsoever to take positions on roll-call votes.<sup>8</sup>

<sup>7</sup> Other non-issue based types of diversity also exist. For example, Sullivan (1973) measures demographic group diversity. However, ideological diversity is more relevant to theories of position taking, since different groups may nevertheless have homogeneous political views.

<sup>8</sup> On the other hand, it is also conceivable that members who feel more electorally secure may be less cautious about taking controversial positions than members who feel more electorally vulnerable.

Finally, a prominent nonelectoral factor that should be included in the model is chamber leadership, which has the potential to override electoral factors for the members involved. Members who hold leadership positions in the chamber may be less likely to avoid positions because their institutional duties and the unusually high visibility that accompanies them make obfuscation a less viable electoral strategy in their case.

### Data, Operationalization, and Method

To analyze the effect of these factors on position avoidance, this study uses data on U.S. Senators from nine Congresses between 1979 and 1996 (96th–104th). The main advantage of studying senators is that there is sufficient survey data on constituency preferences at the state level, unlike at the House congressional district level.<sup>9</sup> The specific measure of *position avoidance* used in this study is the number of roll-call votes during a given Congress on which a member does not vote, pair, or otherwise announce a position.<sup>10</sup> This measure explicitly differs from measures of abstention both in that instances of nonvoting do not necessarily count as position avoidance. A missed vote only counts as avoidance if the member also does not pair or announce a position—actions that easily allow the member to take a position without having to be in Washington. During the period under consideration, the average senator avoided taking positions on about 41 votes in a two-year Congress—about 5% of the total number of votes.<sup>11</sup> By looking at the level of position avoidance for each senator over a common set of votes, this study focuses squarely on the differences across senators and avoids the need to control for the multitude of differences across votes. Such vote-specific differences are certainly worthy of study, but they are not the focus of this project.<sup>12</sup>

<sup>9</sup>Nevertheless, preliminary evidence suggests that theories of position avoidance are relevant to the House as well. Both the rate and the average number of positions avoided appear slightly higher in the House than in the Senate (from 1979 to 1988, 8% vs. 7% and 81 vs. 59). This may be due to the fact that House members have less time between elections and, therefore, feel electoral pressure more acutely than Senators do.

<sup>10</sup>The dependent variable is compiled from data provided by the Inter-University Consortium for Political and Social Research, file #0004. Members announce a position by stating in the *Congressional Record* how they would have voted had they been present. Members who did not serve for an entire Congress or who could not be coded on one or more predictor variables are removed from the analysis.

<sup>11</sup>In the sample, 11 different senators had at least one Congress with no positions avoided (Akaka-HI, Burns-MT, Byrd-WV, Grassley-IA, Jackson-WA, Kasten-WI, Kerry-MA, Lieberman-CT, Pressler-SD, Thurmond-SC, Wellstone-MN). These cases were generally below average in electoral margin and in state ideological diversity—conditions predicted to lead to less position avoidance. The case with the most positions avoided in a single Congress (568) is Edward Kennedy during the 96th Congress, during which he ran for president.

<sup>12</sup>A few general comments can be made regarding differences in position avoidance across votes. Based on analysis of every roll call between 1979 and 1987 (N = 3,837), 95.2% of all votes have

To measure opinion diversity within a constituency, this study uses survey respondents' self-placement on a seven-point ideological scale. Specifically, the *Pooled Senate Election Study, 1988–1992* conducted by American National Election Studies includes this measure of ideological self-placement for a representative sample of voting-age respondents in each of the 50 states. *Diversity* is measured as the variance of responses within each state.<sup>13</sup>

I also create a *higher office* dummy variable representing senators who seek election to a national constituency at the same time they are representing their state. Senators who publicly declared themselves a presidential candidate are coded one for the Congresses during that presidential election cycle while all others are coded zero. This provides a somewhat conservative test of the hypothesis since the coding scheme may leave out a few senators who at one point view themselves as candidates, but then never officially announce. In each of the five presidential election cycles included in the analysis (1980, 1984, 1988, 1992, 1996), an average of three sitting senators were declared presidential candidates.<sup>14</sup>

As a measure of relative *electoral security*, this study uses the margin of victory in each senator's last election (mean = 21 points). While there is some debate over just how much electoral safety should be inferred from margins of victory (see Jacobson 1987), this is a measure that is commonly used in the literature.<sup>15</sup>

It is difficult to measure exactly when each senator decides to retire. While retirement announcements may occur at various points throughout a member's term, it is possible that the actual decision—and any change in behavior it may entail—could precede its announcement by a significant amount of time. In this study, senators who *retired* at the end of their current term are coded one for that entire term (19%), while all other senators are coded zero.<sup>16</sup>

been avoided by at least one senator. While position avoidance occurs across the entire spectrum of issues, it is notably higher than average on many economic programs (housing, price controls, agriculture), and civil liberties issues (abortion, military draft) (issue coding by Poole and Rosenthal 1997). Position avoidance is slightly lower than average on "key votes" (as defined by Congressional Quarterly). Nevertheless, over 72% of key votes have been avoided by at least one senator.

<sup>13</sup>Scores range from 1.57 to 2.84 (mean = 2.05). Authors such as Bishin (2000) suggest that members may not consider the preferences of those who are strong supporters of the opposite party (and thus impossible to please). In practice, a measure of opinion diversity that leaves out these strong, opposing partisans is highly correlated with the measure used in the study and produces results that are substantially similar (results available from the author).

<sup>14</sup>1980: Baker, Dole, Kennedy; 1984: Cranston, Glenn, Hart; 1988: Biden, Dole, Gore, Simon; 1992: Harkin, Kerry; 1996: Dole, Gramm, Lugar, Specter. The results are substantially similar if senators who were vice-presidential nominees are included in this variable, or if all of these cases are removed from the sample.

<sup>15</sup>This study also explored the possible effects of partisan compatibility and number of terms in office as measures of electoral security. However, these variables display no significant effects in the presence of the electoral margin variable and are, therefore, excluded from the analysis.

<sup>16</sup>Alternative measures that coded retirement only in the last Congress of a retiring senator's term or only in the last two congresses of the term produced substantially similar results.

Dummy variables are also used to identify the *Senate Majority Leader* and the *Senate Minority Leader* in each Congress. While other leadership positions exist, the positions of Majority and Minority Leader are far more visible, thereby making them the best test of the leadership hypothesis.<sup>17</sup>

To control for Congress-specific effects, the models are estimated with dummy variables for each of the Congresses except the 104th (constant term).<sup>18</sup> I have suppressed the estimates of these control variables from the results, however, as many are insignificant and none are of any substantive interest for this study.

Gary King (1989a, 1989b) has shown that his generalized event count (GEC) regression model offers substantial advantages over other common statistical analysis techniques when analyzing dependent variables that represent counts of discrete events, as in this case. GEC uses a maximum likelihood estimation approach similar to Poisson regression and negative binomial regression. However, the assumptions of GEC are less restrictive than those required for these alternative models. GEC simultaneously allows for the possibility of both overdispersion and underdispersion in the data (represented by the model parameter  $\sigma^2$ ). Models that fail to take these considerations into account can produce inefficient, inconsistent, and biased estimates.<sup>19</sup>

## Analysis

Table 1 presents a GEC regression model explaining the total number of times a senator avoids taking positions on roll-call votes during a two-year Congress. The model includes all of the causal variables discussed above: constituency ideological diversity, electoral margin and retirement as measures of electoral security, pursuit of higher office, and majority and minority leadership status. The results show that all of these variables are significant and in the predicted direction. Specifically, the positive coefficient for constituent diversity indicates that greater ideological diversity of a senator's constituency increases that senator's level of position avoidance. The hypothesis regarding senators running in a differently configured constituency is also supported by the data. The positive coefficient for this variable shows that senators running for nationwide office avoid more positions on roll-call votes. The variables related to electoral security also have the expected effect: larger margins of victory lead to less position taking (more avoidance), as does the decision to retire. The results provide support for the leadership hypothesis as well. The negative coefficients for both variables

<sup>17</sup> Variables for majority and minority whips were not significant when tested in the model. Removing leaders altogether from the sample does not significantly alter the results.

<sup>18</sup> This also has the effect of controlling for differences in the total number of roll-call votes.

<sup>19</sup> Specifically, the fact that  $\sigma^2$  is estimated to be less than one in model 2 supports the hypothesis of underdispersion (suggesting negative contagion in the data), which is not accounted for in Poisson or negative binomial regression. Nevertheless, the results of this analysis are substantively similar regardless of which of these methods are used.

TABLE 1  
Overall Position Avoidance on Senate Roll-Call Votes

Independent Variable	Coefficient	Change in X (from, to)	Change in Position Avoidance
Constituency ideological diversity	.1859* (.0809)	(1.57, 2.84)	+26.6%
Pursuing higher office	1.0543* (.0999)	(0, 1)	+187.0%
Electoral margin	.6089* (.1182)	(.001, 1.000)	+83.7%
Retiring	.4613* (.0590)	(0, 1)	+58.6%
Majority leader	-1.2745* (.3905)	(0, 1)	-72.0%
Minority leader	-.6138* (.2291)	(0, 1)	-45.9%
Constant	2.3554* (.3012)		
$\sigma^2$	3.2453* (.0551)		

*Note:* Coefficients are unstandardized maximum likelihood estimates. Standard errors in parentheses. N = 848. Log-likelihood = 113,445.5739. See text for variable descriptions and explanation of "change." Dummy variables controlling for Congress-specific effects were included in the model but are suppressed from the table.

\* $p < .05$ .

indicate that the majority leader and the minority leader do not avoid positions as often as senators who are not in the spotlight.

The results of this model can also be translated into percentage changes in the (predicted) number of positions avoided resulting from specific changes in each of the independent variables (see King 1989b). The last column in Table 1 presents the changes in position avoidance resulting from a change from the lowest to the highest value of each variable in the sample. According to the data, senators from the most ideologically diverse states avoid positions on 26.6% more votes than senators from the most homogeneous states, all else being equal. Fear of offending a large segment of one's constituency appears to be an important consideration for senators when deciding whether to take a position. Senators who are running for president avoid positions on 187% more votes than their colleagues. At the same time these members are seeking to occupy the most important political office in the country, they are providing significantly fewer clues about what positions they hold on important issues of the day. Position avoidance among senators who have the largest margin of victory is 83.7% higher than among senators who have barely garnered enough votes to win in their last election: it appears they feel much less of a need to take positions for electoral pur-

poses. Similarly, senators who plan to leave office after completing their term refuse to take a position 53.6% more often than continuing members. Without the necessity of pleasing constituents any longer, these members may have less of an electoral incentive to take a position. Finally, leaders in the senate appear to avoid fewer positions than other senators. This effect is strongest for the senator who is often the most visible, the majority leader, who avoids 72% fewer positions. The effect is slightly smaller for the minority leader, who avoids 45.9% fewer positions.

Might the effects in Table 1 be related to decisions to abstain? The simple answer is yes. Since avoiding a position on a roll-call vote necessarily requires a member skip that vote, it is consistent with the theory of position avoidance to expect that senators with an incentive to avoid positions will, on balance, miss more votes.<sup>20</sup> While position avoidance and vote abstention are necessarily related, they are not the same thing. In addition to missing votes for the sole purpose of avoiding a position, members will also miss votes to campaign, because of illness, or for other reasons. The position avoidance theory suggests that in addition to missing more votes in general, on votes that a senator does miss, a senator with more of an incentive to take a position will more often pair or announce her positions, while a senator with less of an incentive to take positions will less often do so, thus avoiding those positions.

To test this argument and demonstrate that position avoidance is not the same as vote abstention, I estimate a second model that controls for the number of votes each member misses by including the natural log of these *missed votes*.<sup>21</sup> By controlling for missed votes in this manner, this second model essentially estimates the variables' effects on position avoidance, given a uniform level of missed votes across all members. In other words, it shows how well the variables predict whether or not members will pair or announce *once they have already missed a vote*.

The magnitude of the coefficients and the change associated with them will necessarily be smaller in this second estimation than in Table 1. This is because treating missed votes as an exogenous variable ignores the fact that members who wish to avoid positions will also intentionally miss more votes to do so. By controlling for missed votes, the model does not capture this added effect. While Table 1 presents the combined effect of intentionally missing more votes *and* avoiding more positions on those missed votes, Table 2 focuses only on the nar-

<sup>20</sup> It is possible to vote *present*, but this merely calls attention to the fact that one is avoiding a position. As a result, this option is almost never used except when a member feels there is a conflict of interest.

<sup>21</sup> King (1989a) shows that in a nonlinear model such as GEC, the appropriate way to account for differences in the opportunity for an event (one only has the opportunity to avoid a position on missed votes) is to add the natural log of the opportunity variable as an extra explanatory variable in the model (range is 0–6.30, mean = 3.18). The few senators who did not miss any votes in a Congress (about 4 per Congress) are necessarily excluded from this analysis since the natural log of 0 is undefined (for comparative purposes they have also been excluded from Table 1).

TABLE 2  
Position Avoidance on Missed Votes

Independent Variable	Coefficient	Change in X (from, to)	Change in Position Avoidance
Constituency ideological diversity	.0579* (.0208)	(1.57, 2.84)	+7.6%
Pursuing higher office	.0694* (.0256)	(0, 1)	+7.2%
Electoral margin	.0560* (.0317)	(.001, 1.000)	+5.8%
Retiring	.0332* (.0158)	(0, 1)	+3.4%
Majority leader	-.0190 (.1360)	(0, 1)	-1.9%
Minority leader	-.0176 (.0682)	(0, 1)	-1.7%
ln(missed votes)	-1.0004* (.0090)		
Constant	-.2604* (.0562)		
$\sigma^2$	.3235* (.0574)		

Note: Coefficients are unstandardized maximum likelihood estimates. Standard errors in parentheses. N = 848. Log-likelihood = 114,503.2487. See text for variable descriptions and explanation of “change.” Dummy variables controlling for Congress-specific effects were included in the model but are suppressed from the table.

\* $p < .05$ .

rower issue of whether or not positions are avoided *on votes that have already been missed*.

Not surprisingly, the significant and positive sign on the coefficient for the control variable indicates that the more votes a senator misses, the more times that member will avoid taking a position. More important for the purposes of this study, most of the causal relationships found in Table 1 continue to be significant in Table 2. Even when all senators are held constant at the same level of (logged) missed votes, more positions are avoided (fewer pairs and announcements are made) on these missed votes by senators who have greater ideological diversity in their constituencies, are running for higher office, have larger margins of victory, or have decided to retire. The only variables that lose their significance in this model are the leadership variables. This suggests that the main reason these leaders avoid fewer positions is that they are in Washington more often than most members. When they are away from Washington, they are not necessarily less likely to avoid position taking.

As expected, the sizes of the effects are smaller in Table 2 than they are in Table 1. This is because by controlling for missed votes, the model ignores the

additional effect that occurs when members intentionally skip more votes to avoid positions.

## Discussion

This study's findings demonstrate that position avoidance in the U.S. Senate occurs for strategic rather than purely random reasons. In particular, the reelection motive displays important effects on this type of behavior. Senators from diverse constituencies who may fear offending large segments of their electorate avoid taking positions more often than their colleagues do. Similarly, senators seeking higher office, who may need to appeal to two different sets of voters, are less willing to take positions. Members who would appear to feel little electoral pressure, such as those with high margins of victory or who have decided not to seek reelection, also engage in less position taking. Holding a leadership position appears to limit position avoidance, but this may simply reflect the smaller opportunity these leaders have to duck votes.

While on the surface the study of position avoidance might seem similar to existing work on legislative abstention, in fact the results offer a unique contribution to the literature. One example is the findings for the higher office variable. While this variable displays a positive effect on both avoidance and on abstention (Rothenberg and Sanders 2000), the conclusions drawn from each study are quite different. The abstention literature concludes that nonvoting in this case is simply a function of the opportunity costs of campaigning for another office. In contrast, this study of position avoidance notes that there are also electoral incentives to obfuscate one's position. Even after allowing members to announce their position on missed votes and controlling for the frequency of missed votes, pursuit of higher office still has an effect on position avoidance.

More dramatically, the effect of the variable representing the degree of electoral success in the last election is exactly the opposite of its effect in the abstention literature. The work of Rothenberg and Sanders (1999) suggests that electorally vulnerable members miss more votes in order to do more campaigning. But Mayhew's work suggests these members should also be highly concerned with taking positions in order to boost their electoral prospects. This study shows that even though vulnerable members may campaign more, they can (and do) accomplish more position taking simply by announcing votes more frequently (than less marginal members) when they are not in Washington.

This study's findings regarding constituency diversity also provide an important contribution to the literature. While some studies of abstention theorize that constituency diversity should have an effect (Cohen and Noll 1991; Fiorina 1974), none have found any clear empirical support. This study suggests that one possible reason effects have not been found in the abstention literature is that members sometimes take positions even when they abstain. Therefore, diversity may not correlate with abstention (and should not be expected to), even when it does correlate with position avoidance.

These findings may even help to explain a prominent puzzle regarding the effects of constituency diversity on electoral marginality. Many scholars expect diverse constituencies to be more competitive than homogeneous ones because their representatives will not be able to avoid offending some segment of the electorate (see Fiorina 1974; Sullivan 1973). Bond (1983), however, finds this not to be the case empirically. The results of this study offer a possible explanation. It may be that legislators from diverse constituencies are somewhat able to avoid offending voters by taking fewer positions than other members.

More broadly, the finding that legislators systematically avoid revealing their positions on issues of public policy is troublesome for normative theories of representation. Whenever legislator preferences are hidden, the public's ability to make informed electoral decisions suffers. If senators avoid taking positions on roll-call votes (even though this can mean a poorer attendance record), it is likely that they are also avoiding taking positions in other formats as well, including speeches, television appearances, and candidate surveys (e.g., Project Vote Smart). Furthermore, if such highly visible legislators as U.S. Senators can avoid taking positions, it is almost certain that this phenomenon occurs among other representatives as well, including House members and state and local legislators. Unfortunately, this study suggests that as long as retaining office is dependent on staying on voters' good side, occasions will arise when legislators feel it is in their best interest to obfuscate rather than to reveal their true preferences to their constituents.

*Manuscript submitted 28 September 2001*

*Final manuscript received 22 March 2002*

## References

- Arnold, R. Douglas. 1990. *The Logic of Congressional Action*. New Haven: Yale University Press.
- Bond, Jon R. 1983. "The Influence of Constituency Diversity on Electoral Competition in Voting for Congress, 1974–78." *Legislative Studies Quarterly* 8(3): 201–17.
- Bishin, Benjamin G. 2000. "Constituency Influence in Congress: Does Subconstituency Matter?" *Legislative Studies Quarterly* 25(3): 389–416.
- Clausen, Aage R. 1973. *How Congressmen Decide: A Policy Focus*. New York: St. Martin's Press.
- Cohen, Linda R., and Roger G. Noll. 1991. "How to Vote, Whether to Vote: Decisions About Voting and Abstaining on Congressional Roll Calls." *Political Behavior* 13(2): 97–127.
- Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper and Row.
- Fenno, Richard F., Jr. 1978. *Home Style: House Members in Their Districts*. Boston: Little, Brown.
- Fiorina, Morris. 1974. *Representatives, Roll Calls, and Constituencies*. Lexington, MA: Lexington Books.
- Jacobson, Gary C. 1987. "The Marginals Never Vanished: Incumbency and Competition in Elections to the U.S. House of Representatives, 1952–1982." *American Journal of Political Science* 31(1): 126–41.
- Key, V. O., Jr. 1961. *Public Opinion and American Democracy*. New York: Knopf.
- King, Gary. 1989a. *Unifying Political Methodology: The Likelihood Theory of Statistical Inference*. New York: Cambridge University Press.

- King, Gary. 1989b. "Variance Specification in Event Count Models: From Restrictive Assumptions to a Generalized Estimator." *American Journal of Political Science* 33(3): 762–84.
- Kingdon, John W. 1973. *Congressmen's Voting Decisions*. New York: Harper and Row.
- Mayhew, David R. 1974. *Congress: The Electoral Connection*. New Haven: Yale University Press.
- Miller, Warren E., and Donald E. Stokes. 1963. "Constituency Influence in Congress." *American Political Science Review* 57(1): 45–56.
- Poole, Keith T., and Howard Rosenthal. 1997. *Congress: A Political-Economic History of Roll-Call Voting*. New York: Oxford University Press.
- Rothenberg, Lawrence S., and Mitchell S. Sanders. 1999. "Rational Abstention and the Congressional Vote Choice." *Economics and Politics* 11(3): 311–40.
- Rothenberg, Lawrence S., and Mitchell S. Sanders. 2000. "Shirking in the Contemporary Congress." *American Journal of Political Science* 44(2): 316–25.
- Sullivan, John L. 1973. "Political Correlates of Social, Economic, and Religious Diversity in American States." *Journal of Politics* 35 (1): 70–84.
- Thomas, Martin. 1991. "Issue Avoidance: Evidence from the U.S. Senate." *Political Behavior* 13(1): 1–20.

David R. Jones is assistant professor of political science, Baruch College, The City University of New York, New York, NY 10010.

Copyright of Journal of Politics is the property of Blackwell Publishing Limited and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.