

TRIPARTITE REDISTRICTING CARTELS AND OVERLAPPING AMBITION

John A. Curiel

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Approved by:

Jason M. Roberts

Christopher C. Clark

Santiago Olivella

Sarah A. Treul

Marc Hetherington

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ABSTRACT

John A. Curiel: Tripartite Redistricting Cartels and Overlapping
Ambition
(Under the direction of Jason M. Roberts)

In this dissertation, I seek to answer the following questions in relation to party strength and redistricting: (1) how can we better measure sources of party organizational strength over time; (2) how do the three legs of the tripartite structure reinforce each other (3) why do some state legislatures lose their power to redistrict; and (4) how can districts be drawn to influence who runs successfully for higher office. First, I offer two new measures of party strength, one for organizations and one for party competition. These new measures, the weighted funds party campaign committees have on hand and the marginal majority measurement (MMM) provide improved measures of party stability and capacity over time. I then demonstrate in regards to the second question that while increased competition can strengthen party organizations, increased polarization can displace organizational strength.

Third, I posit that redistricting is a collective action problem, with too many self interested legislators amidst a complex technical issue. Only though decreasing the time necessary to deliberate and avoid common redistricting pitfalls via strong party leadership can the state legislature hold onto redistricting authority.

Finally, I argue that whether a legislator runs for office is very dependent upon where districts are drawn, as legislators can carry over their incumbency advantage via shared constituencies between multiple levels of districts.

To support these chapters, I employ time series and multistage survival modeling of party committee funds, body in charge of redistricting, and when legislators run for higher office.

To Thomas Carsey and Hamiltina.

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CHAPTER 1: INTRODUCTION

Parties serve as the primary entry and end point to American political representation. As formulated by Key (1958), political parties can be viewed as three component parts: party in the electorate, party in government, and the party organization. Party identifiers within the electorate select their preferred candidates in the primary stage and vote as a general electorate during the general election, shaping the party in government. The party in government aims to enact policies necessary to hold onto power, enjoy the goods of office (Cox and McCubbins, 2005) and possibly advance legislation in line with their base's preferences (Rohde, 1991; Aldrich, 1995). Finally, party organizations largely link together the electorate with office holders, maintaining the electoral viability of the party through the organization of voters and recruitment/support of candidates for higher office (Cotter et al., 1989; Key, 1958; Hernson, 2009). As Schattschneider (1942) notes, "[D]emocracy is unthinkable save in terms of parties." Additionally, it is through state parties and their tripartite structure that to varying degrees mediate the selection of office holders at the state and national level. States provide the confines for political conflict at the state level, and provide the nexus for multilevel political conflict.

Therefore, it is concerning that political parties within the states appear to be in a state of disarray in maintaining their responsibility as a linkage institution and means to organize social conflict necessary to govern efficiently. State parties in government are increasingly polarized (Shor and McCarty, 2011), with more rigid unity and procedural power (Aldrich and Battista, 2002; Anzia and Jackman, 2012), with outcomes of legislative gridlock (Klarner,

Phillips and Muckler, 2012). The party electorate, as organized into districts, increasingly are placed into constituencies where electoral responsiveness largely trends downwards (Shufeldt and Flavin, 2012; McGann et al., 2016; Engstrom, 2013), with institutions structured to give disproportionate weight to the primary electorate and ideologically extreme candidates (Krasa and Polborn, 2018; Banda, Carsey and Curiel, 2019). Additionally, more ideological actors increasingly displace party organizations, providing increased polarization, and thwarting the mechanisms behind the recruitment for competitive candidates and races (La Raja, 2008; La Raja and Schaffner, 2015). Insofar as parties diverge from their traditional responsibilities, roles, and sources of strength, politics across the United States and ensuing representation are at stake. Given that state politics in turn shape who makes it to national office (Carson et al., 2011, 2012; Berkman, 1994), and the capacity and actions of local politics (Miller, 2008), it is imperative to measure and understand the direction of state parties and the implications on policy outcomes.

However, the sources of party strength and behavior are multifaceted and complex. The poor performance of a pillar of party strength in one area can feed into the next over time, collapsing the entire structure. Political parties shape, especially within the legislature, their own procedures and institutions (Smith, 2007; Roberts, 2010; Roberts and Smith, 2003; Aldrich, 2011; Mooney, 2012; Anzia and Jackman, 2012; Shepsle and Weingast, 1994), with the intent to induce outcomes. In turn, the actions of party in government and which party is in control affects the appeal of political office, which in turn affects who runs for office (Jacobson, 2004; Fox and Lawless, 2005, 2011). Who runs for office strongly influences which races are competitive (Jacobson, 1989; Carson, Engstrom and Roberts, 2006; Engstrom and Kernell, 2005). Whether races are competitive influences the extent to which party organizations can stake a claim to being necessary for the maintaining party majorities (Rosenthal, 1995; Gierzynski and Jewell, 1992), and decreased party organization presence cedes power to ideological organized interests (La Raja and Schaffner, 2015). Additionally,

state legislatures within most states can directly affect the extent to which state legislatures and Congressional offices are competitive (Gelman and King, 1994*a*; McGann et al., 2016; McDonald and Best, 2015; Levitt, 2010*a*). Redistricting outcomes and ensuing political competition over a decade in turn shapes policy outcomes (Volden and Wiseman, 2014; Krasa and Polborn, 2018) and the role of party organizations and organized interests (Daley, 2017; Skinner, 2007; Skinner, Masket and Dulio, 2013).

Therefore, the task to understand party power over time and the quality of representation that one receives is a dynamic and multivariate process. This dissertation seeks to further develop the field of state politics and party strength through the following steps. First, establish measures of party organizational strength and the intersection of party in government as related to the tripartite structure. These measures as developed are then employed to analyze the extent to which the intersection of individualistic motivations and state institutions shape the power of parties, as framed using the rational hydraulic framework of campaign finance, which in turn directly affects the capacity of political parties. I next employ these newly developed measures to explain the bias towards the party in power as mediated through redistricting. I posit that it is through the power of a strong party organization in combination with unified government that is able to overcome the obstacles to redistricting, thus preventing court intervention, which in turn affects who controls legislative and Congressional delegations. Finally, given the individualistic approach to deciding who runs for office, I demonstrate how the way in which districts are drawn affects whether and where state legislators run for higher office, which in turn affects the competitiveness of electoral races at the micro scale.

The ensuing chapters build off our preexisting understanding of parties, redistricting, and structured progressive ambition with theoretically driven quantitative measures and multistage time series modeling. The variation over time coupled with advancements in how one measures the explanatory variables of interest permits these articles to better ascertain the dynamics of party change and electoral competition across space and time within the

American states.

State Tripartite Structures and Representation

Key (1958) is among the first to establish the importance of the three different legs of a state party, the party in government, electorate, and organization. The party in the electorate provides the voting coalition necessary to elect the party in government. The party in government in turn enacts laws in line with party preferences (Rohde, 1991; Aldrich, 1995) and/or secures the goods of government while maintaining the party's reputation necessary to hold onto power (Cox and McCubbins, 1993; Heberlig and Larson, 2012). The party organization in turn is responsible, to varying extents, to identify and acquire new voters, recruit new candidates, and fundraise in order to maintain the organization itself in addition to electioneering efforts. Each of these legs to party strength are interdependent on each other. As Key (1949) notes in his studies of the least competitive states during his writing, the American South, to establish a party organization requires some feasible claim to having a competitive chance at securing political office. To secure political office requires some type of party organization and voters in the electorate. Voters in the electorate in turn will be less likely to turn out and vote in absence of quality candidates with name recognition (Miller and Stokes, 1962; Jacobson, 1989; Ansolabehere, Brady and Fiorina, 1992; Roberts and Carson, 2013) or voter outreach efforts (Green, 2004; Ansolabehere and Snyder Jr., 2000; Broockman, 2014). Therefore, no single part of the tripartite structure can successfully be analyzed, especially over time, without some consideration to the other components of the tripartite structure.

Therefore, the field of research on the tripartite structure and its depends upon quality measures and theoretical mechanism to ascertain its sustainability across time. Should research into tripartite structures lack macro level measurements of parties across the states, then a range of obstacles inhibit a wide variety of other potential avenues of research. These include the ability of a party's ability to overcome collective action problems within

government amidst contentious and potentially divisive issues, like redistricting. Further, given the role of party organizations to recruit and field quality candidates, what are the mechanisms behind which potential candidates might be encouraged to do so? Further, can the construction of the electoral environment through redistricting be set up to advantage or encourage some candidates over others? Should the answers to these questions receive the affirmative, it would suggest that the research fields of party strength, elections, and progressive ambition are even more intertwined than previously thought.

Tripartite Structure Research to Date Within state politics, advancements have been made to measure and identify the political implications of party strength and competitiveness. Ranney (1971) developed the Ranney Index, an average of Democratic control of state government as calculated via the percentage of seats that Democrats hold within the legislature, Democratic gubernatorial popular vote percentage, and duration of Democratic unified control of government. The measure straightforwardly indicates Democratic presence within government. At the level of legislator competition, Holbrook and Dunk (1993) developed the HVD index as the average of the average legislator winning percent margin, percent of uncontested seats, and percentage of safe seats. The HVD index therefore measures the aggregated average of district level competition, a micro scale measurement.

Measures of party organizations are unfortunately lacking due to the changing nature of party organizations from when Key (1958) first theorized the tripartite structure. Whereas at their prime during the Gilded Age most party organizations decided the ideal candidates to recruit without interference of primaries, ballot design, tracking of loyal versus disloyal voters and more (Swenson, 1982; Summers, 2004), party organizations lost most of their powers during the progressive era and the rise of electoral reforms (Roberts and Carson, 2013). Although scholars such as Cotter et al. (1989) and La Raja (2008) have tracked the pivot to candidate centered campaigns and a supporting role for party organizations, consistent

measurements of party organization capacity and sustainability are absent in the research. La Raja and Schaffner (2015) and Masket (2009) offers in depth research into individual level support of party organizations versus competing intra party actors, though these estimates are not readily aggregated into macro level measures of party organizational strength.

Further, the lack of consistent macro-level estimates inhibit research as to how the strength of one part of the tripartite structure impacts the next. Shufeldt and Flavin (2012) find the Ranney and HVD indices to operate largely independent of each other, and the Ranney index itself is prone to measurement problems due to the variability of a state's gubernatorial vote and candidate centered effects (Barrilleaux, Holbrook and Langer, 2002; Holbrook and Dunk, 1993). These measurement problems also lead to complications with studying the impact of party in government and the electorate effect's on policy outcomes (Barrilleaux, Holbrook and Langer, 2002). Therefore, the field of party competition within state politics cannot effectively test the extent to which state legislative polarization detracts from party organizations, the extent to which highly competitive states impact capacity of state party organizations, and more.

Redistricting and Legislative Inaction Amongst one of the most valuable goods of office that a party might be able to attain through a strong organization and electorate supporting members in office is the opportunity to redistrict. Central to influencing the competitiveness of the political environment within state legislative and Congressional maps is redistricting. The manner in which maps are drawn can heavily influence whether parties win different proportion of districts relative to their support within a state (Gelman and King, 1994*b*; Cain, 1985; McDonald and Best, 2015). Through a combination of spreading the opposition across multiple districts via cracking, or forcing the other party's voters into one district via packing, the party in charge of redistricting can win a disproportionate number of seats for well over a decade (Cox and Holden, 2011; Cain, 1985; McGann et al.,

2016). A state might appear competitive when looking at a state’s presidential vote share statewide, but in reality be drawn in such a way as to make it all but impossible to change majority control. Although redistricting in the past might systematically benefit one party or set of incumbents early within a cycle and decay over time (Cox and Katz, 1999, 2002; Chen and Rodden, 2013), recent maps passed by unified state governments resulted in partisan bias strong enough to last the entire decade (McGann et al., 2016). The effect of redistricting can be seen in the 2018 midterm elections, where of the districts that Democrats won during a wave election, 73 percent were drawn by independent courts or commissions.¹ The results of the 2018 election also highlight the importance of *who* redistricts, with unified party governments overwhelmingly drawing partisan biased maps, and independent court or commissions maps indistinguishable from no effect (Cox and Katz, 2002).² Crespin (2005) finds a strong association between the probability that a Congressional district is competitive and the presence of a non-legislative drawn map. Carson, Crespin and Williamson (2014) goes onto reconfirm these results from 1972–2012.

Therefore, it appears that to know who redistricts is to in part know the extent of bias with in maps, and therefore which party controls state legislatures and Congressional delegations.

¹Michael Li, “Why the Midterm Results Should Concern You Regardless of Which Party You Support,” *Brennan Center for Justice*, November 16, 2018, <https://www.brennancenter.org/blog/why-midterm-results-should-concern-you-regardless-which-party-you-support> (accessed April 16, 2019).

²Data from (McGann et al., 2016) as to whether a map reaches a systematic partisan bias reveals a significant difference between state legislatures and courts/commissions drawn maps for Congressional districts. Their early work applying these results to state legislative maps also reveal the same association. See, Alex Keena, Michael Latner, Charles Anthony Smith, and Anthony McGann, “Here’s how to fix partisan gerrymandering, now that the Supreme Court kicked it back to the states,” *Washington Post* Monkey Cage, July 2, 2019 https://www.washingtonpost.com/politics/2019/07/02/heres-how-fix-partisan-gerrymandering-now-that-supreme-court-kicked-it-back-states/?utm_term=.956628bdb21e (accessed July 9, 2019).

However, with the Supreme Court ruling, *Rucho v Common Cause*, litigation against partisan gerrymanders was ruled as non-justiciable,³ seemingly locking in partisan biased maps as they arise. A long standing finding and well justified belief within the redistricting community is that when a party controls both the governor’s office and state legislature, a highly partisan biased map will be enacted (Cox and Katz, 1999, 2002; McDonald, 2004). So long as the legislature meets basic redistricting criteria, such as population equality, and potentially racial minority representation, the map cannot be overruled (Levitt, 2010a).

However, since the year 2000, courts and independent commissions have redistricted approximately 20 percent of legislative and Congressional maps where the default redistricting authority is held by the legislature. The reason for the judicial and other non-legislative body intervention is due to the state legislature passing maps that fail to adhere to technical criteria of equal population and/or Voting Rights Act (VRA) criteria in time for elections. Even the Roberts court accepted the premise that to prevent malapportionment of population within legislative and Congressional maps, it is the duty of courts to act when the state legislature does not.⁴ Therefore, to know when redistricting is to know who redistricts. To know who redistricts is to know which party has a better hold on power.

Strategic Progressive Ambition and Electoral Institutions Redistricting and party strength within the system of legislative and Congressional elections in large part work through quality candidates capable of providing voters a meaningful electoral choice. Competitive elections are a necessary condition for democratic accountability (Pitkin, 1967; Miller and Stokes, 1962). Party identity largely determines voting patterns, though a voter’s familiarity

³18 U.S. 422 (2019)

⁴*Gill v Whitford*, 16 U.S. 1161 (2018)

with a candidate can reduce the overwhelming effect of partisanship (Ansolabehere, Snyder Jr. and Stewart III, 2000; Ansolabehere, Brady and Fiorina, 1992; Miller and Stokes, 1962). Whether an electoral challenger can overcome the strength of an incumbent and attain the name recognition necessary to have a winning chance is their experience as a previous elected office holder (Cox and Katz, 1996; Ansolabehere, Brady and Fiorina, 1992; Jacobson, 1989; Carson, Engstrom and Roberts, 2006). As Roberts and Carson (2013) find, a large part of party organizations ability to successfully compete in districts was the ability to field quality candidates with previous elected office holding experience. Within Congress, the most common competitor and background for members is a career within their state's legislative chambers (Berkman, 1994; Berkman and Eisenstein, 1999). Therefore, insofar as one can estimate the conditions in which candidates with previous elected office holding experience, such as state legislators, run for higher office, one can estimate the competitiveness of elections.

A multitude of factors impact whether one decides to run for higher office. The central theory behind candidate entry is strategic politician theory, where candidates run for higher office when the projected utility exceed the opportunity costs (Jacobson and Kernell, 1983). Whether a candidate desires to run for higher office is affected by their personal ambition, as some are progressively ambitious and seek higher office when the conditions are ideal to do so (Schlesinger, 1966), whereas others might be content with their current office and statically ambitious. Ultimately, to know whether a candidate desires higher office is progressively ambitious relies upon in depth survey research (Maestas, 2003; Maestas et al., 2006), which is also susceptible to change depending on changes in life at a given time (Fox and Lawless, 2011). Therefore, much of the decision to run can be highly individualistic and not captured by institutional features. Modern day potential candidates can be especially cautious in running for office given the inability of party organizations to offer insurance should a candidate run and lose (Carson, Engstrom and Roberts, 2006).

However, if one accepts the base premise of strategic politician theory in that politicians will await for the most ideal conditions to run for higher office, then one can expect them to only run when the benefits and probability of victory outweigh the costs (Rohde, 1979). Of especial interest are state legislators, given that most members of Congress are former state legislators (Berkman, 1994). Additionally, state legislators work within a variety of environments and institutions that mediate their potential runs for higher office. Analyzing the opportunity structure reveals the decision making infrastructure that state legislators work within. All elected state legislators fall within the category of quality candidates, though some tend to be better situated than others to handle campaigns. State legislators from professional legislators tend to be in a strong position to run for higher office, they tend to be more risk averse towards running given the increased costs of potentially losing (Maestas et al., 2006; Lazarus, 2006; Fox and Lawless, 2005). Typically state legislators wait for an open seat viable for their party (Black, 1972; Roberts and Carson, 2013). Candidates might also take advantage of times in which the congressional incumbent is weak, following redistricting (Hetherington, Bruce and Globetti, 2003; Cox and Katz, 2002) or when the incumbent no longer represents the preferences of the median voter (Boatright, 2004; Canes-Wrone, Brady and Cogan, 2002). State legislators likewise are more likely to run when the utility of their current seat declines, such as the loss in security incurred following legislative redistricting (Ansolabehere, Snyder Jr. and Stewart III, 2000) or term limits force them out of office (Lazarus, 2006).

Previous research on progressive ambition tends to fall within either the candidate or political environment categories in attempts to measure strengths and weaknesses of the candidate or political opportunities or threats. However, there is conceptual overlap between political opportunities and candidate strengths in regards to redistricting. All state legislators necessarily share some of their constituents within a higher level district. For example, there is overlap between state house and state senate, and state senate and Congressional

districts. Where legislators share constituents with a higher level district, there is the potential opportunity to carry over their strengths as an incumbent. Carson et al. (2011) finds in a cross sectional study that state legislators with increased overlap with Congressional districts are more likely to run. Given the nature of strategic ambition, whether, when, and where a legislator runs for higher office cannot be separated. To understand progressive ambition requires not only an over time analysis as performed by Maestas et al. (2006) and Hetherington, Bruce and Globetti (2003), or by location as completed by Carson et al. (2011, 2012), but the intersection of the two in relation to redistricting cycles. A dynamic model of progressive ambition necessarily unites the time and space to understand whether, when, and where a legislator runs, which in turn determines level of electoral success and competition.

Measuring the Tripartite Structure and the Hydraulic Framework

Chapter 2 builds upon the work of past research in order to provide three primary benefits in studies of state party tripartite structures: (1) a means to analyze the strength of party organizations over time; (2) a macro-level measure that captures the intersection of party control of government and electoral competition; and (3) an analysis of the extent to which the competitiveness of legislative control, materialistic appeal of control of state government, and polarization strengthen or displace the capacity and sustainability of party organizations.

The chapter first takes advantage of the fact that there is unanimous agreement that modern day state party organizations rely upon high levels of funding so as to maintain their operations and engage in coordinated expenditures necessary to support candidates necessary to capturing office, in addition to getting out the vote (Hernson, 2009; Gierzynski and Jewell, 1992; Jewell and Morehouse, 2001; Rosenthal, 1995; La Raja, 2008; La Raja and Schaffner, 2015; Masket, 2009; Bibby and Holbrook, 1996; Cotter et al., 1989; Kolodny and Dulio, 2003). Therefore, although one might not know the exact strength of a party organization, it is possible to determine the extent to which a party organization meets the necessary conditions to be a viable and sustainable organization. I therefore analyze the state

party committees, the modern day and candidate serving organizations that maintain their party's outreach efforts, recruitment of new candidates, and spending in competitive elections (Kolodny and Dulio, 2003). I acquire data on all donations to these state party committees from the National Institute on Money in State Politics. I then create an aggregate measure of party organizational capacity for a given party within a state for a two-year period via three steps. I first aggregate all donations to a given party. I next weight the total donations based on the breadth of the base for party committees, such that a wide donor base is weighted closer to one, and a donor base more reliant upon a few individuals a weight of zero. Finally, the weighted donations are divided by the state's population. These three steps create a measure of capacity and stability. Following the work by Banfield and Wilson (1963) into the death of party machines, a party organization's downfall is usually marked by if not an outright loss of resources, then capture by a single interest or individual. Therefore, weighted funds on hand allows one to both measure capacity of a party in addition to its sustainability in the event of the loss of the largest donors.

I next capture the measure of competition through the creation of the marginal majority measurement (MMM), which looks to the percentage of the electorate that would need to switch their votes in the most marginal districts so as to flip majority control. The measure builds upon the idea that party organizations would not seek to recruit and support a quality candidate in every state legislative district, nor improve electoral performance uniformly across all districts. Rather, a party organization, in addition to other political actors, would seek to flip the districts necessary to change majority control (Barrilleaux, Holbrook and Langer, 2002; La Raja and Schaffner, 2015). For example, in 2010 the GOP targeted specific neighborhoods within the most marginal legislative and Congressional districts necessary to

flip control, and advertised their strategy as a means to attract new donors (Daley, 2017).⁵

I therefore create the MMM as the total number of the two party vote within the minimum number of legislative districts that would need to be switched in order to change majority control within a chamber, divided by the total number of voters within the election. The end result is a 0 – 1 score of the difficulty in changing majority control, with states near zero holding very fragile majorities, and states near one as effectively immutable. MMM improves upon the micro level HVD index which does not give proper weight to how individual elections affect majority control within the legislature. Additionally, the measure is an improvement over the Ranney index by discerning how fragile legislative control is based upon micro and macro level electoral information.⁶ Additionally, looking to legislative control specifically frees the measure of the unstable effect of gubernatorial elections (Holbrook and Dunk, 1993; Shufeldt and Flavin, 2012). Confirmatory factor analysis goes on to confirm the strong expected effect of MMM against the HVD and Ranney indices insofar as one would seek to collapse all three measures onto one dimension.

Finally, I build upon the micro level framework of La Raja and Schaffner (2015) and offer a test of rational campaign finance “hydraulics,” positing that money will flow based upon

⁵Karl Rove widely advertised the GOP “RED MAP” strategy in his 2010 Wall Street Journal Editorial as a means to attract new donors. He started out his editorial writing, “Some of the most important contests this fall will be way down the ballot in communities like Portsmouth, Ohio and West Lafayette, Ind., and neighborhoods like Brushy Creek in Round Rock, Texas, and Murrysville Township in Westmoreland County, Pa. These are state legislative races that will determine who redraws Congressional district lines after this year’s census, a process that could determine which party controls upwards of 20 seats and whether many other seats will be competitive.” Karl Rove, “The GOP Targets State Legislatures,” *wall Street Journal*, March 4, 2010, <https://www.wsj.com/articles/SB10001424052748703862704575099670689398044> (accessed February 27, 2019)

⁶As Lublin (1997) and Grose (2011) write, pure margins of legislative or Congressional seats might be deceiving. Whereas Democratic control might have looked mostly solid throughout the South prior to 1994, the 1994 midterm elections wiped away Democratic Congressional majorities. The 2010 midterm elections similarly spelled the end of most Democratic control of southern state legislatures (Daley, 2017).

the perceived appeal and opportunity costs of political donations. I argue that the appeal of donations to party committees is influenced largely by the perceived competitiveness of the state legislature and power of the leadership positions acquired upon winning majority control. However, I expect polarized legislatures to detract from party organizational strength as it becomes increasingly appealing to donate instead to more ideological driven interests. Employing a linear time series panel model from 2000 to 2010, the result support the rational hydraulic framework of party organizational strength. Therefore, chapter 2 concludes with two measures to capture the tripartite structure within states and empirical evidence as to the basis for party organizational strength.

Obstacles and Outcomes of Legislative Redistricting

Chapter three seeks to answer why legislatures fail to enact redistricting in time, and thus cede their power to non-legislative bodies. I posit that the failure of legislatures to pass maps in time is a function of the collective action problem and technical barriers to redistricting that state legislatures face. Even should a party be in control of unified government, the inability to effectively impose order and socialize the costs of maximizing party control over legislative and Congressional districts, the legislature is prone to overly long deliberation and inaction.

Even with advanced computers, it might still take far too long to find an ideal map that satisfies a sufficient number within the majority party given technical criteria, such as preservation of local boundaries and population equality. Further, without the means to centralize and enforce a hierarchy within the map development process, the excess of self interested legislators all competing for safe seats can detract from completing a map in time, which in turn results in non-legislative take over of the map making process. I argue that it is through a strong party organization, which funds a centralized mapmaker and offers support to legislators who need to accept more competitive districts for the good of the party, that ensures legislative control of redistricting.

Chapter three offers qualitative and quantitative in support of the argument that technical criteria and collective action failure lead to an inability of the legislature to redistrict state legislative and Congressional maps. The chapter first takes advantage of the wealth of insight into the redistricting process through a combination of interview research, amicus briefs from redistricting litigation, and the personal notes and presentations of the National Conference on State Legislatures (NCSL) redistricting expert and GOP redistricting coordinator. These data offer insight into the complexity of the redistricting process and common obstacles that must be overcome, in addition to the necessary personnel and organizational structures necessary to overcome legislative and legal obstacles to redistricting. Additionally, the chapter employs three stage model, with a two stage survival model, followed by a linear model to analyze the following within the 2000 and 2010 redistricting cycles: (1) the duration until redistricting for a given legislative chamber or Congressional map followed by, (2) a competing risks analysis of whether a non-legislative actor redistricts in place of the legislature, and finally (3) the impact on a map's competitiveness as measured with the MMM and HVD Index. I posit that the main obstacles to redistricting in time takes the form of geographic requirements to preserve local boundaries and soft deadlines for when maps should be passed, as required by state law. I argue that given the role of party leaders to spread out the costs and benefits of various district designs, that unified governments are best able to prevent non-legislative redistricting when in control of a well funded party committees. Through these analyses, there appears to be strong support that the timing of redistricting, and in turn legislative failure to redistrict, can be understood as a technical and collective action problem that can be overcome with strong institutional party hierarchy. However, the results of the final stage suggests that the relationship between courts and commissions implementing more competitive maps might be questionable. Therefore, these contradicting results suggest the need to reanalyze the field and conduct more rigorous studies on counterfactual maps.

Overlapping Ambition for Higher Office

In chapter four, I argue that when and where a legislator runs for higher office is largely influenced by their relative strength as a candidate when compared to the incumbent of a higher level district or the potential competition. A candidate performs their best in running for higher office through a combination of choosing a race where their name recognition and reputation within the higher level district is at its maximum, and when the potential competition is at its weakest. A state legislator that successfully balances their candidate strengths amongst their current constituency relative to the competition will be more likely to run for higher office and win. Therefore, to understand the redistricting cycle and where multiple levels of districts overlap is to understand whether, when, and where a legislator runs for higher office.

I therefore build upon past work analyzing shared constituency between districts by Carson et al. (2011) by expanding the range of potential competition to include every other potential competitor for higher office within the state legislature. Further, I incorporate time into considerations of the progressive ambition of decisions to run for higher office with a survival model of whether and when a legislator runs for a particular office. As incorporated into a two stage model, decision of where to run followed by election performance, the analysis reveals the extent to which district design over time influences who runs for higher office, which in turn influences the competitiveness of a given election.

Chapter four conceptualizes that constituencies matter to running for higher office only insofar as they are not wasted against someone with a greater presence within the district. Most obviously, the incumbent for a higher level district would hold the greatest name recognition within their own district. An incumbent would be weaker purely on the dimension of relative constituency advantage in the event of redistricting, or should their potential

competition share the exact same constituency.⁷ In the event that no incumbent runs for office, then some legislator from a lower level district would be in a position to potentially enjoy the greatest constituency overlap with a higher level district.

Consider the following map of Michigan's 11th Congressional district. The map displays Michigan State Senate districts overlapping with the open 11th Congressional district during the 2002 midterms. All of these districts contained constituents who voted for both the Congressional and a state senate races. In regards to population overlap and shared constituency, the boundaries of state senate district 9 from the state senate map in place in the year 2000, had the greatest level of shared constituency. The state senator of senate district 9 from the electoral cycle before shared 37 percent of the Congressional district's population. The nearest competitor, the state senator from district 15, shared only 24 percent of the Congressional district's population. Ultimately the state senator of district 9 ran uncontested in the Republican primary and won the general election with 59 percent of the vote in 2002.⁸

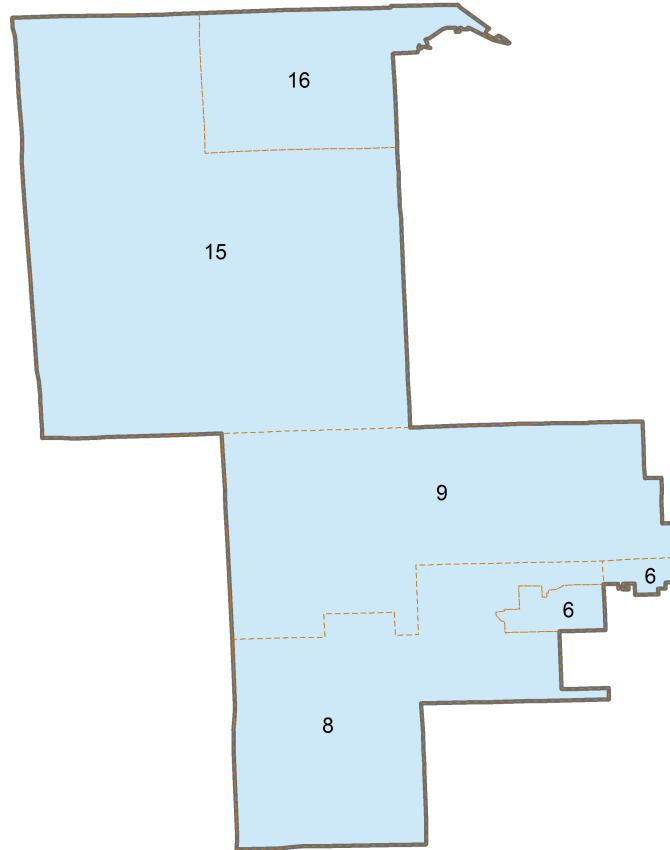
The case of Michigan's 11th Congressional district exemplifies a process that is part of the state legislator to Congress career pipeline. However, to fully capture the effects on decisions to run for higher office therefore requires a better attempt to model and measure the elements that comprise the decision of whether, where, and when to run.

Chapter four therefore makes use of self-created python toolbox that calculates the population overlap between state house to state senate, state house to Congress, and state senate to Congressional districts. The calculated overlap is then transformed for each legislator

⁷Situations where some other office holder has 100 percent overlap with a higher level district occasionally happens with California's state senate to Congressional districts, or single member of Congress states to the U.S. Senate (Rohde, 1979).

⁸House General Elections, Michigan, 2002-2010 All Districts, *Congressional Quarterly Press Voting and Elections Collection* (accessed July 12, 2016) <http://library.cqpress.com/elections/search.php>

Figure 1.1: Michigan's 11th congressional District Overlap with State Senate Districts



Map only includes state senate districts from the year 2000 that overlaped with Michigan's 11th congressional district for the 2002 midterm elections, the first of the new Michigan map in place following the 2000 Census.

Map created using information from the U.S. Census and Lewis et al. (2013) Digital Boundary Definitions of United States congressional Districts, 2003.

into a relative difference from the maximum overlap. The score is transformed into a 0 – 100 scale, where candidates who have a score of zero have the maximum shared constituency with a district, relative to the incumbent, if present, and all other potential challengers from legislators. Each one unit increase reflects a one percentage point difference in shared constituency from the candidate with the most overlap within the district.

With the construction of the relative population overlap variable, chapter four's competing risks analysis over the period from 2000 to 2016 on legislator decisions to run for higher office

reveals relative population overlap to be a strong predictor of decisions to run for higher office. In combination with changes to an incumbent's district, relative population overlap as constructed explains most of the incumbency advantage as measured in prior studies. However, the ensuing regression on general election outcomes reveals a lack of an effect for relative population overlap. Therefore, the results suggest that relative population, in large part decided by redistricting, can provide the ideal conditions to convince a legislator to run for higher office. Further, by knowing relative population overlap it is possible to ascertain where a legislator will run for higher office, which in turn leads to more competitive elections.

Contributions to the Field

These following chapters will present the reader greater insight into the dynamics of party strength and competition over time. Each chapter is united in the mission to analyze and answer what provides for the conditions necessary for representative democracy as mediated through parties to function.

Chapter two provides the means to better measure the tripartite structure at the macro scale. These measurements then offer the means to test the extent to which the legs of the tripartite structure support each other in a way so as to maintain a balanced two party system. The results highlight the importance of a competitive electoral environment and the threat of polarization to strong party organizations. Threats to party organizations in turn affect the ability for a party to maintain the overall party and support competitive elections. Further, these results bolster previous work by La Raja and Schaffner (2015), who find that weak party organizations contribute to greater polarization. These results suggest that polarization in turn weakens party organizations. Therefore, these results substantively demonstrate the feedback loop and the poor outlook for party organizational strength in the future.

Chapter three immediately makes clear the applicability of the new measurements provided in chapter two to answer who redistricts and the expected effects on the electoral environment.

Given that late redistricting is the primary causal mechanism for non-legislative authored maps, and that non-legislative authored maps provide the plurality of competitive districts within Congress and state legislatures, it is crucial to understand what drives the process. The three stage model demonstrates time to be the decisive factor in deciding who redistricts, and that time to redistrict is based upon the capability of the majority party to centralize and overcome the technical obstacles to redistricting. However, the lack of results for court and commissions in changing the competitiveness of maps suggests that the field of redistricting research and representation needs to carefully consider the means by which courts or commissions redistrict.

Chapter four builds upon and unites previous work into progressive ambition and redistricting. The results demonstrate the precise means by which redistricting affects who runs for office by shaping overlapping constituencies between different levels of districts. Further, the overtime nature of the model combined with a new measurement to better capture the strategic considerations of potential candidates provide insight into the intersection of individualistic decision making and political institutions. Given the importance of quality challengers to competitive elections, these results uncover how micro scale competition can aggregate up to macro level effects on competition.

Therefore, this dissertation in its three article both improves our measurements of party strength and competition, in addition to the causal processes that go onto shape the competitive electoral system overall.

CHAPTER 2: FINANCING STATE PARTY CARTELS

Key (1958) is among the first to establish the importance of the three different legs of a state party, the party in government, electorate, and organization. The party in the electorate provides the voting coalition necessary to elect the party in government. The party in government in turn enacts laws in line with party preferences (Rohde, 1991; Aldrich, 1995) and/or secures the goods of government while maintaining the party's reputation necessary to hold onto power (Cox and McCubbins, 1993; Heberlig and Larson, 2012). The party organization in turn is responsible, to varying extents, to identify and acquire new voters, recruit new candidates, and fundraise in order to maintain the organization itself in addition to electioneering efforts. Each of these legs to party strength are interdependent on each other. As Key (1949) notes in his studies of the least competitive states during his writing, the American South, to establish a party organization requires some feasible claim to having a competitive chance at securing political office. To secure political office requires some type of party organization and voters in the electorate. Voters in the electorate in turn will be less likely to turn out and vote in absence of quality candidates with name recognition (Miller and Stokes, 1962; Jacobson, 1989; Ansolabehere, Brady and Fiorina, 1992; Roberts and Carson, 2013) or voter outreach efforts (Green, 2004; Ansolabehere and Snyder Jr., 2000; Broockman, 2014). Therefore, no single part of the tripartite structure can successfully be analyzed, especially over time, without some consideration to the other components of the tripartite structure.

Measures of party organizations are unfortunately lacking due to the changing nature of

party organizations from when Key (1958) first theorized the tripartite structure. Whereas at their prime during the Gilded Age most party organizations decided the ideal candidates to recruit without interference of primaries, ballot design, tracking of loyal versus disloyal voters and more (Swenson, 1982; Summers, 2004), party organizations lost most of their powers during the progressive era and the rise of electoral reforms (Roberts and Carson, 2013). Although scholars such as Cotter et al. (1989) and La Raja (2008) have tracked the pivot to candidate centered campaigns and a supporting role for party organizations, consistent measurements of party organization capacity and sustainability are absent in the research. La Raja and Schaffner (2015) and Masket (2009) offers in depth research into individual level support of party organizations versus competing intra party actors, though these estimates are not readily aggregated into macro level measures of party organizational strength.

Further, while much work within state politics successfully analyzes party control of government (Ranney, 1971, 1976) and competition across legislative districts (Shufeldt and Flavin, 2012; Holbrook and Dunk, 1993), they are not readily interconnected with the tripartite structure and role of party organizations.

In regards to party organizations, though they lost much of their formal power, they still play a crucial role in American politics, especially at the state level. In the face of changing campaign finance laws and candidate centered campaigns, party organizations adapted to support individual candidates with services in kind, consultants, and decisive ad buys for marginal seats late during elections (Kolodny and Dwyre, 1998; Kolodny and Dulio, 2003; Hernson, 2009). Additionally, it is through party organizations that the state and national parties coordinate to hire redistricting consultants and develop redistricting strategies (Daley, 2017; Chin, 2017). Further, it is largely state party organizations that recruit and train candidates to run for office (Kolodny and Dulio, 2003). Additionally, it is active recruitment by party members that acts as one of the primary determinants as to whether one runs for higher office (Fox and Lawless, 2011). However, given the modern day limitations on party

organizations, they must be very strategic in where they spend, limiting their activities to marginal seats that have a chance at affecting majority control of the legislature (Rosenthal, 1995; Barrilleaux, Holbrook and Langer, 2002). Therefore, I aver that the field of state politics must rethink and measure how the tripartite collectively works together, with special attention given to the measurement and sustainability of party organizations over time.

I therefore develop two new measures to gauge party organizational strength and its connection with a competitive party electorate. To analyze party organizational strength, I measure per capita state party campaign committee receipts from 1996 to 2016. To measure the competitiveness of the state's elections, I create the marginal majority measurement (MMM), the percent of the vote that would need to change in order to switch majority control of the state's legislature. I argue that to measure the connection between party organizational strength and the intersection of party in government and electorate via these two measures offers the means to better unite the field of state politics conceptualization and measurement of the tripartite structure. Looking to revenues received by state party campaign committees acts as a valid method to measure party strength given that money is the primary means by which party organizations can exert influence (Jewell and Morehouse, 2001). Further, a measure that specifically measures the fragility of majority control offers the macro level benefits of measures like the Ranney index, yet the precision of the HVD index.

With these new measures, I go onto test the rational hydraulic framework of campaign finance, and thus party organizational strength. I build upon the framework posited by La Raja and Schaffner (2015) and formulate that where money accumulates follows both campaign finance laws and the institutional features that make competing political organizations more appealing over others, given the motivations of the individual. Where competitiveness and the benefits of controlling procedural power of leadership positions high, money will accumulate to party organizations. In turn, where higher levels of polarization and partisan conflict mark a state, money in the aggregate will tend to flow away from less ideologically driven interests

like party organizations. Therefore, states where ideology displaces the pragmatism of party organizations amidst polarization, donations to party organizations will dwindle.

In order to develop these new measures, I first draw upon donation data from the National Institute on Money in State Politics to determine the funding for state party committees from 1996 to 2016. I then weight parties both upon total receipts and the broadness of their donor base using a reverse Herfindahl index weight, divided by the state's logged population. The analysis reveals which state party committees are overly reliant on few donors, and therefore more susceptible to greater fluctuation and control by relatively few political interests. I next employ the Klarner (2018) Legislative Elections Returns data to determine the most marginal legislative seats in a given election period, and votes necessary to change election outcomes per marginal district. I next gauge the impact of the MMM compared to the Ranney measure of party control of government (Ranney, 1976) and Holbrook-Van Dunken index of party competition via confirmatory factor analysis. I finally gauge the determinants of party organizational strength and electoral marginality via a time series panel linear model from 2000 to 2010.

The results overall support a rational hydraulic framework to party organizational strength. Party committees draw greater funds within competitive electoral environments. Additionally, increased polarization within state legislatures detracts from revenue to party committees. Further, confirmatory factor analysis supports MMM to be a unique and improved measure of electoral competition relative to the Ranney and HVD index. These results offer several specific insights into future research into state party tripartite structures. First, the new weighted measurement of party committee strength can be employed in future time series research where such a measure was previously missing. Additionally, the analysis reveals how susceptible party organizations are to inescapable downward spirals of loss in influence due to runaway polarization and bias in redistricting. Further, insofar as one seeks to measure a macro level competition of a state in a manner that captures the intersection of the party

electorate and government, the MMM offers a more accurate and simplified measurement of how fragile party control is of legislative chambers. Finally, given that these results confirm a negative spiral between polarization and party organizational strength, future research might go onto specifically analyze the organizations directly displacing party organizations. Though the tripartite structure will likely continue to be the best means to conceptualize parties, party organizations might again undergo another evolution in their structure, purpose, and connection to the rest of the party.

I Tripartite Structure and Interdependence

Parties highly depend upon each component part working together in order to viably compete for power. Different political actors might be motivated by materialistic gain (Olson, 1965), or expression of identity and ideology (Hansen, 1985), though all parties ultimately must acquire public office to maximize their end goals (Epstein, 1980; Wray, 1981). Whereas those in public office might seek the position itself for influence in government (Mayhew, 1974; Fenno, 1978), or their party's control and good policy as framed by their ideologies (Mayhew, 1974; Aldrich, 1995; Rohde, 1991; Cox and McCubbins, 1993), it is a necessary condition to win public office through elections. Given position taking by parties and the need to organize different groups of voters unified by a collective brand, cohesive parties need to be able to coordinate the electorate with party in government. Failure to do so might result in situations where the party is not able to capitalize on favorable electoral conditions (Roberts, Smith and Treul, 2016) or minimize losses during unfavorable years (Rosenthal, 1995).

Relatedly, without a competitive electoral environment it is difficult to build up a cohesive party in government or organization. A competitive electoral environment acts to provide a sense of collective threat to unify the party (Lee, 2009; Cox and McCubbins, 2005; Smith, 2014). Without some perceived collective threat, there is little in the way to pressure parties

in government to adopt cohesive policy stances (Key, 1958, 1949; Strom, 1990; Riker, 1962), or act on policy goals (Barrilleaux, Holbrook and Langer, 2002). A party organization without a claim to being necessary to ensure party majority control might likewise seem as an unnecessary investment, as happened in the non-competitive Democratic Solid South (Key, 1949; Bibby and Holbrook, 1996). In turn, a party in government without some type of longterm voting coalition and shared identity will not be able to establish the party brand and institutions necessary to keep the party viable (Aldrich, 1995; Aldrich and Battista, 2002; Lee, 2009; Cox and McCubbins, 2005; Smith, 2007).

The tripartite structure is therefore highly interdependent and endogenous. To understand the strength of one component requires an understanding and analysis of the other two. Of the three components of the tripartite structure, however, party organizations have undergone some of the most debilitating changes and transformations from their inception and zenith. To not understand and measure the party organization, therefore, is to leave out both knowledge of organizations and how they relate to party in government and the electorate, all of which go onto shape electoral competition and accountability.

II Financing Party Organizations in the Modern Era

Modern day American state party organizations lack the type of resources and stature once enjoyed during their prime. State party organizations once mobilized and coordinated all campaigns within the state, chose their party's candidates, printed out ballots, controlled access to government jobs, and enjoyed far more authority than the national level party organization (Heard, 1960; Key, 1958). However, progressive era reforms in ballot access, primaries, civil service, and campaign finance effectively ended the sources of power and meaningful variation in state party organizational strength (Mayhew, 1986; La Raja, 2008; Cotter et al., 1989). Therefore, it is not possible to judge and measure the strength of state party organizations based upon their Gilded Age style predecessors.

State party organizations in the modern era primarily exist to service the party in government, and engage in candidate service and party building activities. State party organizations within their far more limited role now have the duty to train and recruit new talent into the party, register voters, conduct voter outreach in the form of door-to-door canvassing and direct mail, and identify upcoming campaign issues with polls (Bibby and Holbrook, 1996).

Cotter et al. (1989) performed the most in depth study of state party organizational strength from their nadir to regrowth during the 1980s. In their interviews with state party committee organizational leaders, his responses reveal three primary dimensions which party organizational strength relies upon: quality of services offered to candidates, recruitment of new candidates, and maintenance of its own bureaucracy. La Raja (2008) confirms these features of party strength hold up in the 2000s, and finds that state party organizations focus far more on these features of party maintenance than other activities, such as media ad buys (190–1).¹ For example, La Raja (2008) found Democratic party committees spent approximately 35 percent of all expenditures on grassroots mobilization in 2004, and Republicans approximately 36 percent (184).

As La Raja (2008) notes, large campaign funds and plentiful donations are not a sufficient condition for a strong party organization (188–9). However, a constant stream of revenue to state party organizations do amount to a necessary condition for state party strength given that there are no other avenues in the present day for parties to conduct party maintenance activities. Jewell and Morehouse (2001) note that as of the late 1990s, the

¹La Raja (2008) finds an upsurge of state party committee expenditures during the 2000 presidential election due to a loophole that effectively allowed state party committees to receive laundered national funds and purchase television and radio ads. This practice quickly ended following the passage of the Bipartisan Campaign Reform Act (BCRA) of 2002, which ended the practice (184).

single most important role of party organizations is to “[R]aise enough money to maintain the headquarters and to pay for the functions that state parties should be carrying out” (50). Therefore, state party organization committees strength can in large part be determined based upon the breadth of their donor base and total receipts.

ii Party Organization Structure and Role in the Party Network

Perhaps most crucially, the actions state party organizations take to maintain the party meaningfully differ from other political organizations within the party network. The presence of party organizations within states take three forms: the central state party committee, legislative party campaign committees (LPCCs), and affiliated temporary victory funds.² The state party committees focus primarily on active administration and voter mobilization efforts (La Raja, 2008; Cotter and Bibby, 1984; Cotter et al., 1989). Legislative Party Campaign Committees focus more on the recruitment of new candidates and maintaining legislative chamber majorities (Bibby and Holbrook, 1996; Rosenthal, 1995; Gierzynski and Jewell, 1992). Affiliated party victory committees in turn arise as part of national party pushes to aid in acquiring state legislative and Congressional majorities with late campaign ad buys and another venue for donors who reached the contribution limit for other candidates/organizations (Hernson, 2009; La Raja, 2008; Heberlig and Larson, 2012). Three

²The Federal Elections Committee (FEC) requires a state party committee meet three requirements: (1) Run “at least one candidate for federal office whose name appears on the ballot as a candidate of the committee; (2) must possess an official party structure; and the relationship between the political party and the committee must be based on an agreement that requires the committee to perform activities commensurate with the day-to-day operation of the party on a state level (such as raising contributions; assisting candidates’ fundraising efforts; conducting voter registration drives; holding state conventions; and nominating candidates for state and federal office).” See Federal Elections Committee: Types of political party committees. <https://www.fec.gov/help-candidates-and-committees/registering-political-party/types-political-party-committees/> (accessed April 15, 2019). As cited from, Federal Election Commission, § 100.14 State Committee, subordinate committee, district, or local committee (52 U.S.C. 30101(15))

features unite these organizations from others within the party network: direct control by party leaders, coordinated expenditures with higher expenditure limits, and efficiency of campaign targeting.

All party-associated committees, whether it take the form of the central party committee, an LPCC or temporary majority push, all are headed by the primary officeholders and their appointees within the state. Cotter et al. (1989) and Bibby and Holbrook (1996) consistently find that governors have direct input into the selection of party chairs, and other members are appointed with the permission of state house speakers and senate presidents.³ Gierzynski and Jewell (1992) and Rosenthal (1995) find that the legislative chamber leaders directly head their LPCC, though tend to leave day-to-day activities to a trusted appointee, such as their chief of staff. Affiliated victory funds vary more in staffing, though usually comprise those with connections and the trust of both state and national party leaders. For example, the Promote Oregon Leadership Republican committee formed in 2007 to bolster the Oregon Republican Party.⁴ The organization is still maintained and is currently headed directly by House Republican Leader Rep. Carl Wilson and Deputy House Republican Leader Rep. Greg Barreto.⁵ All of these committees bear responsibility for implementing the statewide strategy for party power within the state. Additionally, Federal Election law limits donations to both state and local political party committees to \$10,000 per donor.⁶ Therefore, it is

³Or the equivalent head of the state senate.

⁴Data on Promote Oregon Leadership acquired from Brandenburg (N.d.) and the organization's website, "Promote Oregon," <https://www.promoteoregon.gop/> (accessed April 11, 2019)

⁵Ibid.

⁶52 U.S.C. 30101(15)

the responsibility of the state party committee to decide which localities are worth funding and contesting, and which others should be abandoned. These strategic decisions necessitate the involvement of party leaders, which is why they have been and continue to be actively involved over the years.

Additionally, state party committees enjoy more expenditure options not available to other political actors. Election law permits state party committees to contribute only \$5,000 to a single candidate.⁷ However, state parties can engage in coordinated expenditures to finance crucial elections. State parties can spend money on behalf of a federal candidate conditional upon receiving express permission from the candidate (Kolodny and Dulio, 2003). For Congressional candidates, the limits are calculated based upon the number of representatives that a state has multiplied by the cost of living adjustment from 1976 (La Raja, 2008, 259).⁸ As Kolodny and Dulio (2003) note, party committees use these funds in order to aid in the payment for consultants and district level campaign efforts, canvassing and mail efforts, and district specific polls (738–40). Additionally, with coordinated expenditures the state and national parties can combine their funds to aid in the payment for staff related to redistricting (Daley, 2017; Chin, 2017; Bibby and Holbrook, 1996). While coordinated expenditures apply to federal candidates, it is possible to carry over some of the benefits to state specific offices, such as identifying campaign issues for state legislative districts nested within a Congressional district.

Further, state legislative elections party committees can act as means to distribute

⁷Ibid.

⁸See the Federal Elections Commission: Calculating the coordinated party expenditure limits, for up to date limits. <https://www.fec.gov/help-candidates-and-committees/making-disbursements-political-party/coordinated-party-expenditures/calculating-coordinated-party-expenditure-limits/> (accessed April 14, 2019)

funds to marginal legislative elections. Although direct contribution limits to candidates vary by state, in nearly every state the contribution limits for state party committees to candidates far exceeds that of individuals to candidates.⁹ For example, in Arizona the limit on individuals to legislative candidates is a mere \$410, though the limit for parties was \$8,352 as of 2010.¹⁰ Although the aforementioned amount for Arizona legislative races would not be sufficient to win the campaign, even in 2016 it would make a difference given that the average contributions received for the most competitive candidates amounted to \$77,390.¹¹ These increased contribution limits and ability to directly coordinate with candidates grant state party committees a unique role in political expenditures that is not true for Political Action Committees, even after the Supreme Court's *Citizen's United* ruling in 2010 (La Raja and Schaffner, 2015).¹²

Finally, party committees overwhelmingly spend their funds efficiently in order to secure legislative majorities. Other political actors, such as legislators and interest groups, also have an interest in securing their favored party into power. However, legislators have their

⁹See, Jennie Drage Bowser, "State Limits on Contributions to Candidates", *National Conference of State Legislatures*, updated January 20, 2010. http://www.ncsl.org/Portals/1/documents/legismgt/limits_candidates.pdf (accessed April 20, 2019)

¹⁰*Ibid.*

¹¹J.T. Stepleton, "Monetary Competitiveness in State Legislative Races, 2015 and 2016," November 1, 2017, <https://www.followthemoney.org/research/institute-reports/monetary-competitiveness-in-2015-and-2016-state-legislative-races> (accessed April 13, 2019).

¹²*Citizens United* did not directly impact the financing of party organizations. However, the 2010 ruling did increase the appeal and power of Super PACs by effectively eliminating expenditure limits leading up to election day as a violation of free speech. Therefore, *Citizens United* would exert a potential negative impact on party organizational revenue insofar as donors decide to switch their limited funds from party organizations to Super PACs.

own interests, such as reelection, influence within their chamber, and good policy (Mayhew, 1974; Fenno, 1973, 1978; Rohde, 1991) that might detract from always seeking to maximize their party's interests. Similarly, interest groups seek access and good policy, not necessarily one party's control. Further, in regards to influence it is always a dominant strategy for access seeking interest groups to donate to a specific individual, especially one that shares their ideology (Hernson, 2009; La Raja and Schaffner, 2015). Ideologically driven non-party committees in turn focus a disproportionate amount of donations on incumbents who face little electoral threat. For example, Hernson (2009) finds that whereas national party committees spent 94 percent of their funds on competitive Congressional seats during the 2006 midterms, allied PACs only spent 58 percent of their funds on competitive seats, and interest groups spent only 54 percent (1220). Although most research on the effectiveness of party committees is at the national level, Rosenthal (1995) and Gierzynski and Jewell (1992) find similar trends with state LPCCs. Additionally, La Raja and Schaffner (2015) find that from 1996 to 2010, party committees focused their expenditures on weaker incumbents and strong challengers, whereas issue groups and unions donated primarily to safe incumbents. Hernson (2009) notes that during the 2006 midterms 10 percent of interest group funds went to candidates facing no opposition (1220).

In the modern day, Hernson (2009) notes that the role of party committees can be conceptualized the center of a party viewed as a multilayered coalitions, modeled in the form of concentric circles (1209–10), as replicated in Figure 2.1. Following the multilayered network view of parties, the power of party organizations are dispersed across a multitude of political actors and elites that comprises a constellation of individuals and groups who aim to influence who makes it into government and adopted policies (Hernson, 2009; Skinner, 2007; Skinner, Masket and Dulio, 2012; La Raja and Schaffner, 2015; Cohen et al., 2008). However, as Hernson (2009) and La Raja and Schaffner (2015) effectively argue and demonstrate, there is still a hierarchy of pragmatism and efficiency within the party network. In regards to

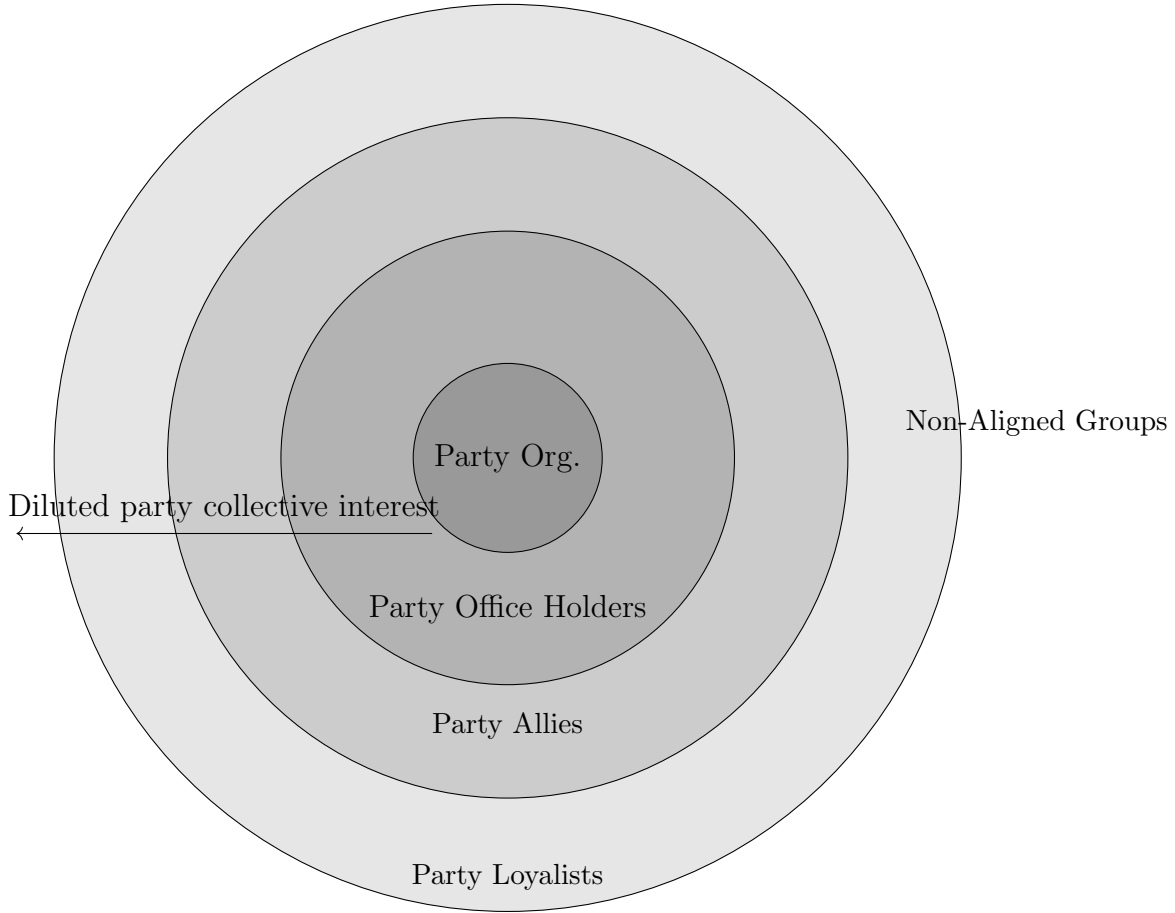
theories of party roles and goals, party organizations fall the most under the idea of functional parties, i.e. it is the goal of the party to win elections so as to acquire political office (Epstein, 1980). By organizing party affiliates into concentric circles, those nearer the core are more invested in the strength and maintenance of the party, whereas the periphery is moved more by non-party interests.¹³ Although party organizations are not necessarily antithetical to ideological goals, it is not the responsibility of the party committee to prioritize these. Rather, interest groups and non-party organizational committees might appreciate the function of party organizations, though are more inclined to pursue ideology as a part of responsible party governance (Wray, 1981; Ranney, 1975). Following Hernson's typology, beyond the core party committees are officeholders with their personal interest in greater influence and reelection, party allies outside of office who work with those in office, and finally regular party voters.

Following Figure 2.1, the innermost rings act more strategically in maintaining the party and securing majority status. The core actors are those who might have ideologies, but prioritize functionality over ideology in their attempt to aid candidates in tough elections. The periphery in turn will see actions taken to secure chamber allies and ideological agendas, which means increased expenditures on safe incumbents (Hernson, 2009; La Raja and Schaffner, 2015).

It is important to note that there might still be some interest groups and PACs who might act more in line with the interests of the party core. For example, Skinner, Masket and Dulio (2013) find a variety of 527 groups with strong personnel ties to party committee

¹³La Raja and Schaffner (2015) divides political elites within a party as pragmatists versus purists. Pragmatists place the wellbeing of the party and its hold on majority status above ideological concerns, whereas the reverse is true for party purists.

Figure 2.1: Model of Multilayered Political Parties



Core groups focus more on party maintenance expenditures and party collective good, whereas periphery groups expend more on personal/group interests independent of the party. The trend towards less party collective interests is represented with the left arrow. Model derived from Hernson (2009) (1210).

personnel, which therefore suggests greater coordination. As a result, it might be possible to model party strength based upon an advanced network model of shared personnel. However, such an endeavor faces two problems. First, is that an attempt to network party relations amongst all party affiliated personnel would be prohibitively expensive. Financial and data collection efforts largely limited the most in depth party network research by Masket (2009) to

California alone.¹⁴ Such a method would also be difficult to expand across time. Additionally, the idea that peripheral interest groups might be better agents of the party given that they share similar personnel implies that the party committee had the necessary funds in the first place to hire personnel, who might later go onto more lucrative work with various organized interests. Therefore, insofar as party organizational power is to be understood, it revolves around their funds that it can use to maintain its administration and strategically win marginal elections necessary for power in government.

III Determinants of Party Committee Investment

Party committees play a materialistic role in politics; it is their job to secure funds for the party and acquire power. It is not the job of party committees to advance a particular ideology within the party. Therefore, I argue any decision to invest in a party committee as opposed to some other candidate or organization will in large part be determined based on the relative return on investment. Following the hydraulic theory of campaign finances by La Raja and Schaffner (2015), I expand the theory to macro level motivations in the form of rational hydraulic framework. The campaign finance hydraulic framework posits the idea that money is fluid and will find its way to political interests, though can be manipulated by rules and regulations that affect the path of least resistance through the creation of obstacles. I posit that beyond campaign finance regulations, statewide institutions and features can shift the incline of pipes leading to different organizations so to speak given the collective interests of the electorate and party elites. Where the utility of party organizations can be primed and known amongst the collective donor class, more money in aggregate will shift to party organizations. Where competing non-functional party interests are primed by

¹⁴Few other states besides California have such high quality open access records necessary for research in line with Masket (2009).

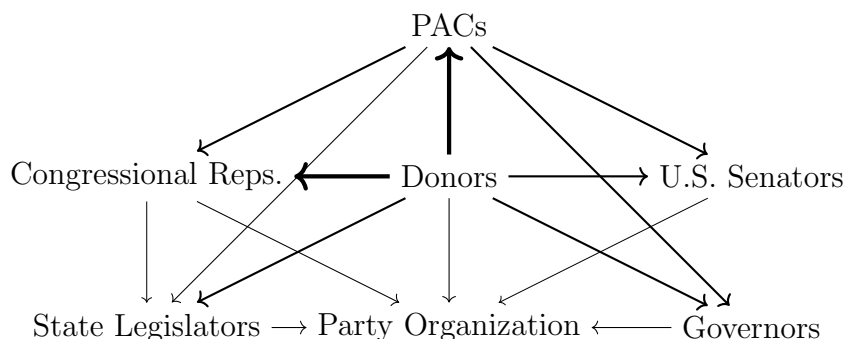
the political environment, funds will gravitate to non-organizational interests in aggregate. Therefore, where party organizational committees can offer themselves as necessary tools to secure majority control amidst a competitive electoral environment, then their revenue and in turn durability will increase. I further argue that the necessity of a party organization is largely judged based upon the fragility of legislative majority party control, which can be treated as the intersection of the party in government and the electorate.¹⁵

Figure 2.2 models the possible alternative organizations and individuals that political actors might fund within a state. Donors can fund a variety of officeholders for state or federal office, with most funds given to individuals over organizations (La Raja, 2008; La Raja and Schaffner, 2015). A donation to an individual officeholder by a donor establishes a personal connection with potential access (Kalla and Broockman, 2016; Jewell and Morehouse, 2001), a sense of ideological fulfillment (La Raja and Schaffner, 2015; Aldrich, 1983), and the opportunity to make a difference in a specific election (Downs, 1957). Donating to a state party committee in turn might be better targeted to competitive elections (Roberts, Smith and Treul, 2016; Gierzynski and Jewell, 1992), but is far less likely to grant access to a particular individual or fulfill some ideological need. Therefore, whether a party committee can survive largely depends on its ability to secure funds from not only donors, but other officeholders as well. In regards to motivations for officeholders, a party committee can make it more likely that a party acquires majority control, fulfilling one of the base motives for officeholders (Cox and McCubbins, 2005). However, there are still the concerns of reelection, influence within the chamber and good policy that might be maximized by officeholders through donations to other political actors or simply by holding onto the funds. Theoretically, candidates through

¹⁵This of course excludes Nebraska, with its non-partisan state legislative elections.

their campaign committees can give unlimited amounts to a party committee, as permitted through election law (Heberlig and Larson, 2012). State party committees additionally draw a large proportion of their funds through current officeholders (Heberlig and Larson, 2012; La Raja and Schaffner, 2015). Therefore, I argue party organizational strength rests upon their ability to make a legitimate case that they are a credible means to fulfill other political goals.

Figure 2.2: Model of State Funding Environment, by Donors and Recipients



Arrows reflect donations to different organizations within a state system. The national party organization is left out of the figure. Width of lines reflects the relative size of the donations based upon previous research (Heberlig and Larson, 2012; Hernson, 2009; Bibby and Holbrook, 1996; La Raja, 2008; La Raja and Schaffner, 2015; Masket, 2009). Note that state party organizations depend the most upon all other political actors, and their smaller relative number of donations, to survive. A party organization might be weak on funds due to (a) fewer political actors donating to them, (b) smaller donations from the other political actors, or (c) some combination of the two. When a party organization collapses, that is when the national party organization takes over whenever there is a national election, assuming that a state is worth contesting (Bibby and Holbrook, 1996)

iii State Competition for Majority Control

A party organization's primary duty is to secure majority control for their party. Insofar as they can make the case that they will make a difference in whether a member is part of the majority or minority will go a long way to making a difference in attaining funds. Whether a party organization can make the case that they can make a difference relies upon evidence that the state is marginal enough where a slight change in voter behavior would be enough to turn the majority. It is the lack of perceived potential competition in one-party states that led Democrats to permit their organizations to decay in the South pre-1994 and in Massachusetts in the 1990s (Bibby and Holbrook, 1996, 89–90). Additionally, state party

committees should be able to identify key districts and the number of individuals that they can realistically get out in order to acquire majority control. Especially when only several hundred to a few thousand voters need to be reached in order to acquire majority status, state party committees can argue that their large funds dedicated to effective door-to-door canvassing is a worthy investment (Ansolabehere and Snyder Jr., 2000; Gerber and Green, 1999).

As has been commonly debated in the field of party organizational strength and electoral competitiveness, there is a chicken and egg argument as to what comes first (Jewell and Morehouse, 2001). However, it is the case that the two are intertwined and that it would be difficult for a party organization to get off the ground after years out of government, such as in the American South (Jewell and Morehouse, 2001; Key, 1958, 1949). Given that parties do not have the resources of the Gilded Age where they could compete in up to half of all races (Carson, Engstrom and Roberts, 2006; Carson et al., 2007), party organizations must be selective in where they invest, and in turn use their credible investment strategy to attract donors (La Raja and Schaffner, 2015; Jewell and Morehouse, 2001). In the most competitive state, it would be a single voter in a single district that decides majority control of a legislative chamber. The most uncompetitive state would be one where a party would have to turn half of the state's voting population to take majority control, given that they are starting with zero supporters.

Marginality of governmental control is a macro-level concept related to the party in government and electorate. An individual race might be competitive yet not make a difference in a state where there is no chance of changing majority control. Additionally, it might be the case that most races are not competitive, yet the few races that are competitive decide majority control. As conceptualized in previous research, there is a focus on the proportion of Democratic control within the legislature and governorship, a pure macro level party in government measure (Ranney, 1971, 1976). In regards to the electoral environment,

some measures might analyze the statewide two-party vote (McGann et al., 2016), or the average margins and competitive seats within the legislature (Holbrook and Dunk, 1993). While statewide two-party vote is crucial in understanding the foundation political feeling and attitudes of states (Erikson, MacKuen and Stimson, 2002), and knowing the proportion of competed seats can aid in understanding legislator responsiveness (Harden, 2013; Ansolabehere, Brady and Fiorina, 1992; Mayhew, 1974; Bowen and Clark, 2014). However, ideally to capture the intersection of party in government and competition in the electorate would be a measure of how the individual races directly relate to control of government, akin to measures of seat responsiveness within the gerrymandering research and measures (Gelman and King, 1994a; Cain and Campagna, 1987; McGann et al., 2016), except as framed to the motivations of party organizations. Marginality would therefore be a measure of fragility of party control in government given the electorate and district map design, and therefore appeal to the practical sense of a party organization.

One can see the idea of marginality in playing a crucial role in party organizational advertising strategies in the modern day. As recounted by Daley (2017), the Republican State Leadership Committee in combination with state party committees secured a wide variety of funders upon identifying the specific neighborhoods that they would need to turn in order to secure legislative majorities. I expect these competitive margins to increase the appeal of state party organizations and therefore increase their acquired funds. I therefore predict,

Hypothesis 1: The closer the electoral margins separating the majority party from the minority, the greater the funds that state party committees shall receive.

iii Benefits of Access to Party Leadership

Party committees work to benefit the party and are therefore overseen by the party leadership in government. Although leadership PACs act as one means to secure the attention of party leadership, so too do the state party committees and LPCCs. Heberlig and Larson (2012) find that donations to leadership affiliated committees are crucial for members of

Congress to attain leadership positions themselves. Similarly, businesses interested in securing their issues on the party agenda must donate to the party in power, especially following the launch of Tom Delay’s K-Street strategy, which forced access oriented organized interests to donate exclusively to the majority party (Heberlig and Larson, 2012, 50). While it might be expected that state party committees with majority control would imitate DeLay’s strategy, not all state officeholders have the power to do so. American states greatly vary in the power vested to chamber leaders and governors. In states like West Virginia and Illinois, the state speaker of the house wields more power in committee assignment and floor agenda than even the Speaker of the U.S. House of Representatives (Mooney, 2013, 2012). However, in states like North Dakota the speaker barely has the power to set the calendar. Similarly, some governors can effectively replace the legislature in control of the budget, such as Wisconsin, whereas others do not even wield veto power (Krupnikov and Shipan, 2012; Beyle, 2008). I therefore expect the appeal of accessing party leaders to be conditional upon their power, leading to

Hypothesis 2: State party committees with control of branches with higher levels of institutional power will secure greater funding.

Insofar as a sufficient number of people and organized interests pursue material goals in politics, money will accumulate in party organizations.

iii Ideology at the Expense of Pragmatism

The previous two hypotheses posit that given a sufficient number of potential donors interested in attaining influence and party control, donations will accumulate into party organizations. However, donors who place ideology above pragmatic material interests may not find party committees appealing. As La Raja and Schaffner (2015) find, state party committees spend most of their funds on competitive races where incumbents tend to be far more moderate. It is for this reason that La Raja and Schaffner (2015) find that ideological donors prefer giving directly to candidates proximate in ideology (Bonica, 2013, 2014). Even

though an ideologically stringent donor likely will not make a difference in the candidate's election, they will fulfill a sense of ideological loyalty and possibly provide the funds necessary for their preferred candidate to attain greater influence within the chamber. La Raja and Schaffner (2015) finds general trends demonstrating closer ideological proximity between legislators in states with laws greatly limiting party organizational funding. However, it should also be the case that less polarized legislatures decrease the appeal for a donor to donate based upon ideology. Rather, a politically active individual would either not donate at all or give to the party organization. Similarly, legislators and other officeholders would have less interest in expending resources to secure their ideological faction in the legislature, but to the party organization in a less polarized setting. I therefore predict,

Hypothesis 3: Increased polarization within the state legislature will lead to decreased funds for state party committees.

Should these hypotheses receive support, then it would suggest that the nature of the political environment and how it appeals to different types of donors exerts an effect on the strength of party organizations, which in turn feeds back into the political environment.

IV Data and Methods

I empirically test the wealth and durability of state party organizations with data on all funds donated to state party committees from 1996 to 2016. I secured these data from the National Institute on Money in State Politics (NIMSP) (Brandenburg, N.d.), which identified FEC certified state party committee organizations, and cleaned the FEC data on donations to state party committees. The contribution records includes 1,894,859 entries from 930,531 unique contributors to 312 unique party committees. Without the NIMSP efforts to catalog, clean, and make these records available for academic purposes, this research would not be possible.

There are three primary analytical goals. First, I seek to determine which states have

more financially stable party committees.¹⁶ The second goal is to create a new measure of fragility/marginality of party control of the legislature as determined by the electoral environment within a state that more closely maps onto the strategic decision making of party organizations. The third goal is to determine whether the pursuit of individual rationally pursued interests given the campaign financial environment aggregated up to influence state party committee strength.

iv Measuring State Party Organizational Committee Strength

I posit that there are three straightforward dimensions that must be analyzed in order to measure state party committee strength. First would be the total receipts received. The second would be the breadth of the donor base, and third, the population of a state. The importance of party committee funding levels is self explanatory, though the breadth of donors is crucial in determining the long term sustainability and independence of a party organizations. A party organization overly reliant upon single donors is vulnerable to shocks, such as a withdrawal of donations through dissatisfaction with the party organizational performance, or death of donors. The importance of a sustainable donor base can be seen through state party committee takeovers during the 1980s and 1990s. During these decades, party committees reported spikes in donations, though these came from the national party, which went on to completely seize control of poorly funded state party committees (Bibby and Holbrook, 1996). Additionally, a state party committee completely backed by a few individuals would be less of a mass party and more of an oligarchic front. Banfield and

¹⁶Given the looser structure of party committees in the modern day, I group party committees by affiliation in a single party and state for a two-year period. For example, if Oregon has the Oregon State Republican Committee, Senate Republican Campaign Committee, and Promote Oregon Leadership, their funds would all be grouped together. While some nuance might be lost, these party committees all share the same position within the party network model, share resources, leadership, and institutional power.

Wilson (1963) note that the difference between a well oiled party machine and a puppet party is the extent to which a party is financed not by one person, but rather through the city at large.¹⁷ I therefore weight aggregated donations to a state's party with the Herfindahl index to capture the broadness of the donor base. I employ the Herfindahl index by summing squared proportion of a donation to the state's party committee for a given year. Values that approach zero reflect great diversity in the number and size of donations, whereas scores of one reflect complete homogeneity. For the purposes of weighting, I subtract the Herfindahl index from one in order to create a reverse weight. I then multiply the logged donations to a party's committee within a state for a given year. Finally, the weighted logged donations to party committees are aggregated to two year periods and divided by the logged state's population. I incorporate population estimates from the U.S. Census Bureau.¹⁸ This results in 1,084 observations for 49 states from 1996 to 2016.¹⁹ However, in order to match the party committee donation estimates to the rest of the independent variables during the analysis, the data are reduced to 522 observations from 2002 to 2010.

Upon establishing the funds per year for a given state party committee, I then employ an OLS regression with panel corrected standard errors by random effects on state-parties on donations to state party committees from 2002 to 2010. I regress weighted logged donations on independent variables related to the aforementioned hypotheses. The resulting analysis

¹⁷Banfield and Wilson (1963) wrote about city politics, though the same general rule applies to states. They specifically wrote to clarify cities that appeared to have strong party machines, but were in actuality more or less the personal property of single individuals, such as Chicago with the Daley family.

¹⁸State Population Estimates, 1990–1999; 2000–2010; 2011–2018. United States Census Bureau. <https://www.census.gov/data/tables/time-series/demo/popest/2010s-state-total.html> (accessed January 15, 2018)

¹⁹The NIMSP did not have any data on West Virginia, the sole missing state within the time frame.

will reveal the change in weighted donations to parties, controlling for time.

I employ a new measure of party competition in order to test the competitiveness of state legislative chambers. The new measure employed is called the marginal majority measurement (MMM), which measures the percentage of the vote that would be necessary to change control of the legislative majority by chamber by targeting the most marginal seats. I calculate these data by first determining the number of seats that separate party control for the upper and lower houses using the State Partisan Balance data established by Klarner (2013). I then find the most marginal seats up to the difference in majority control and calculate the vote difference between the winning and losing candidates using the state legislative elections returns data by Klarner (2018). I then divide the marginal voters by the voting population of a state, and then average the marginal percent across chambers. The end result is a score reflecting the percentage of the state's voting population that would need to change their votes in order to change majority control.

The MMM improves upon and captures the intersection of two standard measures of party control and competitiveness in state politics, the Ranney Index and Holbrook-Van Dunk (HVD) index. The Ranney index is an average of the proportion of Democrats in the state legislature, vote share for the Democratic governor, and percentage of the time that a Democrat controls both the governor's office and state legislature (Ranney, 1971, 1976). The Ranney Index therefore is a macro level score of Democratic control of government, and can be folded to create a measure of balance in state government. However, as Holbrook and Dunk (1993) and King (1988) note, the measure swings to widely due to the gubernatorial component.²⁰ Additionally, for scholars interested in the party's strength among the electorate,

²⁰As Jewell and Morehouse (2001) note in their coverage of developing political parties, the personal component of a gubernatorial candidate can often be enough to overcome party labels and cause voters to switch sides.

gerrymandering through redistricting can bias results (Gelman and King, 1994*b*; Cox and Katz, 1999; McGann et al., 2016). The HVD index is a better measure of electoral competition, as it averages the win percentage, winning margin, percent of uncontested seats, and percentage of safe seats within a state's legislative chambers (Holbrook and Dunk, 1993; Shufeldt and Flavin, 2012). While HVD is a strong measure of aggregated micro level district competition, it is not an ideal measure of macro chamber competition. While it is worth knowing the level of electoral threat that the population of legislators face in aggregate, state parties do not seek to win every seat. Rather, they seek to win majorities (Riker, 1962). A strategic state party would seek to win the legislative districts with the least amount of opposition that would acquire or maintain majority control.²¹ As has been noted by Barrilleaux, Holbrook and Langer (2002), the best measure of legislative competition would both capture party control of the legislature and marginality of district level elections (418). Such a measure would capture the macro motivations of parties to acquire votes and governmental office (Strom, 1990), creating what amounts to a single variable of the party in the electorate and party in government. Following the idea that chamber majorities are the key point of interest, that district level marginality affects legislative majorities, and that party organizations seek to win/maintain legislative majorities in the least costly manner as possible, then the MMM offers a macro level measure within the context of this study that appeals to the established motives of party organizations. As a validation check, I employ exploratory and confirmatory

²¹Following a non-party and ideological model of legislative action, such as proposed by Krehbiel (1993), then one might expect a party to win as many seats as possible in order to change the chamber median. However, if parties at all matter and some of the base conditions of party cartel theory met (i.e. power over procedural voting, chairmanships, etc.) (Cox and McCubbins, 2005), then the majority party median would control policy output, making additional seats beyond what's minimally necessary pointless. Strong evidence by Anzia and Jackman (2012), Aldrich and Battista (2002) and Mooney (2012) strongly support the importance of parties in procedural matters across the states.

factor analysis to compare the three measures of MMM, the Ranney index, and HVD index in the appendix, with the data acquired from the State Partisan Balance Dataset (Klarner, 2013). The initial results in Appendix Table ??cfa suggests that the MMM performs as expected.

I measure the legislative control of the governor's office and legislature with Klarner's State Partisan Balance data (Klarner, 2013). I code legislative control for a given party as one if they control both chambers, and zero otherwise. I code gubernatorial control in the same manner. I account for state legislative leader power using the state speaker formal power index as established by Mooney (2013). The index accounts for whether the state speaker can appoint committee chairs, legislators to committees, the percentage of other leaders appointed, whether the speaker has bill referral power, and control of professional staff for standing committees. A score of 0 reflects the weakest formal powers for a speaker, whereas 5 represents the most formally powerful speakers. No similar index exists for state senate presidential power. The state speaker power index effectively captures the ability for state legislative leaders to reward loyal legislators who donate to their party. Gubernatorial power is measured using the Gubernatorial Budgetary Power Index (BPI) for budgets as established by Krupnikov and Shipan (2012). The index accounts for whether the governor has the power to prepare the budget, spend federal grant money at their discretion, line item veto budgets, reorganize budgeting departments without the approval of the state legislature, and reduce the budget at their discretion in times of emergency. The BPI effectively captures the ability for governor's to control the budget in a way that would appeal for access oriented interest groups. I interact both of these measures with whether a party committee controls the branch of interest.

I finally measure polarization using the Shor and McCarty (2011) chamber ideological distance scores. Polarization scores are averaged for each state for a given year. Higher scores reflect greater polarization. The greater the score, the more meaningful the difference

between the parties, and the more polarized the state legislature.

iv Controls

I control for several potential confounding variables that relate to state party committee funds. I first control for the proportion of state senate and state house seats up for election for a given year, as drawn from the state partisan balance data. I next control for the legislative professionalism of a state from the legislative professionalism dataset provided by Bowen and Greene (2014), where higher scores reflect greater professionalism. Past studies suggest that professionalism should be associated with greater funds for state party committees (La Raja and Schaffner, 2015).

Further, it has been documented that Republicans tend to have a superior presence and organizational set up in maintaining their party organizations (La Raja, 2008; Bibby and Holbrook, 1996) Therefore, I add in a dummy variable for whether a party committee is Republican or not. I further control for the logged GDP and GDP percent change. These variables should have a positive relationship with donations to party committees. I acquire state level GDP and percentage change from the Bureau of Economic Analysis.²²

Given previous research by Jacobson (1989, 1986), it is also the case that there might be nationalized effects on state party committees as related to the president. Party committees as the same party of the president might enjoy higher revenues when the president is popular. I therefore include the presidential job approval as measured by Gallup Polling from the first November poll of a given year, as archived by the American Presidency Project by Woolley and Peters (2019). I interact the presidential approval with whether the party committee is of the same party as the president. I additionally interact percentage change in GDP

²²*Gross Domestic Product by State, Advance 2015 and Revised 1997-2014* (2015)

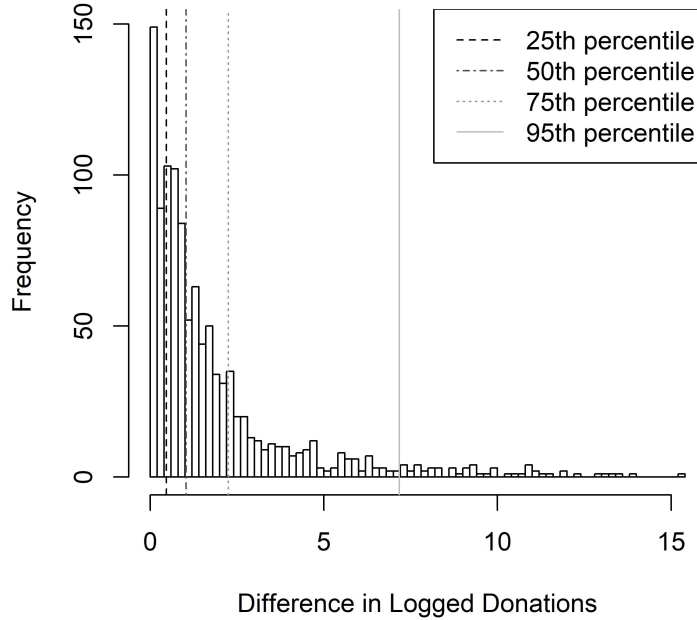
with whether a party is of the same party as the president. These variables should capture potential coattail effects in fundraising for party committees. I finally include controls related to whether the time period is before or after the BCRA, or during a presidential election year. These final controls should capture potential election type effects that might depress or inflate party committee revenues for a given year.

V Results

The first question to answer is what is the variance in party organizational strength over time, and which states tend to have the strongest parties? Relatedly, a question that should be answered before looking at geographical trends is whether there is a meaningful difference between donations to party committees versus unweighted donations. The motivation to answer whether a difference arises is in order to determine if there is variance across breadth of donor bases across the states, which should in turn influence the independence and sustainability of party organizations. The results suggest that there are meaningful differences between the weighted and unweighted measures.

Figure 2.3 displays the difference between the weighted and unweighted donations to party committees. The Figure displays a histogram in the difference between unweighted logged donations to party committees and weighted donations, without the normalization of state population. We see that while in a little over 10 percent of the data there is no difference between the weighted and unweighted donations, the two measures start to diverge. Given that the results are in logged dollars, the resulting differences tend to be inconsequential, though there are a number of state-years with substantive differences. Some of these states include Wisconsin Democrats from 2000–2001, Arkansas Republicans from 2000–2001, and Mississippi Republicans from 2006–2007, all of whom received most of their donations from relatively few donors. These states with large differences between unweighted and weighted donations are those where state party organizations have the capacity to spend on elections

Figure 2.3: Distribution of Differences in Donations to Party Committees



A histogram of the difference in unweighted and weighted donations to party committees within a state for a given year. The weight is the reverse Herfindahl index, where a wider donor base are weighted closer to one, and party committees reliant upon fewer donors closer to zero. The results are not normalized by state population, and therefore reflect the total logged revenues to party committees.

and party building activities, though are highly dependent, and therefore fragile, to the whims of these fewer donors. Although these results are not pursued further within this chapter, these results suggest that tracking party committee spending decisions and goals within these states dependent upon few donors might be of future research interest.

Figure 2.4 maps out the average difference in weighted logged donations between Democratic and Republican party committees from 2002 to 2010. States in blue have a greater Democratic party committee fundraising advantage, and red states are those with a Republican party committee advantage. We see that Democratic state party committees have the greatest advantages over the 2000s in Massachusetts, Maryland, New Jersey, Minnesota, North Carolina, New Hampshire, Arkansas, and Arizona. Republicans in turn have the

greatest advantage in Texas, Utah, Wyoming, and South Dakota. Note that these data reflect advantages in party committee strength, not necessarily strongest party structures overall. Regardless, we do see some geographic trends. Democratic party committees tend to do better on the East and West coasts, and Republicans in the South and Midwest.

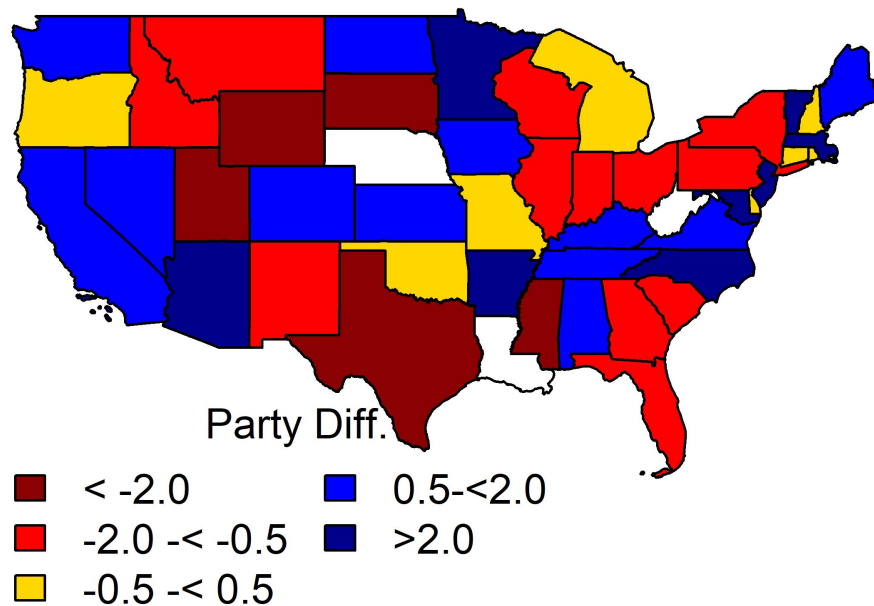
However, some states warrant a closer analysis. North Carolina in particular is an interesting state given that following the 2010 redistricting cycle, Republicans dominated the state. Figure 2.5 plots the weighted versus unweighted party committee receipts per capita during the 2000s, with two observations per year. It is apparent that more often than not, Democratic party committee unweighted donations tracked closely to weighted donations, with the exception of 2002 and 2007. However, the difference between weighted and unweighted donations to Republican state party committees substantively diverge. With the exception of 2005 to 2006 and 2010, Republicans tended to get most of their funds from relatively few donors.²³ Therefore, while the North Carolina Republican Party committees generally had the same level of donations per capita as Democrats, they tended to be beholden to a few select donors. These results suggest that one needs to consider what they seek to measure when analyzing state party committees. A party committee might have the necessary funds to compete for a variety of state offices, though lack a degree of independence necessary to maintain stand up to particular donors.

v Marginal Majorities

Figure 3.2a demonstrates the distribution of the percentage of the vote necessary to change majority control of both legislative chambers, the marginal majority measurement. The distribution ranges from a minimum of 0.15 percent, in New York state in 2004, to a

²³These donors include John Art Pope and the Republican National Committee. Specific individual donations made possible by the well documented data provided by (Brandenburg, N.d.).

Figure 2.4: Map of Difference in Weighted Donations by Party, 2002–2010

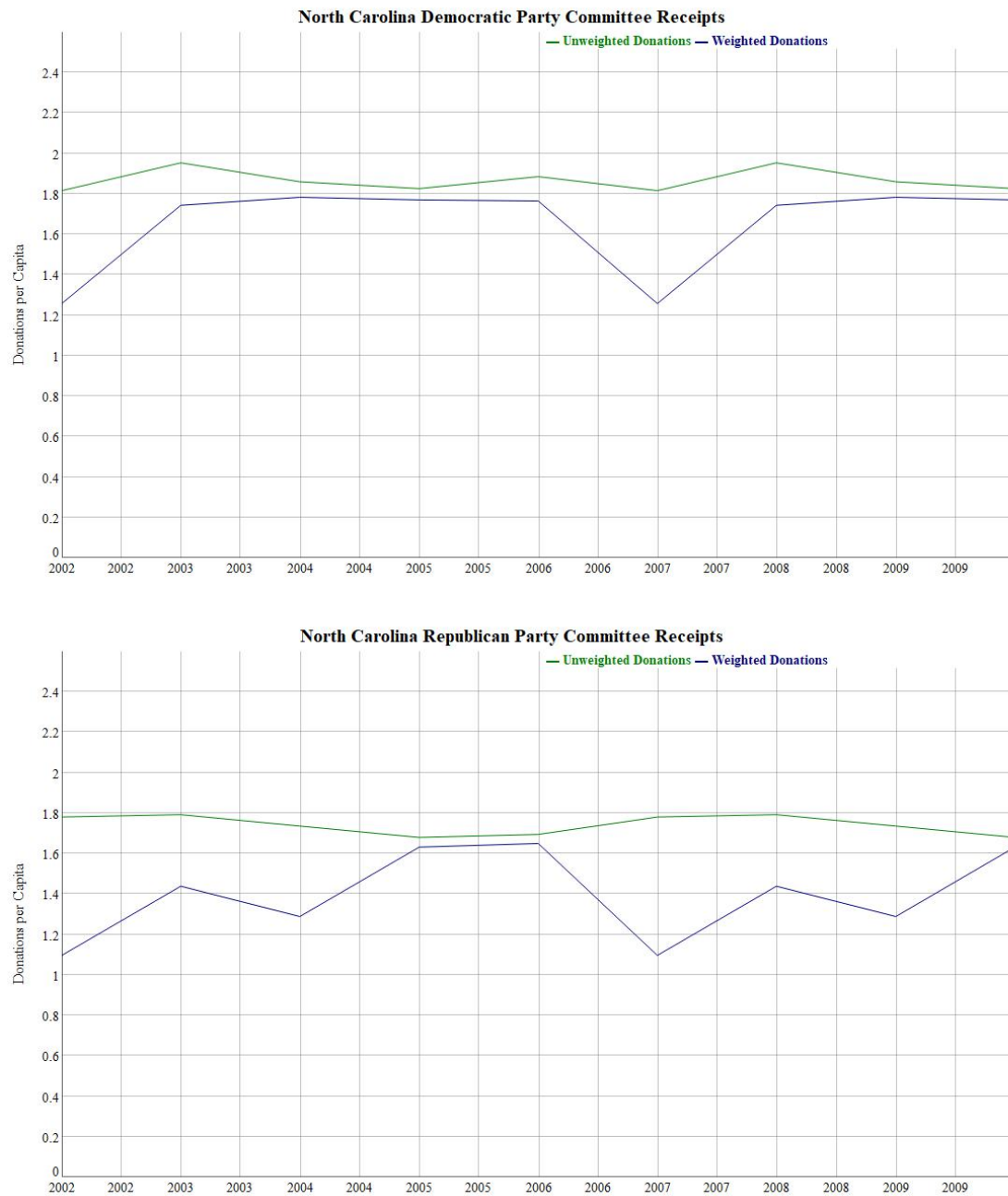


The average difference between weighted logged donations between Democratic and Republican party committees. Higher values reflect a greater advantage to Democratic party committees, and negative values a Republican advantage. States in white have missing data.

maximum of 53.9 percent in Hawaii during 2008. The results reveal varying degrees to which state legislative chambers teetered between parties.

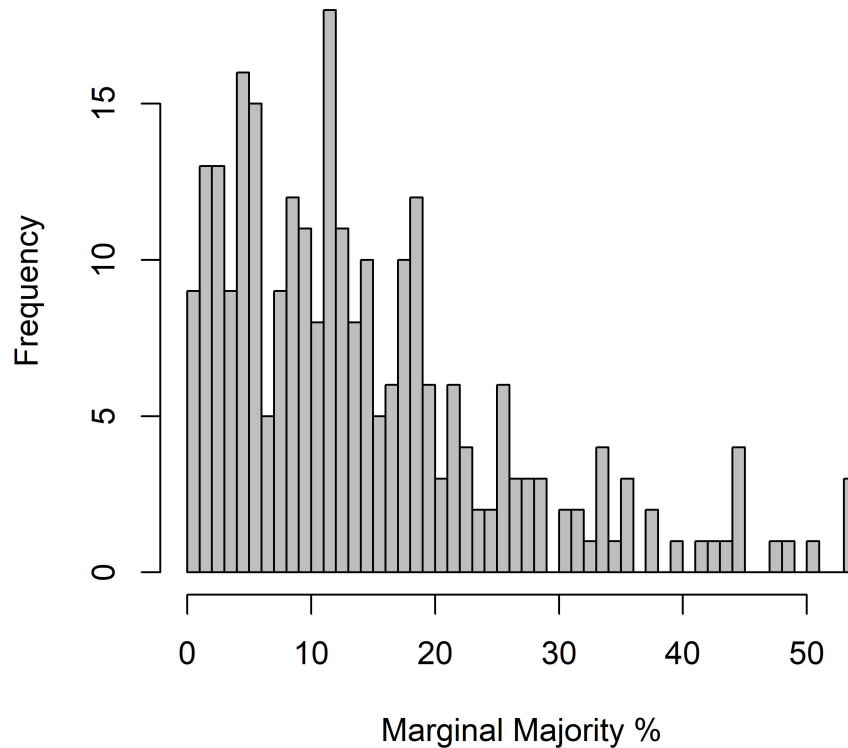
Figure 2.7 presents the average marginal majority scores by state average from 2002

Figure 2.5: North Carolina State Party Committee Receipts per Capita, 2002–2010



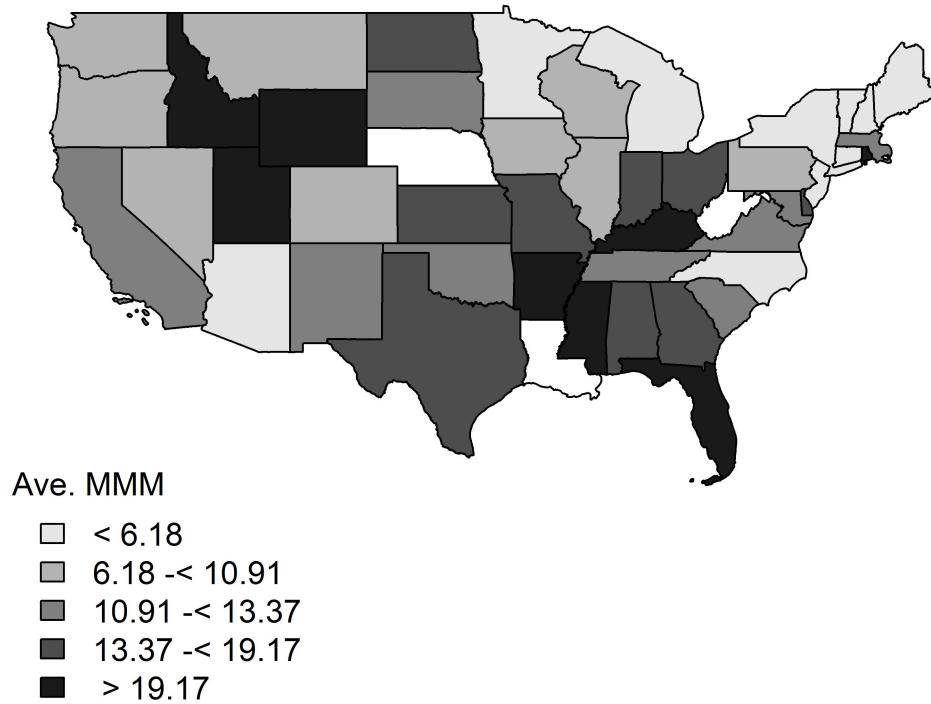
The figure plots the donations to party committees per capita within North Carolina from 2002 to 2010, with points plotted biennially. The top figure reflects Democratic committees, and the bottom Republican committees. Greater gaps between weighted and unweighted donations reflect years in which donations to party committees arise from fewer individuals that donate disproportionately more relative to the rest of the donors within a given year.

Figure 2.6: Distribution of the Marginal Majority Measurement (MMM), 2002–2010



to 2010. The map presents the MMM by quintiles. It is apparent that the legislative chambers with the most solid legislative majorities during the 2000s were Idaho, Wyoming, Utah, Arkansas, Mississippi, Florida, Kentucky, and Rhode Island. Among the most fragile legislative majorities during the 2000s were Northeastern states, such as New York and Connecticut, and Midwestern states such as Minnesota and Michigan. It appears that regionally that the Northeast contains the most competitive legislative chambers, and the south the and mountain West the least competitive. These results suggest that it would be an uphill battle for a state party committee or any other organization to successfully challenge and win control of the state legislature.

Figure 2.7: Distribution of the Marginal Majority Measurement (MMM), 2002–2010



State marginal majorities presented by quintiles. Lighter grays reflect closer marginal majorities and therefore more fragile legislative majorities. States in white, Nebraska, Louisiana, and West Virginia, reflect missing data.

Appendix table A.1 in turn suggests that MMM when included as part of a confirmatory factor analysis contributes a greater portion of the latent dimension of competitiveness within the legislature as compared to either the HVD or Ranney indices. Therefore, it appears that the MMM can be of use in analyzing the fragility of state legislative chamber control and

overall party competition within state politics.²⁴

v Analysis of Determinants of Donations to Party Committee

To analyze the determinants of party committee strength as measured by weighted donations per capita, an OLS regression with panel corrected standard errors is employed. Table A.2 reports the summary statistics for the covariates of interest, and overall reveals sufficient variance in the independent variables. Table 2.1 reports results of the weighted donations per capita to state party committees model. The adjusted R^2 demonstrates that the model explains approximately 18 percent of the variance.

²⁴As Bowen and Greene (2014) write in their reconsideration of measures of legislative professionalism, the best measure is one that more directly tracks onto the theoretical mechanism of interest. Similarly, if one seeks to research micro-level competition of legislative districts, one might instead look to the HVD index. Further, if one seeks a pure measure of Democratic control of party in state government, then the Ranney index would be superior to the HVD index or MMM. For the purpose of this research, however, the marginality of legislatures and impact on party organizations is of interest.

Table 2.1: OLS Regression on Weighted Donations to Party Committees

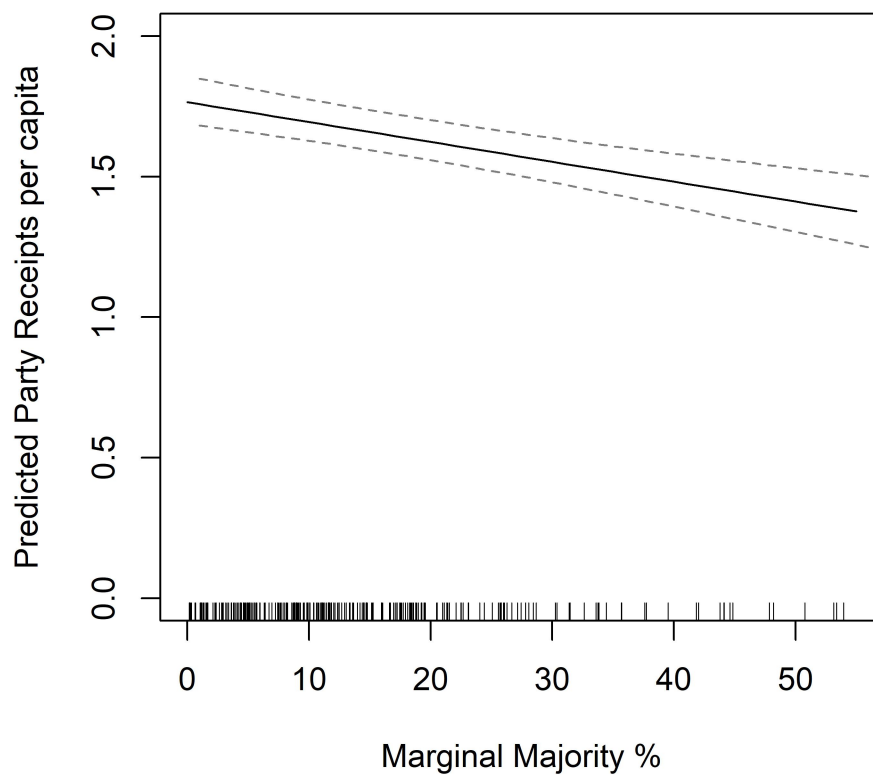
| Dependent variable: Weighted party committee revenue biennially | |
|---|----------------------|
| Marginal-Majority | -0.007*** (0.001) |
| Leg. Unified Control | 0.111 (0.099) |
| Governor Control | -0.006 (0.087) |
| Speaker Power | 0.006 (0.022) |
| Governor Power (BPI) | -0.018 (0.019) |
| Leg. Control X Speaker Power | -0.024 (0.034) |
| Gov Control X BPI | 0.009 (0.024) |
| Polarization | -0.180** (0.080) |
| Leg. Seats Up | -0.061 (0.077) |
| Leg. Professionalism | 0.039* (0.020) |
| Republican | -0.013 (0.038) |
| Log GDP | 0.114*** (0.020) |
| GDP % Chg | -0.000 (0.000) |
| Same Party as POTUS | 0.002 (0.073) |
| POTUS Approval | 0.001 (0.001) |
| POTUS Party X GDP chg. | 0.001 (0.006) |
| POTUS Party X Approval | -0.000 (0.001) |
| POTUS Elec. Year | -0.058*** (0.019) |
| Pre-BCRA | -0.166*** (0.037) |
| Constant | 0.553** (0.253) |
| Observations | 522 |
| R ² | 0.210 |
| Adjusted R ² | 0.180 |
| Note: * p<0.1; ** p<0.05; *** p<0.01, two-tailed | |

Coefficients on top, and standard errors in parentheses beneath. Errors estimated with panel corrected standard errors, with random effects by state-party, and fixed effects for party.

In regards to the primary independent variables of interest, competition within the state legislature as measured with the MMM reaches statistical significance ($p<0.01$). The results suggest that a one percentage point increase in the necessary votes to turn majority control of the state legislature is associated with a 0.007 decrease in dollars per capita to party committees. In order to visualize the impact of marginal legislative majorities, Figure 2.8 demonstrates the estimated total per capita dollars to party committees, all else equal, as MMM varies from its minimal to maximum values. We see that in the most marginal legislative chambers, where relatively few votes might change majority control, the predicted

dollars to party committees per capita is at approximately 1.76. In the most stable legislative chambers, the donations per capita drop by approximately 0.38 per capita dollars. Moving from the 25th to 75th percentiles would be associated with a reduction in approximately 0.10 dollars per capita, or about one-third the size of the standard deviation in party committee per capita funds. Therefore, it appears that while the total impact of MMM does not predict most of the variation in party committee receipts, the estimated effect can make a difference. Overall, there is support for hypothesis one.

Figure 2.8: Predicted Impact of Marginal Majorities on Party Donations per capita



95 percent confidence intervals between the dashed gray lines.

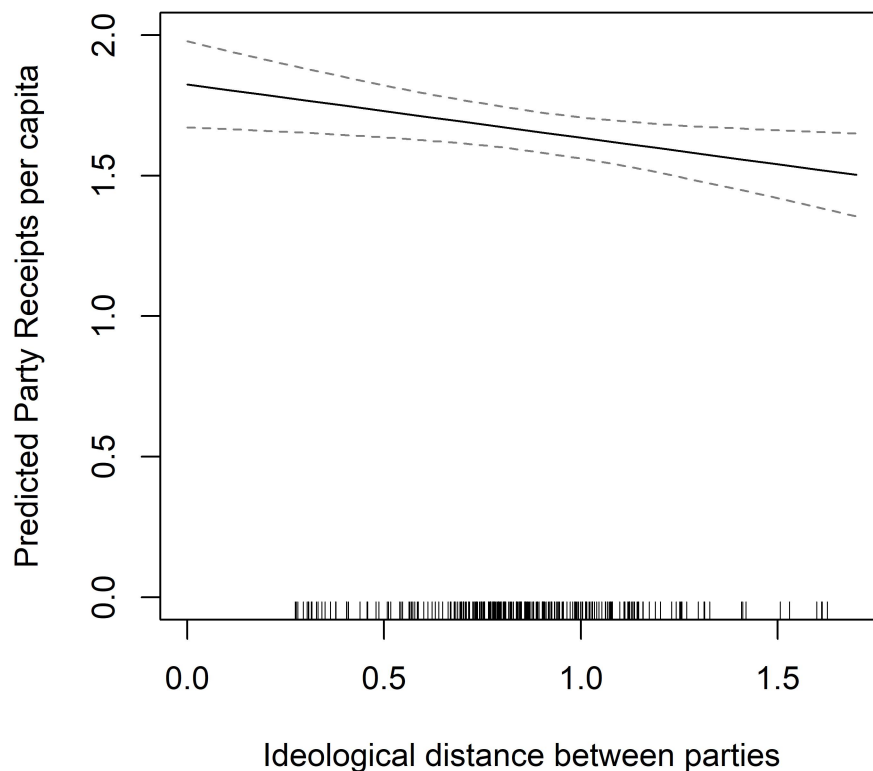
Hypothesis two is not supported by the results. The effects for leader power, as measured

by formal state speaker and gubernatorial budget power, are indistinguishable from zero. Additionally, the components of the interacted effects are inconsistent. Therefore, it appears that a party committee who controls either the legislature or governorship and enjoys strong formal powers do not see increased donations to party committees. These results suggest that in aggregate, the appeal to donate and access powerful party leaders in government, all else equal, do not lead to increased donations. These results might be due to one of two factors. First, as Mooney (2013) notes, speaker power tends to be fairly stable across time, although changes do occur. It might be that there is not sufficient variance within speaker power, and the same for gubernatorial power. Additionally, it might be due to the fact that governors and state speakers are more than just their formal powers. Informal power, in part arising from the characteristics of the person who holds the position, affects the perceived power. For the purpose of this study, these results, or lack thereof, shall be left to future research.

Finally, we see fairly strong support for hypothesis three, in that increased ideological distance between legislative parties significantly ($p < 0.05$) reduces donations to party committees. Figure 2.9 plots the predicted effect of ideological distance between parties on donations to party committees. The results suggest that moving from minimal polarization to maximum polarization would be associated with a reduction in 0.32 dollars per capita to party committees. Moving across the inter-quartile range of ideological distance, one would expect a reduction in approximately 0.06 dollars per capita to party committees, or approximately 19 percent of the size of the standard deviation in party committee funds. Therefore, these results suggest support for hypothesis three in that increased ideological distance between parties is associated with decreased donations to party committees.

As for the controls, logged GDP and legislative professionalism are associated with increased per capital dollars to party committees. Therefore, wealthier states are associated with better funded party committees, along with states where the primary job of a legislator is to be a legislator. Pre-BCRA years and presidential election years are in turn reach statistical

Figure 2.9: Predicted Impact of Legislative Polarization on Party Donations



95 percent confidence intervals between the dashed gray lines.

significance in a negative effect on per capita dollars to party committees.

VI Discussion and Conclusions

These results in aggregate suggest several important conclusions going forward in analyses of state party organizational committee strength. First, although party organizations no longer have the means to offer offices and similar incentives to maintain party control, donations to party committees provide variance across time and space in analyzing party organizational strength. Further, one must be careful in considering who funds the party organization. As occurred with party machines following the progressive era, a well funded

party might look strong but in reality be beholden to relatively few donors and interests. The field of state politics already documents several high profile cases where party committees dependent upon the national committee lost most of their autonomy in running their own operations (Bibby and Holbrook, 1996). We additionally know within American localities that it is more than possible for local party organizations to be captured by a single wealthy individual (Banfield and Wilson, 1963). Though left to future research, the differences in behavior between party committees beholden to relatively few interests versus many might be worth pursuing in future research. Both in regards to governance and selection of candidates for elected office, we might see differences in behavior in a manner that can be quantified as an explanatory variable. For example, the weighted donation measure penalized Minnesota Republicans for overly relying on wealthy donor Robert Cummins, who provided over seven percent of the Minnesota Republican campaign committee funds. His withdrawal of funds over disagreements with the GOP leadership for not pursuing right-to-work laws substantially decreased the strength of the Minnesota Republicans looking purely at logged dollars, though not overly much with the weighted measure.²⁵ Therefore, analyzing how dependent a party is on a few individuals would grant future research a better grasp as to the sustainability and independence of a party. A party with a broad donor base will be less susceptible to a single individual dictating the operations of the party organizational operation. Future research might further analyze how closely party organizations adhere to the ideologies and preferences of donors that they are dependent upon.

²⁵A special thanks to La Raja and Schaffner (2015) for this example. Though they did not identify Robert Cummins in their work explicitly, it was fairly straightforward to identify the drop in donations using the data from NIMSP. For more details, see, Catharine Richert and Tom Scheck, "Stealth donor gives millions to GOP candidates, causes," *Minnesota Public Radio News*, February 1, 2012, <https://www.mprnews.org/story/2012/02/01/robert-cummins-profile> (accessed May 6, 2019)

Additionally, the results presented suggests the marginal majority measurement (MMM) as a useful means to capture the intersection of party in government and macro level competition in the electorate. The measure builds upon the idea that there is overlap in concepts between the desire for a party to maximize votes and power in government, while minimizing expenditures. Further, confirmatory factor analysis suggests that insofar as the MMM, Ranney index, and HVD index measure the same latent dimension, MMM explains the most. Though the MMM does not capture every micro component that leads to a competitive political environment, it is a useful for two reasons. First, it simplifies the connection between party in the electorate and party in government. Though it does not capture every governmental office like the Ranney index, it does focus in on the data with the least noise. That said, it would not be difficult to implement MMM into the Ranney index, switching in the MMM in place of the proportion of seats held by Democrats in the state legislature. Second, MMM is a measure that more or less is directly used by those operating within the applied political world. As Daley (2017) recounts, the GOP literally advertised marginal majorities as a means to acquire more donations in order to fuel their plans to acquire state legislative and Congressional majorities. Therefore, MMM can be a useful tool within the study of state politics. The initial results already suggest an effect on party organizational capacity, and it seems likely the results are not limited to only the sphere of party organizations. For example, MMM might be used within redistricting research as a means to measure electoral responsiveness more directly. Whereas responsiveness measures the confidence interval of changes in control of the legislature given swings in the statewide vote as applied randomly to districts (Gelman and King, 1990), MMM takes into account that given the partisan makeup of districts and past party performance, rationally strategic political actors will seek to minimize the costs necessary to attain majority party control and target the most marginal districts. The application of MMM remains to be completed for future research.

Further, the analysis of the rational campaign hydraulic framework, as first developed by La Raja and Schaffner (2015), suggests that the aggregation of individual level choices as framed by the political environment affects the strength of party organizations. The results suggest that marginal control of state legislatures potentially drive up donations to party committees. Party committees in turn invest their funds into the candidates and infrastructure necessary to maintain the party over time. These results suggest that party committees would also receive fewer donations the better they perform in winning legislative majorities. All else equal, a dynamic equilibrium should eventually be reached. However, the results also suggest that increased polarization reduces financial support for party committees. La Raja and Schaffner (2015) finds evidence to support that weaker party committees lead to more polarization. Given that more polarization leads to less support for party committees, it appears that there is the strong potential for a cyclical effect that continually eats away at party organizational strength. Once party committees reach a sufficiently low level of support, they will not be able to recruit quality candidates that can appeal to the general election median voter, and instead succumb to outside interest groups and activists, which leads to more polarization (Masket, 2009).

One might also keep in mind when analyzing party organizational strength and competitive environments that electoral competition as measured with the MMM is very susceptible to gerrymandering. If districts can be drawn in such away that overwhelmingly wastes the other party's votes and lead to relatively safe wins a little above 10 percentage points for the majority party in control of redistricting, then there will be no longer be the need for state party organizations to win elections. Such extreme gerrymandering became especially severe following the 2010 cycle (McGann et al., 2016; Daley, 2017). Given that less party organizational power would necessarily lead to empowered party activists, gerrymandering might therefore indirectly lead to increased polarization of state legislatures. Therefore, one might expect for gerrymandering to potentially both encourage the polarization of candidates

in combination with primaries (Krasa and Polborn, 2018), and deteriorate the primary source of pragmatism within the tripartite structure that sponsors the party members most likely to adhere to moderation as a means to maintain control of state legislatures (La Raja and Schaffner, 2015). Therefore, the potential is strong for changes in party behavior within office.

Another concern and avenue for potential research to keep in mind is that the analytical results are sandwiched by two major shifts in campaign finance. The BCRA of 2002 and the *Citizens United* ruling bookend the data. La Raja and Schaffner (2015) finds little in the way of changes to state campaign finance law as well over the period. Therefore, these results come after keeping the campaign finance hydraulic framework constant. The nature of the *Citizens United* ruling makes it such that non-party organizations can engage in more unfettered campaign activities, in recognition that over-regulating campaign activities is an infringement on free speech. *McCutcheon v. FEC*²⁶ following *Citizens United* also lifted most limits on wealthy donors on the amounts that they could donate to. Further, these U.S. Supreme Court rulings produced a backlash by some state courts and activists, who in turn implemented their own state level campaign finance regulations (Kulesza, Miller and Witko, 2017). Therefore, these disruptions to the campaign environment combined with the institutional features that prime and motivate political donations offer a series of exogenous shocks that might be pursued in future research to better ascertain the components of the campaign hydraulic finance framework.

Overall, these results need to be further explored in order to ascertain the direct and indirect effects state party organizational strength has on governance, and governance's effect

²⁶572 U.S. 134 (2010)

on state party organizational strength. The newfound ease in which we can measure the funding and sustainability of a state party organization via their fundraising opens the path to many future research projects. These results therefore offer a better understanding of the tripartite structure and the sources of strength that maintain it over time.

CHAPTER 3: HAZARDS AND OBSTACLES OF REDISTRICTING

The opportunity for state legislators to draw legislative districts permits one of the most contentious and predictable political battles in American politics. At least once a decade, state legislators have the opportunity to draw their district lines and structure elections for the next decade so that incumbents and/or political parties enjoy a long term electoral advantage. For the professionals and legislators who partake in redistricting, a common theme in why redistricting is so appealing is that, “Redistricting is like an election in reverse ... In redistricting, the politicians get to pick the voters!”¹ Although decennial redistricting is required to ensure even population across legislative districts within a state, the opportunity to potentially bias maps leads to great consternation about the impact on electoral accountability (Gelman and King, 1994a). Given that the structure of redistricting is such that those who benefit the most are those with the responsibility of drawing their own districts, many aver redistricting to be a nigh unsolvable obstacle to ensuring electoral responsiveness (McGann et al., 2016; Daley, 2017).

Although redistricting might be difficult to solve at the ballot box, it is a highly fragile process prone to failure. Disregarding states where non-partisan independent commissions

¹Thomas Hofeller, “National Conference of State Legislatures Redistricting Review,” *C-SPAN*, August 13, 2001, <https://www.c-span.org/video/?165594-3/2000-redistricting-review> (accessed June 6, 2019). As cited in, Miles Parks, “Redistricting Guru’s Hard Drives Could Mean Legal, Political Woes For GOP,” *National Public Radio*, June 6, 2019, <https://www.npr.org/2019/06/06/730260511/redistricting-gurus-hard-drives-could-mean-legal-political-woes-for-gop> (accessed June 6, 2019)

redistrict, state legislatures fail to redistrict 20 percent of the time, which in turn necessitates court intervention. Research to date suggests court intervention in turn leads to a significant reduction in partisan bias and leads to more competitive districts (Crespin, 2005; Levitt and McDonald, 2007; McGann et al., 2016; Carson, Crespin and Williamson, 2014). The question arises then, why do legislatures permit courts and other outside actors to redistrict in their place? Given that who redistricts influences who represents us, we have both positive and normative reasons to seek to answer this puzzle.

I argue that redistricting is plagued by a collective action dilemma where individual legislators face a zero sum game for the most secure districts. The collective good of the party, securing a party majority, can easily fall to the wayside in the face of too many self interested legislators who seek to maximize their security amidst a limited number of potential supporters. Further, the technical difficulties that impair quick redistricting can prevent the legislature from redistricting. Given that states need both legislative and Congressional districts in time for elections, failure to redistrict a map that satisfies basic redistricting criteria leads courts and other non-legislative bodies to redistrict in place of the legislature.

I argue that it is through the strong party funds coupled with unified party government that centralizes, expedites and secures legislative control of redistricting capable of overcoming technical obstacles. A lack of the necessary funds to hire expert redistricting consultants agents only to the party leadership and the expenditure on other items as the need arises risks the intervention of courts and other non-legislative actors to redistrict in place of the state legislature in both state legislative and Congressional maps. It is then the presence and perceived probability that a court might redistrict that leads to more competitive state legislative and Congressional maps.

I apply party cartel theory to frame the role of centralized party leadership funds to ensure that their party secures governing majorities (Cox and McCubbins, 2005). Without the centralization offered by party leadership and their funds to hire a single party redistricting

consultant, reelection seeking legislators left to their own devices deliberate too long due to their conflicting preferences. Further, divided governments lead to gridlock between parties, leaving unified governments with the capability to secure the buy-in of its legislators the primary means by which to secure legislative control of redistricting. It is when party leaders lack the resources to centralize redistricting and offer incentives to legislators to side with the party position that the time it takes to redistrict and overcome the technical barriers increases, until courts finally intervene. When courts intervene, their disconnect from the concerns of legislators leads to more competitive maps. Thus, well resourced parties prevent courts from implementing more competitive and less biased districts through centralization of redistricting, no matter the obstacles.

I employ a two stage survival analysis, followed by an ordinary least squares regression (OLS), in order to test the claim that redistricting is a collective action problem that might be solved through strong state parties in control of unified state government facing fewer technical obstacles. I expect unified party governments in combination with greater party committee funds, and fewer technical obstacles to explain when and who redistricts state legislative and Congressional maps. For the 2001 and 2011 redistricting cycles, I determine redistricting passage dates and who redistricted for all states that redistrict three maps per cycle, and where the legislature or a politician commission initially retains redistricting authority. I first run a multilevel survival model to determine the likelihood that a map is passed over time. I then estimate a competing risks survival model to determine the probability that courts redistrict in place of the legislature, dependent in part on the residuals from the first stage model. I find evidence that better financed party committees in combination with unified party government reduces the time necessary to redistrict, which in turn prevents court intervention. Further, state policies mandating adherence to local boundaries appear to greatly inhibit the ability for legislatures to redistrict. Relatedly, states where legislative and Congressional delegation majorities are secure from losing power tend to be associated

with a lower risk of court intervention.

Finally, the third stage model analyzes the change in security of the legislative and Congressional majority parties within a state following redistricting, along with the competitiveness of state legislative districts. The results ultimately suggest that the predicted effect of a court redistricting does not exert a significant reach significance. Additionally, there is some evidence that court and commission drawn maps might decrease levels of competition within legislative districts. These results support that who redistricts is a function of a collective action problem faced by the legislature, though calls into question the benefits of redistricting by non-legislative bodies.

I Legislative Time Limits and Ticking Clocks

*Baker v. Carr*² (1962) launched court intervention into redistricting and forever made time a critical factor in redistricting. States prior to the 1960s could delay redistricting legislation so long as their state did not lose seats during the decennial apportionment process following the U.S. Census (Engstrom, 2013; Cox and Katz, 2002). However, *Baker v. Carr* ruled redistricting to be a justiciable issue before federal courts, soon applied in *Wesberry v. Sanders*³ (1964) and *Reynolds v. Sims*⁴ (1964). These decisions mandated that in order to preserve the one person, one vote principle, state legislatures must redistrict following the U.S. Census (Cox and Katz, 2002). Whenever states failed to redistrict in time for candidates to file for elections, courts at the state and national level redistrict in place of the state legislature (Engstrom, 2002; Cox and Katz, 2002; Storey, 1999). Further, passage of

²369 U.S. 186

³376 U.S. 1

⁴377 U.S. 533

the Voting Rights Act established pre-clearance of states with a history of discriminatory practices. As a result, these states up until 2013 needed to submit maps for pre-clearance by the department of justice, which required extra time (Levitt and McDonald, 2007).

Traditionally, state legislatures retained the sole right to redistrict due to tradition and U.S. Constitution Article I, section 4, which states that “the times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.” Entry of the courts in redistricting and concern over gerrymandering by the people have led to the increased presence of non-legislative redistricting. Several states adopted non-partisan/independent commissions to redistrict in place of the state legislature.⁵ As of 2019, eight states adopted some form of non-partisan/independent commission: Arizona, California, Colorado, Idaho, Iowa, Michigan, Missouri, and Washington. These non-partisan/independent commissions are non-legislative bodies with at least some commitment to non-partisanship. This includes non-partisan advisory boards, such as Iowa’s, and independent commissions without any legislative input, like California. While these commission rules vary by state, they all infringe on the legislature’s redistricting power. The legislature in advisory body states can vote maps up or down and possibly offer amendments only after rejecting earlier proposals (Levitt, 2010*b*). However, even if the legislature seeks to offer amendments, the advisory board still retains enough power to dictate the terms of legislative and Congressional maps, and greatly curb legislative discretion (Squire, 2005, 267–68). In all but Iowa, popular referendums led to redistricting commissions (Bates, 2005). The state legislature in Iowa

⁵A plurality of states use legislatures as the primary body to redistrict. Other options include politician commissions, where members appointed by state legislative and executive leadership redistrict. Independent/non-partisan commissions are those where non-politician members meet to pass a map based on non-partisan criteria. Some states have laws where non-partisan/independent commissions, act as back-up commissions should the state legislature not pass redistricting legislation in time. Should these commissions also fail, then the court redistricts.

only voted to cede power to their non-partisan Legislative Research Bureau following court redistricting of legislative districts in the 1980s and 1990s (Squire, 2005).

State legislatures responded to the possible intervention of courts or non-legislative commissions by authorizing legislative and politician commissions in several states, which includes Arkansas, Colorado, Hawaii, New Jersey, Ohio, and Pennsylvania (Levitt, 2010*a*). A politician commission sees a subset of legislature and other political leaders draw the district boundaries. These leaders always include the leaders of the state legislature (i.e. state speaker), along with some leaders from the executive, such as lieutenant governor and secretary of state (Levitt, 2010*a*). These commissions limit the whole legislature from having a formal say in redistricting, though it keeps legislative and party influence within the redistricting process. Given that members of the legislative majority party would prefer maps where their party wins a majority and ensures incumbent reelections, a politician commission is usually preferable to courts or non-legislative commissions. Courts and commissions tend to, by design or accident, produce maps less in favor of incumbents and less biased in favor of the majority party (McGann et al., 2016; Carson, Crespin and Williamson, 2014).

State legislatures also grant themselves soft deadlines to redistrict in time. These soft deadlines consist either of specific dates set in state law, the primary filing deadline, or the last day of a legislative session before the primary filing deadline. Most states have their primaries several months prior to the November general election. In turn, most states require that the legislature redistrict a certain number of days prior to the primary filing deadline as required by state law (Storey, 1999; Pound, 2009). Although these primary filing deadlines can be postponed and the primary itself shifted to later in the year, the attempt at procrastination delays the rest of the state legislative agenda and increases the risk of court involvement (McKee and Shaw, 2005; Pauerstein, 2013). Therefore, the primary filing deadline, or similar deadline as established by state law, is known as the soft redistricting deadline. To move the soft deadline requires time and resources, and other agenda items be

delayed. Even then, contentious redistricting continues. However, the hard deadline is July 1st of a year ending in 2, in which it is not possible to delay the primary due to the general election.⁶

A state legislature that does not redistrict in time is one that gives up its ability to protect party majorities and/or incumbents. Even should the legislature delay the primary,⁷ the general election cannot be moved, and eventually either a court will redistrict in place of the legislature. Further, legislators also lose out, as courts ignore incumbency protection (Carson, Crespin and Williamson, 2014). Therefore, time is the enemy of the majority party and incumbents, and a loss of redistricting power for a cycle is a non-ideal outcome.⁸

Parties similarly appear to lose their chance to create a map biased in their favor. McGann et al. (2016) in Appendix 3A compute the level of bias present in Congressional maps following the Gelman and King (1994*b*) method. They find 35 maps significantly biased towards one party (89–92). I incorporate data on whether legislative versus non-legislative body redistricts. Although the size of the data is too limiting for a more in depth analysis,⁹ the results demonstrate a significant difference between legislative versus non legislative

⁶This is the case for all states except for Maine. No state legislature has ever redistricted following July first of a year ending in two for the mandatory post-Census redistricting.

⁷A practice in states where redistricting litigation is common, such as Texas and North Carolina.

⁸Although the legislative majority party tends to lose out with non-legislative redistricting, the minority party might lose out as well. If divided government exists, bipartisan incumbent protecting gerrymanders tend to be the norm (Cox and Katz, 2002). However a court might ignore incumbents' homes and previous election results, threatening incumbent security.

⁹Alex Keena, Michael Latner, Anthony J. McGann, and Charles Anthony Smith recently run a similar analysis with all state legislative maps and confirmed the same trend. See, Alex Keena, Michael Latner, Anthony J. McGann, and Charles Anthony Smith. 2018. "Partisan Bias in State Legislative Districting Plans." American Political Science Association Conference, Boston, Massachusetts.

Table 3.1: Bias in Congressional Maps by Redistricting Body

| | Leg. Drawn | Non Leg. Drawn |
|----------|------------|----------------|
| Unbiased | 41.5% (22) | 81.0% (17) |
| Biased | 58.5% (31) | 19.0% (4) |

X-squared = 7.8715, df = 1, p-value = 0.005022

Data for Congressional maps with 4 or more districts, for the 2001 and 2011 redistricting cycles. Data on biased maps from Appendix 3A of *Gerrymandering in America* by McGann et al. (2016).

drawn maps.¹⁰

II The New Balance of Redistricting Power

I assert that redistricting is best framed as a collective action problem for the legislative majority, for both state legislative and Congressional maps. The majority party desires to retain redistricting authority to advance the party’s interests, and individual legislators seek to secure easy reelection. Given the desire to retain redistricting authority, three conditions exist to ensure smooth legislative redistricting. First, an early concerted effort to redistrict. Second, a relatively few, if any, strict technical mapping criteria to overcome. Third, a concerted effort by strong state party leaders to centralize redistricting in control of unified party government. Without these conditions, gridlock or overly long deliberation risks court intervention. It is then court intervention that produces more competitive maps.

Therefore, redistricting can be viewed as a complex game where players are self interested amidst a zero-sum environment. Support for these premises received confirmation from the coordinator for the Republican redistricting effort nationwide during the 2011 redistricting cycle, Thomas Hofeller. During his presentation to state legislators and redistricting consultants, Hofeller establishes three primary criteria that determine whether a state legislature can redistrict successfully: (1) late maps, (2) getting caught in “criteria hell,” and (3) irrational

¹⁰The non-legislative biased maps are Mississippi (2011), Oregon (2001), Oklahoma (2001), and South Carolina (2001).

and selfish legislators/Congresspeople.¹¹ Hofeller presented his findings and advice as a result of the redistricting jobs he and his professional acquaintances experienced from the prior 30 years of redistricting.¹² Therefore, it is possible to combine his insight and the nature of redistricting to deduce obstacles to state legislatures successfully redistricting state legislative and Congressional maps.

Criteria Hell and Timing

Obstacles to redistricting are largely comprised of the state laws that constrain how, where, and when to redistrict. All states require at least equal population and contiguity across districts. However, most states have additional requirements for how to redistrict both state legislative and Congressional districts. These constraints, known as traditional districting principles (TDPs), include respect for county and township boundaries, compactness, communities of interest, and favoritism toward incumbents or parties (Levitt, 2010*a*). However, Engstrom (2002) finds that most applications of TDPs arbitrary, with the exception of the preservation of local boundaries. Whereas there is no accepted definition as to the best means to measure compactness (Polsby and Popper, 1991; Levitt, 2010*a*), two or more districts dividing a county/town is easy to determine.¹³ County requirements in North Carolina, Texas,

¹¹Hofeller, Thomas, “What I’ve Learned About Redistricting: The Hard Way!”, *National Conference of State Legislatures Redistricting Seminar*, at National Harbor, MD January 24, 2011. https://www.ncsl.org/documents/legismgt/The_Hard_Way.pdf (accessed February 19, 2019)

¹²Hofeller started redistricting during the 1970 redistricting for California. He acted as one of the primary teachers for the National Conference of State Legislatures and was respected across parties. See Wendy Underhill, “In Memoriam: Redistricting Pioneer Tom Hofeller”, *National Conference of State Legislature Blog*, August 21, 2018 <http://www.ncsl.org/blog/2018/08/21/in-memoriam-redistricting-pioneer-tom-hofeller.aspx>, (accessed February 20, 2019)

¹³As an example, when redistricting expert David Niven testified to the lack of TDP criteria that guided Republican efforts, the federal judges unanimously demonstrated a better reception to county and census tract splits as opposed to odd shapes. See, *Ohio A Philip Randolph Institute et al. V. Larry Householder et al.*, United States District Court for the Southern District of Ohio, Case: 1:18-cv-00357, 76–88

and Maryland prolonged redistricting enough that courts intervened. Republican redistricting coordinator Hofeller noted, legislators must first develop a base “good government plan” that adheres to the constitutional requirements and then deviate from there in order to maximize political or partisan gain.¹⁴

In regards to local boundaries, some localities are too large to preserve wholly, but some localities can be more split than others. It is better to have a county divided between two districts as opposed to seven. Worse yet for those redistricting, it is nearly certain that a lawsuit on the grounds of splitting counties/towns will arise. If this occurs and a court concludes that there are grounds for the lawsuit and that there is not enough time for the legislature to redistrict again, then the court redistricts. In the presence of constraints to respect local boundaries, the legislature must ensure localities are preserved as well as possible, lest lawsuits drag out the process and courts intervene. Therefore I predict,

Hypothesis 1: The presence of state requirements to preserve local boundaries increases the probability that a court redistricts in place of the legislature.

To confound the problem of how and where to redistrict is the timing. States must have districts in place for elections and primaries. Most states employ some sort of soft deadline relative to primary filing dates or set dates as established in state law (Levitt, 2010*a*). It is theoretically possible for states legislatures to change the law to grant themselves more time to redistrict, which seems like an easy way out, on the surface, to escape the need for non-legislative intervention. However, the map making process itself is a complex problem. For one, a map might just fail to converge within a reasonable time given the outcomes of interest. Chen and Rodden (2013) note that while redistricting, it might be the case that most

¹⁴Hofeller, Thomas, “What I’ve Learned About Redistricting: The Hard Way!”, *National Conference of State Legislatures Redistricting Seminar*, at National Harbor, MD January 24, 2011., slides 21–5

of the simulations fail to meet basic criteria such as population equality (251–2). Hofeller notes that technical problems can confound errors inherent to the redistricting process, such as failing to establish check points for basemaps, backup data, and firing consultants too early before realizing a technical error within a map.¹⁵ An earlier soft deadline therefore leaves less room for error, and poses a serious pitfall for legislatures to redistrict independent of court intervention. I therefore predict,

Hypothesis 2: Failing to meet the soft deadline for redistricting significantly increases the probability that a court redistricts in place of the state legislature.

Unified Party Government

Redistricting is an inherently partisan process. Insofar as parties are important either in terms of policy outcomes or as cohesive teams (Aldrich, 2011; Lee, 2009), who makes it into government is a contentious issue. Redistricting is a prime opportunity to determine the partisan makeup of state legislatures and Congress. It has been well documented that drawing boundary lines can waste voters by party. Parties can “pack” the opposing party’s voters into a few districts and spread their remaining voters across the other districts via “cracking” so as to ensure party majorities (Gelman and King, 1994*b*; McGhee, 2008; McGann et al., 2016). The presence of partisan conflict over state legislative and Congressional maps has been enough of a conflict so as to delay redistricting to the point of court intervention (McDonald, 2004). Insofar as parties seek to secure reelection of their members, control of the state legislative and Congressional delegation is crucial. Unless the state legislative chambers and executive branch quickly agree to an incumbent protection plan, divided government often explains why the legislature fails to redistrict in time (McDonald, 2004; Cox and Katz,

¹⁵Hofeller, Thomas, “What I’ve Learned About Redistricting: The Hard Way!”

1999).

However, several states still failed to redistrict in time even with unified party government.¹⁶ Therefore, while unified party government might be a necessary condition in order to prevent courts from redistricting, it is not sufficient. Instead, the effect of unified party government is conditional upon threat to the majority party and the power of the central state party to control redistricting.

Competition and Conflict within Parties

Although partisanship creates conflict between parties, conflict also arises within parties. Redistricting is a zero-sum process over supporters between legislators. When a legislator acquires a partisan supporter, it prevents any other fellow partisans within their chamber from acquiring the same supporter.¹⁷ GOP redistricting coordinator Hofeller notes from his decades of experience that when it comes to redistricting, there are “no permanent allies” only “permanent interests,” and that “self interest binds, not honor.”¹⁸ Hofeller similarly notes that a major source of late maps and therefore court intervention are very nervous (i.e. risk averse) legislators and Congresspeople, in addition to every individual believing that

¹⁶These states include Kansas, Mississippi, Maryland, North Carolina, and Texas

¹⁷The zero-sum nature of redistricting is best exemplified in regards to urban areas. Cities are typically much more Democratic leaning than suburbs and rural areas (Bishop, 2008; Chen and Rodden, 2013). The Republican Party leadership could “pack” Democrats into a single district comprising most of the city and win the surrounding areas, or “crack” the urban area into several Republican leaning districts. The GOP will not win every district in the state under a packing scenario, though they will win most districts by very safe margins. In the latter cracking scenario, the GOP might win all of the districts via close margins. Individual Republican legislators have a strong incentive to defect from a party backed district cracking plan and advocate for their own safe district, leading to an entrenched Democratic district. In this example, a Republican legislator neighboring an urban area under a packing plan will not need to worry about urban voters and likely secure an easy reelection. However, a Republican legislator in a district with only a marginal electoral majority faces competitive and costly elections.

¹⁸Hofeller, Thomas, “What I’ve Learned About Redistricting: The Hard Way!,” slide 3.

redistricting “should originate from their own district.”¹⁹ In a situation where each legislator, or numerous groups of them, all insist that maps respect their boundaries over all others, the computational complexity all but ensures that the search for an ideal map that satisfies all will be impossible.

Factionalized redistricting amidst unified party government afflicted the Republican Kansas legislature in 2011, and North Carolina Democrats in 2001. In 2011, Republicans in the Kansas state legislature were set to solidify their hold on the state legislature and Congressional delegation heading into the 2011 redistricting cycle. The Kansas Republican party controlled the state legislature and executive branch, with more than enough members to force through Republican gerrymanders. However, Republican legislators could not come to an agreement as to how to shift the burden of the clustered Democrats around Kansas City and Lawrence.²⁰ Legislative and executive leaders had taken a hands-off approach, and only realized in late April that the Republican legislature would not be able to pass a map in time for the primary filing deadline in order to hold elections.²¹ The delay ultimately led the Kansas Supreme Court to intervene and redistrict in place of the legislature. The court drawn map overwhelmingly harmed incumbent Republicans, creating 23 districts with more than one incumbent, 25 with no resident incumbent, and eight similarly affected state

¹⁹Ibid., 27

²⁰John Hanna, “Northeast Kansas will likely be redistricting debate’s core.” *Wichita Eagle*, December 28, 2010 <https://www.kansas.com/news/politics-government/election/article1051104.html> (accessed August 28, 2018)

Brad Cooper, “Kobach asks federal court to settle Kansas redistricting issue.” *Kansas City Star*, May 16, 2012, <https://www.kansascity.com/news/local/article302867/Kobach-asks-federal-court-to-settle-Kansas-redistricting-issue.html> (accessed August 29, 2018)

²¹Ibid.

senate districts.²² The Congressional map in turn was one of the only Republican unified government state maps not significantly biased against Democrats (McGann et al., 2016, 88–9).

North Carolina legislative leaders were similarly unable to prioritize the “good government” map over the legislator oriented one, which led state courts to routinely reject the Democratic proposed map for violating counties until the state court redistricted in place of the legislature.²³ A unified party government can still fall victim to the individualistic mindset of risk averse and self interested legislators.

Threat to Majority Control as a Technical Problem

Legislators and other elected officials tend to be motivated as Mayhew (1974) and Fenno (1973) note as reelection, influence within the chamber, and good policy. However, as Aldrich (2011); Rohde (1991); Cox and McCubbins (2005) note, the latter two motivations necessarily rest upon a legislator’s party holding a majority within their chamber, confirmed to hold true across state legislatures (Anzia and Jackman, 2012; Aldrich and Battista, 2002). To an individual legislator, then, the trade off to secure a larger than majority within the chamber at the cost of their own reelection would not be worth it. As Engstrom (2013) notes of post-Gilded Age Congressmen, the negative experiences suffering a loss of both their own seats and majority control in the attempt to secure overly large Congressional majorities led to a reaction by incumbents to favor more incumbency advantage.

²²Dion Lefler, “Court releases redistricting plans; two Wichita-area Senate showdowns avoided,” *Kansas City Star*, June 8, 2012, <https://www.kansas.com/news/politics-government/article1093446.html> (accessed August 29, 2018).

²³North Carolina State Senator Phil Berger, “Sen. Berger’s Prepared Remarks on the 2017 Senate Redistricting Plan,” Phil Berger Campaign Committee, https://www.philberger.org/redistricting_remarks (accessed August 29, 2018).

However, one does not simply will their party map's into being. Various states have different levels of difficulty. Some states like Utah and Hawaii cannot draw the state in a manner that would benefit the minority party even if they sought to. These states enjoy party majorities that are fairly secure, no matter the electioneering activities of the opposition. Further, if the map going into the redistricting cycle contributed to party strength and withstood state population and electoral shifts, then it is a fairly easy to update the map. In a state where the combination of party in the electorate and districts in place favor the majority party, then those in charge of redistricting might simply need to change a few lines for population changes in order to redistrict in time and prevent outside intervention.

It is when the majority party going into a redistricting cycle needs to contend with a set of districts from the old map and a competitive electorate that creates a difficult search for a district. For example, Chin, Herschlag and Mattingly (2018) find North Carolina's Republican map adopted following the 2010 census could almost never be generated by random mapping and demonstrated extreme fragility to relatively marginal changes in district design. Although the Republican legislature managed to overcome the difficulties of finding an ideal map after starting from a weaker starting position, it proved quite difficult. Whereas some states could automate the process after accounting for where incumbents lived, more marginal states require heavy investments to overcome. I therefore predict,

Hypothesis 3: The more marginal majority control of the legislative delegations are, the higher the probability that a court will redistrict in place of the legislature.

Party Committee Strength as a Signal and Solution

I argue that one key feature to explain the failure versus success of a party in control of a legislative chamber to keep redistricting in their hands arises from the funds of their party committee funds. There are two central reasons for this. First, party committees are primary mechanisms by which the best redistricting experts are hired to solve the complex problem of redistricting. Second, party committees flush with cash signal that a party is strong through

a combination of either a party cartel able to extract resources from members and/or strong party solidarity able to maximize party interests.

As noted before, a crucial component in determining whether a map can pass in time is whether there are competing maps. Competing maps will almost assuredly be present amidst divide government, though also possible in unified government. Hofeller himself made clear that one potential obstacle is that a legislator or Congressperson believes that the act of drawing a statewide legislative map should begin with one's own district. If many legislators left to their own devices with the capability to proffer their own maps arises, the ensuing chaos will almost assuredly doom any attempt to redistrict prior to deadlines.

In order to solve the multi-map conflict that might derail redistricting by the state legislature, it is through party committees, headed by party leaders and/or their trusted aids (Bibby and Holbrook, 1996; Rosenthal, 1995) that parties hire a single redistricting expert. As Daley (2017) finds in his in depth investigation of Republican redistricting during the 2011 cycle, the national and state party committees were the agents who hired and coordinated the redistricting efforts. Further, it was through the coordinated expenditures between the state and national parties that paid the funds to the individuals who created the maps and aggregated the preferences of legislators and the party leaders. Insofar as party leaders can centralize the redistricting process, it is through their funds to pay the best redistricting efforts. An important feature to the Republican failure in Kansas in 2011 was the presence of competing maps authored by factions within the party. Maps where Republicans dominated legislative and Congressional maps, such as North Carolina, Ohio, Michigan, and Wisconsin, all employed single party redistricting consultants to redistrict their states. Relatedly, North Carolina Democrats in 2001 had about average resources for a state party committee to

pay for redistricting consulting amidst members who sought to abandon their own party.²⁴ Insofar as the legislative majority can hire a redistricting expert to create a map that satisfies all if the complex technical criteria that also satisfies party and legislator interests, while also retaining them long enough to deal with potential court challenges on technical criteria, rests upon state party committee funds.

Additionally, post-redistricting it is through party committees that those most suffering from more competitive districts might receive aid. As Hernson (2009) finds at the Congressional level, and La Raja and Schaffner (2015) at the state legislative level, state party committee expenditures are the primary means by which weak incumbents and strong challengers receive most of their financial support. Whereas interest groups and incumbents in Congress and state legislatures tend to provide funds to other safe incumbents, state party committees, such as legislative party campaign committees (LPCCs) tend to overwhelmingly give and coordinate donations and late election ads to bolster their more marginal members (Rosenthal, 1995; Gierzynski and Jewell, 1992; La Raja and Schaffner, 2015). Therefore, whether state parties can offer the incentives and insurance following redistricting and districts that are not perfectly secure arises from party committees. Although there are options that a party leader, such as a state speaker of the house, might take to coerce their members into agreement, such a situation is not ideal. There are only so many positions that a state leader might use to incentivize party loyalty. One former state speaker of the house revealed during an interview that in an attempt to secure the support of a member he said, “You might have your seat more easily than before, but you will never be the chairman of anything

²⁴In measuring the donations to party committees from the Brandenburg (N.d.), North Carolina Democrats had about 0.69 logged dollars for every person in the state, only a little above the 2001 average of 0.65 logged dollars.

ever again.”²⁵ Offering positions such as a committee chairmanship might definitely aid at the margins in acquiring party support, though there are only so many positions to offer before incentives start to dry up. Insofar as reelection concerns still motivate members of the party, it is through party committees that individual legislators can be moved to support the central party position. La Raja and Schaffner (2015) and Hernson (2009) find that state party committees at the state and national level overwhelmingly donate to strong challengers and weak incumbents in marginal elections. Kolodny and Dulio (2003) also notes that it is through coordinated expenditures that party committees can supplement the funds of legislators, conduct difficult to run district constrained polls, conduct last minute ads and mailers, and similar activities to aid endangered candidates. Therefore, well funded party committees both can be used to hire a single redistricting consultant to centralize the process and aid candidates after the process as well.

Given that party unified government and a well funded party committee would be in the best position to centralize and expedite the redistricting process, I expect,

Hypothesis 4: High levels of party committee funds relative to the state’s population and unified state government will decrease the probability of court intervention in redistricting.

Finally, I predict that when a court redistricts given the multiple stages, they will redistrict in a more competitive manner. As Crespin (2005) find for Congressional districts, non-legislative drawn maps is associated with the probability of increased competition within a district by as much as the effect of a quality challenger (462). Although courts and commissions are undoubtedly not free of politics, they do demonstrate a level of concern to facts of a case more so than legislators (Caldarone, Canes-Wrones and Clark, 2009), and less

²⁵Former state speaker interviewed with IRB approval, anonymity guaranteed.

connected with the intricacies of the party’s preferences, especially in regards to redistricting (Daley, 2017; Washington, 2013), with the same true for independent commissions. I therefore finally expect,

Hypothesis 5: As the probability that a court redistricts increases, the more competitive that an adopted map will be.

Should these hypotheses receive support, it would suggest that redistricting is a fragile process where agreement can fall to the wayside in the face of technical requirements and limited time. Overly long deliberation or maps that fail to meet the technical requirements without time for a revision will result in court or non-legislative intervention. Support for the later hypotheses would reveal that the potential threat of loss of majority control of their chamber and centralization of the redistricting process through well funded party committees are instrumental in ensuring that the legislature maintains their hold over redistricting. By knowing who redistricts, it is then possible to know the degree of partisan bias and quality of representation in state legislatures and Congress.

III Data and Methods

I run a three stage model to analyze what determines who redistricts Congressional and state legislative maps, along with the ensuing competitiveness of the passed maps. The first stage measures the hazard that redistricting occurs at a given time, and the second whether a court redistricts. Both of these stages take the form of a survival analysis. The first stage is a parametric survival analysis of the likelihood that redistricting occurs over time, following a Weibull distribution. The second analysis is a competing risks model, where the event is redistricting by a non-legislative body, the competing outcome a legislative authored map, and the unit of time as the number of days. The analysis is run for the 2001 and 2011 redistricting cycles, with the starting date of April 1st for the respective cycle, the date when Public Law 94171 requires the national government to provide all of the necessary census

information.²⁶ The end date is when redistricting finally takes place, either by the state legislature or non-legislative body, eliminating right censoring.

An observation for the first stage survival model exists for each state's map per day. This comprises three maps per state: the state's house, senate, and Congressional maps, for a given day. All states where a non-legislative commission is the default redistricting body are excluded, as there is no opportunity for the legislature to redistrict. All states with only one member elected to the U.S. House are excluded, given that these states have less of a redistricting burden. This leaves 37 states²⁷ with 3 maps each for two cycles,²⁸ for a total of 213 state maps.²⁹ For the second stage, there are then 213 observations total as the residuals from the first stage are calculated and carried over only for the observation when redistricting occurs.

The third stage takes the form of an OLS regression with two separate models to incorporate macro and micro levels of competition. For macro level competition, the change in the marginal majority measure (MMM) average is employed. The MMM is the percentage

²⁶Some states appear to get U.S. Census information prior to April 1st, though the reporting of which by states and the U.S. Census is inconsistent. Using April 1st as the start date would be a problem if states redistricted successfully prior to April 1st. However, no state has ever redistricted prior to April 1st of a redistricting cycle (Levitt and McDonald, 2007). Possible state differences are then accounted for by state random effects.

²⁷Beyond the states with only a single member of Congress excluded are Louisiana, West Virginia, and Nebraska. Louisiana does not have historical records for legislative elections necessary for the MMM score. West Virginia is the single state without financial data available for state party committees on the National Institute of Money in State Politics. Nebraska in turn is unicameral and technically non-partisan.

²⁸California and Arizona drop out due to the shift to independent commissions for the 2011 cycle.

²⁹Most of the cases where a state legislature failed to redistrict were either all three maps (23), or only a Congressional map (25). Eight times a state legislature passed a Congressional map but neither of the state legislature maps, and four times a state legislature passed only one of the state legislative maps.

of votes that would need to change within a state chamber’s elections in order to flip majority control. The MMM ranges on a scale of 0 – 100. For micro level competition, I employ the Holbrook Van Dunken (HVD) Index, which measures the average winning vote percentage, election margins, number of uncontested seats and safe seats within a given state chamber (Holbrook and Dunk, 1993; Shufeldt and Flavin, 2012). The HVD Index is on a 0-1 scale and amounts to the aggregated level of individual competition for a given map.

Redistricting Event Times Every extra day spent debating district design risks a loss in state legislative redistricting power. Court or commission intervention is required should the state legislature not be able to pass a map in time for the general and primary elections. Districts need to be drawn in time for potential candidates to know where to run for office, and the violation of a primary filing deadline triggers court or commission redistricting (Storey, 1999; Pound, 2009).

The first stage survival model measures the likelihood that a map passes given the estimated hazard function over time and the covariates. Time is measured in days. I assume a monotonically increasing hazard function in the form of a Weibull distribution, where every day that passes increases the probability that redistricting occurs. I employ a parametric model as opposed to a Cox-Proportional Hazards model as I expect time to be informative. For example, each day that passes increases the risk of defection and an inability to unite a legislative majority. If one could measure perfectly all of the potential covariates, a Cox-Proportional Hazards model would be sufficient. Given that we cannot measure these variables, and that the the hazard of redistricting should increase with time, a Weibull model results in greater efficiency and ultimately collapses down to a Cox-Proportional hazards model should there not be a monotonically increasing hazard (Box-Steffensmeier

et al., 2003).³⁰

I employ a competing risks survival model as the second stage to measure the probability that a non-legislative body redistricts given time and the covariates of interest. The competing risk is if the legislature redistricts. The competing risk model, as developed by Fine and Gray (1999), accounts for the dependency between outcomes. A competing risk model accounts for a competing event that might prevent the event of interest from occurring. As for redistricting, a court cannot redistrict if a legislature redistricts first, and without technical mistakes. A standard survival model with right censoring would lead to invalid and biased estimates as to the time until the event (Fine and Gray, 1999; Klein et al., 2001). Therefore, I am interested in the probability of failure at time t , where the failures can take the form of $J = [0, 1, 2]$. This is expressed as $F(t) = Pr(T > t)$ and $J = j$. The data is formatted such that there is an observation for every combination of state, map type and year for a given day until the event occurs. Where no event occurs, $j = 0$. When the state legislature redistricts a given map, $j = 1$. When a court or non-politician commission redistricts in place of the state legislature, $j = 2$. I determine which body passed a map and the date in which it was passed from the text of Justin Levitt’s (2015) “All About Redistricting” website. Standard errors are implemented by state grouping, which results in 37 groups.

Table 3.2: Legislative Redistricting

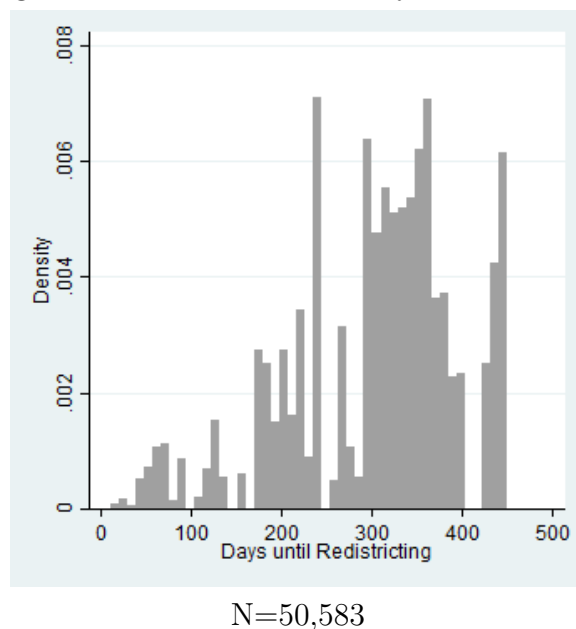
| Level | No | Yes |
|-------------------|-------------|--------------|
| Congressional | 27.27% (21) | 72.72% (56) |
| State Legislature | 19.48% (34) | 80.52% (124) |

These results exclude all states which use independent/non-partisan commissions as the default redistricting body (i.e. Arizona). Percents reported as row columns.

³⁰The Weibull model fits better should the shape parameter reach significance, suggesting acceleration of the hazards over time. However, when there is no acceleration, the Weibull distribution simplifies to the Cox model when the natural log of the shape parameter is equal to zero Royston (2001). The results are reported in the appendix, and shape parameter is significantly greater than zero.

Table 3.2 reports the frequency in which a map was passed by the state legislature. The failure rate is greater for Congressional maps by approximately 7.8 percentage points. However, the difference is not so large as to suggest that there might be a different causal process for Congressional maps as opposed to a different intercept. Figure 1 displays the distribution of days spent redistricting. The median is 321 days, with only ten percent exceeding 430 days. These results suggest that the coverage of the time at risk for redistricting should be sufficient for survival modeling (Box-Steffensmeier et al., 2003).

Figure 3.1: Distribution of Days Redistricting



Ensuing Electoral Competition The third stage analyzes state competition at the macro and micro level via the MMM and HVD indices. Through the MMM, the macro level competition of a given state legislative or Congressional delegation is captured by determining the necessary change in votes for the most marginal seats to change majority control. The process therefore weights competition within legislatures most likely to be targeted and contested.

The measure is calculated by finding first how many seats in a legislative chamber or Congressional delegation would need to flip in order to change party control. I then find the n most marginal seats for the majority party within a given chamber and sum the number of difference in votes between the winning and losing candidates. I then divide the resulting number of marginal voters by the total number of voters who participated in an election in order to create a percentage of voters who would need to be accounted for in order to change control of a chamber/delegation.³¹ The data on seats needed to change partisan control of the legislature is acquired from Klarner’s State Partisan Balance data. Election returns data is taken from the Klarner (2018) State Legislative Election Returns dataset, and the U.S. House MIT Election Data and Science Lab (2017) Elections Return dataset. The MMM is structured so that lower values reflect fewer number of voters are necessary to change the chamber/delegation majority, and higher values more voters. The difference in MMM is taken for the average chamber-MMM for the last two elections of a redistricting cycle and first two elections of a redistricting cycle.³² Positive values therefore reflect greater majority control of a legislative chamber, and negative values more fragile majority control of a legislative chamber.

I employ the HVD index as a measure of micro-level competition in order to more closely parallel results from the analysis with those by Crespin (2005). To calculate the index, I reran the methods employed by Shufeldt and Flavin (2012) with the Klarner (2018) legislative elections returns data. However, the results are split by chamber for the purpose of increasing

³¹In the event of staggered elections for a state house or senate chamber such that it might not be possible to take the majority even by winning every single seat up for grabs, the MMM is calculated as where the party must win every single seat belonging to the majority party.

³²States that redistricted their maps before two elections could take place instead only make use of one election.

the variance within the dependent variable. The change in HVD is then calculated as the difference between the first two elections of a redistricting cycle, and the last two from the previous cycle. The values are positive for when the aggregated individual competition decreases, and negative values for when there is a change towards increased competition. For the HVD analysis, only data for the state legislative maps are employed.³³

Operationalization of Independent Variables The independent variables of interest are local boundary preservation requirements, whether an observation is before or after the soft deadline, the percentage of voters in the state election that would need to change their vote to change majority control in a delegation, and party committee funds relative to the population. Further, given the multistage nature of the data, the predicted residuals are included from each stage to include in the next stage.³⁴

I create a dummy variable for whether a state has a formal requirement to preserve local political boundaries from Levitt (2010*a*). When a state requires local boundaries be respected, it is coded as 1, and 0 otherwise. Across all states, 42 require localities be respected for state legislative districts,³⁵ and 18 states require the same for Congressional districts.³⁶

I code whether an observation takes place before or after the redistricting soft deadline

³³Initial results in applying the HVD index to Congress resulted in extreme values, especially for smaller states, and added no useful information to the analysis once a Congressional dummy variable was added.

³⁴The residuals for the first stage take the form of Cox-Snell residuals for the data in which the event occurs. The second stage residuals are the predicted probabilities that a court redistricts in place of the legislature.

³⁵The eight states that do not have a requirement to respect local boundaries are Delaware, Hawaii, Illinois, Indiana, Nevada, North Dakota, Utah, and Virginia (Levitt, 2010*a*).

³⁶These states are Alabama, Arizona, California, Florida, Georgia, Idaho, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Nebraska, New Mexico, Oregon, Rhode Island, South Carolina, and Washington Levitt (2010*a*).

in order to test the second hypotheses. Most of the states use the primary filing deadline as the soft redistricting deadline. To code the deadline dates, I first found primary dates from the *Book of the States* (1981–2011) (BOTS). When the BOTS did not have the primary filing deadlines, I referenced Ballotpedia³⁷ and state secretary of state websites to determine how many days before the primary are permitted for a candidate to file. From this, I coded the primary filing date as a number and subtracted it from the date of passage. When an observation is before the deadline, it is coded as 1, and 0 after the deadline.

For deadlines relative to the legislative session calendar, I found the last legislative session day relative to the primary filing period from the NCSL *Legislative Sessions Calendar* (2001–2012). I referenced state secretary of state websites to determine when the U.S. Census sent the information necessary for redistricting, where I also found the laws referencing the creation dates for redistricting commissions.

I measure state party committee strength as the average weighted sum of their total receipts for the three years preceding a redistricting cycle for the party in control of a chamber. I acquire the total donations to all state party committees within a state from the National Institute of Money in State Politics data on contributions to state party committees (Brandenburg, N.d.). I then take the natural log of the donations and weight the donations to reflect the breadth of the donor base using a reverse Herfindahl index. The weight is calculated as the sum of squared donation proportions such that one reflects complete homogeneity and values approaching zero reflect complete heterogeneity. The weight applied to the log donations is then the Herfindahl index subtracted from one. The process ensures that no

³⁷“Signature Requirements and Deadlines for 2002 and 2012 U.S. Congressional Elections” Ballotpedia, https://ballotpedia.org/Signature_requirements_and_deadlines_for_2012_U.S._Congress_elections (accessed September 1, 2016).

single donors unduly influence the perceived financial capability and stability of a party committee. Additionally, I then divide the logged funds of a party committee by the logged population of a state, with population data acquired from the U.S. Census.³⁸ The final measure therefore takes into account the total funds of a party, the breadth of the donor base, and the potential impact of the funds relative to the population of the state.

In order to identify the party in control of a given legislative chamber and overall government, I employ the dataset on partisan balance provided by Klarner (2013).³⁹ From the partisan balance dataset I code dummy variables for partisan control of government. Unified government is coded 1 for single party control of the legislature and governor, and 0 otherwise.⁴⁰ The party in control of a legislative chamber party committee's funds are then coded as the funding strength for a given state-map-year dyad. For divided governments, the absolute value of the difference between the Democratic and Republican party committee funding strength is used. Finally, the party committee funding strength is interacted with the unified party government dummy variable.

I capture the difficulty of creating a map in regards to election outcomes with the MMM. For the first and second model stages, the MMM as calculated from the prior two elections is employed. The MMM, as explained above, effectively acts as a measure of how fragile legislative and Congressional control of a delegation is. Values that approach 100 reflect

³⁸State Intercensal Tables 2000–2010. United States Census Bureau, <https://www.census.gov/data/tables/time-series/demo/popest/intercensal-2000-2010-state.html> (accessed April 12, 2017)

³⁹Even if a state's governor does not have veto power, the governor's party is still considered in determining party control of government.

⁴⁰Jonathan Winburn (personal communication) notes that there might be more deference to legislative chambers in quasi-divided government than divided (Winburn, 2008; McDonald, 2004). However, inclusion of quasi-divided government leads the model to fail to converge. A simplified model also reveal a lack of significant differences between divided and quasi-divided government.

greater durability, and values approaching 0 reflect increased fragility.

The competing risks analysis is interpreted via cumulative incidence plots, where the point in time is the x-axis, and the probability that a court or commission redistricts on the y-axis. Results are then plotted for high and low values for the variables of interest, which reveals the probability of an event over time given a standard deviation difference from the mean. The CIF is calculated as,

$$CIF_1(t) = 1 - \exp(-\exp(X\beta)\bar{H}_{1,0}(t)) \quad (3.1)$$

where $X\beta$ is the linear predictor, and $\bar{H}_{1,0}(t)$ the baseline hazard at time t for the competing risk of interest (Coviello and Boggess, 2004). The results shall therefore demonstrate the aggregate direct and indirect effects of the covariates of interest. The predicted CIFs are also employed as the residuals for the model on changes in electoral competitiveness.

Several controls need to be added in order to account for confounding variables and bias.

I control for legislative expenditures from the legislative professionalism dataset provided by Bowen and Greene (2014). Legislative expenditures consists of what a state spends per legislator for non-salary related expenses. This variable captures state sponsored total funds available to legislators for staff and research.⁴¹ It is expected that as legislative expenditures increase, legislators will be less reliant upon their chamber leader (Mooney, 2012).

I add in a dummy variable for whether or not the map is a Congressional one. State legislators have more of a personal stake in seeing their own district maps passed. While

⁴¹I decided to forgo legislative professionalism scores since these are mainly driven by salary (Bowen and Greene, 2014). Further, since legislative professionalism scores use factor analysis to combine factors including length of session, salary and expenditures, it is superior to use the individual components when theoretically justified (Woods and Baranowski, 2006; Bowen and Greene, 2014).

Congressional maps are still a high priority for legislators (Chin, 2017), it is fair to assume that legislators will give priority to their own districts. This control is coded 1 if it is a Congressional map and 0 otherwise. It is expected that a Congressional map will see an increased number of days to pass and higher probability of non-legislature intervention.

Polarization of state legislative chambers are controlled for as well. I use Shor and McCarty (2011) chamber ideological distance scores. Polarization scores are matched by chamber, while the Congressional map receives the average of the chamber distances. Higher scores reflect greater polarization.

I further control for the impact of gubernatorial power. Governors in most states can veto maps, and might employ budgetary powers where permitted to indirectly influence the redistricting process. Gubernatorial power is measured using the Gubernatorial Budgetary Power Index (BPI) as established by Krupnikov and Shipan (2012). Most governors do not have formal powers besides the veto in regards to redistricting legislation. The index accounts for whether the governor has the power to prepare the budget, spend federal grant money at their discretion, line item veto budgets, reorganize budgeting departments without the approval of the state legislature, and reduce the budget at their discretion in times of emergency. Further, it is through the power over the budget that a governor might offer payments to loyal legislators in the future (Krupnikov and Shipan, 2012; Levitt, 2015). While not perfect, the BPI is of theoretic interest and captures potential power that a governor might have over redistricting. I adjust the veto power component to reflect when a governor

cannot veto a state map, which leads to an adjustment for only Hawaii and New Jersey.⁴²

I additionally control for the population mandated for each district. It should be the case that larger districts, which in turn permit a greater number of people to deviate across districts, should be easier to redistrict. I therefore measure the district population as the logged population divided by the number of districts per map.

Another concern addressed is whether a state is under pre-clearance jurisdiction for the Voting Rights Act. States under the act dealt with direct federal intervention in the construction of their maps. Pre-clearance states will likely take longer to pass their maps and might be expected to succumb to non-legislature redistricting. I code two dummy variables, one for partial coverage and another for complete coverage, with no pre-clearance as the reference group. Controlling for pre-clearance also accounts for whether a state might be susceptible to an alliance between minority legislators and the Republican Party in creating a racially-GOP gerrymandered map (McDonald, 2004; Barabas and Jerit, 2004).

IV Results

Table A.3 presents the summary statistics for the independent variables of interest. We see that there appears to be sufficient variance in the data at first glance, with not clear clustering of data that might unduly prohibit the analysis.⁴³

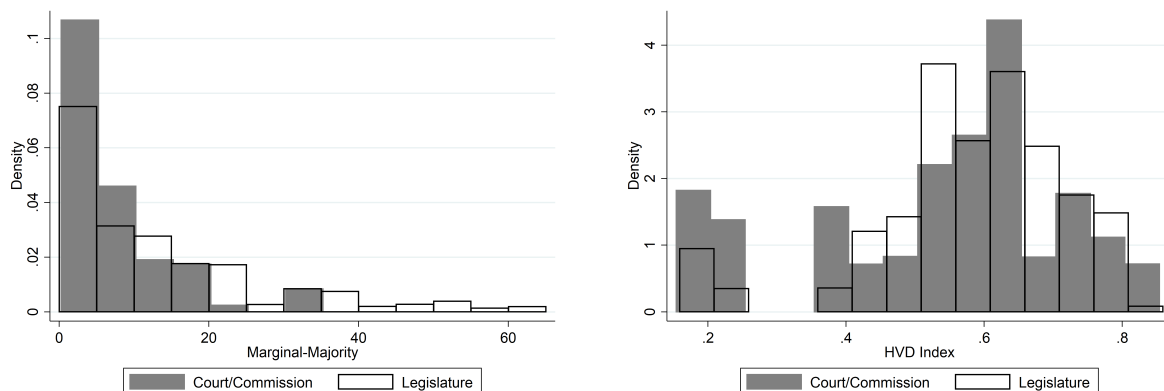
Looking to the distributions of the macro and micro level competition, there is evidence

⁴²I do not employ the Beyle FPI, as the index covers a wide array of power attributes, including other statewide elected office holders and years left in office, which are of less theoretical interest. Further, some of the changes in the Beyle formal power index are due to the change in measurement across time. Therefore, another index of formal gubernatorial power is necessary to capture the governor's ability to lead, inform and pressure the state legislature to pass redistricting legislation. In terms of procedure, the governor's formal budgetary powers as measured by Krupnikov and Shipan (2012) relates to direct formal influence that the governor can employ during redistricting.

⁴³The exception would be the clustering of the second stage residuals near one, which shall be discussed later.

in line with Crespin (2005) and Carson, Crespin and Williamson (2014) that non-legislative bodies are associated with more competitive maps. Figure 3.2 presents the distribution of macro and micro level competition that arises from non-legislative versus legislative authored maps. Figure 3.2a demonstrates that nearly all maps drawn by courts and independent commissions result in marginal majorities where it would take less than 20 percent of voters to switch majority control, with all values constrained lower than 40. However, legislative drawn maps display a long right tail, with all of the most extremely secure majorities created by legislatures. Some of these maps include states alleged to be gerrymanders, such as the Congressional and legislative maps for Florida and Michigan.

Figure 3.2: Non-Legislative Created Maps and Levels of Competition



(a) Court/Commission v. Legislative Redistricting on Macro-level competition

(b) Court/Commission v. Legislative Redistricting on Micro-level competition

Observed levels of the distribution of average competition on the macro and micro scale for maps by redistricting body. Gray bars reflect frequencies by non-legislative bodies, such as courts and commissions, whereas hallow bars reflect legislative competition. The MMM in the right panel represents the percent of the vote necessary to slip majority control of a given delegation. The HVD index represents the average percent, winning margins, uncontested seats, and safe seats, where higher values reflect less competition.

The evidence is mixed for micro level competition, as seen in Figure 3.2b. Though a greater proportion of legislative maps earn an HVD score of above 0.6 as compared to non-legislative authored maps, some of the least competitive maps appear to be drawn by courts. At the same time, courts and commissions similarly draw a higher proportion of the most competitive maps as well, as seen by the distribution of around 0.2.

Table 3.3 presents the results of the duration model of time until redistricting, the competing risk model of whether a court redistricts in place of the legislature, and the final stages of electoral competition. Given the multi-stage model, coefficients significant in the first stage but not the second stage would reflect an indirect, but not direct, effect in the probability that a court redistricts; by affecting time until redistricting, the time permitted to build up cumulative risk is affected. A variable significant in the second stage, the competing risk model, exerts a direct effect, i.e. quality of the map in satisfying technical criteria given the time taken to redistrict. The first feature to note is that the first stage residual exerts a significant and positive effect ($p < 0.01$) that a court or similar non-legislative body redistricts. The residual ranges from approximately zero to 13, suggesting the potential for a substantive indirect effect.

Table 3.3: Multistage Models of Redistricting Risk

| | Duration Model | Competing Risk Model | Macro Level Competition | Micro Level Competition |
|--------------------------------|-----------------------|-----------------------|-------------------------|-------------------------|
| Pre-Soft Deadline | -0.918*** (0.204) | -0.316 (0.602) | -3.032 (2.209) | 0.018 (0.018) |
| Local Boundary Req. | -1.030** (0.519) | 20.632*** (0.487) | 2.448 (6.775) | -0.057** (0.023) |
| Party Com. Funds | -0.628 (0.466) | 0.746 (0.839) | 2.516 (3.165) | 0.006 (0.073) |
| Unified Govt. | -0.348 (0.936) | 5.852*** (1.932) | -4.877 (4.890) | 0.019 (0.080) |
| Party Com. Funds X Unif. Govt. | 1.959* (1.128) | -11.789*** (3.263) | 4.064 (6.503) | -0.014 (0.099) |
| Marginal-Majority | -0.012 (0.008) | -0.076** (0.035) | | -0.000 (0.000) |
| District Size | 0.028 (0.060) | 0.237 (0.167) | -0.541 (1.100) | -0.004 (0.005) |
| Governor Power | -0.092 (0.159) | -0.052 (0.301) | 0.884 (1.041) | -0.012 (0.009) |
| Leg. Expenditures | -0.000 (0.000) | -0.000 (0.000) | -0.002 (0.002) | 0.000 (0.000) |
| Polarization | -0.213 (0.483) | 2.548*** (0.794) | 12.319** (5.556) | 0.016 (0.028) |
| Congressional Map | -0.989 (0.657) | 22.319*** (1.574) | 6.702 (12.726) | |
| Cycle: 2011=2011 | -0.011 (0.180) | -0.736 (0.672) | -2.110* (1.132) | -0.036 (0.023) |
| Partial VRA Coverage | 0.180 (0.579) | 0.049 (0.540) | 5.541 (3.784) | 0.011 (0.013) |
| Complete VRA Coverage | 0.128 (0.451) | 1.422** (0.686) | 0.036 (1.927) | -0.038* (0.021) |
| First stage residual | | 0.726*** (0.135) | -0.687* (0.397) | 0.003 (0.003) |
| Second stage residual | | | 8.024 (5.317) | 0.091** (0.037) |
| Constant | -11.299*** (1.378) | | -22.659 (20.338) | 0.006 (0.086) |
| Log(p) | | | | |
| Constant | 0.891*** (0.068) | | | |
| Log(θ) | | | | |
| Constant | -0.316 (0.352) | | | |
| Log Likelihood | -153.359 | -155.399 | -775.974 | 155.359 |
| AIC | 340.717 | 336.798 | 1583.949 | -278.717 |
| R^2 | | | 0.31 | 0.19 |
| N | 50866 | 207 | 207 | 118 |

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$, two-tailed

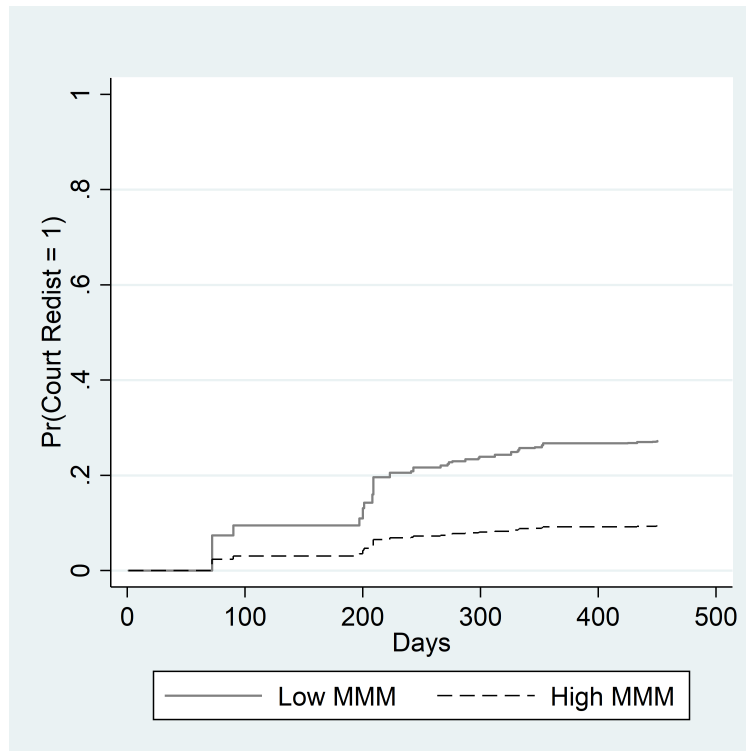
Coefficients on top and standard errors are in parentheses. The duration model (first column) is of the logged hazard of time until redistricting occurs. Positive values represent an increased likelihood that redistricting occurs given time, and negative values a lower likelihood. The competing risk model is for the probability that a court redistricts in place of the legislature, where the competing risk is where the legislature redistricts. The coefficients reflect the logged odd coefficients as opposed to subhazard ratios, where positive values reflect a greater probability that a court redistricts, and negative values a lower probability. The Macro and Micro level competition (columns 3 and 4) present the OLS results with robust clustered standard errors of expected change in the MMM and HVD Index respectively. A one unit increase of the MMM within the Macro Level Competition model reflects a one percentage point increase in the percentage of voters necessary to flip majority control. A one unit increase of the HVD Index in the Micro Level Competition model represents an increased average of the winning percent of the vote, winning margin, number of safe seats, and number of uncontested seats, within a state chamber.

In analyzing the first stage of the model we see that the pre-soft deadline reaches statistical significance ($p < 0.01$), suggesting that the hazard that redistricting occurs increases following the soft deadline. Further, states with a requirement to preserve local boundaries reaches statistical significance in the first stage ($p < 0.05$). Further, increased party funds during unified government increases the likelihood that redistricting occurs, which approaches statistical significance ($p = 0.06$). Of the explanatory variables of interest, only Marginal-Majority does not reach statistical significance.

Moving onto the second stage, there appears to be strong support for hypotheses one, three and four. The results suggest that the passing a map prior to the soft deadline is not associated with a significant effect, leading to a failure to reject the null hypothesis for hypothesis 2. However, there is support for the expectations laid out in hypothesis 1. The presence of a local boundary requirement is associated with a significant ($p < 0.01$) increase in the likelihood that a court redistricts. The effect of local boundary requirements is such that the probability that a court redistricts is all but certain, all else equal. In analyzing the data, it appears that every time a court redistricted a state legislative map was due to a local boundary requirement. Of the 31 state legislative maps courts redistricted within the data, all of them were in states with some type of local boundary requirement. Therefore, while the effect of local boundary requirements is probably not as deterministic as the data suggests, it might amount to a near necessary condition for court intervention, at least for state legislative maps.

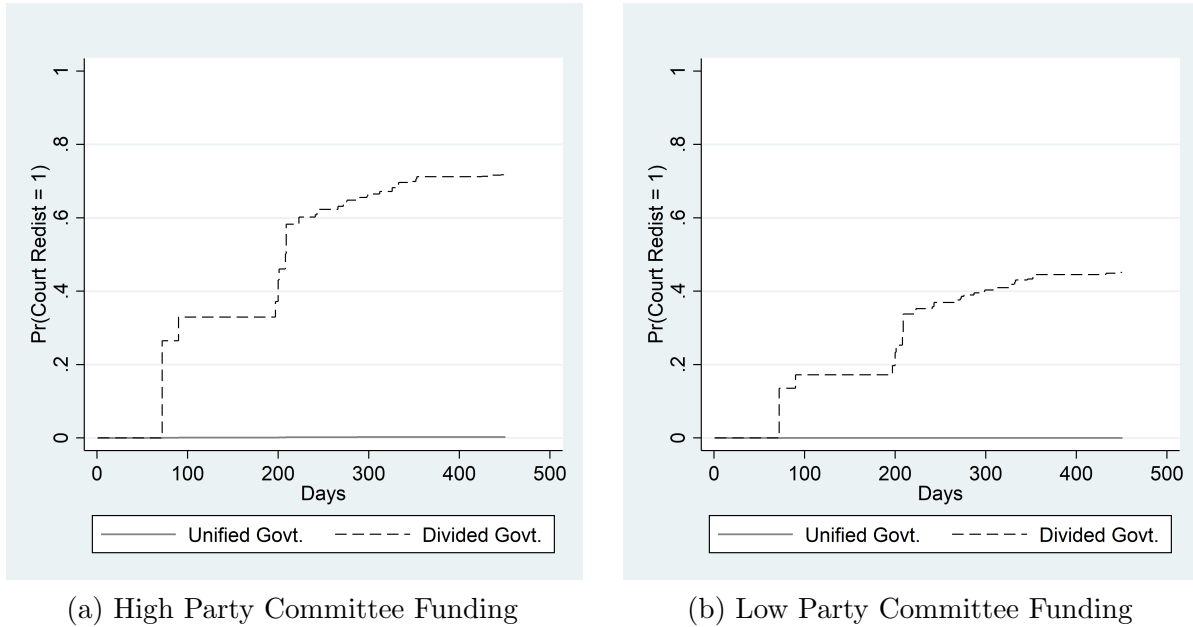
The results also suggest that more durable majority control of the delegation is associated with a decreased likelihood that a non-legislative body redistricts in place of the legislature. The effect for marginal majority scores reaches statistical significance ($p < 0.05$) and exerts a negative effect. Given the nature of a competing risks model, the estimated effects of changes in the MMM from the first to third quartiles are presented in Figure 3.3, which plots the probability that a court or similar non-legislative body redistricts given time.

Figure 3.3: Probability that a Court Redistricts By Majority Stability



A cumulative incidence plot that a court or other non-legislative body redistricts over time given. Low MMM is held at the first quartile, and high MMM at the first quartile. Given that nature of a competing risks model, the space left after day 450 reflects that the rest of the legislative and Congressional maps are redistricted by state legislatures.

Figure 3.4: Probability that Non-Legislative Bodies Redistrict



Days passed are on the x-axis, and probability that a court or commission redistricts on the y-axis. The values for high and low levels of funding are the third and first quartiles, respectively.

Figure 3.3 suggests that a shift from the first to third quartiles of the MMM reduces the probability that a non-legislative body redistricts by as much as 10 percentage points after day 200. The 200 day mark bears especial importance given that most state deadlines start to occur following this period. Therefore, more fragile majorities seem to be associated with a substantive and significant reduction that a non-legislative body redistricts. These results are associated with expectations set in hypothesis 3.

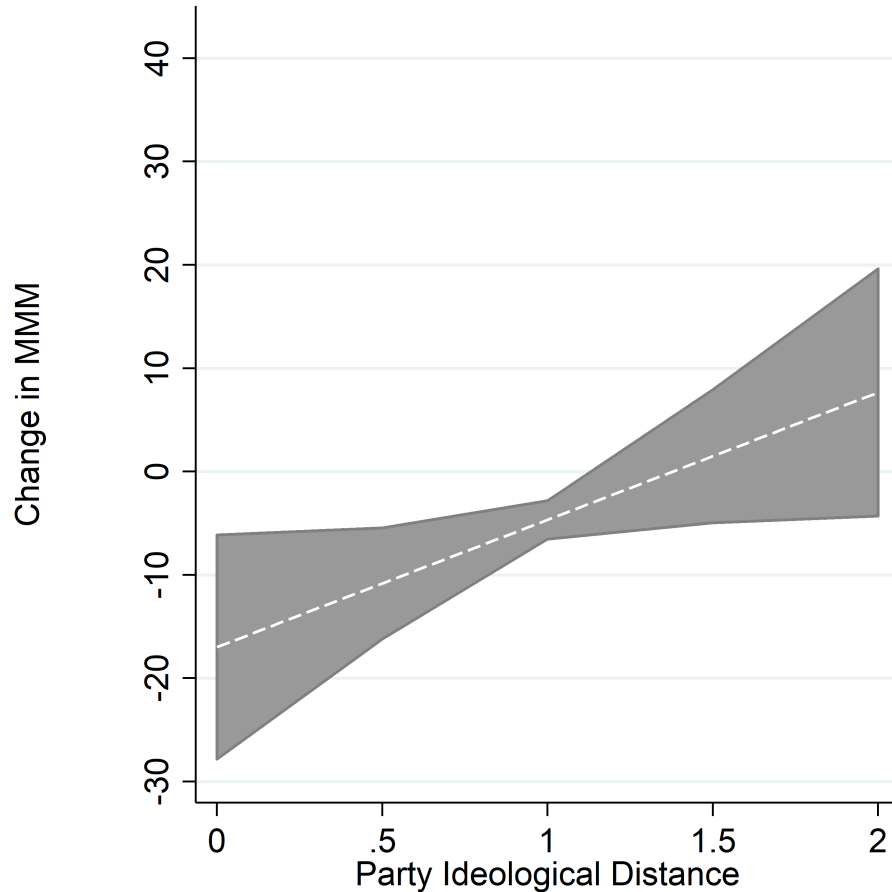
The results of the second stage model also suggests that increased funds for party committees amidst unified party government reaches statistical significance ($p < 0.01$). However, the resulting estimated effect is interacted with unified government, which exerts a significant ($p < 0.01$) effect, though the net gain of party committee funds is positive. Overall, these results are in line with the expectations set in hypothesis 4. In order to interpret the effect, the predicted changes in the probability that a non-legislative body redistricts over time is presented in Figure 3.4.

The results present part committee funds given the change from the third to first quartiles, interacted with unified party government. The results of Figure 3.4b and 3.4a suggest that unified party governments are unlikely to cede redistricting control to non-legislative bodies, all else equal. However, it is apparent that the chamber majority party in control amidst divided government and high party committee funds is associated with a five to ten percentage point increase in probability that a court redistricts following day 80. Therefore, these results suggest that problems might arise from gridlock between parties where the state party organization is well funded and prepared to fight for party interests. These results suggest that party committees might be a double edged sword, insofar as legislatures seek to retain redistricting authority. These results are supported by the control for polarization within the legislature, where increased polarization increases the likelihood that a non-legislative body redistricts ($p < 0.01$). It is also the case that Congressional maps are associated with a statistically significant increase ($p < 0.01$) that a court redistricts, along with full Voting Rights Act coverage within a state ($p < 0.05$).

Moving to the final stage of the model, the ensuing competitiveness of the maps from a macro and micro level fails to reject the null hypothesis for hypothesis 5. The Macro level model suggests that an increase in the probability that a court redistricts is associated with no significant decrease in stability of the majority party. Further, the estimated coefficient moves in the wrong direction. There is evidence to suggest that an increase in the residuals of the first stage is associated with decreased majority party stability, though the effect only approaches traditional levels of statistical significance ($p < 0.10$). However, among the estimated coefficients, increased polarization is associated with increased majority party stability ($p < 0.01$).

Figure 3.5 plots ideological distance of state legislative chambers, as calculated by Shor and McCarty (2011), by estimated change in the marginal majority measurement. The results suggest that a nearly 30 percentage point difference is associated between the most and

Figure 3.5: Change in Marginal Majority Strength Given Polarization

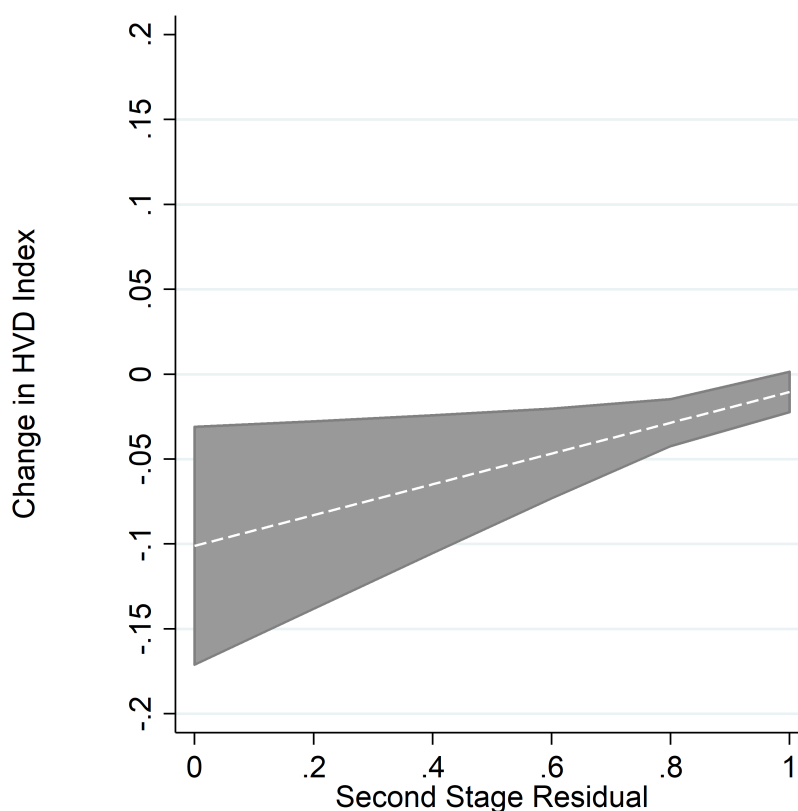


Estimated effect of Shor and McCarty (2011) ideological distance within legislative chambers on the average marginal majority measurement between redistricting cycles.

least polarized legislative chambers. A change in one standard deviation from the mean is associated with a three percentage point increase in the MMM, which equates to three percent more of the state's voters who participated in an election in order to flip majority control in the most marginal districts. Overall, these results are substantive. Beyond ideological distance, there is a general decline in MMM associated with maps passed during the 2011 cycle ($p < 0.1$), all else equal. All other variables do not reach traditionally accepted levels of statistical significance.

Moving to micro level competition, as measured with the HVD measure, there is a complete

Figure 3.6: Estimated Change in the HVD by Probability that a Court Redistricts



Second stage residuals, the predicted probability that a court redistricts from the first model, are on the x-axis. Higher values equate to a higher predicted probability that a court or commission redistricts in place of the legislature. The Estimated change in the Holbrook Van Dunken (HVD) Index is the y-axis. An increase in the HVD Index represents a decrease in aggregated average competition within state legislative districts.

lack of support for hypothesis 5. The second stage residuals, the predicted probability that a court will redistrict in place of the legislature, is associated with a positive and significant ($p < 0.05$) effect. The effect of 0.09 given the zero to one scale of the HVD suggests that moving from a near zero probability that a non-legislative body redistricts to a near one hundred percent probability that a court redistricts is associated with an increase of incumbent safety by nine percentage points. Figure 3.6 plots out the results of the estimated effect. The results demonstrate general uncertainty near low probabilities, given a lack of predicted residuals near zero. However, there is a general increase in the probability that a non-legislative body redistricts as the residuals approach one.

A potential critique of the results would be that the residuals are not capturing what they should, and are forcing a multistage model where none exists. Therefore, as a robustness check I reran the models on macro and micro level competition without the multi-stage residuals, and replace the second stage residuals with a dummy variable as to whether a non-legislative body redistricted. Therefore, the non-multistage models are presented in Table A.4. In both models, the variance explained are lower than the multistage models. More importantly, however, is that the results do not substantively change. Within the Macro level model for the MMM, non-legislative drawn maps do not significantly differ from zero in affecting the majority party's stability. Further, the effect is positive, in conflict with the expectations set in hypothesis 5. Additionally, polarization remains a significant ($p < 0.05$) of increased majority party stability, and the size of the effects do not significantly differ between the two models.

The micro level competition model of the HVD Index sees a substantive reduction in the variance explained by the model. The R-square drops to 0.13 whereas it was 0.19 in the multistage model. The coefficient for non-legislative drawn maps is not associated with a significant effect, though is still positive. Of all the variables, only district size approaches statistical significance ($p < 0.1$). Overall, there is not evidence that the multistage models biased the results.

V Discussion

These models provide mixed results, insofar as the evidence appears to support the general mechanisms, though the end product of these mechanisms is not as expected. There is evidence presented to suggest that the ability of the legislature to redistrict without court or commission intervention is highly dependent on the time it takes for legislatures to solve the technical obstacles related to redistricting. When state legislatures are faced with the complexities of satisfying incumbent, partisan, and geographic criteria with a hard deadline

as set by elections, the possibility of court intervention is high. However, state parties flush with funds and in control of unified government are in a strong position to both reduce the time necessary to redistrict and in producing a map more resistant to challenge from the courts on non-partisan grounds. Similarly, a majority party that already has a map in place that ensures stable control of the legislature will lessen the difficulty to produce a map without outside intervention.

However, the end result of avoiding court or commission intervention does not appear to significantly increase the competition within passed state legislative and Congressional maps. At the macro level, as measured by stability of majority control, there is no effect for the probability that a court or commission intervenes. For micro level competition, as measured with the average of winning margins, safe seats, and uncontested elections, there is evidence to suggest that non-legislative bodies decrease competition. These results appear to contradict the hopes of reformers that litigation of maps will lead to superior competition, and the evidence by Crespin (2005) that court and commission drawn maps are associated with improved district competition.

However, it is important to note that there is a high degree of endogeneity and lack of external shocks that might lead to precise estimates of the true effects. For example, although it appears that state requirements to preserve local boundaries is associated with a higher likelihood of non-legislative intervention, it is not possible to randomly assign local boundary requirements. Although there is variance within state as to whether local boundary requirements apply to state legislative or Congressional maps, it might be the case that states already more likely prone to courts redistricting adopt requirements to preserve local boundaries, or there might be some other confounding variable. Although potential confounders are controlled for wherever possible, endogeneity remains a limitation. It is likely that the effect for these geographic requirements are not as deterministic as estimated. However, given what we know from the redistricting consultants responsible for solving the

technical problems associated with attaining several competing criteria, it is not a simple problem to solve. Preserving county and township lines can be of such great difficulty that as Chen and Rodden (2013) note, most attempts at redistricting while preserving several criteria will end in failure. Combine the technical difficulty of drawing a single map with competing interests by legislators or Congresspeople who all believe that the state map should preserve their districts, as Tom Hofeller noted, and redistricting will be more difficult.

In regards to the marginality of legislative chambers and Congressional delegations, it appears that greater marginality leads to a greater likelihood that courts redistrict in place of state legislatures. These results are in line with treating the difficulty to create maps that secure majority party control as a technical problem. States legislatures that do not need to carefully sort voters into precisely laid districts have less discretion in how they draw a map given time constraints. Further, as Chin, Herschlag and Mattingly (2018) and Chen and Rodden (2015) find, it can take immense computational power and resources to find the few maps that might meet partisan and incumbent needs.

It is also important to note the paradox in the effect of state party committees. It appears that better funded state party committees are associated with a decreased likelihood that courts redistrict. If stronger party committees can centralize the redistricting process and keep the state legislature in control of redistricting, adopted maps would be more biased in the event of unified party government (Cox and Katz, 2002). However, it is also the case that stronger party committees and their focus on winning state legislative chambers and Congressional delegations lead to more competitive races (Hernson, 2009; La Raja, 2008; La Raja and Schaffner, 2015). Therefore, weaker party committees would lead to less competition in legislative and Congressional races following redistricting. As La Raja and Schaffner (2015) find, it is also the case that weaker party committees lead to greater polarization. Therefore, insofar as one might want to indirectly create more fair maps in regards to political outcomes, it would not be sufficient to weaken party organizations. It

would be a better idea in the grand scheme of electoral competitiveness and the long term viability of two party competition to increase the difficulty of the technical requirements to redistrict or grant power to redistrict to independent commissions.

Ultimately, these results lose some of their luster given the final stage of the model as to estimated changes in macro and micro level competition. As the probability that a court redistricts increases, there is no discernible effect on the stability of majority party control. Further, there appears to be evidence that courts for state legislative maps actively decrease the levels of competition within districts. These results are more directly comparable to Crespin (2005), though the unit of analysis is the statewide population average as opposed to individual districts, and for state legislators as opposed to Congressional races. It is too soon to declare that courts or commissions when they redistrict in place of the legislature. It would be worth exploring the benefit of implementing informative priors through Bayesian analysis into the models employed within this chapter. Given the research by Crespin (2005) incorporates information from the 1990s, it might be possible to include information from before the time period of the multistage models. It might also be the case that there is a limit to what can be learned from studies that attempt to infer the effect of counterfactuals through research that relies overly much on between effects. Although expensive in regards to time and resources, one might seek out the maps proposed within litigation between opposing parties in regards to redistricting. The effort would require archived maps and proposed legislation, which would undoubtedly require travel to various state archives and legislative libraries. However, it would then be possible to compare what a court or commission implemented, the proposed Republican map, proposed Democratic map, and how these compare to the distribution of a series of randomly generated maps. Through such evidence, the debate could be more or less settled on the effect of non-legislative bodies on redistricting through direct evidence of counterfactuals.

In summary, whether a court or non-politician commission redistricts can be answered

by knowing how long will it take a state to redistrict, and the stringency of the technical criteria to redistrict. Whether the state legislature can overcome these obstacles to redistrict depends upon the strength of the party committee to centralize the redistricting process. Through knowing the time necessary to redistrict, it is then possible to know who redistricts. Who redistricts appears to be a contentious issue, given the litigation that arises across the states every redistricting cycle. However, on the dimension of competition at least, courts and independent commissions might not differ to much from the behavior of state legislatures. Given that delaying redistricting is one of the few venues left to those out of power to prevent the majority party from redistricting following *Common Cause v Rucho* (2019), these results are timely. Even if it is probably not the best idea to decrease funds to party committees, it is possible to implement laws to respect local political boundaries should one wish to make redistricting more difficult. However, the lack of results for non-legislative bodies on increasing competition suggests that one might err on the side of caution before committing too much in the way of resources and institutional changes in the legal fights over redistricting.

CHAPTER 4: OVERLAPPING LEGISLATIVE AMBITION

Representative democracy is not possible without meaningful choices for representatives (Pitkin, 1967). Elections where only one candidate or party can viably compete amounts to single party rule, which results in a series of harms to policy responsiveness (Key, 1949; Downs, 1957). Whether an election is competitive in large part arises from whether a quality candidate with the name recognition, campaign resources and experience necessary to contest an election (Jacobson and Kernell, 1983). However, the environment from which quality challengers arise can be structured in such a manner so as to stifle potential competition and ensuing meaningful choice in elections.

Redistricting and the extent to which incumbents represent the same constituents strongly affects who maintains their seat in state legislatures and the U.S. House (Ansolabehere, Snyder Jr. and Stewart III, 2000). An incumbent who can maintain the status quo can most likely ensure a dearth of potential challengers (Cox and Katz, 2002) and easy reelection (Jacobson, 1989).

However, redistricting offers more than just the opportunity to maintain the status quo. States redistrict lower and upper legislative chambers in combination with U.S. Congressional districts. The multilevel nature of redistricting is a prime opportunity to climb the political ladder if office holders take advantage of the disruption in the personal vote and relative strengths between candidates. I argue that insofar as state legislators share a greater degree of shared constituency with a higher level district relative to the incumbent or other competing state legislators, that state legislators to carry over their incumbency advantage at the

opportune time to seek higher political office.

Legislators as progressively ambitious individuals who seek to advance their political career are central to understanding who makes it to political office. Former state legislators typically make anywhere between one-third to one-half of the membership of Congress (Berkman, 1994; Berkman and Eisenstein, 1999). Therefore, to understand how legislators create and take advantage of political opportunities to seek higher office is to understand in large part what determines the makeup of most of the U.S. House of Representatives and upper state legislative chamber membership. While few legislators seek to risk their political career with an all but certain loss (Fox and Lawless, 2005, 2011; Schlesinger, 1966), many are willing to run if the probability of winning is all but certain. It is through patience and reducing the risks involved in running for higher office that ambitious office holders gain the confidence to launch a run for higher office.

I argue that whether, where, and how successfully a state legislator runs for political office is largely determined by the extent to which a legislator shared constituency with a higher district is greater relative to the potential competition. The ability for a legislator to carry over their incumbency advantage depends upon running within a district where they are already known due to overlapping constituencies that they represented within their legislative chamber. By taking advantage of their overlapping constituencies, a legislator can successfully run for high office as effectively an incumbent, a situation usually not the case for most other contenders for political office.

I test the ability for state legislators to make use of their overlapping constituencies over time through district design via a multistage model of progressive ambition. I analyze state house and senate member decisions of whether and where to run for state senate or Congressional office, and if so, the extent to which they are successful in the general election. The analysis covers state legislator decisions to run for higher office from the 2000 to 2016 for U.S. Congressional and state senate elections. The first stage comprises a competing risks

survival model, followed by an ordinary least squares (OLS) regression of total vote share within the general election. The results reveal that the extent to which a state legislator has an overlapping constituency all but determines where they decide to run for office. However, the impact of relative population overlap does not appear to exert either a direct or indirect effect on general election performance. These results suggest that redistricting not only affects who holds onto office, but who can climb the political ladder over the course of time as well.

I State Legislative Ambitions for the U.S. House

Progressive ambition, the strategic pursuit by office holders to await for opportune conditions to run for higher political office (Schlesinger, 1966; Rohde, 1979), has been central to understanding the presence and promotion of former state legislators in Congress.

If we accept the premise that state legislators are strategically rational with a goal for higher office, then we can expect them to only run when the benefits and probability of victory outweigh the costs (Rohde, 1979). A state legislator can therefore best attain higher office after considering their own strengths and weaknesses as a candidate, and the opportunities and threats present in running, also known as a SWOT.

Strengths and weaknesses relate to internal characteristics of the candidate of interest, such as their general quality and level of ambition. Stone, Maisel and Maestas (2004) find in their candidate emergence study that strong candidates, as identified by district level informants, perform significantly better upon running for higher office. A strong candidate is one with experience and appeal to voters, with a strong reputation that appeals to voters within a district of interest (Maestas et al., 2006; Stone and Maisel, 2003; Robeck, 1982). As Jacobson and Kernell (1983) note, a candidate with previous elected office experience tends to be stronger when running for higher office (Jacobson, 1989). However, not all state legislators seek higher office due to a lack of progressive ambition Fox and Lawless (2005), though it is possible for encouragement by party officials to lead someone to run for higher

office (Fox and Lawless, 2011). Additionally, while legislators from professional legislators tend to be in a strong position to run for higher office, they tend to be more risk averse towards running given the increased costs of potentially losing (Maestas et al., 2006; Lazarus, 2006; Fox and Lawless, 2005).

Opportunities and threats explain when legislators decide to run. A legislator that seeks higher office will wait for the ideal time so as to minimize the costs and probability of defeat (Maestas et al., 2006). Typically state legislators wait for an open seat viable for their party (Black, 1972). Candidates might also take advantage of times in which the Congressional incumbent is weak, following redistricting (Hetherington, Bruce and Globetti, 2003; Cox and Katz, 2002) or when the incumbent no longer represents the preferences of the median voter (Boatright, 2004; Canes-Wrone, Brady and Cogan, 2002). State legislators likewise are more likely to run when the utility of their current seat declines, such as the loss in security incurred following legislative redistricting (Ansolabehere, Snyder Jr. and Stewart III, 2000) or term limits force them out of office (Lazarus, 2006).

Previous research on progressive ambition tends to fall within either the candidate or political environment categories in attempts to measure strengths and weaknesses of the candidate or political opportunities or threats. However, there is conceptual overlap between political opportunities and candidate strengths in regards to redistricting. All state legislators necessarily share some of the constituents as higher level districts, such as between state house and state senate, and state senate with U.S. Congressional districts. Where legislators share constituents with a higher level district then provides them the potential opportunity to carry over their strengths as an incumbent. Carson et al. (2011) finds in a cross sectional study that state legislators with increased overlap with Congressional districts are more likely to run. Given the nature of strategic ambition, whether, when, and where a legislator runs for higher office cannot be separated. To understand progressive ambition requires not only an analysis of time as performed by Maestas et al. (2006) and Hetherington, Bruce and Globetti

(2003), or where by Carson et al. (2011, 2012), but the intersection of the two in relation to redistricting cycles. A dynamic model of progressive ambition necessarily unites the time and space to understand whether, when, and where a legislator runs, which in turn determines level of electoral success.

II District Overlap and Progressive Ambition

I argue that when and where a legislator runs for higher office is largely influenced by his/her relative strength as a candidate when compared to the incumbent of a higher level district or the potential competition. A candidate performs their best in running for higher office through a combination of choosing a race where their name recognition and reputation within the higher level district is at its maximum, and when the potential competition is at its weakest. A state legislator that successfully balances their candidate strengths amongst their current constituency relative to the competition will be more likely to run for higher office and win. Therefore, to understand the redistricting cycle and where multiple levels of districts overlap is to understand whether, when, and where a legislator runs for higher office.

An incumbent state legislator with their reputation already known throughout a higher level district attains a distinct advantage that other quality candidates do not possess. Whereas other previous office holders might know how to run a campaign, state legislators that currently represent constituents within a higher level district built up their name recognition through repeated campaigns, service, earmarks and policy. State legislators with more constituency overlap with a higher district will, as a result, have the increased name recognition to challenge a sitting incumbent or defeat other potential challengers.

Where the two biggest obstacles to a successful run for higher office are presence of an incumbent and partisanship of a district (Black, 1972), name recognition is a close third. A lack of name recognition in a race is a near guarantee that members of the opposite party will not crossover to vote for a candidate, and that even members of one's own party may

not support their candidacy (Miller and Stokes, 1963). Incumbents similarly rely upon their name recognition as a substantial portion of their incumbency advantage (Ansolabehere, Snyder Jr. and Stewart III, 2000). Any office seeking individual needs to build up name recognition as a necessary condition to win an election.

For members of the state house, they have the potential to run for any state senate or U.S. Congressional district, just as a state senator might potentially run for any U.S. Congressional district. However, if we accept that state legislators seek to run when the probability of victory is relatively high and the costs to run low, then we can expect state legislators to choose to run in higher level districts where they can carry over their incumbency strengths, i.e. districts for which they share constituents. A state legislator that does not need to run as many introductory advertisements to build awareness with the electorate may save hundreds of thousands of dollars. A state legislator can then use their advantage in shared constituency to reduce the competition gap between themselves and the incumbent, should one exist, or build up their own entrenched advantage against other would be challengers. A current legislator also can carry over their internal geodatabase list of supporters, their personal and primary constituencies, which is not true necessarily for the competition.¹ Further, a state could leverage their constituency overlap with a higher level district as a means to scare off potential competitors.

All state house districts overlap with at least one state senate and Congressional district, and all state senate districts overlap with at least one Congressional district. A state legislator's strength in the district can then be thought of as their number of constituents

¹Internal U.S. House of Representatives Franking Commission documents reveal that over 25 percent of a representative's internally owned geodatabases of supporters can go out of date within a year. See, Chris Naughton, "The 7 'C's of Address Hygiene", *U.S. House Mail Services Monthly News Letter*, May 2019.

within a higher level district, divided by the total number of voters within the higher district. A state legislator that wishes to take advantage of their overlapping constituency needs to consider that other legislators will likely do the same.

As an example, consider the open seat for Michigan's eleventh Congressional district, as displayed in Figure 1. A total of 27 state house and senate districts overlapped with the Congressional district. However, some had more overlap than others. Figure 1 shows the state senate districts, which are larger than state house districts. Districts 15 and 9 are completely nested within the 11th Congressional district while three others partially overlap. The state legislative districts from before the redistricting, in 2000, were the potential districts from which a likely quality challenger from the state legislature would emerge. State senate district 9 shared approximately 37 percent of the same population with MI-11, while state senate district 15 shared approximately 24 percent. The design of MI-11 thus granted state legislator Thaddeus McCotter of district 9 a 13 percentage point advantage from the closest contender. McCotter ran without serious competition in the primary and won the general election with 59 percent of the vote in 2002.² News coverage at the time notes that McCotter's overlapping state senate district made him the heir apparent for the unoccupied Congressional district.³ While Michigan's 11th Congressional District is only a single example, it illustrates the theoretical impact of relative district overlap in decreasing the campaign costs and in altering the perceived probabilities of winning office. The other legislators with constituencies within MI-11 may have decided against running for a number of reasons, though their smaller shares

²House General Elections, Michigan, 2002-2010 All Districts, *Congressional Quarterly Press Voting and Elections Collection* (accessed July 12, 2016) <http://library.cqpress.com/elections/search.php>

³Stevens, Allison, "State Legislators Serve Dual Roles, Carving Out Congressional Districts for Themselves, *The Hill*, January 16, 2002, (accessed August 1, 2016) <http://archive.fairvote.org/redistricting/reports/remanual/usnews8.htm>

of overlapping constituencies would not have encouraged them.

Note that in the case of Michigan State Senator McCotter, he had the greatest lead in regards to shared constituency of all of those running. The U.S. House Representative retired, and the other state legislators faced an uphill battle given their lesser levels of shared constituencies. Where Carson et al. (2011) perceive constituency overlap as independent of the competition, I argue that it is better conceptualized in relation to all other potential candidates at all district levels. Had the Congressional district been occupied, his relative overlap would have been greater than other state legislators, but far behind the Congressional incumbent. If one were to calculate the relative population overlap difference between McCotter's district and an occupied MI-11 as one minus 0.37, for a total of 0.63. The larger the difference between a potential candidate and the incumbent or strongest potential legislative challenger, the more costly a run for higher office and lower probability of victory.⁴ I therefore hypothesize,

Hypothesis 1: A state legislator will be more likely to run for a higher level district seat as the relative constituency overlap between their district and the higher level district increases.

I similarly expect for relative district overlap to exert a substantial effect on election results for a state legislator that decides to run for a higher level district.

Hypothesis 2: A state legislator will win a higher percentage of the vote share for the higher level district as the relative overlap between their district and the higher level district increases.

Note that relative district overlap between a state legislative district and a higher level district necessarily influences not only whether a legislator runs for higher office, but also

⁴Calculated from a ArcGIS python toolbox. See Data and Methods section for more detail.

where. A legislator with lesser district overlap between their district and a other higher level district is unlikely to run given their poor chances of victory and/or higher costs of running. Additionally, in the event that every higher level district overlapping their own is occupied by an incumbent, the costs might ultimately become negligible to run in a higher level district where they have no district overlap, and therefore no shared constituency. Such is the case with State Senator Kenneth Chlouber of Colorado, who had no open seat to run for with shared constituency upon being term limited out of office, and therefore ran for a Congressional district that shared no overlap with his own.⁵

However, in considering the decision and performance to run, it is necessary to consider *when* a state legislator runs. As posited by structural progressive ambition theory (Schlesinger, 1966; Rohde, 1979; Maestas, 2003), a potential candidate waits for the ideal time to run in order to maximize their probability of winning. Therefore, a decision to not run in a given election does not mean that a state legislator is not progressively ambitious. Rather, it might be a covariate that makes an event of interest more likely over time (Box-Steffensmeier and Jones, 1997). Therefore, I incorporate time into the decision of where to run via a treating the decision to run for higher office as a function of cumulative risk via a survival model. As Box-Steffensmeier et al. (2003) note, “The premise of a event history analysis is to model *both* the duration of time spent in the initial state *and* the transition to the subsequent state, that is the event.”

By considering the time in congruence with constituency overlap, we account for the desire of legislators to minimize the level of risk in running for higher office by ensuring that

⁵“Chlouber joins Arkin Law Firm,” *Herald Democrat*, August 15, 2012 http://www.leadvilleherald.com/free_content/article_887f40b2-e703-11e1-911d-001a4bcf6878.html (accessed March 1, 2016); “U.S. House, Colorado District 1 General Election, 2002,” *Ballotpedia*, https://ballotpedia.org/Colorado%27s_1st_Congressional_District (accessed March 1, 2016)

they are at their strongest (Maestas et al., 2006; Hetherington, Bruce and Globetti, 2003).

If these hypotheses receive support, it will suggest that how redistricting affects level of constituency overlap between multiple level of districts over time is central to understanding who makes it to higher political office.

III Data and Methods

I conduct a multistage model on whether and where a state legislator runs for higher office, followed by their success in the general election for elections from 2000 to 2016 at three levels: (1) state house to state senate, (2) state house to the U.S. House of Representatives, and (3) state senate to U.S. House of Representatives. I create these dyadic data from the Klarner (2018) for Legislative elections and MIT Election Data and Science Lab (N.d.) U.S. House Elections returns. These election returns data include the names of all candidates, their districts, and vote shares. The combination of these two data sets permit the matching of state legislators to Congressional districts, and state house members to the state senate.

I employ a competing risks survival model as the first stage to determine whether, when and where a candidate runs for higher office. A competing risks model offers the ability to predict the probability of an event of interest occurs given time and the potential for mutually exclusive competing outcomes (Fine and Gray, 1999; Box-Steffensmeier and Jones, 2004). The the competing risks model is optimal given that it accounts for dependency within the dependent variable; when a state legislator runs for one office, they cannot run for any other. Therefore, a non-competing risks survival analysis would lead to biased estimates and fail to estimate the stochastic process correctly (Diermeier and Stevenson, 1999). The data for the competing risks analysis is arranged such that every time a legislator appears in the data set and does not run for higher office is coded as 0, and upon running are coded as 1, which results in every other potential higher district not run for coded as 2. Should the a legislator exit the data set due to any other reason, they are also coded as 2, given that a competing

risks model simply requires that the event of interest be coded differently than the competing events (Fine and Gray, 1999; Box-Steffensmeier and Jones, 2004).

The second stage follows an Ordinary Least Squares (OLS) regression model of a state legislator's total vote share of the two-party vote upon running for higher office, with the first stage predicted residuals carried over into the model. I acquire election outcome data from the Klarner (2018) Legislative Elections data and MIT Election Data and Science Lab (N.d.) U.S. House Elections data.

Given the interest to avoid substantial left truncation, I excluded states that redistricted mid-decade where no GIS information was available on state legislative district design. The U.S. Census cataloged state legislative shapefiles for the years 2000, 2006, 2010, and every year after 2012. Therefore, states that redistricted twice or more between 2000 and 2006 failed to have geospatial information necessary for the analysis. Though it is possible to start the analysis with the map cataloged in 2006, the data might be unduly influenced with an excess of legislators who are predisposed against running for higher office given their choice not to take advantage of redistricting to run for higher office.⁶ Following the exclusions, there are 772,728 observations for state legislator and higher office dyads.

Given the repeated observations for candidate-target seat dyads over time, robust clustered errors adapted to Fine and Gray (1999) competing risks repeated observations model. For the second stage, robust clustered standard errors are employed by state-year.

The two-stage nature of the model will therefore capture over time the role that shared constituency between multilevel districts plays in the decision of where, whether and when to run, and the potential impact on election results. Therefore, the modeling strategy separates

⁶The excluded states are as follows: Arizona, Florida, Georgia, Massachusetts, New Hampshire, New Mexico, North Carolina, Rhode Island, South Carolina, and South Dakota.

the biased selection process that leads candidates to run for higher office from election results, and better captures the full picture of the strategic progressive ambition model posited in previous research.

iii Measuring Relative Constituency Overlap

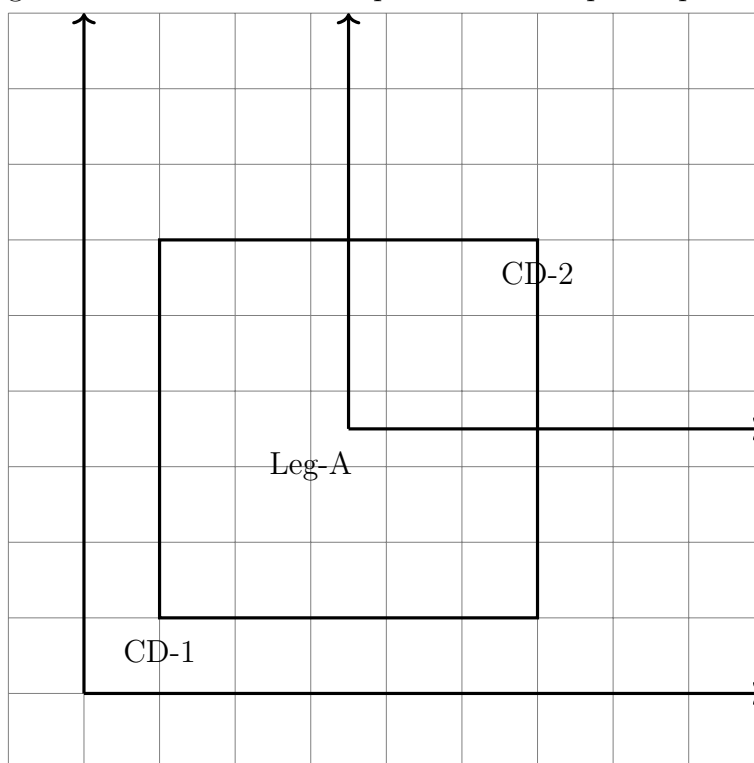
I measure relative constituency overlap via multiple iterations and levels of computed population overlap between different sets of districts at different times employing a co-developed python toolbox.⁷ The python toolbox finds the three way intersection between U.S. Census block group (CBG) population shapefiles and two other levels of geographies of interest in order to determine the shared population. Both the legislative districts and census block groups are acquired from the TIGERLINES shapefiles.⁸ I use the UCLA Digital Boundary Congressional district database by Lewis et al. (2013) for U.S. House districts.

The python toolbox computes first the three way intersection between a CBG, geography level one, and geography level 2. Next, identifiers are created based upon the dyadic name between the first and second levels of geography. When a CBG is completely nested between the first and second geographic units, its population is weighted by its geographic overlap with a score of one. When a CBG is split between different dyads, the population is weighted by the respective geographic overlap. The script then marginalizes the weighted population data by dyad and divides the dyadic population by the population of the higher level of geography. The end result is a population overlap score between zero and one, with one being complete shared constituency and zero being no shared constituency.

⁷See, (Curiel and Steelman, 2018) and Steelman, Tyler S. and John A. Curiel. “Measuring and Solving Modifiable Areal Unit Problems with Overlapping Populations.” Paper presented at the Political Methodology Conference, Provo, UT July 2018.

⁸Maps and Data: TIGER/Line Shapefiles. 2013. *United States Census Bureau*. Retrieved from <https://www.census.gov/geo/maps-data/data/tiger-line.html> (accessed July 31, 2016)

Figure 4.1: Illustration of Population Overlap Computation



An example of population overlap calculation. Grid squares reflect census block groups (CBGs), with a varying populations across grids. CD-1 and CD-2 reflect higher level geographies with greater population than the lower level geography, Leg-A. When census block groups are split, population is allocated based upon geographic overlap.

In order to calculate the relative population overlap, it is necessary to know how a legislator's constituency overlap with a higher level district compares to the incumbent and all of the other competitors. Even if a state legislator's district is entirely nested within a higher level district, their relative overlap would still likely be far less than the incumbent should she decide to run.

Therefore, in order to calculate the relative overlap, I first run the population overlap script for the state house to state senate, state house to Congress, and state senate to Congress. I find measure the population overlap at time t_{-1} for the lower level map's boundaries with the higher level district at time t . The lags are run given that measuring the overlap at the same points in time would not reflect the carried over incumbency advantage on the part of state legislators. I follow up with measuring the population overlap within levels of geography from the earlier point in time.

Upon computing the different levels of population overlap, I then determine whether the incumbent of the target district ran, with data from MIT Election Data and Science Lab (N.d.) and Klarner (2018). If an incumbent ran, the incumbent's population overlap is coded as their population overlap from time t_{-1} and time t . Further, amongst the potential challengers from the state house and/or state senate, the group maximum overlap is computed for the target district of interest. If the incumbent's population overlap is the greatest, their population overlap is coded as the maximum. Should one of the potential challenger's have greater overlap, then their overlap is coded as the maximum. After computing the maximum overlap, the candidate's actual overlap is subtracted from the maximum in order to compute the overlap difference score. A candidate with the most overlap between their district and a higher level is coded as zero. All other candidates have scores greater than zero and a maximum of one. Potential candidates with no overlap between their district and a higher level receive a score of one. Therefore, the closer a candidate is to zero, the closer they are to approximating the constituency of the higher level incumbent.

As an example for how one of these calculations might play out, consider a situation where the highest level district, a Congressional district, has 100 constituents. State senate districts have a populations of 25 constituents, and state house members 10 constituents. Should the Congressional incumbent run, and all lower level districts be nested fully within the Congressional district, the overlap difference would be calculated as one minus the population overlap that a legislator shares with the district. Therefore, all state senators nested within the Congressional district would receive a population overlap difference score of .75 (i.e. $1.0 - 0.25$), and all state house members 0.90 ($1.0 - 0.10$). All legislators outside of the Congressional district would receive a score of 1.0. However, if Congressional incumbent did not run, all of the state senators with equal population would then be coded as having the maximum overlap with the Congressional district, receiving scores of 0. In turn, all other state legislators within would now only have an overlap difference score of 0.25, and state house members nested within the district a score of 0.15. Therefore, the overlap difference score captures the effect that incumbents, other potential challengers and one's own personal strength as a candidate on the decision to run for higher office.

In order to ascertain the effect over time of the overlap difference variable, I include its interaction with the number of years since a legislator entered the dataset. The time interaction permits analysis of whether the proportional hazards assumed in a competing risks model is violated for the primary explanatory variable of interest and that the results are not biased (Fine and Gray, 1999). Given the time interaction, the number of years in which the base legislator of interest has been in office is also included.

I additionally control for confounding variables that relate to the structural opportunity structure affecting progressive ambition. First and foremost, I include a dummy variable for whether the target district of interest is open, coded one if yes, and zero otherwise. As mentioned previously, these data are acquired from the MIT House Elections Returns (2017) and Klarner Legislative Elections Returns (2018) data sets. From these data sets, I also

calculate the lagged same party vote share percentage for the dyadic data. The variable takes the form of the percentage vote share that their party's nominee received in the previous election for the targeted district, or the opposite party vote percentage subtracted from 100 in the event that a legislator's party did not have a candidate in the prior race. Additionally, I interact whether the seat is open with the same party vote share percentage. Although candidates are far more likely to run if the district of interest is more favorable to their party (Carson et al., 2011, 2012; Fox and Lawless, 2005; Boatright, 2004), they would be expected to not run if their party's incumbent chose to run again (Carson et al., 2011; Boatright, 2013).

I further control for the professionalism of the state's legislature. Past research finds conflicting results, with some studies (Maestas, 2003) finding that ambitious state legislators more likely to run,⁹ with other studies (Carson et al., 2011) finding professionalism reducing the likelihood that one chooses to run for higher office. I expect that increased legislative professionalism will be associated with a higher likelihood of running within the context of a survival model. I therefore employ the Bowen and Greene (2014) MDS2 measure of legislative professionalism as a control.

I next control for the extent to which a state legislator is term limited. Lazarus (2006) finds term limits to increase the rate at which legislators run for higher office. Using the Klarner Legislator Elections returns data, I include a factor variable for the duration until a state legislator is term limited. The data records whether term limits mark a legislator in their last term in office, second to last term where each term is two years, or the second to last term where each term is four years. The comparison group in turn are legislators who are not affected in the near future by term limits.

⁹It should be noted that Maestas (2003) are able to first identify whether a legislator is progressively ambitious, which is often not possible using non-survey data.

I follow up with controls for the political environment related to when and how long a term is. These include a dummy variable for whether a term is longer than two years, one if yes and zero otherwise. A similar dummy variable is included for whether the base legislator of interest is elected in an odd-year election. These controls account for the ability of a state legislator to potentially run for higher office and not risk losing their current office, thus decreasing the costs. For the second stage, I also include a dummy variable for whether a candidate is a write-in. It is difficult to determine whether a candidate launched a serious bid to run for higher office. At the same time, it would be unfortunate to exclude all write-in candidates. I therefore include a dummy variable as to whether a candidate is a write-in, one if yes and zero otherwise.

Should the overlap difference explanatory variable receive support, we should expect to see a negative effect for the variable. As a potential candidate's overlap between their own and a higher level district increases, running for higher office successfully should be more costly and less likely.

One potential shortcoming of the design is that success in the primary stage is not accounted for due to a lack of legislative elections returns. Therefore, while it is possible to better affirm whether a state legislator believes it to be less costly to run and more likely to succeed given the relative differences of population overlap, the second stage of general elections returns is biased towards a type 1 error. It might be the case that a state legislator's population overlap exerts a significant effect in the primary stage, though fails to carry over into the general election, therefore exerting an indirect effect. While this is problematic, the research design as proposed so far will better ascertain the impact on state legislator decision making for higher office, and correct for limitations in past research unable to better account

Table 4.1: Decision to Run for Higher Office Outcomes

| Decision to Run | Percent | (Freq.) |
|-------------------------------------|---------|-----------|
| Did not run (right censored) | 80.48% | (630,068) |
| Ran for district | 0.03% | (240) |
| Decided against running in district | 0.62% | (4,885) |
| Exited data set | 18.87% | (147,703) |

Percents in the right column, with total number of observations in parentheses. Ran for district reflects the legislators who chose to run for higher office in a given district. Decided against running in district reflects the number of districts that legislators actively chose against running in given the district that they chose to run in. Exited data set reflects legislators who upon their last year in the data never ran for higher office.

for time, space, and competing events.¹⁰.

IV Results

The initial data reveal that employing the competing risks model does grant additional information that might have otherwise been missed following a typical survival model. Table 4.1 reports the outcomes for the first stage model, the competing risks analysis. Within the data, 240 legislators ran for higher office, approximately 0.03 percent of the data given the 772,728 dyadic observations. However, in making the decision to run for higher legislative office, the legislators within the data decided against running for 4,885 other districts within their state. Finally, approximately 19 percent of the observations ended with legislators exiting the data set without ever appearing in the general election.¹¹

¹⁰It should be noted that up until the mid 2000s, competing risk models were effectively impossible to run given computational limitations and the novelty of competing risk models at the time. Additionally, GIS software improvements within the last decade permitted the creation of the python toolbox that allows for measures of population overlap. Finally, it cannot be stressed enough that the work conducted by MIT's Elections Data and Science Lab and the many scholars on the Legislative Elections Returns team (Klarner, 2018) made this research possible. Carson et al. (2011) in turn broke new ground in accounting for population overlap in general between state legislative and Congressional districts, though were limited by the lack of data in the Geographic Correspondence Engine at the time of their research, which has since been updated to include most U.S. Census geographies (Rice, 2018)

¹¹As mentioned previously, it is possible that some legislators tried to run in their party's primary, though ultimately lost and never made it to the general election.

Table 4.2 reveals the results for the multi-stage model of decision to run for higher office and general election performance. Positive coefficients reflect a greater likelihood of running for a given district as opposed to some other potential district. The results reveal that the primary explanatory variable of interest, difference in overlap from the maximum, reaches statistical significance ($p < 0.01$), with the sign for the coefficient negative as expected. The greater the difference in population overlap between a legislator and the incumbent or strongest potential challenger, the less likely a candidate is to run for that district, all else equal. However, the time interaction with population overlap reveals that the effect decays with time. The results additionally reveal that whether the seat is open, along with its interaction with same party vote share, do not reach significance. Additionally, the variable for same party vote share reaches statistical significance, though moves in an unexpected direction. Additionally, the initial results suggest that legislative professionalism does increase the probability overall that a legislator runs for higher office, in line with the work by Maestas (2003). Further, a legislator about to be term limited out of office, those with four year terms, and off year elections, are all more likely to run for office.

It should be noted that in interpreting the application of coefficients, it is necessary to present quantities of interest, since the coefficients must be considered in relation to time. Therefore, the effects of relative population overlap and the effect of time are plotted in Figure 4.2. We see in Figure 4.2a that a candidate in the fourth year in office with the most relative overlap for a higher level district appears near certain to run. In turn, moving to no overlap at a difference of one leads to an estimated 60 percentage point reduction in running for higher office, all else equal. Note that the overlap difference variable incorporates the constituency, redistricting, and incumbency variable into its score, as mentioned above. Therefore, the effect of overlap difference on decision of whether and where to run for higher office makes sense theoretically and substantively. For a reference point, were a U.S. House incumbent to run again in the state of Michigan, and a state senate district entirely nested

Table 4.2: Multistage Models of Progressive Ambition for Higher Office

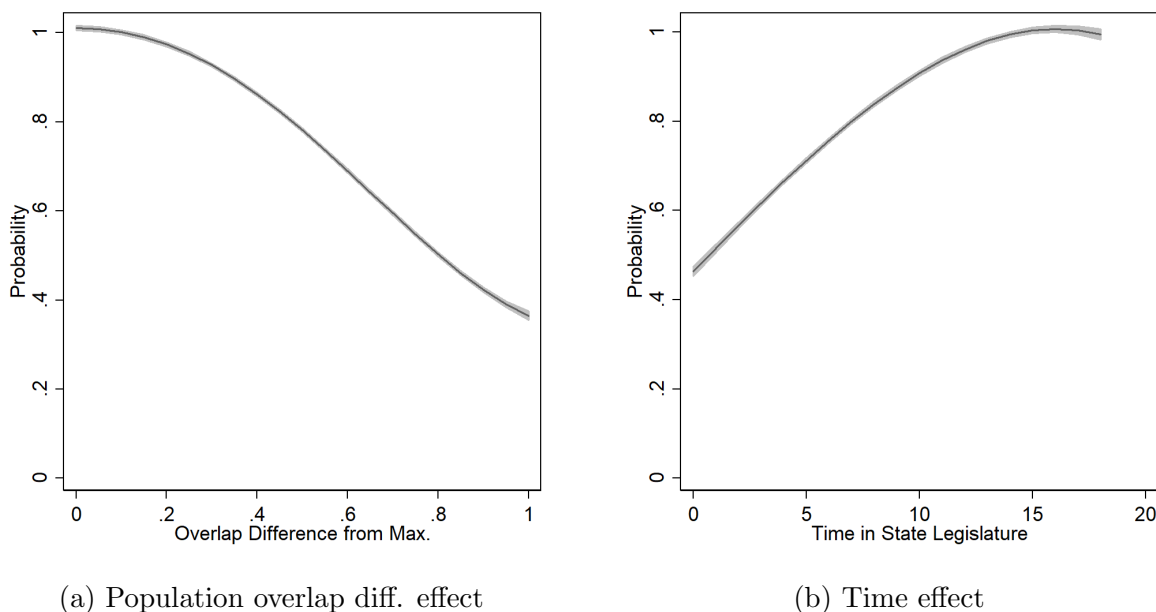
| | Decision to Run | Election Results |
|-------------------------------|-----------------------|-----------------------|
| Stage 1 Residuals | | 2.008 (16.493) |
| Diff. from Max Overlap | -1.896*** (0.354) | 11.665 (10.110) |
| Diff. from Max Overlap x Time | 0.069* (0.040) | |
| Open Seat | 0.204 (0.259) | -4.810 (8.912) |
| Open Seat x Same Party Vote | -0.001 (0.005) | 0.011 (0.159) |
| Same Party Vote | -0.009*** (0.003) | 0.212*** (0.081) |
| Leg. Professionalism | 0.151** (0.067) | 3.940* (2.174) |
| Last term | 0.579*** (0.205) | -3.291 (5.183) |
| Second to last term, 2-year | -0.102 (0.312) | -13.244** (6.642) |
| Second to last term, 4-year | -14.514*** (0.217) | |
| 4-year Term | 0.464** (0.200) | 1.955 (4.674) |
| Years in Office | 0.037** (0.018) | -0.141 (0.633) |
| Off Year Elections | 0.739*** (0.216) | -1.663 (4.962) |
| Write In | | -33.855*** (4.224) |
| Constant | | 19.534 (13.724) |
| Log Likelihood | -2847.357 | -1075.242 |
| AIC | 5718.713 | 2176.483 |
| N | 772,728 | 240 |

*p< 0.1, **p<0.05, ***p<0.01. Coefficients reported, with robust standard errors in parentheses.

Model 1 is the competing risk model, where the dependent variable of interest is whether a legislator runs for a higher office of interest, with competing events the mutually exclusive competing options, or exiting the data without running. Positive coefficients reflect a greater likelihood of running for a district. Model 2 is the regression model for general election vote percentage amongst the legislators who chose to run for higher office.

within the Congressional district, the overlap difference score would be around 0.63. The increased difference in overlap would in turn decrease the expected probability of running by nearly 50 percentage points. These results suggest that the impact of population overlap on decisions of whether and where to run for higher office are substantively significant.

Figure 4.2: Effect of Population Overlap on Decision to Run for Higher Office



Note: X-axis is the difference in population overlap from the candidate with the maximum overlap.

Note: X-axis is the number of years within the state legislature, with population overlap held constant at its mean.

The predicted effect of running for higher office, with the medium gray line reflecting the 95 percent confidence interval. Figure 4.2a varies the level of population overlap that a legislator has relative to the candidate with the most overlap. Figure 4.2b in turn varies the data based upon time within the legislature. All other values held constant at their mean values. Estimates calculated from the competing risks model with robust clustered standard errors by state legislator-district dyad.

However, should also be noted that the time interaction with geographic overlap and positive effect of time suggests that the impact of geographic overlap decreases over time. Therefore, Figure 4.2b plots the probability of running for a higher district given a member's years in the state legislature with geographic overlap held constant at 0.63. We see that as time goes on, the probability increases substantially up until about year 15 in office. Note that as Box-Steffensmeier and Jones (2004) note, the effect of time, especially in competing risks models, captures the informative effect of time that is not captured by the other independent

variables present within the model.¹² Therefore, one should not interpret these results that running for higher office is inevitable, but rather that population overlap and other influences on decision to run for higher office become less deterministic with time.

We see in the election results analysis in Table 4.2 that the first stage residuals and relative overlap variables fail to exert a significant effect, though both variables move in the expected direction. Although the results might be due to the fewer observations, the variance inflation factor (VIF) for the explanatory variables of interest are below 8. Although the VIF is high, it is not model breaking either. Further, even a model with only the relative overlap and first stage residuals fail to reach significance as well. Therefore, it does not appear that relative overlap is a significant predictor of vote share in the general election.

For the controls, both same party vote share significantly ($p < 0.01$) increases expected vote share, and legislative professionalism approaches a positive significant ($p = 0.08$) effect. Legislators who run during their second to last term under two year terms also are associated with a significant and negative effect on vote share ($p < 0.05$). Unsurprisingly, legislators as write-in candidates see a significant negative reduction ($p < 0.01$) in their vote share as well.

Overall, these results suggest strong support for hypothesis one, in that relative population overlap with a higher level district increases the probability that a legislator runs for office. However, the results fail to support the second hypothesis, in that there is no direct or indirect effect on general election outcomes.

V Discussion and Conclusion

Quality challengers are among the primary determinants of whether an election is competitive, and the results from these analyses suggest that district design strongly mediates

¹²Within the context of model 1, the presence of the time covariate leads to the suppression of the constant.

decisions to run for higher office. Beyond the standard effects district design exert on legislator reelection rates and party control of legislative chambers and delegations, these findings reveal that the relative differences in population overlap between districts exerts a strong effect on who decides to run for office, when and where. Legislators do not run for higher office without regard to their existing constituencies, and nor do they appear to run as soon as they achieve the maximum possible shared constituents with a higher level district. Rather, when and where a legislator decides to climb the political ladder is heavily dependent upon not only whether they can carry over their incumbency advantage via population overlap, but also the strength of the competition.

These results offer substantial insight into the intersection of structured progressive ambition, redistricting, and sources of candidate strength. From a modeling perspective, the first stage competing risks model appears to better capture both the geographic and time components that influence the cost to run for higher office and perceived probability of winning. Unlike cross sectional studies, these results track legislator decisions to run for higher office over a 16 year period. Therefore, although it is not possible to randomly assign legislators to run for higher office for the time being, it is possible to more accurately discern the true causal effect on decision making calculus on the part of state legislators.

Further, the ability to separate out the constituency base of support that incumbents have from their ability as campaigners grants greater insight into the nature of incumbency advantage. As Cox and Katz (2002) and Jacobson (1989) note, perceived incumbency advantage works to scare off quality challengers, which in turn leads to incumbent strength to remain untested most of the time. However, calculating the population overlap between incumbents and potential challengers from the state legislature over time reveal that the incumbent is perceived weakened compared to previous years as the population overlap difference shrinks. Unlike the work by Rohde (1979) on progressive ambition between the U.S. House and U.S. Senate, however, district design of state legislative and Congressional

districts are subject to change at least once every ten years. Therefore, to understand how state legislators make use of redistricting and their relative strengths as quality candidates is to understand the career pipeline that makes up the plurality of eventual members of the U.S. House and upper legislative chambers.

Although these results confirm and extend the previous research on progressive ambition and redistricting, one great limitation is the lack of data on primaries. This shortcoming must be kept in mind given the lack of statistical significance for either the direct or indirect effect of relative population overlap on election results. Although Carson et al. (2012) find null effects on population overlap on primary vote share, it might be the case that employing a competing risks survival model coupled with an improved measure of population overlap would reveal a significant effect. The significance of multilevel district design and overlapping constituencies is important insofar as the field of progressive ambition researchers can discern whether the decision to run for higher office is subjective confidence or more objective forecasting. As Fox and Lawless (2011) demonstrate quite robustly, interest in running for higher office can be very capricious. If relative population overlap truly fails to exert any significant effect on increasing the probability of victory for a state legislator, then it would largely appear that the largest population of quality candidates who might run and provide competitive elections largely do so out of an incorrect belief as to the benefits of shared constituencies. Future studies therefore should work to analyze how relative population overlap might impact the prerequisites of a successful general election campaign. Such future work might incorporate information on where legislators are able to raise money upon running for higher office, variance in name recognition across different district sections, and more. These analyses would reveal even if multilevel district design fails to affect probability of victory when a legislator runs for higher office, relative population overlap might still reduce costs of a campaign for higher office.

Another area of concern is how pre-determined is multilevel district design by geography?

Given the highly contentious process of redistricting in the attempts by legislators to secure safe seats or partisan advantage, it might be the case that redistricting offers the means for legislators to secure their way to higher office. As Heberlig and Larson (2012) find, much of the control over internal ambition within a chamber is decided by loyalty to one's party and majority control of the chamber. It might be the case that a similar process applies to external ambition for higher office.

Therefore, it appears that more work needs to be conducted not only on progressive ambition in general, but also the multilevel nature of redistricting itself. To date, most research focuses on redistricting on a single map on the dimensions of partisanship, race, and the personal vote (Gelman and King, 1994*b*; Cox and Katz, 2002; Ansolabehere, Snyder Jr. and Stewart III, 2000; Lublin, 1997). However, if overlapping constituencies offers the means to influence access to higher office, even if the true effect on election outcomes is negligible, then it would suggest that the nature of redistricting is even more highly dimensional than past research suggests. Regardless, the results from this research reveals strong evidence that the aforementioned fields should work to incorporate relative population overlap into future work. Insofar as districts at different levels necessarily overlap, where and when one runs for higher office will be greatly constrained.

CHAPTER 5: CONCLUDING REMARKS

As the 2020 approaches, state political parties enjoy a new found importance. The Supreme Court in *Common Cause v. Rucho* ruled that despite their concerns over gerrymandering, it is up to state courts and direct democracy to solve the process. Democratic state party committees must now contend with the lack of funds by Democratic candidates following hard fought competitive primaries in 2018,¹ yet are also drained of funds following the strategy by the Clinton campaign to overly extend the resources of state party committees through coordinated expenditures.² At the same time, Republican Congressional representatives are continuing to retire in numbers that leave the way open for Congressional challengers at both the primary and general election level to make their case to voters amidst the lack of a clear incumbent advantage.³ All of these events will merge into each other so as to affect electoral outcomes and ensuing representation.

Therefore, these results offered by this dissertation pave the way to better understand

¹Bill Allison and John McCormick, “Primary Fights Are Draining the Democrats’ Coffers,” *Bloomberg*, April 20, 2018 <https://www.bloomberg.com/news/articles/2018-04-20/democratic-primary-fights-drain-coffers-as-republicans-bank-cash> (accessed August 3, 2019)

²Kenneth P. Vogel and Isaac Arnsdore, “Clinton fundraising leaves little for state parties,” *Politico*, May 2, 2016 <https://www.politico.com/story/2016/04/clinton-fundraising-leaves-little-for-state-parties-222670> (accessed August 4, 2019).

³Ashley Killough and Clare Foran, “Here are the lawmakers who are not seeking reelection to Congress in 2020,” *CNN*, August 5, 2019 <https://www.cnn.com/2019/08/01/politics/congress-retirements-2020/index.html>, (accessed August 7, 2019).

why, how, and who will acquire power in the coming years. Since the end of the Gilded Age, the nature of party power has been in flux. Various individuals and organizations concentrated power among themselves even as the Tripartite Structure remained a useful frame to understand the components and rationale for party organizations. Even as polarization increases across state legislatures and in turn displaces party organizations, it appears that there might be a level of feedback that might turnover the current holders of party power across the states. Structures remain in place to give some an edge over others within political advancement, and insofar as office holding remains an appealing good, the struggle for the means to control where one represents will continue.

These conclusions can be reached in considering these chapters together and how they interact dynamically. These bring us to the questions asked at the beginning: (1) how can we better measure sources of party organizational strength over time; (2) how do the three legs of the tripartite structure reinforce each other (3) why do some state legislatures lose their power to redistrict; and (4) how can districts be drawn to influence who runs successfully for higher office.

What Have We Learned?

In considering question one, how can we better measure party power organizationally and competitiveness over time, the results of chapter one are fairly clear. Money long played, and likely will continue, to play a central role in the maintenance of party goals. Parties as an organization bear a primary responsibility to serve party interests through the capturing of political office as a means to control government. Money does not directly translate to the votes necessary to secure legislative majorities, though it is a necessary condition to begin the process. Further, party organizations can bear independence insofar as they are not reliant on a single source of revenue: a party organization beholden to a single interest or organization is susceptible to capture by outside organizations or the loss of funding in the

next election cycle. Insofar as parties can approximate their old power seen in the Gilded Age, they need a lot of money and the ability to sustain themselves over time.

In regards to competition, previous measures might capture which party controls government or micro level competition, but does not exactly capture the vulnerability of majority party control of state legislatures. A state government is competitive not just based on how many seats are contested, but on how viable it is for a the party out of power to engage in a party coordinated strategy to capture the necessary marginal districts so as to attain majority control. How fragile a legislative majority is necessarily relates to how many seats separate the majority from the minority and individual seats where it is not a lost cause to contest. However, the marginal majority measure (MMM) captures both of these features in a manner that directly captures how realistic it is for the party out of power to contest for majority control.

In answer question two an building off of the results in answering question one, we see a balance arise between the legs of the tripartite structure, party in government, the electorate, and organization. MMM as the intersection of party in the electorate and government seems to be associated with increased power for party organizations. These results make sense given that a party organization's primary purpose is to aid in the capture of party majorities. Therefore, a competitive state legislature seems to attract more money to these organizations, following the rational structured hydraulic theory of campaign funding. Additionally, it is also the case that as polarization increases, there is a substantive association where party organizations decrease in strength. Though these results are far from a natural experiment, these results are in line with polarized environments priming more ideological concerns. Donors more ideological donors would in turn donate to a range of other organizations that are far more driven to advance an ideological agenda. These results support and extend the findings of La Raja and Schaffner (2015). Presumably decreased funds for party organizations will decrease the funds necessary to provide competitive elections. However, should the

majority party be able to shut out the minority via changing rules and institutions, it would suggest that both less competition and less party organizational strength would arise. As La Raja and Schaffner (2015) finds, the crippled party organization would in turn permit unchecked polarization.

Therefore, we learn from chapter two that institutional conditions equal, a sort of dynamic equilibrium or the tripartite legs might arise. However, there is the potential for the process to become unbalanced and result in unchecked polarization across state legislatures amidst the death of the pragmatic center of state parties.

In chapter 3, it is evident that the process by which state legislatures lose their power to redistrict and control the means by which to solidify their strength is far from random. Timing is crucial in determining who redistricts, as there are clear deadlines by which a state legislature needs to redistrict. However, given the appeal for individual legislators to secure their means of easy reelections by defecting from party interests, the process is susceptible to collective action failure from the perspective of the party. Further, given the complexities that arise during redistricting in the form of respecting local boundaries, the process of producing a technically valid and timely map can be difficult. Therefore, conditions associated with decreased difficulty of searching for a satisfactory map and more centralized party control tends to result in a decreased likelihood over time that non-legislative actors intervene to redistrict in place of the legislature. Notably, a substantive predictor of more legislative control of the process are increased party organizational funds. Therefore, party organizations appear to be in the best position to centralize redistricting so as to give themselves an edge, and potentially in the process displace their role in the state governmental power structure.

However, it does not appear to be the case that non-legislative actors redistricting in place of the legislature results in fairer maps, as suggested by Carson, Crespín and Williamson (2014). Rather, there appears to be little evidence that courts or commissions redistricting results in more competitive maps at either the micro or macro level. Although when redistricting occurs

affects who redistricts, who redistricts, as framed between the legislature and non-legislative actors, does not seem to affect the competitiveness of the representational process.

Finally, chapter 4 reveals that who runs for office can be shaped by redistricting in a multilevel process. Insofar as legislative districts must be nested to some extent in higher level districts, where greatest nesting occurs influences the decision by state legislators to run for higher office. Further, it is not just one's own level of shared constituency that shapes whether one runs for higher office, but also whether one's shared constituency is greater than the competition. The competition in turn includes both the potential current incumbent, in addition to the field of other state legislators. These results are demonstrated via survival modeling, with natural shocks in the form of retirements and redistricting. Therefore, these results build on the findings of Carson et al. (2011) by providing an improved model and in expanding the field of concerns that a potentially ambitious legislator needs to consider. Therefore, level of relative shared constituency affects whether and where a legislator runs for office, which in turn affects how competitive a seat is. However, it is not apparent from these results that there is a direct effect on district overlap to votes earned in the general election.

Together, these results suggest in regards to the competition necessary for representative-democracies, there are a range of micro and macro level effects that must be considered in combination. As scholars from Key (1958) to La Raja and Schaffner (2015) and Hernson (2009) discern, party organizations offer the means to provide two party competition, which in turn results in responsive politics (Barrilleaux, Holbrook and Langer, 2002). Whether a state party organization is funded depends in turn on how competitive the state legislature appears, which can be made less competitive via redistricting (Gelman and King, 1994*b*; McDonald and Best, 2015; McGann et al., 2016). Whether the majority political party is in a position to redistrict and decrease competition depends upon their party organizational strength that in turn centralizes the redistricting process for the party. From the redistricting process, individual legislators can be motivated to run for higher office and provide competition at

the district level insofar as they believe their shared constituency with a higher district can provide an advantage over their competitors.

Limits of the Current Research and Avenues for Future Research

Despite these results, problems do afflict each of the chapters to varying extents. In chapter one, the time series model does much to demonstrate the robustness of the results, even if it is not in the form of a natural experiment. However, there are still problems of endogeneity, given the lack of exogenous shocks in the data. Additionally, the evidence in support of using the MMM over the HVD or Ranney indices requires final evidence that the measure better predicts outcomes that competitiveness should influence, such as policy responsiveness. Each of these can be accounted for by expanding the data beyond the years between 2002 and 2010, which would lead to shocks in the form of the BCRA of 2002 and the *Citizens United* ruling in 2010. For the MMM, a test on how well MMM predicts governmental policy tracks with public opinion would provide the final evidence to use the MMM in place of HVD or Ranney indices when macro level competition is of interest.

For Chapter 3, much of the problem arises from an oversight of using such a rough measure of respect for local boundaries in the form of a dummy variable. However, it should be the case that some states encounter more difficulty redistricting based upon the population distribution across localities and uneven population growth. These can be accounted for using the population Gini index, and from there rerunning the results. From there, potentially expanding the data set to prior years and the predicting how well the model applies to the 2021 redistricting cycle would go a long way to validating the results.

Chapter 4 in turn suffers one glaring weakness in the form of not accounting for the primary stage in elections. The viability of collecting data on primaries varies by state. However, it should be possible to limit these results to at least the state legislative to Congressional level. A few states might also be selected where primary data does exist in order to test every dyadic combination. Further, these results might be applied to years before

the implementation of equal population, where the population of districts varied greatly. These results might offer more evidence of the impact on shared constituencies. Finally, it can also be tested whether state legislators are able to attain greater vote shares in places where they represented as state legislators, enjoy greater name recognition, and raise greater funds. These tests can be implemented with a combination of election precinct data, Cooperative Congressional Election Study (CCES) data, and FEC data. These analyses in combination could be implemented in the form of a regression discontinuity design (RDD), which would offer a greater precision in testing treatment effects. The results, positive or negative, would indicate as to whether the observed effects arose from increase confidence on the part of state legislators, or some type of actual advantage from representing a subset of constituents.

Final Normative Comments and Applications

There will be some who benefit from strong party organizations, and competitive elections. However, the basis of a functional representative-democracy rests upon meaningful choice, contestation, and the marketplace of ideas. Therefore, while those benefiting from the status quo might not enjoy increased competition, their concerns seemingly run counter to a healthy government of responsible representation.

Although state party organizations might be frowned upon as pragmatic and materialistic, they bear an important role in providing state level competition. Polarization has its benefits, namely in providing substantive difference and choice between parties (Shor and McCarty, 2011; Aldrich, 2011; Rohde, 1991), though if they start to shut out the minority party from ever having a chance at competing for office, then a republic cannot stand. Therefore, party organizations provide a useful check. Whether a party organization can secure funds and viability depends on competitive state legislatures. However, party organizations when strong can be useful in securing legislative control of redistricting, which can lead to decreased competition. Therefore, it might be the case that for the good of party organizations, policy responsiveness and representation, that power to redistrict be taken away from state

legislatures. As it stands, redistricting takes away the attention of state legislatures from other pressing concerns and provides the means to reduce the quality of representation across time. Whether one party holds power is not the concern of this dissertation. However, inconstant rules and institutional decay offer only a death spiral for democratic accountability. Where parties hurt themselves and the state in the long term due to how lines are drawn offers, the best path forward appears to be to structure institutions such that there is a degree of dynamic equilibrium.

Additionally, it appears that where district lines are drawn can encourage competition for individual Congressional and legislative seats, an effect of which is on par with responsive maps in increasing competition (Carson, Crespín and Williamson, 2014). Therefore, an effort might be made to encourage greater nesting between different levels of districts. Additionally, insofar as one seeks to encourage state legislators to run for higher office and bring forth the benefits they bring to the lawmaking process (Volden and Wiseman, 2014), states might consider reducing the number of legislative seats. Some states, such as New Hampshire and their hundreds of state house seats, make it nigh impossible for a state house member to carry over their constituency to compete for higher office. At a certain point, the low level of relative overlap leaves some state legislators no better off than a random voter. Therefore, if one wants to encourage more state legislators to run for higher office, fewer districts and greater nesting would both lead to more legislators running for higher office. Although some might fear the decreased size of state legislative chambers, Mooney (2012) finds that overly large legislative chambers leads to a cession of power to state chamber leaders. Therefore, there is no real loss in representation, as overly large chambers simply lead to the concentration of power in a single person anyway.

All of that said, it is not my position to implement any of these changes, and all institutional changes/reforms must be done with caution. One cannot simply undue a law and expect everything to go back to the way that it was. Additionally, each state needs to consider what

is best for them. California is not New Hampshire, and what might work in one state can easily fail in the other. However, insofar as fair representational-democracies are a concern, these results offer some insight as to avenues that might be taken to strengthen and reform the polity.

APPENDIX A:

I Chapter 2

The results of Table A.1 present the factor loadings of the measures of party competition in the electorate and in government on a latent dimension that amounts to the intersection of party in government and the electorate. As can be seen within these estimates, each component part reaches statistical significance. The MMM is constructed such that an increase of one point reflects a one percentage point increase of the voting electorate necessary to flip majority control. Therefore, an increase in MMM reflects a decrease in competition. The HVD index similarly reflects a decrease in electoral competition for every one unit increase. The folded Ranney index in turn reflects more solidified partisan control of the legislature in number of seats, the governor's winning vote percent, and years of unified government. Therefore, it is expected that MMM and HVD will be positively correlated with each other, whereas the two measures should be negatively correlated with the Ranney index.

Table A.1: Confirmatory Factor Analysis Estimates

| Variable | Estimate |
|----------|-----------------|
| MMM | 14.86 (2.88) |
| HVD | 4.23 (1.07) |
| Ranney | -2.79 (0.75) |

Estimates of confirmatory factor analysis loadings on the intersection of electoral and governmental control competition. Standard errors in parentheses. Loadings reflect how much power a change of one unit of the component would affect the change in the measure of the latent dimension of interest. Estimated using the "Lavaan" package in R.

The results of Table A.1 suggest that MMM explains most of the latent dimension deduced from the CFA. Note that the power of MMM is approximately 3.5 times that of the HVD, and over five times more influential than the Ranney index. As Shufeldt and Flavin (2012) note, the HVD and Ranney index tend to be limited in variance. Therefore, these results suggest that insofar as the three measures load onto the same dimension, the MMM is the most influential and analytically crucial component. However, should one seek to analyze purely party in government or party competition across state legislative races, then the HVD and Ranney indices should perform better.

Table A.2: Summary Statistics of Variables, 2002–2010

| Statistic | N | Mean | St. Dev. | Min | Max |
|----------------------------|-----|--------|----------|--------|--------|
| Logged Donations | 534 | 24.481 | 5.378 | 4.520 | 34.173 |
| Weighted Donations | 534 | 26.810 | 4.691 | 9.729 | 34.704 |
| Weighted Donations per cap | 534 | 1.610 | 0.308 | 0.343 | 2.045 |
| Logged Donations per cap | 534 | 1.767 | 0.266 | 0.653 | 2.113 |
| Marginal-Majority | 534 | 14.436 | 11.576 | 0.159 | 53.939 |
| Leg. Control | 534 | 0.375 | 0.484 | 0 | 1 |
| Speaker Power | 530 | 2.674 | 0.754 | 0.000 | 4.280 |
| Governor Power (BPI) | 534 | 3.521 | 0.894 | 1 | 6 |
| Polarization | 526 | 0.730 | 0.326 | 0.019 | 1.675 |
| Leg. Seats Up | 534 | 0.039 | 0.187 | 0 | 1 |
| Leg. Prof. | 534 | 0.121 | 0.764 | −3.040 | 3.119 |
| Log GDP per cap. | 534 | 0.046 | 0.009 | 0.029 | 0.071 |
| GDP pct. chg. | 534 | 2.460 | 2.705 | −5.435 | 11.860 |
| Log Population | 534 | 15.131 | 1.036 | 13.110 | 17.435 |
| POTUS Approval | 534 | 49.172 | 13.905 | 29 | 68 |

Summary statistics of dependent and explanatory variables from the years 2002 to 2010. These results reflect the variance of the data employed in the analysis of the determinants of party organizational strength. Note that party ideological distance provided by Shor and McCarty (2011) proves the most limiting variable, given the resources and effort required to compute polarization scores for every party within each legislature given the great variance in quality of roll call voting data across the states.

II Chapter 3

Table A.3: Descriptive Statistics of Variables

| | Mean | SD | Min. | Max. |
|----------------------------|--------|--------|--------|---------|
| Pre-Soft Deadline | 0.83 | 0.38 | 0.00 | 1.00 |
| Local Boundary Req. | 0.62 | 0.49 | 0.00 | 1.00 |
| Party Com. Funds | 0.73 | 0.25 | 0.01 | 1.00 |
| Unified Govt. | 0.48 | 0.50 | 0.00 | 1.00 |
| Marginal-Majority | 11.62 | 12.85 | 0.01 | 64.16 |
| District Size | 8.39 | 4.20 | 0.33 | 13.67 |
| Governor Power | 3.24 | 0.82 | 1.50 | 6.00 |
| Leg. Expenditures | 767.13 | 710.88 | 58.58 | 4610.93 |
| Polarization | 0.85 | 0.28 | 0.27 | 2.00 |
| First Stage Residual | 2.16 | 2.63 | 0.00 | 13.20 |
| Second Stage Residual | 0.93 | 0.23 | 0 | 1 |
| Marginal Majority Δ | -6.26 | 13.21 | -60.34 | 26.08 |
| HVD Index Δ | -0.01 | 0.07 | -0.29 | 0.24 |
| Observations | 213 | | | |

Note: Following the first stage, the number of observations is to 213. The number of observations for the first stage model is 50,866. None of the descriptive statistics change following the change in observations to the second and third stages.

III Chapter 4

Table A.4: Non-Multistage Linear Models of Level Legislative Competition

| | Macro Level Competition | Micro Level Competition |
|--------------------------------|-------------------------|-------------------------|
| Non-Legislative Drawn | 1.256 (1.427) | 0.008 (0.022) |
| Pre-Soft Deadline | -1.494 (2.265) | 0.014 (0.019) |
| Local Boundary Req. | 7.713 (4.996) | -0.002 (0.026) |
| Party Com. Funds | 2.493 (3.268) | -0.020 (0.072) |
| Party Com. Funds X Unif. Govt. | 4.123 (7.502) | -0.004 (0.101) |
| Unified Govt. | -5.765 (5.465) | 0.024 (0.082) |
| District Size | -0.551 (1.093) | -0.011* (0.006) |
| Governor Power | 0.667 (1.067) | -0.010 (0.010) |
| Leg. Expenditures | -0.002 (0.002) | 0.000 (0.000) |
| Polarization | 11.579** (5.393) | 0.006 (0.033) |
| Congressional Map | 12.235 (12.021) | |
| Cycle: 2011 | -1.807* (1.059) | -0.029 (0.023) |
| Partial VRA Coverage | 5.462 (3.742) | 0.012 (0.015) |
| Complete VRA Coverage | -0.402 (2.069) | -0.041 (0.026) |
| Marginal-Majority | | 0.000 (0.000) |
| Constant | -20.999 (20.212) | 0.130 (0.091) |
| Log Likelihood | -777.991 | 150.612 |
| R^2 | 0.299 | 0.131 |
| AIC | 1585.981 | -271.223 |
| N | 207 | 118 |

The Macro and Micro level competition (columns 1 and 2) present the OLS results with robust clustered standard errors of expected change in the MMM and HVD Index respectively. A one unit increase of the MMM within the Macro Level Competition model reflects a one percentage point increase in the percentage of voters necessary to flip majority control. A one unit increase of the HVD Index in the Micro Level Competition model represents an increased average of the winning percent of the vote, winning margin, number of safe seats, and number of uncontested seats, within a state chamber. The first and second stage residuals from as employed for the models in Table 3.3 are dropped. Instead, the second stage residuals are replaced with whether a non-legislative body redistricted.

Table A.6: Summary Statistics

| | Mean | S.D. | Min. | Max. |
|-----------------------------|---------|-------|-------|--------|
| Ran Vote % | 29.65 | 23.92 | 0.16 | 100.00 |
| Stage 1 Residuals | 0.59 | 0.30 | 0.00 | 1.00 |
| Diff. from Max Overlap | 0.45 | 0.44 | 0.00 | 1.00 |
| Open Seat | 0.43 | 0.49 | 0.00 | 1.00 |
| Open Seat x Same Party Vote | 21.95 | 31.64 | 0.00 | 100.00 |
| Same Party Vote | 51.68 | 25.97 | 0.00 | 100.00 |
| Leg. Professionalism | 0.11 | 1.02 | -3.26 | 3.12 |
| Years in Office | 5.88 | 4.29 | 0.00 | 18.00 |
| Off Year Elections | 0.07 | 0.26 | 0.00 | 1.00 |
| Observations | 782,896 | | | |

Summary descriptive statistics of the continuous data from the first stage analysis.

Table A.7: Length of Legislative Terms by Time Left in Office

| | 2-year term | | 4-year term | |
|-----------------------------|-------------|-----------|-------------|----------|
| No term limit | 90.86% | (631,794) | 9.14% | (63,569) |
| Last term | 92.81% | (35,965) | 7.19% | (2,785) |
| Second to last term, 2 year | 100% | (48,489) | 0% | |
| Second to last term, 4 year | 0% | | 100% | (288) |

Data presented by row percentages. Number of observations are the dyads over time. Data from the first stage analysis.

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