Hedging and Hiding: A Theory for Surviving the Ideological Center in the US Senate

Neilan S. Chaturvedi
Assistant Professor of Political Science
California State Polytechnic University, Pomona

Prepared for presentation at the Annual Meeting of the Western Political Science Conference, San Diego, CA 2016.

In 1986, first term Republican senator Arlen Specter ran for reelection in his home state of Pennsylvania. Though he eventually won with 56% of the vote, he was initially viewed as vulnerable. With growing economic turmoil in his state and an 800,000 voter registration advantage for the Democrats, two young and qualified Democrats salivated at the chance to challenge the electorally weak Specter; Don Bailey, the state's auditor general, and Bob Edgar, a six-term member of Congress from Philadelphia. Even Republicans viewed Specter as a political liability as popular Republican governor Richard Thornburgh considered a primary challenge to Specter.

Though Thornburgh eventually declined the opportunity to challenge Specter in the Republican primary, Specter did eventually have to face Edgar in the general election. What began as a formidable challenge to Specter's incumbency, quickly defused into a weak challenge when Specter reframed his record in the Senate, describing himself as, "the most independent Republican," and declaring, "My vote is not determined by President Reagan, and I shy away from such labels as liberal or conservative." Indeed, as Richard Fenno (1991) put it in his examination of Specter's early career, "As a practical matter, that meant [Specter] vot[ed] with the Reagan administration on some matters and vot[ed] against the Reagan administration on other matters. As his home state observers had noted at the outset, he was 'the one up there on a tightrope" (157).

Specter's balancing act is not unique for senators in the ideological center. In fact, most senators that sit in the center avoid being labeled as ideological and instead favor being viewed as "independent" or "a maverick." Truly, this strategy may be what moved Specter from being a vulnerable Senate candidate up for reelection to a virtual lock. But why did Specter have to eschew his party, his fairly popular president, and his ideology to win?

At first blush, it seems that Specter behaved as a true moderate; he did not side with either party but instead blazed a third, moderate path. Yet Fenno's assessment offers a different explanation—Specter did not truly grasp a third, centrist position, but instead picked and chose positions from both Democrats and Republicans.

Specter's 1986 plight describes much of what perceived moderates experience in today's Senate. Like Specter, most moderates come from states not with moderate constituents, but ideologically divided ones. For Specter, the key was to preserve a liberal constituency in Philadelphia with the more conservative areas of Northwest Pennsylvania. Given these electoral circumstances, Specter had to build a weak coalition that was vulnerable to party image and economic conditions.

This is of course, without consequence. Given that moderates like Specter have such weak electoral backgrounds to rely on, they cannot possibly exert political power to influence the agenda one way or another as doing so would likely adversely affect one piece of their electoral coalition. In this chapter, I outline a theory for why moderates are not truly moderate. This is why they appear to be moderate at first glance, but are truly electorally conflicted. Indeed, like Specter, most moderates must walk the proverbial tight rope during the legislative process to yield any sort of electoral success.

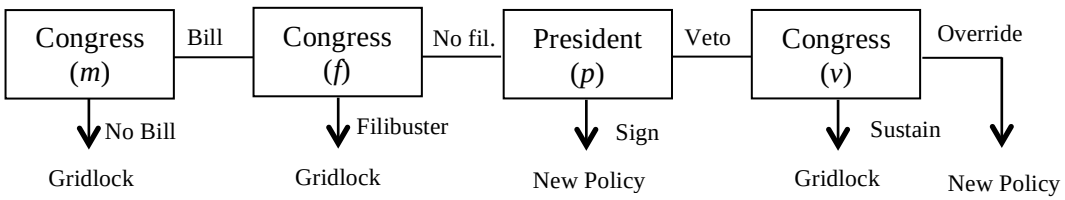
The Basic Framework: A Policymaking Game

The strength of the democratic principles behind the Senate has been a topic of debate, especially due to its super majoritarian rules to overcome a filibuster. Scholars and observers continue to debate the merits of such a system, arguing that it puts the power of moving the

agenda on a small number of swing voters. Yet, as I have built up to, this requires further examination.

Let's begin by reexamining the legislative process. While the United States Senate has 100 members, not each member is equally powerful. Proponents of the public choice approach argue that we should only be concerned with a handful of Senators. That is, if we were to simplify the legislative process to three (or in the case of divided government, four) players, the median voter, the filibuster pivot, and the president, we would have a sequential game, as illustrated in Figure 2.1; The Pivotal Politics Model.

Figure 2.1. The Pivotal Politics Model



The game begins when a member of Congress proposes a bill. Given that it takes a simple majority to pass a bill, the contents of the bill must first be satisfactory to the median voter, here represented as *m*. If the median voter is unsatisfied, there will be no bill and gridlock will be the result. If however, the median voter is satisfied, then the proponents of the bill must guard against a filibuster by satisfying the 60th senator that would invoke cloture, here represented as *f*. If the supporters of the bill are unable to satisfy this senator, then gridlock will again be the end outcome. If however, they are able to satisfy this senator, then the bill is sent to the president for his veto or signature. Of course, if the president signs the bill then new policy emerges, but in

the instance of divided government, the president may veto a bill, sending it back to Congress for a veto-override, in which the 67th senator now becomes the key player in the legislative process (Krehbiel 1996; Brady and Volden 1998).

Again, at its core, this theory of lawmaking in the United States Senate emphasizes that only a handful of senators are truly pivotal to the passage of new legislation. Key to the process is the group of senators that sit between the 50th and the 60th vote on the ideological continuum. That is to say, the ideological moderates hold the key to new legislation. Indeed, scholars outside of formal modeling have come to a similar conclusion. John Kingdon's (1989) seminal study on congressional voting argues that members of Congress simply do not have enough time to extensively research every policy area thoroughly. Richard Hall (1996) adds to this assessment in his study of congressional participation arguing that only a select few legislators play a major role while very few ever serve as principal authors.

Indeed, as others have pointed out, successful lobbying should not target every member, but only the members whose votes are needed (see, Beckmann 2009; Groseclose and Snyder 1996; Snyder 1991, in addition to the previously mentioned pivotal politics literature).

Still, in the legislative early-game, presidents are seen lobbying and mobilizing their party's leadership. As Bond and Fleisher (1990) put it, "many important decisions in Congress are made in places other than floor votes and recorded by means other than roll calls" (68). Beckmann (2009) argues that much of the legwork in the legislative process is done by the President, his supportive leadership in Congress, and the opposition leadership. While this and many other theories still lean on the fact that centrists in the United States Senate are integral to the policy making process, there seems to be more evidence to support the idea that centrists are

integral, but not powerful. That is, the work that the leadership puts into the legislative game may be more important than the pivotal voters.

Frances Lee (2009) argues for a similar framework for policymaking in the Senate, arguing that ideology and by extension, the ideological placement of senators has less to do with policymaking than partisanship. That is to say, political parties work to simplify the political process by deferring to leaders on many types of votes, especially procedural ones in order to score more "wins" for their "team." At first glance this is the problem. If ideologically moderate senators are deferring to their leadership instead of exerting their theoretically strong political power, the assumptions behind gridlock and policy are faulty at best. In the following sections, I address the assumptions behind the belief in powerful moderate senators and outline a theory on their actual influence and the implications behind this.

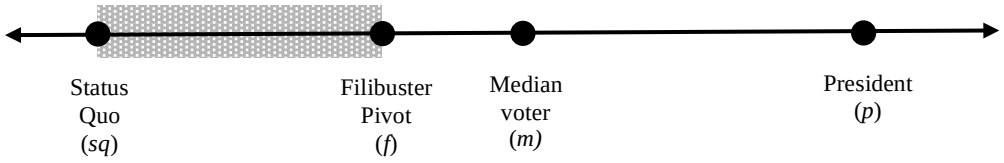
Assumptions

Assumed in the models that put moderates at the forefront is that the policy space for any policy issue is one-dimensional. That is, members of the United States Senate can be organized on a single continuum ranging from liberal to conservative. In terms of the legislative process, it is also assumed that for each policy there is an exogenous status quo point. Figure 2.3 illustrates two possible policy spaces for a liberal president.

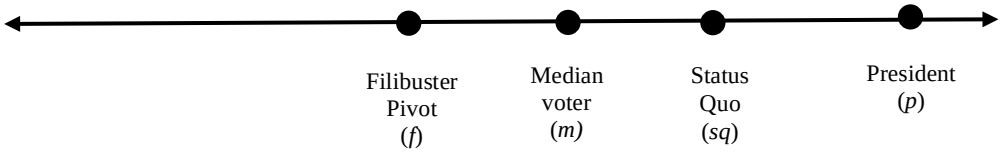
Since legislators can be aligned by their respective ideologies, the placement of the filibuster pivot and median pivot would both have to be on the "correct side" of the status quo. That is, to move the status quo to a new destination, both pivots need to approve of moving the policy to a new location.

Figure 2.2: One-Dimensional Policy Space for Conservative President

2.2.1: Policy Space with Possibility of New Legislation



2.2.2: Policy Space with No Possibility of New Legislation



In Figure 2.2.1, under the assumptions made about ideology, the status quo would move to the filibuster pivot. In Figure 2.3.2, if we were to assume the same players and their ideological preferences, the status quo would not move to the president's more conservative preference as both the median voter and the filibuster pivot have ideological preferences that are more liberal than the president's preferences.

However, underlying these conclusions are the assumptions that each senators ideal ideological position can 1) be simply mapped on an ideological continuum and 2) that they remain consistent across issues. This is of course, not an assumption without empirical support. Keith Poole and Howard Rosenthal's (1997) scoring algorithm, NOMINATE, measures the ideologies of each legislator as a single ideal point on an ideological continuum scale (12). Assumed here is that legislators will vote with the policy option that is closest to their ideological

ideal point. Calculated using roll call votes on non-unanimous votes on all issues regardless of content, the NOMINATE measures accurately measure ideology on a left-right dimension (Poole and Rosenthal 1997). The legitimacy of this measure is only buttressed by their high correlation with more traditional measures of ideology. When compared to score cards by interest groups such as those done by the Americans for Democratic Action and the U.S. Chamber of Commerce, the NOMINATE measures largely hold up to interest group ratings (Burden Caldeira, and Groseclose 2000; Lee 2009; McCarty, Poole, and Rosenthal 2006).

Still, there is reason to question the validity of ideal ideological points. For example, Heckman and Snyder (1997) find that measuring party and regional loyalty accounts for the majority of ideological preferences. Using simply dummy variables for Southern and Northern Democrats, and Republicans, Heckman and Snyder find that the NOMINATE measures are more or less measures of these variables. Furthermore, when party-switchers are put under the microscope, their ideal ideological points shift violently from one ideology to the other as they become more loyal to their new party (McCarty, Poole, and Rosenthal 2001, Nockken 2000). Indeed, Frances Lee (2009) argues, "…not every issue considered in Congress raises ideological questions, at least as 'ideology' is conventionally understood in American politics. As broad as 'liberalism' and 'conservatism' are as concepts, they cannot be expanded to cover every policy issue" (183). She goes on to argue that much of the conflict that observers see as ideological polarization is more about partisan conflict rather than ideological misgivings.

It is off of this that I propose a theory on the influence of moderates in the United States Senate. Building on the work of scholars who have questioned the validity of ideal point ideology scores, I argue that partisans may have ideal points that are ideologically polarized but measuring the ideal ideological point for moderates is much more difficult. Unlike their partisan

counterparts, moderates do not have ideologically homogenous points that can reflect a clear ideological point on a liberal to conservative continuum. Instead, moderates are elected from ideologically heterogeneous constituencies that force them to create volatile coalitions made up of differing interests. As a result, their placement in the "middle" of the Senate is suspect at best, and to propose that they have influence over the agenda should also be called into question. Truly, moderates in the Senate should care less about maximizing their policy outcomes and more about minimizing the consequences of those outcomes. In the following section, I outline a theoretical explanation for this and propose a theory for how moderates survive their legislative and electoral predicaments.

A Theory of Moderate Influence

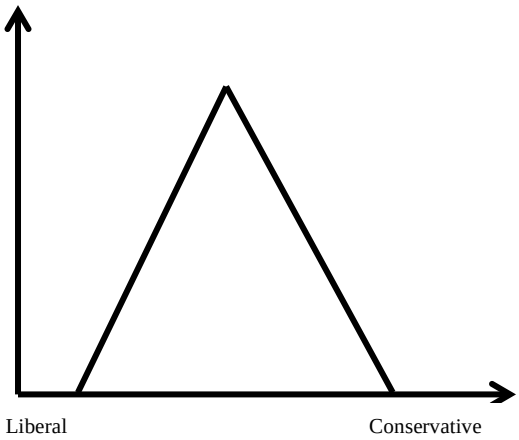
Mayhew (1973) argues that amongst their many goals, members of Congress are concerned foremost with reelection. As a result, they must focus on keeping their constituents happy, mainly by representing the groups that make up the constituency that elected them (Fenno 1978). Though there are debates in the scholarly community about the effectiveness of legislators representing their constituency's interests, it is difficult to dismiss entirely the notion of representation. It is fair to assume that legislators to at least some degree match their constituency's ideology.

Black (1948) and Downs (1957) assert that if voters can be organized on a one dimensional policy space, the ideal preference point would be the median voter. Expanding that to the study of congressional behavior, representatives should respond to the median voter's preferences, as that is the ideal ideological point for a representative to represent as it captures the largest portion of her constituency. Thus, the median voter theorem argues that legislators

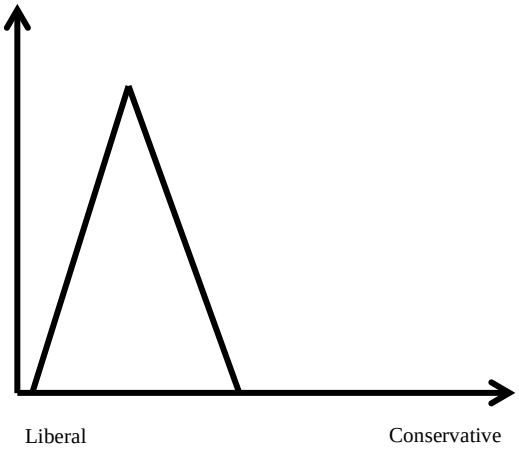
have single peaked preferences that correspond to the median voter within their constituency. I illustrate the median voter theorem in Figure 2.3.

Figure 2.4: The Median Voter Theorem

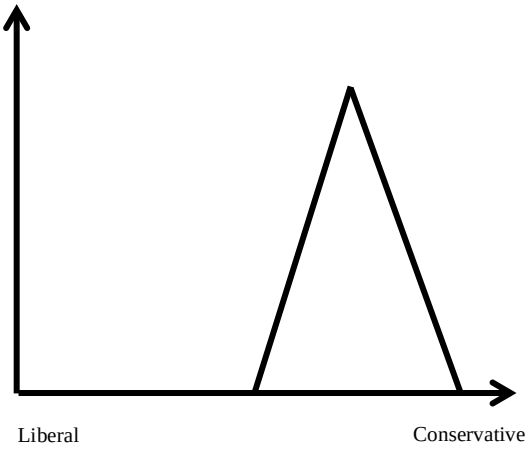
2.3.1: Traditional Median Voter Theorem



2.3.2: Median Voter Theorem for Liberal Constituency



2.3.3: Median Voter Theorem for Conservative Constituency



Of course, to assume that each constituency is perfectly balanced and that constituents line up in a fashion in which legislating from the middle would yield the most votes would be faulty at best. Americans continue to sort themselves ideologically and vote more consistently with their ideology. Fewer and fewer constituencies look like Figure 2.3.1 and more and more like 2.3.2 and 2.3.3. That is, legislators are representing increasingly homogenous (though not necessarily polarized) constituencies. Indeed, as Table 2.1 demonstrates, members from the ideological left and right come from states that are solidly of their respective ideologies.

Table 2.1: Comparison of the Most Liberal and Conservative Senators in the 112th Senate

Senator	State	Rank based on DW-Nominate Score	Percent Voting Romney	Percent Voting McCain	Percent Voting Bush
Top 5 Most Liberal					
Sanders (I)	Vermont	1st	31	30	39
Durbin (D)	Illinois	2nd	41	37	44
Harkin (D)	Iowa	3rd	46	44	50
Whitehouse (D)	Rhode Island	4th	35	35	39
Brown (D)	Ohio	5th	48	47	51
Top 5 Most Conservative					
Paul (R)	Kentucky	1st	60	57	60
Lee (R)	Utah	2nd	73	62	72
Demint (R)	South Carolina	3rd	55	54	58
Coburn (R)	Oklahoma	4th	67	66	66
Johnson (R)	Wisconsin	5th	46	42	49

Of these ten states, there are two clear exceptions.[1] First, there is one true swing state in Ohio; the others are solidly in the Democratic and Republican columns respectively. Second, Johnson (R-WI) represents a state that, in 2004 was a swing state, but is otherwise fairly Democratic in its voting patterns. He was however, elected in 2010, with many other "Tea Party" extreme conservatives which may explain his choice of ideology.

[1] A case can be made that Iowa is also an exception to the rule, but over the past two presidential elections, Iowa has voted for the Democratic presidential candidate at fairly high rates, and voted for the Democratic candidate in 2004, even while being a close election.

So then what of the moderates? Table 2.2 lists the top 10 most moderate senators based on their DW-Nominate Score.

Table 2.2: Comparison of the Top 10 Moderates in the 112th Senate

Senator	State	Rank based on DW-Nominate Score	Percentage voting for Romney	Percentage voting or McCain	Percentage voting for Bush
Nelson (D)	Nebraska	1st	60	57	66
Snowe (R)	Maine	2nd	41	40	45
Collins (R)	Maine	3rd	41	40	45
Brown (R)	Massachusetts	4th (tied)	38	36	37
Manchin (D)	West Virginia	4th (tied)	62	56	56
McCaskill (D)	Missouri	6th	54	49	53
Carper (D)	Delaware	7th (tied)	40	40	43
Webb (D)	Virginia	7th (tied)	47	46	54
Nelson (D)	Florida	9th	49	48	52
Landrieu (D)	Louisiana	10th	58	59	57

In this table, the explanation for why these states elected moderates is, in some cases less obvious than in others. For example, it is conceivable that traditional swing states like Florida or Virginia elect moderates like Bill Nelson or Jim Webb, respectively. But less intuitive are states that are not swing states. That is, why would a state that is clearly aligned with the Republican Party, like, Nebraska or Louisiana, elect a senator like Ben Nelson or Mary Landrieu, respectively?

As stated earlier, the Pivotal Politics model requires that members have single-peaked preferences that can be easily aligned on a liberal to conservative consortium. To be fair, this is (mostly) true for the vast majority of senators who fit this design, as illustrated in Figures 2.4.2, and 2.4.3. Most senators are elected from states that the media would traditionally refer to as "red" and "blue" states. But to assume that moderates are only elected from "swing" states would be an oversimplification. Moderate senators in the modern area come overwhelmingly from one of two states, the "partisan-lean states" and the "swing states."

Partisan-Lean States

Senators Nelson, Snowe, Collins, Manchin, and the like were all elected from states that are not viewed traditionally as swing states. So why are these states electing them? Or to be more specific, what distinguishes these states from traditionally "red" and "blue" states that they elect moderates while others do not? Of the senators in Table 2.2 that are not elected from the dual-peaked swing states, there appears to be little logic to their election at first glance, other than the fact that they come from states in which the opposing party is strong. Take for example, Mary Landrieu, the Democratic Senator from Louisiana. In each presidential election, Louisiana voted overwhelmingly for the Republican presidential candidate. This in itself does not satisfactorily explain her election, however. After all, how could a Democrat be elected if the state is dominated by Republicans?

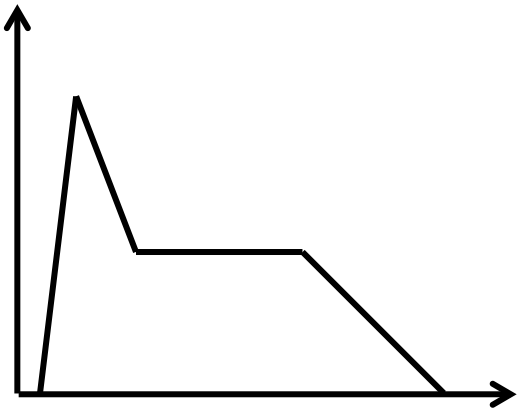
Louisiana, and a handful of other states for that matter, are unique. While their electorates clearly favor one party over the other, these states hold a unique set of circumstances in which they may be inclined to elect a member of the opposite party. These circumstances could include a family legacy (The Landrieu Family in Louisiana for example), a scandal for the incumbent party (Mark Begich defeating Ted Stevens during his indictment), or a popular politician with ties to state politics (Olympia Snowe and Susan Collins in Maine or John Breaux in Louisiana for example). I call these states, partisan-lean states. I illustrate them graphically in Figure 2.5. In these states, there is a clear advantage for one party or ideology, and it is, in one sense, a single peaked preference. It does not however, capture the ideal point to gain the support of all the voters in every scenario.

That is to say, there are enough moderates to build a coalition with the weaker party to elect a moderate senator. For example, Olympia Snowe and Susan Collins can be elected from

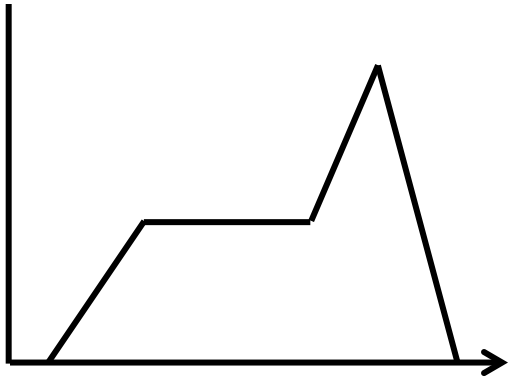
Maine because even though Maine traditionally elects liberal Democrats, a coalition of Republicans and weak partisan moderate can push them to electoral victory. Like dual-peaked swing states however, these senators are also not truly ideologically moderate.

Figure 2.5: Partisan Lean States

2.5.1: Partisan Lean State for Liberal State



2.5.2: Partisan Lean State for a Conservative State



Again, since the ideal position is not the center, these senators must build unstable coalitions of moderates and their base. In these states, senators are still vulnerable to a strong primary election challenge, but in the general election the senator must be moderate enough to gain

broad support to build a coalition. Given that the opposing party remains powerful, they will likely have to take positions from the opposing ideology as well on occasion.

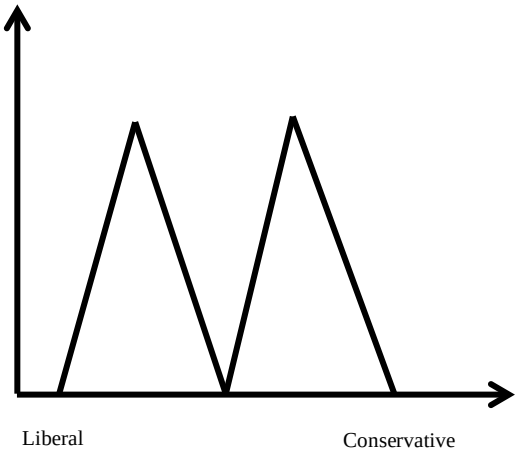
In any case, the previous assumptions of the median voter theorem applying to all senators do not apply. That is, unlike ideological senators who have one clear constituency to represent, moderates must build extremely volatile coalitions with imprecise preferences. This means that instead of representing a "moderate" ideological position, they must instead balance their congressional participation by borrowing from both liberals and conservatives. Because of this, much of the nuance behind this predicament is lost on broader lawmaking theories.

The Swing States

Indeed, moderates can be elected from swing states, or states that have nearly equal numbers of both Democrats and Republicans. To assume however, that voters could be easily drawn as having a single-peaked ideology would be negligent to the nuances of the electoral climate in these states. To be specific, states that are traditionally referred to as swing states are not swing states because they represent an ideologically moderate constituency, but because the electorate itself is torn in terms of partisanship. This phenomenon is illustrated in Figure 2.5.

Instead of having one distinct, "single-peaked" preference to represent, senators from states that are divided in partisanship have to address the concerns of two distinct preferences. This is of course, clearly divergent from what ideological senators have to experience. Senators from these dual-peaked states have to strike a balance between the two sides if they are to maintain their weak electoral coalition. Of course, traditional measures of ideology, such as the DW-NOMINATE scores, or even the interest group scores would fail to measure this difference. As a result, senators that have traditionally been viewed to be moderate are anything

Figure 2.5 The Dual-Peaked Swing State



but. The aggregation of their vote choice in Congress merely reflects an effort to balance two distinct constituencies with divergent preferences.

Fenno's (1978) constituencies for this type of state are more complex. For a "run of the mill" senator, their concerns should be their primary constituency, made up of their ideological base, and their general constituency, made up of their base and other supporters. For senators from dual-peaked states, they still have the same concerns, but the calculus behind their decisions is much more complex. If a senator from a "run of the mill" state is having trouble with her base, then she can simply run to her base and vote ideologically. If the same senator is vulnerable in the general election, they can moderate their positions in an effort to build a broader coalition. A senator from a dual-peaked state does not have the same luxury, however. In terms of measuring their reelection prospects, they can choose two legislative strategies. From their election, this senator could strike an odd ideological balance; running too close to the middle or opposite ideology will result in a primary challenge, running to close to the base would

yield a strong general election challenge. Ideally, they would have to strike some sort of a balance like that found by Arlen Specter throughout most of his career.

Alternatively, the senator in question could choose a legislative strategy that endears her to the ideological pole of her party so as to excite the base to turn out for her. This is a dangerous strategy as there would likely be some backlash, but not one without its merits. Scholarship on elections demonstrates that indeed, politicians that choose ideological extremes over ambiguity and moderation are able to increase support within their party (Peress 2011; Rogowski 2014; Tomz and Van Houweling 2008). Of course this may work better for swing state senators than partisan lean state senators.

Using the presidential vote share for the Democratic candidate over the past two presidential elections, we can classify the states based on the aforementioned typology. Table 2.3 lists this classification.

Table 2.3: Survival Typology

Type of State	States
Swing States	Colorado, Florida, Iowa, Nevada, New Hampshire, North Carolina, Ohio, Pennsylvania, Virginia
Moderate Democrat/Conservative Republican	Alabama, Alaska, Arizona, Arkansas, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, Wyoming
Moderate Republican/Liberal Democrat	California, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, Oregon, Rhode Island, Vermont, Washington, Wisconsin, Minnesota

Of course this classification is not without its faults. As mentioned earlier, a number of very popular politicians have carved out moderate governing strategies in Congress and have

maintained them despite the nature of their constituency. Nevertheless, a comparison between this typology and the DW-Nominate scores shows a great deal of accuracy in predicting where moderates and polarized senators come from. This is presented in Table 2.4.

Table 2.4: Percent of Senators Correctly Predicted by Survival Typology by DW-Nominate Scores

Congress	All Senators	Filibuster	Median	Filibuster/Median	Top 10 Most Moderate
112th	89%	60%	70%	65%	90%
111th	88%	70%	60%	65%	80%
110th	86%	50%	80%	65%	90%
109th	79%	80%	50%	65%	60%
108th	84%	50%	80%	65%	80%

Given that the overwhelming majority of moderate senators come from states where the ideological makeup is either contradictory or antagonistic, moderates must exercise their power as the vote to break a filibuster or pass legislation with extreme caution. In the following section I outline a strategy for these electorally vulnerable senators to achieve reelection.

Strategies for Survival

So if moderates are indeed, elected by building volatile coalitions, how can they possibly survive and retain their seat in future elections? As mentioned, the worst option for moderates would be to represent the ideological center. In dual-peaked swing states, representing moderate interests would serve to only anger the left and the right. In partisan-lean states, it could activate a base that would yield a strong primary challenger or anger the opposition yielding to a strong general

election challenger. In 2010, Blanche Lincoln, a Democrat from Arkansas[2], experienced just this fate. By running to the middle, she sufficiently angered her base enough to yield a strong primary challenge from Bill Halter, the much more liberal lieutenant governor of the state. While she was able to stave off Halter's challenge, she ultimately lost to Republican John Boozeman, a much more conservative candidate (Muskal 2010).

So then how can the so-called group of moderate senators avoid the same fate as Blanche Lincoln? Proponents of traditional theories in which moderates are powerful due to their ideological placement would argue that the best way to avoid electoral defeat is to exert power over policy decisions. Given the more nuanced explanation above about what constituencies elect these moderates, it would likely be more problematic than useful to use this method. In his seminal study of Congress, R. Douglas Arnold (1990) argues that many times members of Congress seek to avoid traceability on salient issues as the costs associated with them can be detrimental with voters, even in cases where the relative good outweighs the bad. This logic rings even truer for Senators in the middle. Because they have to maintain unstable coalitions that have differing and often opposing values, it is best for them to avoid any sort of traceability on most salient issues.

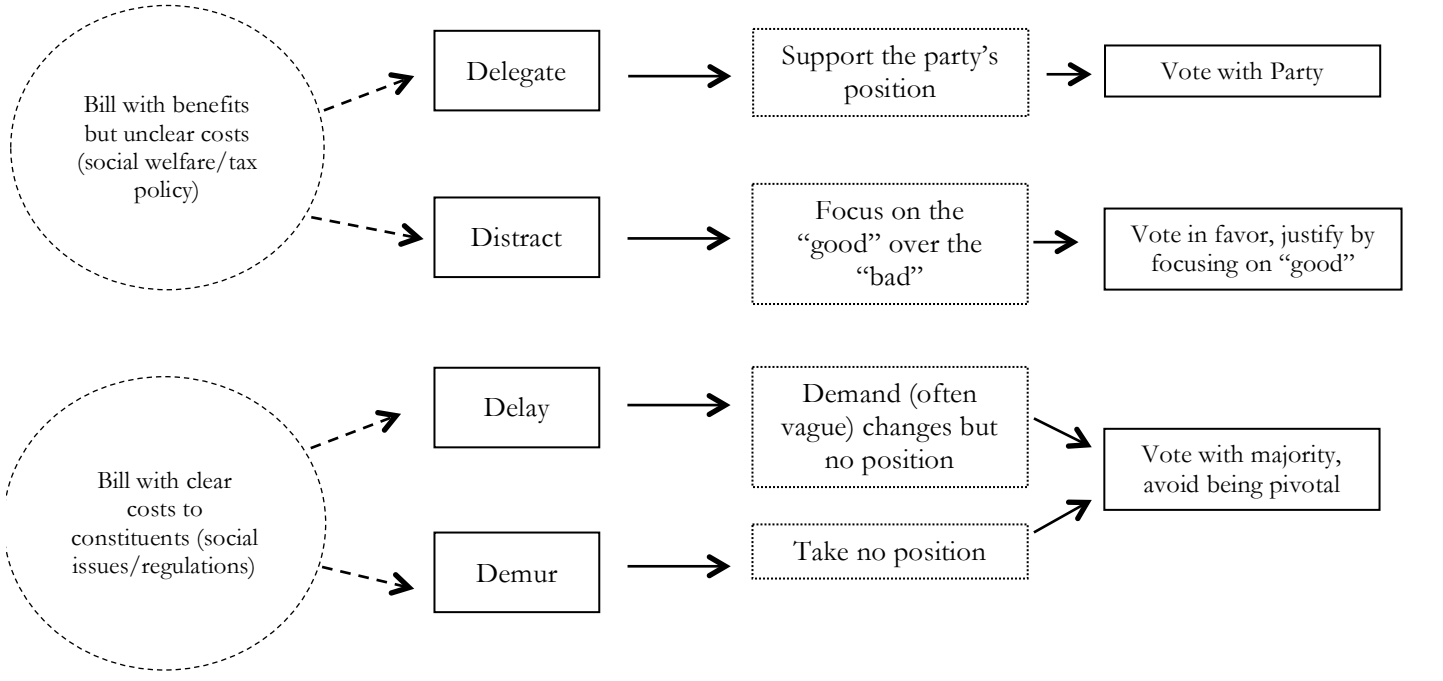
So then what strategies can be employed to preserve their incumbency? If these senators are trying to maximize their ideological flexibility while minimizing traceability, they should look to use four strategies. I illustrate these strategies in Figure 2.6. To understand their actions fully, I split these strategies in two: the legislative early game, in which senators lobby and shape legislation, and the legislative end game, in which senators vote for or against legislation. In the

[2] Arkansas, by the definitions provided above is a partisan-lean state. While it has been a strong hold for Democrats in years past, in recent years, Arkansas has drifted strongly into the Republican Party's hands.

legislative early game, many senators can choose to be inactive, not only by choice but out of necessity. Again, as mentioned earlier, Kingdon (1989) argues that most members of Congress are inundated with numerous issues and legislation that they usually cannot engage legislation until it's on the floor, and even then many neglect to do so. Of course, in the legislative end game, senators must take a position, but they can avoid much of the backlash by employing one of the four strategies mentioned below.

First, they can **delegate** their position to the party leadership. The logic behind this choice is to maximize the party's strength nationally so as to avoid both primary challengers and strong general election challenges. Borrowing from the Cartel Theory literature on the House of Representatives, here, senators choose to support their party's position in an effort to pass legislation regardless of their constituency's or even their own policy preferences (Cox and McCubbins 1993; 2004). Of course, this strategy cannot always be used since many constituencies may find such an explanation unacceptable.

Figure 2.7: Strategies for Surviving the Ideological Center of the U.S. Senate



For example, on a bill that advances budget cuts, Lisa Murkowski (R-AK) justified her vote in favor of a bill that would sharply cut federal social spending in her state by playing up the fact that the bill increased the share of oil revenues to Alaska. This is of course a valid strategy for senators who sit in the middle. When simple party loyalty does not appease voters, senators can **distract** their constituencies by focusing on the consensual portions of the legislation rather than the direct costs of the legislation.

Still, what are moderate senators to do when the direct costs of the bill are clear and salient? Social policy bills like gun control, immigration, and the so-called "moral issues" can be much more difficult for senators to take clear positions on. On these pieces of legislation, senators should (and do) use two strategies to avoid traceability. They can either **delay** their decision and make demands, which are often vague, to change the legislation or they can **demur** and avoid taking a clear position on the legislation. In either case, the goal of the senator is to avoid traceability and getting attention in the early game part of legislating. In the end game, senators that choose these strategies should vote with the majority and focus on not being the pivotal vote, be it the 51st or the 60th to invoke cloture.

The Swing State Caveat

To be certain, swing state senators are in a different position than partisan lean state senators. Unlike partisan lean state senators, swing state senators enjoy a fairly large base that they can motivate to turn out on their behalf. This is a large reason for why we often see one state represented by two ideologically polarized senators. For example, for much of the latter part of the 20th century, Tom Harkin, a liberal Democrat, and Charles Grassley, a conservative

Republican represented Iowa. Similarly, today, Sherrod Brown, a liberal Democrat, and Rob Portman, a conservative Republican, represent Ohio.

The large base that these senators enjoy allows for some flexibility. Some senators, like the ones already mentioned, may be able to play to their base and win elections simply by keeping their core constituents happy. Others however, may view this is a much more risky situation and may operate as partisan lean senators. If executed correctly, both strategies have about the same level of success. For example, the recent slew of Democrats that have represented Virginia have chosen a path of moderation and all of them have enjoyed high approval ratings (including Jim Webb who retired before running for reelection). I will discuss this further throughout the book and in greater detail in Chapter 6.

Conclusion

Of course, the strategies mentioned are not fool proof strategies, but they are strategies that senators in the middle must employ to survive the volatility of their electoral coalitions. Because of this, it can be clearly argued that senators that sit on or near the "pivots" (i.e. the median voter and the filibuster pivot) are not powerful at all. In fact, in many cases they can be "rolled" by party leaders on tight votes—though unlike their colleagues in the House, vulnerable centrist senators can be rolled by either party, depending on which side is offering the stronger electoral challenge.

To return to the initial example given of Arlen Specter, it is because Specter avoided traceability on highly salient issues and beat a drum of independence that Specter was able to turn a potentially lost Senate seat into an easy victory. Still, his future career was still met with electoral ambiguity and weak power. As Lincoln Chafee (2008) argued in his book, Specter,

"took no leadership role in representing the moderate point of view. He acquiesced [to the administration], and others followed his example" (7).

In the following chapters, I prove this theory by using empirical evidence to first demonstrate the electoral argument and then later the legislative argument. I split the legislative section by focusing first on the legislative early game, in which senators lobby and shape legislation, and then focusing on the legislative end game, or when the senators vote.