The Advantage of Disadvantage:
Legislative Responsiveness to Collective Action by the Politically Marginalized

by

LaGina Gause

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Doctoral Committee:

Professor Elisabeth Gerber, Co-Chair
Professor Vincent L Hutchings, Co-Chair
Associate Professor Jowei Chen
Professor Richard L Hall

Because of God's grace and mercy

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ABSTRACT

Reelection-minded legislators look to participation to discern how potential voters might react to a legislative vote. They rely on voting behavior, campaign contributions, public opinion polls, and other forms of participation to inform their legislative voting. Although members of Congress value this information, participation is costly, particularly for racial and ethnic minorities, the poor and other resource-constrained groups. Using formal theory and data on collective action events reported in the *New York Times* from 1991 to 1995, I argue that collective action – participation involving multiple participants publicly expressing a grievance or concern – conveys to representatives the salience, or importance, of an issue to constituents. Participants' resource levels moderate this relationship. While, extant literature on legislative behavior finds that Congress is more likely to reflect the preferences of white and affluent constituents than their low resource counterparts, I make the counterintuitive argument that following collective action legislators are often more likely to represent the preferences of low resource collective action participants. This finding is robust to the measurement of resources, the nature of collective action, the characteristics of legislator and the congressional district, and the group's organizational resource capacity.

CHAPTER I

Introduction

"[P]rotest isn't an exception to, departure from,
or repudiation of the political process,
it's a part of the political process."

- Richard Brody 2014[1]

The verdict was rendered on April 29, 1992 around 3:15pm. Sergeant Stacey Koon and Officers Laurence Powell, Timothy Wind, and Theodore Briseno were found not guilty of assaulting Mr. Rodney King. The verdict angered many who viewed the videotaped attack of the unarmed motorist as excessive. Within minutes, a large crowd gathered outside of the Simi Valley, CA courthouse and over the next five days the Los Angeles metropolitan area was teeming with assault, rioting, looting, arson and even murder.

All over the nation people engage in collective action – non-electoral forms of participation involving multiple participants publicly professing a desire for some policy-related outcome (McAdam and Su, 2002). They gather for rallies, participate in letter-writing campaigns, join boycotts, and sign petitions to express their grievances. While the Rodney King uprisings were underway, primarily in Los Angeles, New York City, and Chicago, collective action for other issues were occurring in other parts of the country. In Birmingham, Alabama, 700 people marched in protest

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[1]Retrieved on January 12, 2015 from `http://www.newyorker.com/culture/cultural-comment/crucial-lessons-democracy-selma`

of the white supremacist activities of Neo-Nazis in their communities. In New York City, Greenpeace activists were being arrested outside the United Nations following acts of civil disobedience in opposition to environmental policies. At the same time, a pro-life demonstration was occurring at an abortion clinic in Buffalo, New York.

Collective action events provide voice to the discontent. They also inform legislative behavior (Gillion, 2013; McAdam and Su, 2002). To be sure, the congressional response the Los Angeles riots was mixed but attentive. Democratic Congresswoman Maxine Waters seized the opportunity to define the issues plaguing the mostly black and Hispanic district she represents (Newman, May 19, 1992). She explained, "[The problem] has been simmering because of a lack of attention to these inner cities for so long. The hopelessness, the unemployment, the frustration has been festering. The jury verdict was just the straw that broke the camel's back"(qtd in Shuit, May 10, 1992). In contrast, representing the mostly white Simi Valley district, Republican Congressman Elton Gallegly used the opportunity to introduce legislation addressing illegal immigration. He argued, "A significant percentage of those who were rioting and looting and participating in what we could accurately refer to as anarchy was illegal aliens . . . It would be very hard to argue that their mission was to defend Rodney King's honor"(qtd in Sneiderman, May 8, 1992). Despite opposition by Congressman Gallegly and almost forty percent of his colleagues, Congress passed the Dire Emergency Supplemental Appropriations Act (H.R. 5132) to mitigate damages in Los Angeles and other communities.

The differential responses by Congresswoman Waters and Congressman Gallegly to the collective action events surrounding the Rodney King incident demonstrate that who is participating in a collective action event may be important for understanding a legislator's response to collective action. In this dissertation, I argue that the resources of collective action participants are pertinent to a legislator's determination of whether they should support their constituents' issue preferences in a roll call vote. I demonstrate that legislators are often more likely to support the

preferences of lower resource constituents following collective action because legislators are interested in representing constituents demonstrating a willingness to hold their legislator accountable for a vote on their salient issue preferences. This is true regardless of the type of resource disparity, in spite of other characteristics of the collective action event, and despite the characteristics of the legislator or congressional district in which the collective action occurs.

The Politics of Representation

Legislators are generally more likely to favor affluent constituents over the less affluent (Ellis, 2012; Gilens, 2012; Bartels, 2008). They are also more responsive to white constituents than black or Latino constituents (Butler and Broockman, 2011; Griffin and Newman, 2007). The biases in legislative behavior are largely due to the incentives that motivate legislative behavior - party pressures, personal ambitions, and constituency preferences.

Political parties are integral in helping legislators attain reelection by providing a brand name for representatives during elections and serving as a cartel that facilitates coordination (Aldrich, 1995; Cox and McCubbins, 1993). As parties are national coalitions of factions attempting to reach a consensus that benefits most members of their respective coalitions (Bawn et al., 2012), they are less likely to appeal to underrepresented groups (e.g., Griffin and Newman, 2008; Strolovitch, 2005; Rosenstone and Hansen, 1993). Furthermore, a lack of economic, racial, and gender diversity among elected officials has led to policies that disadvantage the poor, racial and ethnic minorities, and other lower resource groups (Carnes, 2012; Tate, 2004; Hawkesworth, 2003).

Constituency preferences and the communication thereof also perpetuate legislative biases in representation. Legislative behavior sometimes favors policies benefitting the rich because of shared preferences between the rich and poor (Ura and

Ellis, 2008) perhaps due to a lack of awareness among lower income constituents about which policies best serve their interests (Bartels, 2005). Even when preferences between the groups differ significantly, minorities and lower income groups are somewhat more diverse in their preferences than whites and higher income groups, respectively, which makes the consistent representation of the former more difficult (Clifford, 2012).

Not only are constituency and legislators' preferences biased towards higher resourced groups, but they are also biased against lower resourced groups. Support for economically liberal policies is lower among affluent constituents (Page, Bartels and Seawright, 2013; Gilens, 2012) and means-tested programs are criticized by working and middle-class whites for providing undeserving benefits to racial and ethnic minorities (Gilens, 2000). Concurrently, Republicans are openly hostile towards race-targeted policies designed to assist racial and ethnic minorities and Democrats make concerted efforts to avoid being seen as beholden to racial and ethnic minorities' interests (Edsall and Edsall, 1991).

Disparate participation rates are also blamed for the unequal representation of sub-constituencies. Given the reelection incentive, legislators represent groups who have the power to impose electoral penalties in the absence of responsiveness (Arnold, 1990; Fiorina, 1977). They often look to participation levels among subsets of their constituency to determine which constituents are most likely to reward or punish the legislator for their behavior and they are most likely to represent the concerns of constituents with the resources to make frequent, informed contact (Grossman, 2012; Miler, 2007). However, volunteering for a campaign demands time. Contributing to a candidate requires income. Even voting can be a scheduling nightmare for someone with odd working hours, multiple jobs, inadequate transportation, or scarce childcare alternatives. A group's resource capacity determines whether individuals who desire to voice their concerns can feasibly do so through electoral participation.

Racial and ethnic minorities are generally less likely to participate electorally

than white constituents (Verba, Schlozman and Brady, 1995). On average, blacks have much less income, education, and occupational prestige than whites (Leighley and Nagler, 2014). Facing similar socioeconomic impediments, a substantial population of Latinos face obstacles relating to citizenship status, English-language proficiency, and a lack of familiarity with the American political culture leading to lower levels of participation among Latinos compared to demographically equivalent blacks and non-Hispanic whites (Abrajano and Alvarez, 2010). Even more, a lack of organizational resources can exasperate demographic resource disparities.

People are more likely to participate politically when asked to do so (Gerber and Green, 2000; Rosenstone and Hansen, 1993). But, the people who do the asking - political parties, candidates who run for office, and elected officials - tend to target previous voters, former contributors, and individuals easily accessible through social networks (Rosenstone and Hansen, 1993). As a result, the political marginalization of lower resource groups is compounded: those with fewer resources face greater barriers to participation due to their lower socioeconomic status and political organizations known to mobilize participation rarely target those with fewer resources.

When barriers to electoral participation are sufficiently prohibitive, collective action can be a viable option for groups wishing to communicate their concerns. Unlike forms of participation that must take place around election cycles, collective action can occur at almost any time and in almost any place. Collective action also necessitates less political knowledge about who to contact or how to make such contact. This is especially appealing for less educated constituents or those disconnected from organizations that relay information pertinent for electoral participation. Furthermore, collective action is a natural option for groups with a tradition of engaging in social movements (Ganz, 2009). To be sure, minorities are more likely than whites to engage in protest relative to doing nothing or contributing to political organizations, and the poor are no less likely to protest than they are to contribute to campaigns (McVeigh and Smith, 1999; Verba, Schlozman and Brady, 1995). Still, while racial

and ethnic minorities and the poor are more likely to engage in collective action than white and affluent constituents, collective action is an option for any group of individuals that identifies as a social group, perceives an unjust disadvantage, and believes that they can do something about that injustice (van Zomeren, Postmes and Spears, 2008; Gamson, 1992).

For legislators interested in thwarting potential Election Day swings in their opponents' favor, collective action can serve as a valuable political resource even when the primary goal of collective action is not to influence legislative behavior (Kollman, 1998; Lohmann, 1993). For example, employment strikes intended to encourage corporations to increase minimum wages or improve workplace conditions are not politically focused and do not directly target elected officials. They can, however, inform a legislator with constituents engaging in collective action about the saliency (or importance) of preferences for labor and employment practices in ways that are not immediately observable in other forms of participation.

Salience is essential for legislative responsiveness. Legislative behavior is more likely to represent constituency preferences when the issue is salient to constituents (c.f. Canes-Wrone, 2001; Kollman, 1998; Kingdon, 1977) perhaps because constituents electorally punish or reward legislators for their roll call votes on salient legislation (Ansolabehere and Jones, 2010).

Legislators know that the salience level participants have for an issue is not likely to reflect the salience, or even the preferences, of all constituents within the district but rather a subset of constituents with similar preferences to the participants. However, the fear of negative electoral repercussions by previously inactive participants motivates legislators to be responsive to collective action. Certainly, "latent or unfocused opinions can quickly be transformed into intense and very real opinions with enormous political repercussions" (Arnold, 1990, p. 68). Even infrequent political participants can hold their legislators accountable should they shift their behavior at an opportune time (Miller and Stokes, 1963). Individuals that participate in social

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movements and collective action are more likely to participate electorally (Rosenstone and Hansen, 1993). As a result, legislative support for participants' issues is likely to shift when constituents are active within the legislator's district (Bailey, Mummolo and Noel, 2012). This is true even when the majority of other voters disagree with the collective claims made during demonstrations (Lohmann, 1994).

Extant literature demonstrates that collective action provides elected officials with valuable information about the direction and strength of the policy preferences of their constituents (e.g., Gillion, 2013; McAdam and Su, 2002; Cress and Snow, 2000; Piven and Cloward, 1977; Gamson, 1975; Lipsky, 1968). Legislators are likely to reward this participation with representation if they are confident that the participants care enough about the issue to affect the legislator's probability of reelection. I argue that resource levels of collective action participants help legislators to discern whether the issue that mobilized the group is truly salient for participants.

Data

Several datasets are used to examine the role of resources and non-electoral participation on legislative behavior. The majority of the data is from the Dynamics of Collective Action (DCA) dataset (McAdam and Su, 2002). The DCA is a compilation of all collective action events reported in the *New York Times* from 1960 to 1995. The DCA includes a plethora of information on the nature and frequency of collective action and has been used extensively in analyzing the relationship between collective action and government responsiveness (for examples, see Gillion, 2013; Olzak and Soule, 2009; McAdam and Su, 2002).

The DCA data for this analysis is confined to 1991 to 1995 to examine the most recent collective action events available in the DCA. This period excludes the unique decades of heightened collective action and social movement activity in the United States and subsequently allows for conjectures about the political implications

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of more recent collective action. The dependent variable measures legislative support for collective action on the first roll call vote following the collective action event but during the same congressional session. Therefore, the overall analysis is based on legislative responsiveness from 1991 to 1996 (i.e., the 102nd, 103rd and 104th Congresses). The period of analysis for this research has variability in the composition of each Congress, which provides for greater generalizability of the findings. The 102nd Congress has a Democratic majority under a Republican president, while the Democratic party retains control of Congress under a Democratic president in the 103rd Congress and loses its majority in the 104th Congress under the same Democratic president. Partisan control has implications for the types of issues that legislators will have the opportunity to vote on and the strategies they employ when voting (Peress, 2013; Whitby, 1997; Cox and McCubbins, 1993). Indeed, a legislator is more likely to defect from voting with his party when his party is in the minority than when it is in the majority (Cox and McCubbins, 2005; Whitby, 1997).

The DCA includes a wealth of information concerning the characteristics of initiating groups including occupation, race, ethnicity, age, gender, and residency status. This data is used to develop the primary independent variables in subsequent chapters. Coders also listed the names of up to four interest groups mentioned as being present at each collective action event. These names were the basis of a novel dataset of organizational resource capacity employed in Chapter V.

Using GIS software, I identify the legislator representing collective action participants by locating the congressional districts that overlap with the cities in which each event in the DCA occurs. Analyses are conducted for the issue area with the most frequent collective action claims in the DCA for 1991 to 1995: the Policy Agenda's Project classification of Civil Rights, Minority Issues, and Civil Liberties.

Only events reported in the *New York Times* are included in the DCA, which means that there is greater coverage of events transpiring in a major city or having a national focus relative to smaller collective action events. Consequently, while

this data provides for an adequate test of the theory and includes information on hundreds of collective action events, the empirical analysis is limited to relatively visible collective action.

The geographic limitations of the data may have consequences for the empirical findings. Legislators representing districts in or near major cities may differ in their legislative behavior in response to collective action. In Chapter IV, I explore how diverse districts and legislator characteristics might influence legislative behavior. The theoretical and empirical findings suggest that some legislators have more incentive than others to respond to collective action participants. Still, all legislators should be at least as likely to represent the preferences of low resource collective action participants as they are to represent high resource collective action participants. Legislative behavior in response to collective action events not included in DCA should be similar to responsiveness revealed in the empirical analyses in this dissertation.

Relative to less visible collective action, events with greater news coverage have the potential to increase the scope of the conflict and increase pressures on legislative behavior that are external to the communication between legislators and collective action participants. While an empirical analysis of this selection bias is not conducted in this dissertation, the theory delineated in Chapter II suggests that the visibility of the event should not alter legislative responsiveness to collective action. According to the theory, legislators respond to collective action because they are responding to a group that is communicating through collective action a willingness and ability to hold legislators accountable for their legislative behavior. Empirically, I address influences on legislative responsiveness that are external to collective action with a variety of variables known to influence legislative voting.

I supplement the DCA data with several datasets concerning the characteristics of the district the collective action event occurs in and the legislator representing that district. The first of these data is the replication dataset from the the Paradox of Replication (Lublin, 1997). This data provides information on the 87th-104th con-

gressional districts including the districts' level of education, median family income, percent voting age black and Latino populations; and the legislators' party, length of service, race, and gender. The legislator's *Margin of Victory* in the previous election is attained from the CQ Press Voting and Elections Collection (CQ Press, 2015). I used United States' Census Bureau data to determine whether the district is located in a southern state.

Census Bureau data, along with American National Election Study Post-election Surveys, was also useful in creating a measure of the district's level of public salience for Civil Rights, Minority Issues, and Civil Liberties through the multi-level regression and post-stratification (MRP) method. This *Public Salience* variable measures the salience of an issue for constituents in a district in order to discern whether legislators are responding to the salience of collective action participants or to the salience of other constituents in a district. MRP produces an estimate of district level opinion from national survey data (Warshaw and Rodden, 2012; Lax and Phillips, 2009). Specifically, for each of the 1992, 1994, and 1996 American National Election Study Post-Election Surveys, I partially pooled survey responses across districts for the survey question indicating whether respondents believed that Civil Rights, Minority Issues, and Civil Liberties is one of the top three most important problems facing the nation. Using the glmer package in R, the individual survey responses are estimated with a hierarchal model of the binary dependent variable (whether civil rights issues is one of the most important problems facing the nation) as a function of individual characteristics (race, age, income, survey), district, district characteristics (income, percent black, percent Hispanic, percent urban), region, state, and state characteristics (veteran population). The estimates are poststratified using breakdowns of congressional district demographics by race, age, and income.[2] The MRP process culminates in a measure of the percentage of the district that be-

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[2]Population estimates are obtained from the 1990 Decennial Summary File 3 and accessible via the United States Census Bureau's DataFerret tool.

lieves that Civil Rights, Minority Issues, and Civil Liberties is one of the top three most important problems facing the nation for each of the 102nd, 103rd, and 104th Congresses.

Finally, I create a measure of a legislator's voting record relative to other legislators in each Congress on Civil Rights, Minority Issues, and Civil Liberties issues using Poole and Rosenthal NOMINATE scores (Poole and Rosenthal, 1997) and the wnominate package in R. This measure of *Relative Voting Record* generates ideal points for each legislator based on how liberal or conservative the legislator's voting record is relative to other members in Congress. Together, this data on district and legislator characteristics helps to assess whether any legislative bias that exists in response to collective action is due to the resources of the participants or to other legislative considerations.

Overview of Chapters

In the next chapter, I present a formal theory evaluating a situation in which groups of disparate resource capacities signal to legislators through their collective action that an issue is salient and therefore advantageous to support. This theory suggests that because groups with fewer resources communicate their interests less often than higher resource groups (because barriers to participation are more prohibitive for those with fewer resources), reelection-minded legislators are more likely to discount collective action by higher resource groups and reward collective action by lower resource groups.

In Chapter III, I empirically evaluate implications of the theory using congressional roll call votes and data from the Dynamics of Collective Action dataset on collective action events reported in the *New York Times* from 1991 to 1995. I measure resources according to the economic, demographic, organizational, and tactical resources of the group. That is, I compare poor versus nonpoor participants,

nonwhite versus white participants, collective action without a formal interest group versus collective action with a formal interest group, and extra-institutional versus institutional tactics.[3] While many investigations into legislative behavior find a consistent bias favoring white and affluent constituents over racial and ethnic minorities and middle or lower income constituents, I make the counterintuitive argument that legislators, at least following collective action, favor low resource groups over their high resource counterparts following collective action.

Furthermore, I analyze whether other characteristics of the collective action event alter the relationship between the resources of collective action participants and legislative behavior. It could be that legislators appear more likely to respond to the interests of collective action by lower resource groups because those groups engage in collective action that is larger, more disruptive, or more likely to be covered more often by the *New York Times*. With few exceptions, the bias advantaging the disadvantaged remains even when considering other characteristics of the collective action event.

Chapter IV considers whether the theory of legislative bias and subsequent empirical validation of that theory are applicable beyond the average legislator. Extending Fiorina (1974)'s formal theory of sub-constituency influence, I argue that legislators who are less secure in their reelection prospects will demonstrate a greater bias towards lower resource groups than more electorally secure legislators. Considering the distinctive relationship between race and representation in the US and the differential treatment of black citizens by the Media, public, and police, I focus specifically on the representation of black and white collective action participants.

Because of the disadvantages faced by black collective action participants, their costlier collective action induces electorally insecure legislators to be more likely to represent their preferences than the preferences of their white counterparts. New

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[3]Extra-institutional tactics include allies, marches, riots, civil disobedience, mob violencedemonstrations, vigils, pickets, strikes, boycotts, and symbolic displays. Institutional tactics include petitions, letter-writing campaigns, lobbying, press conferences, and organization formation.

legislators, nonblack Democrats, and legislators with smaller electoral margins of victory are consistently more likely to support preferences raised during collective action when the participants are black than when the participants are white. Relative to their congressional counterparts, these legislators also demonstrate a larger difference in voting behavior in favor of black collective action participants' interests.

While senior legislators and legislators with large electoral margins of victory are more confident in their reelection prospects than new legislators and those with small electoral margins of victory, respectively, they still demonstrate a greater proclivity to represent black relative to white collective action participants. Conversely, Republicans and black Democrats demonstrate no statistically significant difference in their legislative voting behavior in response to black and white collective action participants. Republicans have little incentive to represent the mostly liberal claims raised during collective action, regardless of the race of the collective action participants. On the other hand, black Democrats are the most liberal in their voting behavior on Civil Rights, Minority Issues, and Civil Liberties. They are therefore more likely than than their congressional counterparts to already be representing collective action participants' preferences. This is particularly true for the representation of black collective action participants' preferences since black Democrats are more likely than other legislators to have preferences that align with black constituents. Consequently, the empirical results support that all legislators should be at least as likely to represent the interests of black collective action participants as they are to support the preferences of white collective action participants.

The purpose of Chapter V is to gain a more nuanced understanding of the influence of organizational resource capacities on legislative behavior. In Chapter III, I investigate organizational resource capacities by comparing collective action with an interest group to collective action without an interest group. Yet, even among interest groups, there is variation in resource capacities. I compare four types of groups.

First is collective action by groups with no formal interest group mentioned

at the event. These groups represent predominantly grassroots efforts. The lack of any formal leadership experienced in generating collective action suggests that these groups have the least resources of all group types explored. Chapters II and III suggests that these costlier, grassroots efforts should be more likely than collective action by any interest group to receive legislative support following collective action.

Next is collective action by organizing interest groups. These groups are defined by the leaderships' focus on building their members' efficacy and capacity to be active participants in the direction and governance of the interest group. The crucial resource of organizing interest groups is their members' active participation.

Then, there is collective action by mobilizing interest groups that focus more on developing a large membership for sporadic engagements than they do on building the capacity of their members. The primary resources of mobilizing interest groups are their budgets, large memberships, and professional staff. Mobilizing interest groups, like the American Political Science Association (APSA), are most likely to be businesses, professional organizations, and other financially secure groups with members of greater income, education, and professional networks. These groups have the highest resource capacity.

Last is collective action by interest groups with both organizing and mobilizing capacities. Examples of organizing and mobilizing interest groups include the National Association for the Advancement of Colored People (NAACP) and the AARP. These interest groups necessarily supplement the lobbying efforts made possible by their mobilizing capacity with active membership engagement representative of their organizing capacity.

In allowing for variation among groups, the analyses demonstrate that the influence of organizational resources on collective action is indeed nuanced. The theory of legislative bias proposes that low resource groups should be more likely than high resource groups to receive legislative support for their interests following collective action. By implication, collective action without a formal interest group should be

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most likely to receive legislative support for their interests following collective action. However, legislators are most likely to lend legislative support for the preferences of interest groups with any organizing capacity. There appears to be little difference between interest groups only with organizing capacity and interest groups with organizing and mobilizing capacities. Interest groups that only have mobilizing capacity are substantially less likely than all of their counterparts, including groups lacking the experience of a formal interest group, to gain legislative support following collective action.

Chapter IV provides support for the theory of legislative bias in that a low resource group is more likely than mobilizing only groups to gain legislative support following collective action. However, the lowest resource group is not the most likely of all groups to gain legislative support. The results imply that legislators are interested in representing the salience of their constituents but that they are also looking for a credible signal. The willingness of individuals to engage in time- and labor-intensive participation provides some credibility, which is evident by the lower likelihood of legislative support for mobilizing only groups. Credibility is also imparted by interest groups with organizing capacity due to their ability to effectively communicate the preferences of collective action participants.

I conclude the dissertation by considering the generalizability of the empirical results and contemplate how this study comports with existing research on the relationship between constituency preferences and legislative behavior. This discussion introduces new data on collective action in 2012. Comparing the novel data with the data in the Dynamics of Collective Action dataset reveals that the frequency and nature of collective action in the early 1990s may not differ much from recent collective action. One major difference is in the greater use of the Internet. However, legislators are most likely to respond to costly participation. So when any method of collective action becomes convenient, the influence of the communication on legislative responsiveness diminishes. Given this data, the formal theory of legislative

bias, and empirical findings throughout this work, the advantage of disadvantage in legislative responsiveness to collective action is expected to extend through the 21st century.

CHAPTER II

A Formal Theory of Legislative Bias

Collective action can provide negative inducements for legislators to engage in bargaining (McAdam and Su, 2002; Gamson, 1975; Lipsky, 1968) that benefits constituents. Indeed, mobilization by homeless organizations is effective in influencing local officials (Cress and Snow, 2000) and antiwar protests during the Vietnam War positively shifted congressional voting behavior (McAdam and Su, 2002). In a more comprehensive study, Gillion (2013) finds that collective action leads to responsive legislative behavior, at least with respect to the influence of collective action for minority interests. What remains unresolved is how the influence of collective action varies across the resource levels of participants.

In this dissertation, I ask whether the resources of collective action participants alters how a legislator votes on issues raised during collective action. To answer this question, I develop a formal theory based on the canonical signaling model. The model is beneficial in its ability to ascertain the logical implications of the strategic interaction between two actors with asymmetric information.

I begin delineating the formal theory with a discussion of the motivations and goals of two actors: (1) a legislator desiring to represent the salient interests of constituents and (2) a group signaling their interests through costly participation. I then explain what information each actor has about their counterpart and when that information is available to each actor. Next, I discuss what actions are available to the group and legislator. The actors must determine how to respond to each other given

their own constraints and what they know about their counterpart. As collective action is more costly for some participants than for others, the model includes a consideration of the resource capacity of the group. I focus on formal and informal interest groups. This theory does not preclude the presence of a formal interest group as mobilizers, but it also does not require the presence of such an organization. I contend that the presence of a formal interest group is a signal of participants' resource capacity. Finally, I describe a set of conditions under which resources determine the legislative response to collective action participants.

The implications of the model suggest that as the resource level of the group decreases, the likelihood that the legislator will support the group's preferences increases. For lower resource groups that face greater obstacles to participation, collective action presents new information to the legislator about the saliency of their concerns. Collective action adds to the information that the legislator has already received from higher resource groups during elections, volunteer work, campaign contributions, and other participation.

Actors

As in traditional signaling models, there exists a sender with private information about the state of the world, and a receiver who takes an action that influences both players' payoffs. In this model, the sender is a group, G, and the receiver is a legislator, L. Both the group and legislator possess common knowledge about certain aspects of the issue, such as the distribution of preferences for or against the policy. However, the group has private information about the legislator's constituents. The private information concerns the group's type, t, where $t \in \{l, h\}$. The group knows how important, or salient, the issue is among the legislator's constituents, but the legislator does not have this information. A high type group ($G_{t=h}$) has members who belong to the legislator's constituency who possess high salience for the policy

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in question. A low type group ($G_{t=l}$), on the other hand, contains participants who place little importance on the policy's realization. In this game, the receiver places a probability, λ, on the belief that the sender is a high type, and, $1 - \lambda$, on the prior belief that the sender is a low type. Both players are aware of this probability. The group's type is determined exogenously by nature or some player or event not involved in this interaction.

Actions

The group moves first in the signaling game. It decides whether or not to engage in collective action – the relevant signal of this model. Even though the group's decision to engage in collective action may not be motivated by their legislator's responsiveness, the group prefers an outcome in which the legislator supports its policy interests. Nevertheless, collective action is costly. The group prefers to get this outcome without having to send any signal. The group will send the signal (engage in collective action) if it expects that the payoffs of performing such action will outweigh the payoffs of inaction.

After the group moves, the legislator takes an action $a \in \{y, n\}$. With this action, the legislator informs the group whether she is supporting the group's policy preference. The legislator would prefer to support a group that provides her with more electoral support without discouraging existing support. Since groups with high salience for an issue are more likely to base their electoral participation on the legislator's representation of their preference on that issue, she would prefer to support a high salience interest group over a low salience group. What makes this decision interesting is that the legislator does not know whether a high or low salience interest group is engaging in collective action as salience and participation are not perfectly correlated with one another. Higher levels of salience increase the probability of collective action. But, in some situations groups with lower levels of

salience engage in collective action. In other situations those with high levels of issue salience fail to act upon their concerns. To navigate this quandary, the legislator updates her beliefs about the group's salience for the issue once she observes the group's (in)action. These posterior beliefs are also common knowledge.

Group's Utility

The group only receives value from policy support when the group is interested in the realization of a policy goal, or when it has high salience for the issue ($G_{t=h}$). Perhaps a low salience type group engages in collective action because it is fun or because of some social benefit from participation but, by definition, a low salience type group does not engage in collective action because they are highly interested in the realization of the policy goal. Moreover, positive value is only possible should the legislator choose to legislatively support the group ($a=y$). When $a=n$, the group receives no utility from engaging in collective action. Even when legislative support is likely and important for the group, the cost of engaging in collective action could be prohibitive for participation. Consequently, the utility that the group receives from engaging in collective action is a function of the expected value obtained from legislative support and the costs of pursuing the action ($\hat{CA}$) as follows:

$$U_G = at - \hat{CA}(C_r)$$

Notice that the cost component of the utility function also includes a consideration for the resource levels of the participant, C_r. The utility implies that collective action will occur when the value of policy support is greater than the costs of participating in collective action. When $C_{r=l}$, the costs of engaging in collective action are sufficiently high to prevent participation. This cost decreases as interest group resources increase. While there are still costs to participation for high resource

groups ($C_{r=h}$), the costs are low enough that they are virtually nonexistent.

Legislator's Utility

When choosing how to respond to collective action, the legislator considers the consequences of each of her actions. When the group's salience is high ($G_{t=h}$), she receives a positive payoff for supporting the group ($a=y$) and no payoff if she does not support the group. Choosing to support a group may result in an electoral gain, but this decision is also costly. This cost, k, could arise from writing and implementing legislation, convincing others to adopt the group's policy position, supporting one group instead of another group, or any other type of support that results in the legislator expending resources on behalf of the group. This cost is particularly high when participants' issue preferences diverge from other legislative considerations (party pressures, constituency preferences, or the legislator's personal preferences). The legislator has the following utility function:

$$U_L = a(t - k)$$

A legislator will support a group if the expected utility of supporting the group is greater than the expected utility of not supporting the group. Observe that it is possible for a legislator to support a group even if that group chooses not to engage in collective action as support is not conditional on a legislator having received a collective action signal but on the expected utility of each of her actions.

Theoretical Expectations

This signaling model gives insight as to when collective action is likely and the conditions under which a legislator might support collective action by groups with

disparate resource levels. Solving the theoretical model for perfect Bayesian equilibria leads to several testable predictions.

To assess how legislators respond to collective action by groups of disparate resource capacities, I explore the equilibrium in which a group always engages in collective action when salience for the issue is sufficiently high ($G_{t=h}$) but engages in collective action with probability α when salience is low ($G_{t=l}$). High resource capacity groups can engage in collective action regardless of the group's salience level for the issue because the costs for collective action are not prohibitive. However, for low resource groups, collective action is only possible when salience is high enough to mitigate the costs of participation. In this equilibrium, the legislator supports a group in response to collective action with probability γ but never supports a group if it fails to engage in collective action. Given the legislator's electoral considerations (party pressures, constituency preferences, or the legislator's personal preferences), it is unlikely that a legislator will always support a group that engages in collective action, which is why the legislator supports a collective action group with probability γ. The assumption that a legislator will never support a group that does not engage in collective action is also unlikely; but this assumption is sufficient in its ability to make predictions concerning the likelihood of legislative support given collective action.

The complete equilibrium is available in the Appendix. Of particular interest is the proof sustaining the group's strategy (probability($CA|G_{t=h}$) = 1), which is conditional on the relationship between a legislator's decision to support a group after seeing a collective action event conveying information about the group's salience level for an issue (known only to the group) and the group's resource capacity (common knowledge to all actors). When group resources are high, the legislator supports a group after seeing collective action with some probability ($\gamma \geq 0$). But, when groups have low resource capacity to overcome the prohibitively high costs for collective action legislators are always likely to support a group after observing collective action

($\gamma = 1$). This yields the *Resource Constraint Hypothesis*:

> A legislator is more likely to support collective action by constituents with low resource capacity compared to similar collective action by constituents with high resource capacity.

This expectation is different from conventional views of legislative behavior that establish a bias benefitting higher resource groups. Collective action provides an opportunity for politically disengaged populations to communicate their preferences as salience for an issue rises. That resource constrained groups are able to overcome participation barriers and stage comparable collective efforts as their higher resourced counterparts suggests to legislators that the issue inciting the collective action is truly salient for the lower resource participants. Furthermore, participants with higher resource capacities face fewer barriers to traditional forms of participation. As such, they are more likely than their lower resource counterparts to already be communicating their preferences and the salience of those preferences to their elected officials. In other words, collective action by higher resource groups only adds to the amount of information legislators already have about the salience of groups facing lower barriers to participation whereas collective action by lower resource groups provides an occasion for legislators to become informed about and respond to the strength and direction of the preferences of infrequent electoral participants.

The benefits of collective action by lower resource groups are not lost on observers. Recognizing the strength of collective action by the politically marginalized, well-financed organizations sometimes subsidize participation to give the appearance of grassroots efforts (Walker, 2009). For example, Americans for Prosperity, a political organization funded by wealthy conservative businessmen Charles and David Koch, was reported as masquerading as a grassroots organization marching against policies like Medicaid expansion and the Environmental Protection Agency in effort

to entice legislative support for their interests.[1] Whether the organization success-fully misrepresented the resource and salience levels of collective action participants is unknown, but this example does demonstrate that efforts to conceal resource levels could be strategically beneficial.

To summarize, I use a formal model to determine the conditions under which legislators will respond to groups of disparate resource capacity. I argue that legislators will reward collective action (even when not politically focused) by lower resource groups and place lower value on participation by higher resource groups. If a reelection-minded legislator is concerned that a previously silent group with salient interests could influence her reelection and if that legislator is concerned that not all collective action participants have salient concerns for the issue, then she will refer to the resource capacity of the participants. Lower resource, politically marginalized groups may actually care more about the issue when they are able to overcome greater barriers to participation for similar collective action efforts. Additionally, higher resource groups, who are more likely to participate electorally because they do not face as many participation barriers, communicate their preferences and the intensity of those preferences more often to legislators in other forms of participation. In short, for higher resource groups there are diminishing returns associated with diversify-ing their participation with collective action. Consequently, legislators will be more likely to respond favorably to collective action by groups that face greater barriers to participation.

In subsequent chapters, I empirically evaluate the theory of legislative bias. The analyses are conducted at the national level and focus on the legislative behavior of members of the U.S. House of Representatives in response to collective action by constituents within their districts. Nonetheless, this theory of legislative bias

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[1]See, for instance, this Al Jazeera America article connecting the Koch brothers to Americans for Prosperity's grassroots efforts against Medicaid expansion and other poli-cies: retrieved December 14, 2014 from `http://america.aljazeera.com/articles/2014/8/12/colorado-kochtopusamericansprosperity.html`

is applicable to any reelection-minded legislator after a careful consideration of the political environment to determine the relevant resource groups.

CHAPTER III

Assessing Legislative Bias to Collective Action

Responsiveness

In this investigation, I seek to uncover legislators' responsiveness, or the degree to which representatives' behavior changes following a change in constituency behavior (Achen, 1978). While legislators perform many actions that constitute responsiveness (e.g. the amendment process (e.g., Whitby, 1997), committee oversight (Minta, 2011), constituency service (Butler and Broockman, 2011)), I focus on legislative responsiveness revealed through roll call voting behavior.

Roll call voting is essential to lawmaking. More importantly for this investigation, roll call votes facilitate position-taking and provide opportunities for constituents to monitor or become aware of legislative behavior. It is the recognition that constituents will vote against a legislator once they are made aware of a roll call vote that incites legislators to be strategic in casting roll call votes (Ansolabehere and Jones, 2010; Hutchings, 2003; Arnold, 1990). Notwithstanding, various dynamics undermine the purity of roll call votes as a measure of representation.

Negative agenda control dictates that political parties will disallow issues on the agenda that will potentially divide or hurt the party (Cox and McCubbins, 1993). Consequently, issues important to collective action participants may not be

reflected in legislators' roll call voting behavior because the opportunity to represent constituents' interests does not present itself. Even when the opportunity arises, a yea or nay on a roll call vote tells us little about a legislator's intensity of preferences for an issue or the legislator's prioritization of those issues (Hall, 1996). Legislators' intensity or prioritization of constituency preferences is more likely to be revealed through constituency service, the sponsorship of legislation, the length or frequency of speeches, or other legislative behaviors. With a roll call vote, the level of support from a legislator with intense preferences may appear equivalent to a legislator that has only tepid preferences for the issues. At the same time, a legislator who regularly votes in support of an issue would not appear responsive to collective action participants who share a policy interest because she would have supported the issue even if collective action had not occurred.

That there is a significant relationship between collective action and legislative behavior during strategic voting suggests that representation following collective action might be stronger using a different measure of legislative behavior capable of revealing true preferences. However, this investigation does not seek to discover whether legislators *prefer* to support collective action participants but whether legislators' behavior responds more favorably to collective action participants with fewer resources. This is why roll call voting presents a good, yet conservative test of legislators' responsiveness.

True preferences are also concealed if a legislator prefers to support a group on a roll call vote, but party leaders entice her to cast an alternative vote in effort to advance the interests of the party (Cox and McCubbins, 1993). The likelihood of party pressure varies with the type of roll call vote. Procedural roll call votes are the most likely to be subject to pressures that entice members to vote with their party (Crespin, 2010; Cox and McCubbins, 2005). Members of Congress are given more freedom on amendment and final passage roll call votes but there is large variation in whether legislative votes on amendments will be controlled by party leaders (Jenkins,

Crespin and Carson, 2005; Whitby, 1997). Some amendments, like the Social Security Amendments of 1965, which established Medicaid and Medicare, are highly visible and not likely to be subject to party pressures, but others are inundated with party line votes. The degree of partisan control makes procedural and amendment roll call votes inferior measures of legislators' responsiveness to collective action participants because legislators are less able to vote with their constituents, particularly when constituent interests diverge with partisan interests. Therefore, I only include final passage roll call votes in the analyses.

The responsiveness measure used in this analysis is an indicator of support for the preferences of collective action participants based on the specific nature of the claim expressed during the event as follows: First, the specific claim, or concern, of each collective action event as detailed in the *DCA* is extracted. The claim may concern specific legislation; but, it more frequently relates to a general policy or issue. For example, several collective action events transpired for the seventh observance of the national Martin Luther King, Jr. holiday on January 20, 1992. Most of these events were to commemorate the deceased civil rights leader and to protest violence. Others were initiated by participants promoting white supremacy and racism.

Once the specific claim for each event is identified, I search www.govtrack.us, an online database of all legislation presented before the House of Representatives, for the first final passage roll call vote on an issue relevant to the claims of the participants. The vote must also occur before the end of the congressional session. Next, the roll call vote cast by the legislator representing the district(s) in which the event occurred is recorded. The dependent variable, *Support*, is then created as a dichotomous variable indicating whether a legislator supports the interests of collective action participants based on the claims of those participants and the roll call vote of the legislator. A legislator *Supports*, or is responsive to, collective action participants if she votes in support of the claims specified during a collective action event in the first final passage roll call vote occurring after the event and before the

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next congressional election. For the preceding example, a yea vote on H.R. 5678 (a bill that appropriates funds for the MLK commission) supports Martin Luther King, Jr. commemorators, while a nay vote aligns with the interests of white supremacists. Admittedly, legislators consider a number of factors when choosing how to vote – only one of which is collective action. While a yea vote corresponds to the interests of one group and a nay vote to those of another, the vote could be determined in spite of those interests; opposition to H.R. 5678 might occur because a legislator opposes government-funded holidays in principle and not because they wish to support white supremacists. Additionally, the decision to vote could be responsive to the interests of collective action participants but not to the collective action event itself. The theory does not require that collective action occurs for legislators to be responsive to the salient preferences of sub-constituencies; only that legislators consider the salience of sub-constituencies when casting a vote. Collective action eases legislators' consideration of salience levels.

Resources

The primary goal of this investigation is to uncover how resources influence representation induced by collective action. Individuals with lower socioeconomic status, racial and ethnic minorities, and those with lower organizational capacity face higher barriers to participation than their counterparts. The *DCA* includes several measures that relate to these resources.

I measure socioeconomic status with *Poor Participants*, a variable denoting whether the participants are poor (low-income or homeless) or not. I measure demographic resources with the variable, *Nonwhite Participants*, which compares racial or ethnic minorities to white participants. Organizational capacity is measured with a binary variable that indicates whether an organized interest group is present, where *No Interest Group Present* is the lower resource group. Finally, I measure socioeco-

nomic status with an indirect measure indicating whether the form of collective action is institutional or extra-institutional, where *Extra-Institutional Tactics* suggest a resource disadvantage. Based on the disaggregation of tactics used in Olzak and Soule (2009), institutional tactics include: petitions, letter-writing campaigns, lobbying, press conferences, and organization formation. These tactics require higher levels of education about how to perform these actions and to whom the actions should be targeted. Additionally, the capacity to engage in institutional forms of collective action is acquired or socialized in white-collar occupations and social networks that are less accessible to lower resource groups. The category for extra-institutional tactics involves more disruptive protests, like rallies, marches, riots, civil disobedience and mob violence. Extra-institutional tactics also include: demonstrations, vigils, pickets, strikes, boycotts, and symbolic displays. As each of the resource variables are overlapping but distinct concepts of resource capacity, I examine the variables as the primary independent variable in four separate models. Furthermore, the high resource group is the reference category in each resource variable.

Other Legislative Considerations

A legislator is responsive to collective action participants of disparate resource capacities if the vote differs from a vote that would have been cast in the absence of collective action. Empirically, this means that there must be a significant difference in legislative support for groups of disparate resource capacities even when considering other factors that typically influence legislative behavior. In addition to collective action, legislators consider their own electoral incentives and the legislating costs they may incur in choosing to support a group's interests. I include multiple control variables in the empirical model to account for these alternative explanations of congressional voting behavior.

Constituency preferences have been attributed to many legislative voting be-

havior decisions including those that contribute to legislative bias (e.g., Ura and Ellis, 2008; Bartels, 2008). As participation and representation do not occur in a vacuum, it could be that legislators are responsive to collective action participants' preferences because of shifting salience levels among observant publics. Consequently, I create a measure of district-level *Public Salience* using multilevel regression and poststratification (MRP) (Warshaw and Rodden, 2012; Lax and Phillips, 2009). For each of the 1992, 1994, and 1996 American National Election Study Post-Election Surveys, I partially pooled survey responses across districts for the survey question indicating whether respondents believed that Civil Rights, Minority Issues, and Civil Liberties is one of the top three most important problems facing the nation. I model individual survey responses as a function of demographic and geographic characteristics and then poststratify (weight) the estimates by the percentages of each demographic-geographic type in the actual district population.

The characteristics of the district are also important in explaining the effects of constituency preferences on legislative behavior. As *Education* and *Income* are widely held determinants of participation, they are also informative for legislators seeking to represent the political preferences of their constituents. Constituents with higher levels of formal education are more economically conservative than those with lower educational attainment, except for the most educated who are more liberal than those with only a college degree. Additionally, as education levels increase, support for socially liberal policies increases (c.f McCall and Manza, 2011). Relatedly, affluent constituents are more socially liberal but economically conservative than the rest of the American population (Page, Bartels and Seawright, 2013; Gilens, 2012).

Another recognized measure of constituents' preferences is the racial or ethnic composition of the district: the greater the percentage of minorities in a district, the greater the incentives for legislators to support minority interests (Hutchings, 1998; Lublin, 1997; Whitby, 1997). Consequently, *Percent Black* and *Percent Latino* are included in the models to represent the largest racial and ethnic minority groups in

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the United States.

Beyond the characteristics of the district in explaining legislative behavior are characteristics of the legislator. A legislator's political party is a well-known indicator of how a legislator will vote on legislation. Democrats are, ceteris paribus, more liberal than Republicans on roll call votes (Carrubba, Gabel and Hug, 2008; Hutchings, 1998; Poole and Rosenthal, 1997). Subsequently, I include *Democratic Representative* as a variable in the model to account for the effects of political party on legislative decision making.

An equally well-known indicator of how legislators vote on a specific bill is how they vote on other bills (Jackson and Kingdon, 1992). A measure of voting history, or *Relative Voting Record*, on all minority issue area roll call votes by each legislator in each Congress is developed using Poole and Rosenthal NOMINATE scores (Poole and Rosenthal, 1997).[1] This is a measure of how liberal or conservative a legislator's roll call voting is on minority issue area roll call votes relative to other legislators within the same Congress. The use of voting behavior as a measure of voting behavior has encountered criticism for providing inconsistent estimates (Poole and Rosenthal, 1997) and for being tautological (Jackson and Kingdon, 1992). But this variable is necessary for demonstrating that the current vote in support or against collective action participants' interests is attributable to the saliency of the issue and not to other factors that influence voting. Finding a statistically significant coefficient on the resources variable suggests that the actual influence of collective action may be stronger than indicated by the coefficient as both *Democratic Representative* (Fiorina, 1974) and *Relative Voting Record* (Jackson and Kingdon, 1992) make it difficult to uncover the influence of collective action.

Additionally, a legislator's *Length of Service* is likely to explain legislative voting behavior. The greater the length of service the less susceptible a legislator is to district pressures. Compared to new legislators, *Incumbent* legislators are better

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[1]A list of Minority Issue Areas is available in the Appendix.

known in their districts, and they are more knowledgeable about which constituent concerns are imperative to their reelection goals (Fiorina, 1977; Mayhew, 1974; Kingdon, 1977; Fenno, 1973). Then again, the smaller the *Margin of Victory* the more susceptible members are to constituency pressures (Fiorina, 1977; Mayhew, 1974; Fenno, 1973).[2]

While legislators are concerned with reelection, they also have their own policy goals that they desire to pursue (Hall and Deardorff, 2006; Fiorina, 1974; Kingdon, 1977; Fenno, 1973). Minority representatives tend to vote more liberally than white, male representatives (Tate, 2004; Lublin, 1997; Whitby, 1997). These individual characteristics not only influence the voting behavior of legislators through preferences but also through their ability to legislate (Hawkesworth, 2003). So, I include *Black Representative*, *Latino Representative* and *Female Representative* variables. Southern legislators are less likely to support policies benefiting racial and ethnic minorities than other legislators. This is true even among Democrats (Hutchings, 1998). *Southern State*, as defined by the US Census Bureau, is therefore another important variable explaining legislative voting behavior.

Empirical Model

In the 102-104th Congress, there are 652 unique collective action events with claims within the Civil Rights, Minority Issues, or Civil Liberties major topic classification. For 528 (81%) of those events, the members of the House of Representatives voted on at least one bill addressing the issue raised during collective action. Recall that only the first final passage roll call vote in the House of Representatives that occurs following a collective action event and before the end of the 102nd Congress

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[2]The Margin of Victory variable is attained from the CQ Press Voting and Elections Collection (CQ Press, 2015).

is included in the analysis.[3] After merging the events with the congressional districts that overlap with the event location mentioned in the *New York Times*, 4,855 observations remain for the analysis. The increase in observations results from the fact that some of these events occur in multiple locations, while others occur in big cities, like New York, where multiple members of Congress govern. Since participants may protest in Manhattan, but live in Brooklyn, it is likely that any member of Congress representing a district in New York could find the event informative for how his or her constituents will react to a roll call vote on an issue important to participants. So, all districts, and subsequently their respective representatives, overlapping a city are included in the analysis.

This empirical study measures the voting behavior of members of Congress in response to collective action in their respective districts. The unit of analysis is a roll call vote by a legislator on an issue raised by his or her constituents during a collective action event. The roll call vote follows the collective action event occurring within the same Congress - either the 102nd Congress, 103rd Congress, or 104th Congress. As maximum likelihood estimation (MLE) is the most common method for analyzing binary choice models (Greene, 2008), I employ a MLE logistic regression with congressional district fixed effects.[4] An effects model specification is employed to address legislative behavior in peculiar congressional districts. A Hausman test reveals that the fixed effect model specification is more appropriate than a random effects specification because the unobserved variance term appears to be correlated with the independent terms.[5] The size, direction, and levels of significance for the primary independent variables measuring the resources of collective action participants are robust to fixed effects and random effects model specifications. The coefficient size is slightly larger and significance level smaller for the pooled regression but a likelihood

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[3]While there may have been more roll call votes addressing the collective action participants' concerns following the first vote, only 20 roll call votes fit these criteria.

[4]I use the logit command in STATA for the fixed effects model.

[5]Hausman test evaluates the consistency of an estimator when compared to an alternative, less efficient, estimator which is already known to be consistent.

ratio test reveals that both effects model specifications are more appropriate than the OLS model specification.[6]

Resources and Legislative Bias

This empirical analysis addresses the following counterfactual: had the resource level of collective action participants been different (high resource participants instead of low resource participants), would the legislative response to collective action have remained the same? The *Resource Constraint Hypothesis* proposes that disparate resource capacities leads to legislative responsiveness that favors lower resource constituents. The results in Table 3.1 suggest the same. In fact, in all models the lower resource groups are advantaged over higher resource groups in legislators' responsiveness to collective action for Civil Rights, Minority Issues, and Civil Liberties issues. As seen in Figure 3.1, poor participants are 35% more likely to gain legislative support following collective action than non-poor participants. Both non-white and grassroots collective action efforts are 13% more likely than their higher resource counterparts to gain legislative support. And, extra-institutional tactics are almost 20% more likely to gain legislative support than institutional tactics. These legislative biases are all statistically significant at the 95% confidence level.

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[6]Robustness checks of the model specification are provided in the Appendix.

Table 3.1: Resources and Legislative Support

	Model I	Model II	Model III	Model IV	Model V
Poor Participants	1.514***				0
	(0.550)				(.)
Nonwhite Participants		0.538***			0.633***
		(0.113)			(0.138)
No Interest Group Present			0.562***		0.513***
			(0.0782)		(0.0937)
Extra-Institutional Tactics				0.786***	0.610***
				(0.115)	(0.120)
Public Salience	−2.614***	−2.605***	−2.452***	−1.388*	−1.249
	(0.581)	(0.587)	(0.582)	(0.766)	(0.778)
Education	−0.282	−0.269	−0.440	−1.151	−1.304*
	(0.654)	(0.656)	(0.659)	(0.765)	(0.776)
Income	1.697***	1.455***	1.912***	2.064***	1.904***
	(0.547)	(0.552)	(0.551)	(0.645)	(0.659)
Percent Black	−2.044	−2.110	−1.867	−1.852	−1.866
	(1.496)	(1.505)	(1.507)	(1.757)	(1.786)
Percent Latino	−0.399	−0.866	−0.213	−1.666	−2.230
	(1.856)	(1.863)	(1.867)	(2.154)	(2.191)
Democratic Representative	1.126***	1.201***	1.078***	0.897*	0.966**
	(0.387)	(0.389)	(0.389)	(0.472)	(0.479)
Relative Voting Record	−0.907	−0.987	−0.731	−0.0331	0.0690
	(0.769)	(0.771)	(0.773)	(0.929)	(0.940)
Length of Service	0.348	0.445	0.200	−0.165	−0.266
	(0.634)	(0.634)	(0.643)	(0.734)	(0.752)
Incumbent	−0.631***	−0.715***	−0.602***	−0.533**	−0.595**
	(0.190)	(0.191)	(0.191)	(0.227)	(0.233)
Margin of Victory	0.984	0.943	1.044*	0.510	0.433
	(0.614)	(0.614)	(0.620)	(0.711)	(0.720)
Black Representative	0.088	0.081	−0.000	0.132	0.096
	(0.616)	(0.619)	(0.621)	(0.721)	(0.733)
Latino Representative	0.277	0.290	0.189	0.419	0.394
	(0.649)	(0.651)	(0.653)	(0.755)	(0.767)
Female Representative	0.343	0.357	0.351	0.313	0.335
	(0.316)	(0.318)	(0.318)	(0.373)	(0.379)
Southern State	−4.240**	−4.361**	−3.865**	−1.211	−1.666
	(1.764)	(1.764)	(1.776)	(1.880)	(1.879)
Constant	−0.721	−0.421	−1.189	−0.682	−0.527
	(1.553)	(1.555)	(1.570)	(1.626)	(1.612)
Congressional District Dummies	*Yes*	*Yes*	*Yes*	*Yes*	*Yes*
Observations	4855	4855	4840	3073	3058
Log likelihood	−2499.2	−2492.5	−2469.7	−1838.9	−1804.0

The dependent variable, legislative support, is binary taking on a value of 0 or 1. All independent variables are coded 0 to 1.

Coefficients are Log Odds. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

Model V in Table 3.1 includes all resource variables, except for poor participants due to a lack of variation in that variable.[7] The full model reveals coefficients similar in size and significance levels to the previous four models, which suggests that each resource variable is measuring different types of resource capacity but with similar implications for the likelihood of legislative support. In other words, no matter how resource capacity is measured, lower resource groups are more likely than higher resource groups to gain legislative support from collective action efforts. The results hold even controlling for other indicators of legislative voting behavior.

Figure 3.1: Resources and Legislative Support (Models I-IV)
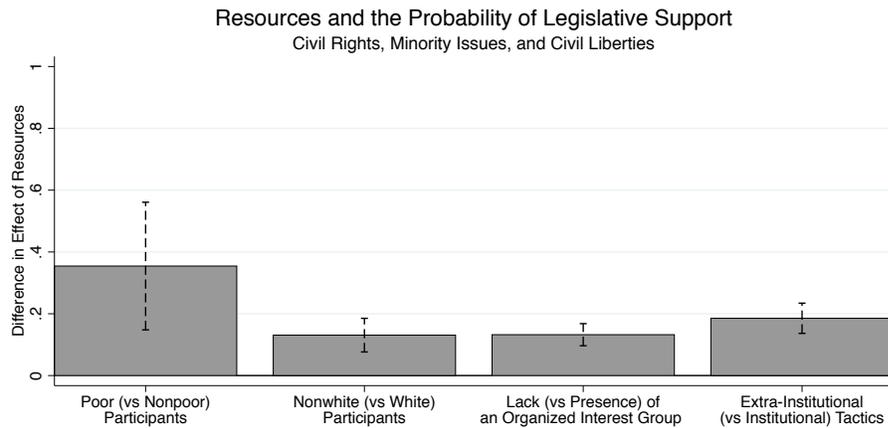
Resources and the Probability of Legislative Support
Civil Rights, Minority Issues, and Civil Liberties

Note: Difference in the predicted probability of legislative support of low resource group relative to high resource group based on Models I-IV in Table 3.1. All covariates are held at their means.

Controlling for indicators of legislative behavior beyond collective action helps to answer whether legislators would have voted in support of participants' claim even if the collective action had not occurred. Table 3.1 shows similar influences from district and legislative pressures for each model of collective action participants' resource capacity. Generally, the controls included in the model help to predict legislative behavior either fail to meet conventional levels of statistical significance or they are

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[7]Less than 1% of *New York Times* articles mentioning collective action events reference poor participants. Only a small fraction of that 1% of events also contained other collective action group characteristics.

consistent with expectations. The exception is for district-level public salience.[8] The more constituents in a district who believe Civil Rights, Minority Issues, and Civil Liberties is one of the most important problems facing the nation, the less likely a legislator will vote in line with collective action participants' interests. Part of this relationship may be driven by the public's general disapproval of collective action, which is often viewed as disruptive or illegitimate even when the collective action is nonviolent (Page and Shapiro, 1992). Collective action may increase public salience for an issue while also decreasing issue support because the public generally disapproves of collective action or thinks that it is ineffective in producing policy change (Herrnson and Weldon, 2014). Notwithstanding, the existence of these other legislative considerations in the models of legislative behavior demonstrates that legislators are likely responding to the collective action by constituents in their districts even as they consider other factors that influence their behavior.

Alternative Explanations

As I argue that resource disparities serve as a proxy of participants' true salience levels when legislators are considering the potency of collective action participants' concerns, an adequate test must compare equal levels of collective action by high and low resource groups. That is, if most of the collective action by nonwhite constituents consists of thousands of participants while collective action by white constituents is done by the dozens, then the fact that legislators are more responsive to nonwhite collective action participants compared to white participants could be a function of the size of the event rather than the resource capacity of participants. It could be that legislators are less concerned about the resource levels or participants and are primarily concerned about the salience revealed by other measures of collec-

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[8]The empirical results are generally consistent when the MRP *Public Salience* measure is excluded from the analyses (See Table C.5 in the Appendix).

tive action when determining how likely their roll call vote will influence the next election.

Figures 3.2 - 3.4 are representative of the relationships between resources, other salience indicators, and legislative support.[9] Figure 3.2 displays the difference in the probability of legislative support of collective action without an organized interest group present compared to collective action with an organized interest group. It shows that legislators are equally likely to support low resource groups as high resource groups when the event is relatively small. However, when the size of the event increases to around 50 to 100 persons, the relationship revealed by the formal theory and initial empirical analysis is supported - low resource collective action participants are more likely than higher resource participants to receive legislative support for their preferences. This bias remains until the event contains over 10,000 participants - at this point, the legislator likely infers that any collective action that large is likely to represent a substantial group with truly salient interests in the issue raised during collective action.

The legislative advantage for low resource groups also holds when measuring demographic and tactical resources (see Figure 3.2). When examining tactical resources, the difference in legislative support is once again statistically significant for moderately sized events, but when the event contains hundreds of participants, differences in levels of support are relatively small. However, when almost no one is engaging in collective action, legislators are generally less supportive of unconventional participation, like marches and boycotts, than they are of petitions, letter-writing campaigns, and other more conventional forms of collective action. At only one point are legislators generally biased towards higher resource groups and that is when extremely small groups engage in protest. Generally, however, legislators are more likely

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[9]Resource by salience marginal effects plots for poor participants are not performed. It is not feasible to execute resource by salience interactions for the poor (vs non-poor) participants measure of resource capacity as less than 1% of *New York Times* articles mentioning collective action events reference poor participants.

Figure 3.2: Resources, Salience (Size), and Legislative Support
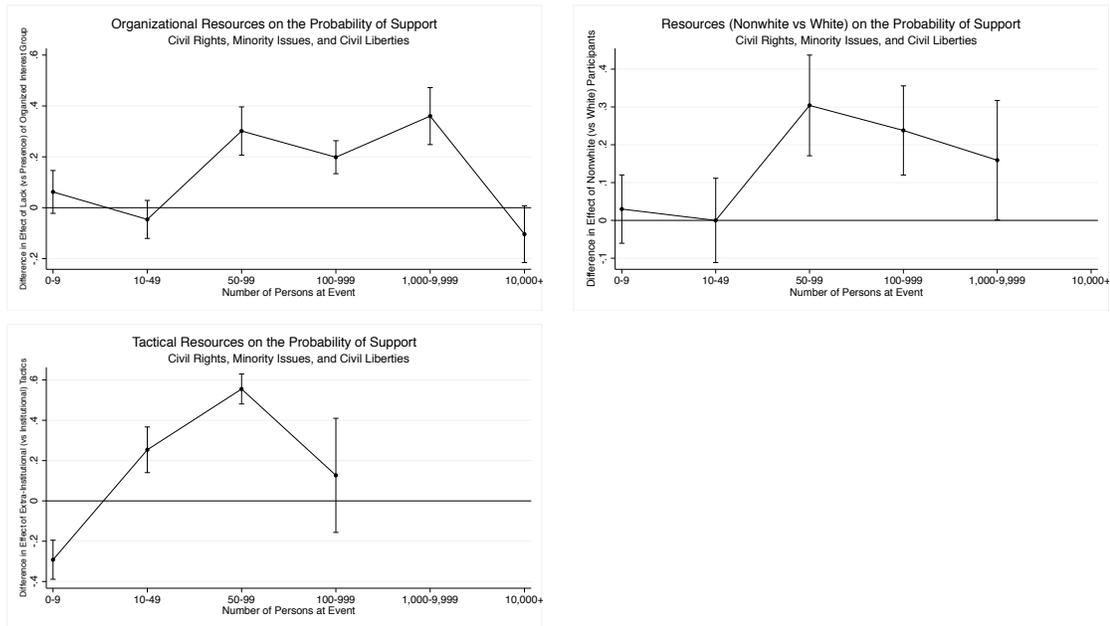
Note: Each graph displays the difference in predicted probability of legislative support of low resource groups relative to high resource groups at different sizes of the collective action event. All other variables are held at their means.

to represent the interests of lower resource groups.

The disruptive politics literature identifies disruptive collective action (e.g. property damage, arrests, injury, death, police, weapons) as indicators of salience (Browning, Marshall and Tabb, 1984; Piven and Cloward, 1977; Lipsky, 1968). The literature is ambiguous as to whether disruptive collective action increases or decreases support. The graphs in Figure 3.3 are similarly ambiguous. I define collective action events as disruptive if they possess any of the following characteristics: property damage, police presence, arrests, weapons, injuries, or death. When events by demographic groups (racial and ethnic minorities compared to whites) are disruptive the bias for lower resource groups is larger than when the events are less contentious. When comparing organizational or tactical resources, the bias is largest in favor of lower resource groups when the events are more contentious. Support for the *Resource Constraint Hypothesis* is present in all analyses of disruptive collective action – low

Figure 3.3: Resources, Salience (Disruptiveness), and Legislative Support
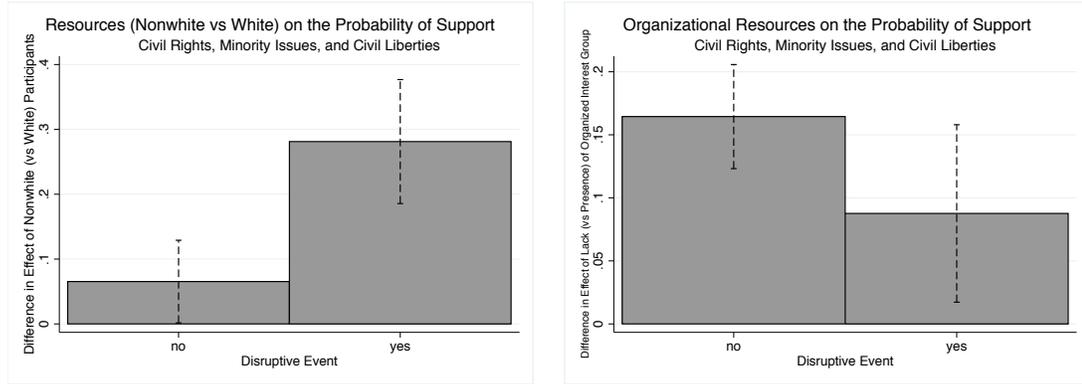
Note: Each graph displays the difference in predicted probability of legislative support of low resource groups relative to high resource groups for collective action events with no (the left bar) or at least one (the right bar) disruptive characteristic. All other variables are held at their means.

resource groups are more likely than high resource groups to gain legislative support following collective action regardless of whether the event is disruptive.

Finally, it could be that lower resource groups are more likely to gain legislative support following collective action because their events receive more coverage in the *New York Times*. While the *New York Times* is a proxy for collective action events on legislators' radar, the newspapers coverage of events could incite salience or give a greater platform to events covered in the newspaper. Figure 3.4 demonstrates that lower resource groups are generally more likely than higher resource groups to gain legislative support regardless of the number of times the *New York Times* reports on a collective action event. The exception is observed when comparing extra-institutional to institutional tactics. Low resource groups are more likely than high resource groups to gain legislative support in the majority of collective action events (96%) that are only mentioned in one *New York Times* newspaper article; but, for the rare (4%) coverage of collective action events by multiple *New York Times* newspaper articles, legislative bias actually favors groups engaging in collective action through institutional tactics (high resource group) compared to extra-institutional tactics (low resource groups). The majority of that coverage relates to racial and

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Figure 3.4: Resources, Salience (Media Coverage), and Legislative Support
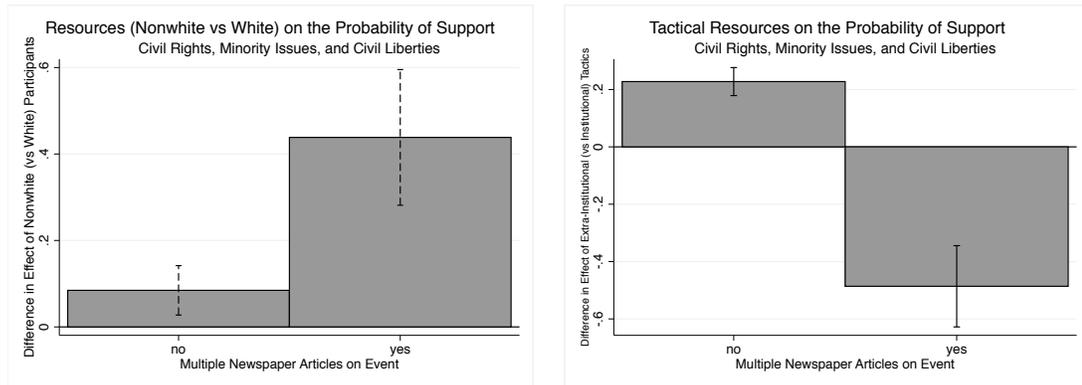
Note: Each graph displays the difference in predicted probability of legislative support of low resource groups relative to high resource groups for collective action events covered in one (the left bar) or multiple (the right bar) *New York Times* articles. All other variables are held at their means.

ethnic tensions highlighted by the Rodney King and Crown Heights events in 1992. Perhaps, the peculiar, polarizing nature of those racial and ethnic conflicts created circumstances in which legislators were forced to respond to higher resource collective action participants. Notwithstanding, the *Resource Constraint Hypothesis* receives mostly consistent support in the empirical analyses. Low resource groups are generally more likely than their higher resource counterparts to gain legislative support following collective action even when considering other measures of salience.

On Collective Action as Informative Participation

Collective action is a political resource by which constituents may communicate their concerns to legislators (Gillion, 2013; Kollman, 1998; Lohmann, 1993). It provides an informative signal to legislators concerning the direction and intensity of constituents' opinion beyond what information is available by way of conventional forms of participation. Although collective action is rare, it is beneficial in its ability to occur at any time and in any place. Electoral participation, on the other hand, is constrained by campaign timelines and political occasion. With collective action, citizens are not compelled to wait for Election Day to hold their legislators accountable.

Furthermore, legislators are able to look beyond campaign contributions and public opinion to collective action in gauging constituent satisfaction. While public opinion is informative of sentiments about issues survey designers deem important, collective action is able to relay information about unforeseen and potentially electorally detrimental constituent concerns.

This investigation measures the legislative bias in responsiveness to collective action participants using roll call votes. Previous research exploring legislative bias demonstrates that under normal circumstances high resource groups are more likely than their lower resource counterparts to be represented by their elected officials. But, there are exceptions to that rule. In this work, I demonstrate that protests are most effective in altering legislative behavior when performed by the most marginalized populations. To be sure, the discussion of other salience variables suggest that participants' resource levels are as important, if not more important, than measures in previous analyses used to explain responsiveness to protest behavior. Even more, the design of the empirical model measures responsiveness to collective action beyond the average legislator's normal behavior, which tends to support policies favoring higher resource groups. The analyses demonstrate that the legislators that are reluctant to support collective action participants' claims are most likely to be responsive to collective action participants. If legislators consistently support lower resource collective action participants in response to consistent constituency preferences, political preferences, or their own personal incentives, then the coefficient on the resource variables would never be statistically significant (e.g., Jackson and Kingdon, 1992; Fiorina, 1974). I explore this point further in the next chapter by looking beyond the average legislator.

CHAPTER IV

The Electoral Context and Legislative Bias in Response to Collective Action by Black and White Participants

One of many benefits of collective action is in its ability to allow constituents to communicate their salient interests to their elected officials. While legislators can discern constituency preferences by attuning to voting behavior, public opinion polls or other electoral participation, salience, or the intensity of constituency preferences, is more easily discernible through collective action (Kollman, 1998). For any participant, collective action is a costly endeavor. It takes time, coordination, transportation, and other resources that are critical for lower resource groups. Black collective action participants, particularly when compared to their white counterparts, face additional costs relating to the portrayal of blacks as deviant members of society.

The overrepresentation of blacks as criminals in news coverage has led to an increase in support for punitive policies (Gilliam and lyengar, 2000), including the policing of minority collective action participants. Even when controlling for the size and disruptiveness of collective action, police presence and action (arrests, force, and/or violence) are often more likely at collective action events featuring black participants than events that feature white participants (Davenport, Soule and Armstrong, 2011). Beyond the increased threat of physical abuse or a criminal record,

the framing of event participants is also consequential for the desire and ability of blacks to pursue collective action. Mainstream media often misrepresent black collective action, particularly when events diverge from conventional, white narratives (Davenport, 2010). Still, it is the costliness of collective action that makes legislators more likely to respond to black collective action participants relative to their white counterparts. Costly collective action communicates to a legislator that an issue is so important to the group that it is willing to overcome potentially prohibitive participation barriers. Consequently, a legislator is generally more likely to represent black collective action participants (who face greater barriers to participation) than their higher resourced, white collective action constituents. The theoretical and empirical findings in this chapter support that legislators are at least as likely to support the interests of black relative to white collective action participants, regardless of the legislator's race, party, or the competitiveness of the congressional district.

I begin by briefly discussing extant literature on constituency preferences and legislative behavior. In this discussion, I review how the electoral context – including the competitiveness of the district and the legislator's race and party – may influence how a legislator votes on legislation. I then present a modification of Fiorina (1974)'s theory of sub-constituency influence to demonstrate how legislative bias in response to collective action participants might reveal itself in different electoral contexts. I focus specifically on the representation of black relative to white constituents and find empirical support for this contention.

This work supports the *Resource Constraint Hypothesis*, which suggests that legislators are more likely to respond to collective action by lower resource groups who face greater barriers to engage in costly participation. A legislator's electoral context varies the strength but not the direction of legislative behavior in response to collective action by groups of disparate resource capacities. Because of the disadvantages faced by black collective action participants, their costlier collective action leads to legislative behavior that is at least as likely to represent the interests of black

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collective action participants as it is to represent the interests of white collective action participants. This research has important implications for scholarship on the representation of black constituents and on legislative bias.

Constituency Preferences and Legislative Behavior

When we talk about legislative representation (or the lack thereof) of constituencies, Fenno (1978) advises that we should be cognizant of *which* constituencies legislators are or are not representing. Representation of group interests depends on whether a legislator expects a group to impose future repercussions for legislative behavior in opposition to the group's preferences (Arnold, 1990; Fiorina, 1977). In general, these groups tend to be attentive publics with the resources to consistently communicate their interests and to support legislators through financial contributions (Miler, 2007). Constituents with greater levels of education, income, and occupational prestige tend to participate more often than those with lower socioeconomic status (Leighley and Vedlitz, 1999; Verba et al., 1993; Verba and Nie, 1972; Schlozman and Tierney, 1986). Participation by racial and ethnic minorities is greater in districts with minority representation (Bobo and Gilliam, 1990), when minorities have higher levels of trust and efficacy (Hajnal and Lee, 2011; Soss, 1999; Bobo and Gilliam, 1990) or when they are asked to participate (Philpot, Shaw and McGowen, 2009).

Furthermore, participation and accordingly representation are higher when the issue is salient to the group (Ansolabehere and Jones, 2010; Hutchings, 1998). This is particularly true when legislative behavior is easily observable. While legislators can pursue their true preferences in oversight hearings, floor speeches, and other less observable legislative behavior, it is in easily observable behaviors, like final roll call voting, that legislators strategically respond to salient constituent interests that diverge from what legislators desire to do in office (Hutchings, McClerking and Charles, 2004; Hall, 1996; Fiorina, 1977). How strategic a legislator must be in

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responding to particular constituency preferences depends on the electoral context.

Fiorina (1974) classifies two distinctive representative types: maximizers and maintainers. The distinction between the two relates to how much each type of legislator is likely to be beholden to her reelection constituency (Fenno, 1978). Vote maximizers seek to enlarge their probability of reelection by voting almost exclusively with their reelection constituency. They do so because they are uncertain about who their loyal supporters will be, they are overly ambitious, or they have non-conflicting personal goals (Fiorina, 1974). On the latter, if legislators have personal policy preferences that align with their homogenous district's preferences, their personal preferences reflect those of their party, and they are influential members of the party with great prestige, then they are likely to behave as vote maximizers. This is true even if their goal is not to maximize their probability of reelection as a vote cast to maximize the probability of reelection is observationally equivalent to a vote cast in line with party and personal preferences for a legislator with non-conflicting personal goals.

Legislators representing heterogenous constituencies also behave as vote maximizers. In heterogeneous districts, or in districts with conflicting opinions, any vote has the potential to alienate those in the reelection constituency, or those in a district who a legislator believes will vote for her (Fenno, 1978). This is particularly true when Democrats represent districts with racially conservative whites and racially liberal blacks. In these districts, electoral insecurity leads to less stable legislative support of black interests, especially on low profile roll call votes (Hutchings, McClerking and Charles, 2004). Notwithstanding, electoral insecurity is what makes legislators most responsive to the preferences of black collective action participants relative to their higher resource counterparts because legislators are apprehensive about the consequential electoral participation of a voting block with salient concerns.

Voting decisions are less complicated for legislators as constituency preferences within a district converge, such as when districts are racially and ideologically

homogenous. In these districts, a legislator's reelection concerns are less constraining so long as she votes with the median voter in the district (Gerber and Lewis, 2004). At least this is the case for final passage votes, which are less susceptible to party pressures than procedural votes (Crespin, 2010). Indeed, maintainers engage in a mixed strategy of representing their reelection constituency on some votes and representing other interests that misalign with those of the reelection constituency on other votes (Fiorina, 1974). As legislators seek to cast votes that garner enough support from sub-constituencies to win reelection, even if only by a small margin, they can abandon their reelection constituency in efforts to secure other goals, like greater prestige, making good public policy, or having greater influence within their respective parties.

Electoral context is important when determining how legislators will respond to collective action by different groups. Some legislators are more sensitive to the salient demands of constituents than others, but as the theory below will demonstrate, even as legislators vary in the degree of pressure they encounter from their party, their constituents, and their own personal goals, the electoral context influences the degree but not the direction of legislative bias in favor of lower resource groups (in this case, black participants) relative to higher resource groups (white collective action participants). All legislators are at least marginally more likely to respond to lower resource collective action participants relative to equal levels of collective action by higher resource participants because lower resource participants face greater participation costs relating to their lower socioeconomic statuses (Leighley and Vedlitz, 1999) or the stigmatization of certain issues by dominant communities (see, for instance Gilens, 2012; Strolovitch, 2005; Cohen, 1999) or a number of other factors.

Refining the Theory of Legislative Bias

Fiorina (1974) defines constituency groups by their level of *strength* and *care* for an issue. *Strength* is defined as the ability of a group to punish or reward a legislator's behavior using time, money, political knowledge and other resources that facilitate participation in both non-electoral and electoral participation. Groups can reveal their *strength* in their levels of collective action by way of having more participants or longer duration.

Care relates to the subjective assessment by a legislator of a group's probability of becoming concerned about her vote during the next election (Fiorina, 1974). When groups *care* more about an issue, they demonstrate more *strength* than their typical participation might predict. That is, when groups with fewer resources have high levels of salience for an issue they are able to overcome the constraints that typically inhibit their participation. Legislators gauge salience by paying attention to current levels of salience and predicting how those salience levels may fluctuate over time. Salience revealed through collective action coupled with a legislator's current estimation of a group's resource levels update a legislator's belief concerning the sub-constituency's level of *care* for an issue. Similar levels of participation by groups of disparate resource capacities demonstrates that lower resource groups are able to overcome participation barriers (because of higher levels of existing salience) to demonstrate an equal ability to reward or punish a legislator in the next election. Consequently, lower resource groups have greater *care* for an issue than higher resource groups at equal levels of revealed salience, or *strength*.

Using the assumptions established in (Fiorina, 1974), I develop expectations concerning the legislative behavior of maximizing and maintaining representatives in response to collective action by two groups of equal *strength* but different levels of *care* concerning an issue. Indeed, while (Fiorina, 1974) explores several legislative scenarios to develop expectations concerning sub-constituency influence on legislative

behavior, this particular case was not explored in that seminal work.

Table 4.1: Summary of Key Terms

Term	Definition
Strength	the ability of a group to punish or reward a legislator's behavior
Care	the subjective assessment by a legislator of a group's probability of becoming concerned about her vote during the next election
p	subjective estimate of legislator's current probability of reelection
p^*	legislator's minimum acceptable subjective probability of reelection
G_j	a group within the legislator's district who the legislators believes is concerned about an issue
c_{jk}	legislator's subjective probability that her vote on issue, k, will mobilize group G_j
x_{jk}	the expected increase in p resulting from a legislator's vote with G_j's preferences on issue k
z_{jk}	the expected decrease in p resulting from a legislator's vote against G_j's preferences on issue k
S_{jk}	*strength* of G_j on issue k such that $S_{jk} = x_{jk} + z_{jk}$
Maximizer	a legislator who votes in order to maximize p
Maintainer	a legislator who votes in effort to maintain p
$Q, 1 - Q$	weights assigned to a maintaining legislator's strategy to produce no expected change in p
a_1	a legislator's expected outcome of voting with G_1, a group or set of groups taking a particular position on an issue
a_2	a legislator's expected outcome of voting with G_2, a group or set of groups taking a position in opposition to G_1's preferences on an issue

As established in (Fiorina, 1974), suppose that there is a reelection-minded legislator. The legislator places a subjective estimate, p, on her current probability of reelection. This legislator also has a minimum acceptable subjective probability of reelection, p^*. Assume that p is within the interval $[p^*, 1]$, and $0 \leq p^* \leq 1$. Additionally, assume that to change p the legislator alters her behavior in consideration of a group, G_j, within her district who she believes is potentially concerned about an issue. The legislator places a subjective estimate, c_{jk}, of the probability that her vote on issue, k, will mobilize group G_j. In addition, the legislator considers the relative strength, S_{jk}, of group G_j on issue k, which is the sum of the group's ability to reward, x_{jk}, or punish, z_{jk}, the legislator's behavior during an election ($S_{jk} = x_{jk} + z_{jk}$). The negative consequence of group G_j's ability to punish the legislator is greater than

the ability of the group to positively reward her ($z_{jk} \geq x_{jk} \geq 0$). Consequently, the legislator's beliefs about G_j lead to $p + x_{jk}$ if she votes with the preferences of G_j on issue k, and $p - z_{jk}$ if she votes against the preferences of G_j on issue k. As a final note, assume that $x \leq 1 - p$ and $z \leq p$ so that the legislator's subjective estimate of her current probability of reelection, p, remains between 0 and 1.

The decision to support G_j is also based on the relationship between p and p^*, and the aspirations of legislator. Vote maximizers are legislators for whom their subjective estimate of the probability of reelection is less than their minimum acceptable subjective probability of reelection ($p < p^*$), p^* is uncertain, $p^* = 1$, or their reelection goals align with other goals such that even a vote that does not attempt to maximize p inevitably results in an increase in p. As long as any of these conditions exist a legislator will attempt to maximize p.

A legislator can also behave to maintain p. Vote maintainers are those for whom the estimated probability of reelection exceeds the desired threshold concerning their perceived reelection probabilities ($p > p^*$). When $p^* < p \leq 1$, a legislator assigns weights ($Q, 1 - Q$, where $0 \leq Q \leq 1$) to the expected utility of voting for or against issue k (and the group(s) concerned about k) in order to produce no expected change in p. Vote maintaining legislators tend to represent safe or homogenous districts and face little competition among groups in their district. Table 4.1 summarizes these terms and definitions for easier reference.

With those assumptions in place, assume that a representative believes that two groups of equal strength care about an issue but that the groups' preferences conflict. The legislator's voting decision, as displayed in Fiorina (1974), is depicted in Table 4.2.

At this point, I depart from Fiorina (1974)'s theory of sub-constituency influence to explore a legislator's decision-making when faced with two groups of equal strength with differing preferences but where one group cares more than the other. In other words, $S_1 = S_2$ and $c_1 > c_2 > 0$. I begin with the following proposition:

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Table 4.2: Voting Decision Given a Two-Group Conflictual Constituency

Strategy	State (Probability)			
	$G_1 G_2$ $c_1 c_2$	$G_1 \bar{G_2}$ $c_1(1 - c_2)$	$\bar{G_1} G_2$ $(1 - c_1)c_2$	$\bar{G_1} \bar{G_2}$ $(1 - c_1)(1 - c_2)$
with G_1	$x_1 - z_2$	x_1	$-z_2$	0
against G_1	$-z_1 + x_2$	$-z_1$	x_2	0

<u>Vote Maximizing Strategy</u>: Following collective action, vote maximizing legislators are more likely to support collective action participants with lower resources than they are to support higher resource collective action participants.

Proof

For the maximizer, a_1 is the expected utility from voting with G_1. It equals $c_1 x_1 - c_2 z_2$. The legislator's expected utility of voting with G_2 is $a_2 = c_2 x_2 - c_1 z_1$. Therefore,

$$U_l(a_1) \quad > \quad U_l(a_2)$$

$$c_1 x_1 - c_2 z_2 \quad > \quad c_2 x_2 - c_1 z_1$$

$$c_1(x_1 + z_1) \quad > \quad c_2(x_2 + z_2)$$

$$c_1(S_1) \quad > \quad c_2(S_2)$$

By assumption, $S_1 = S_2$. Therefore, $c_1 > c_2$. ∎

In this case, a maximizer will always support G_1 (the group that cares more about the issue). This support may not always result in a positive increase in the legislator's subjective estimate of her current probability of reelection, p. Even if G_1

cares more than G_2 about the issue $(c_1 > c_2)$ and the legislator's expected benefit of voting in support of G_1 is greater than that of voting with G_2 $(U_l(a_1) > U_l(a_2))$, it is possible that any vote cast by the legislator will result in a decrease in the legislator's estimate of her current probability of reelection $(U_l(a_1) \leq 0)$. This will happen if G_2 is willing and able to punish the legislator for her vote more than G_1 is willing and able to support the legislator for her support $(x_1 < z_2)$. In other words, even if the legislator's support of the group she accurately perceives to care more about an issue results in a higher electoral payoff than supporting the competing group's preferences, this strategy could still fail to result in the legislator's reelection. The legislator only gets an increase in her subjective estimate of her current probability of reelection $(U_l(a_1) > 0)$ when the ability of the group that cares more about the issue to reward the legislator's behavior equals or exceeds the ability of the competing group to punish the legislator $(x_1 \geq z_2$ while $c_1 > c_2)$.

The best strategy for all types of vote maximizers is to vote in line with the group that cares the most – in this case, lower resource, black participants who engage in collective action. Electorally insecure legislators, whose current probability of re-election is less than a desired minimum threshold $(p < p^*)$, are legislators who do not believe that they have enough votes to secure reelection. When legislators are electorally insecure they are more responsive to constituency influences (Ansolabehere, Brady and Fiorina, 1992). Higher levels of responsiveness to salient constituent interests are also present among legislators whose minimum acceptable probability of reelection (p^*) is unknown. Fiorina (1974) suggests that legislators in this category are those who are new to a congressional district. Greater levels of responsiveness to salient constituency preferences is induced by these legislators' lack of awareness concerning who their loyal supporters are or the issues for which specific sub-constituents will have salient concerns. When legislators' minimum acceptable probability of reelection is met only when reelection is certain (or, $p^* = 1$), legislators will continuously act to support the most salient concerns of their constituents. Finally, legislators with

reelection goals that align with party pressures and personal goals will consistently vote for policies that align with salient constituency preferences.

While vote maximizing legislators desire to maximize their current probability of reelection, vote maintaining legislators seek only to maintain their current probability of being reelected in the next election. Compared to vote maximizing legislators, vote maintaining legislators are less eager to be responsive to new information concerning the salient interests of their constituents. With respect to the behavior of vote maintaining legislators in response to collective action by constituents of disparate resource capacity, I expect:

> Vote Maintaining Strategy: Vote maintainers are at least marginally more likely to vote with lower resource collective action participants than higher resource participants.

Maintaining legislators place weights, Q and 1-Q, on voting for or against a group so that the expected utility of their vote produces no expected change in p, their perceived current probability of reelection. In practice, these weights mean that legislators will at times pay less attention to constituency pressures and their

reelection incentives in pursuit other goals. The maintainer's strategy is therefore

$$
\begin{aligned}
E(\Delta p) = 0 &= Q(x_1 - z_2)c_1 c_2 + Q x_1 c_1 (1 - c_2) + Q(-z_2)(1 - c_1)c_2 \\
&\quad + (1 - Q)(-z_1 + x_2)c_1 c_2 + (1 - Q)(-z_1)c_1(1 - c_2) \\
&\quad + (1 - Q)x_2(1 - c_1)c_2 \\
&= Q x_1 c_1 c_2 - Q z_2 c_1 c_2 + Q x_1 c_1 - Q x_1 c_1 c_2 - Q c_2 z_2 + Q c_1 c_2 z_2 \\
&\quad - z_1 c_1 c_2 + Q z_1 c_1 c_2 + x_2 c_1 c_2 - Q x_2 c_1 c_2 - z_1 c_1 + z_1 c_1 c_2 \\
&\quad + Q z_1 c_1 - Q z_1 c_1 c_2 + c_2 x_2 - c_1 c_2 x_2 - Q c_2 x_2 + Q c_1 c_2 x_2 \\
&= Q x_1 c_1 - Q c_2 z_2 + Q z_1 c_1 - Q c_2 x_2 - z_1 c_1 + c_2 x_2 \\
&= Q(x_1 c_1 - c_2 z_2 + z_1 c_1 - c_2 x_2) - z_1 c_1 + c_2 x_2 \\
Q &= \frac{c_1 z_1 - c_2 x_2}{c_1 z_1 - c_2 x_2 + c_1 x_1 - c_2 z_2}
\end{aligned}
$$

In order for the maintaining strategy to exist,

$$
0 \leq \frac{c_1 z_1 - c_2 x_2}{c_1(x_1 + z_1) - c_2(x_2 + z_2)} \leq 1
$$

This condition only holds if the ability of either group to reward the legislator's behavior outweighs or even equals the ability of the opposing group to punish the legislator ($c_1 x_1 \geq c_2 z_2$ and $c_1 z_1 \leq c_2 x_2$). Furthermore, it must be the case that the ability of a group to punish a legislator's voting behavior must equal or exceed the ability of the opposing group to reward the legislator's voting behavior (i.e., $z_2 \geq x_1$ and $z_1 \geq x_2$). The value of Q depends on the relationship between each group's ability to reward or punish the legislator relative to the other group. For every maintaining legislator's decision making strategy $Q \geq \frac{1}{2}$.

First, consider the case where by assumption, $S_1 = S_2$ and $z_2 = x_2$ and if $z_1 = x_2$ then $Q = \frac{1}{2}$ as demonstrated below:

Proof

$$Q = \frac{c_1 z_1 - c_2 x_2}{c_1(x_1 + z_1) - c_2(x_2 + z_2)}$$
$$= \frac{z_1(c_1 - c_2)}{c_1(x_1 + z_1) - c_2(x_2 + z_2)}$$
$$= \frac{z_1(c_1 - c_2)}{(x_1 + z_1)(c_1 - c_2)}$$
$$= \frac{z_1}{(z_1 + z_1)}$$
$$= \frac{1}{2}$$

∎

Notice that Q, the weight that vote maintaining legislators apply to their voting strategies in order to produce no expected change in the current perceived probability of reelection, and the corresponding conditions are akin to those produced in Chapter III of Fiorina (1974) for the case of Roll Call Decisions with a Conflictual Constituency, where $c_1 > c_2$ and $S_1 > S_2$. Fiorina (1974) finds that a maintainer for which $c_1 x_1 \geq c_2 z_2$ will vote with the stronger group with a probability of at least .5 and that a maintainer for which $c_1 z_1 \leq c_2 x_2$ will vote with the weaker group with a probability of at least .5. I prove the lower bound for the maintaining strategy when $S_1 = S_2$ suggesting that maintainers vote with the group who cares more at least half of the time.

Figure 4.1 displays the variations in legislative responsiveness given the relative salience and abilities of groups to reward or punish the legislator in response to her behavior. These figures represent the full range of maintaining strategies, which are depicted on the x-axis. A maintaining strategy does not exist outside the boundaries of 0 and 1 such that $0.5 \leq Q \leq 1$. This range is denoted by the vertical, dashed lines. The y-axis denotes the relative salience that each group has for the issue. As the

Figure 4.1: Roll-Call Voting Decisions Considering Salience of Issues and Constituency Influence

(A) Existence of Maintaining Strategies
Two Groups of Equal Strength and Differing Salience (Salient Group Punishes More)

Graphs by Punish/Reward

(B) Existence of Maitaining Strategies
Two Groups of Equal Strength and Differing Salience, (Salient Group Rewards More)

Graphs by Punish/Reward
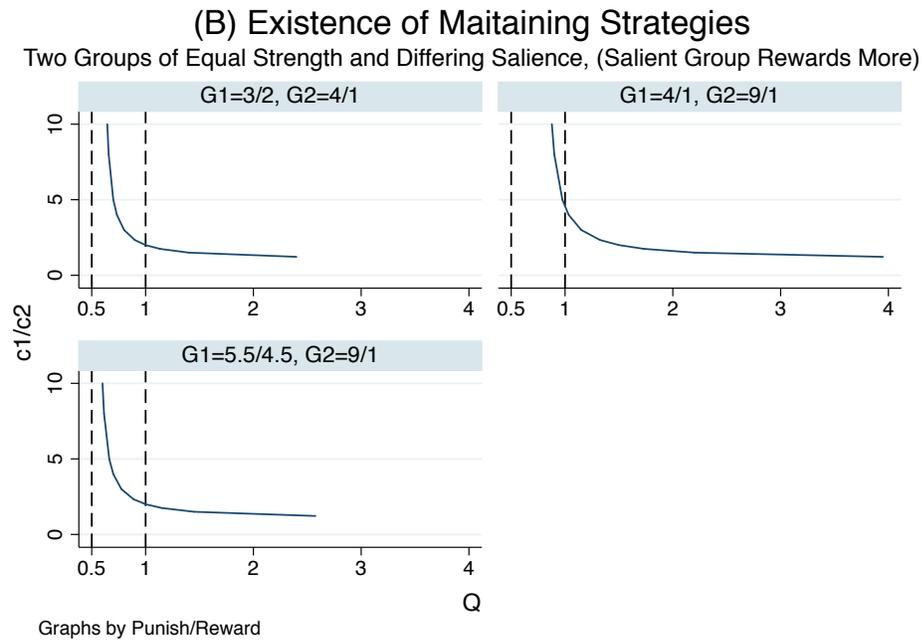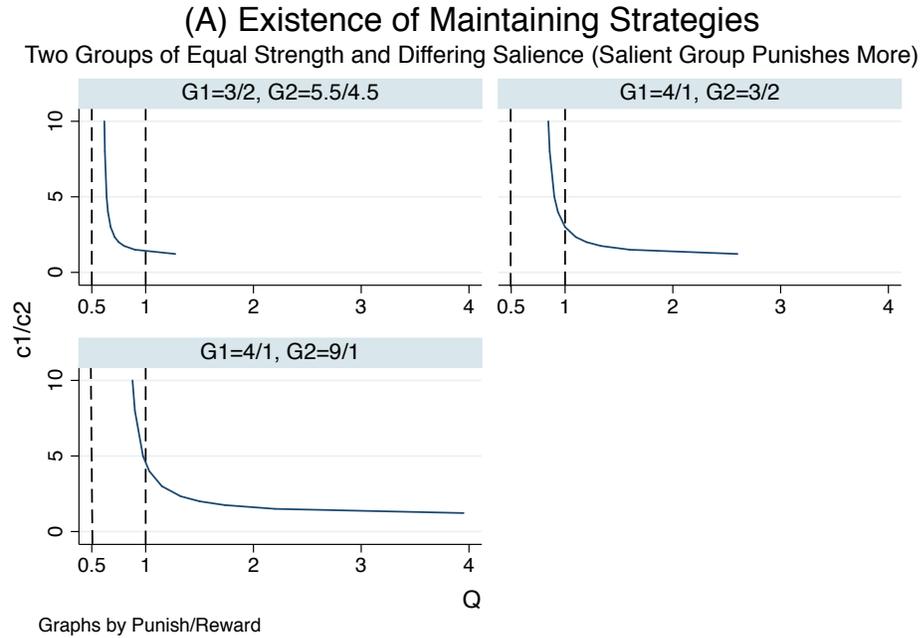
Note: Simulations of maximizing and maintaining strategies comparing two groups of equal strength ($S_1 = S_2$ or $x_1 + x_2 = z_1 + z_2$) but different salience levels ($c_1 > c_2$). The y-axis denotes how much $c_1 > c_2$. While group strength remains constant, the ability of a group to punish or reward legislative behavior changes. In Figures 1(A), $z_1 > z_2 > x_2 > x_1$. In Figures 1(B), $z_2 > z_1 > x_1 > x_2$. The ratios above each subgraph indicate the ability of a group to punish over the ability of a group to reward legislative behavior. The maintaining strategy exists within the two vertical, dashed lines.

disparity in salience for the issue increases, the probability that a legislator supports the more salient group approaches but continuously exceeds $\frac{1}{2}$. As group salience nears parity, the existence of a maintaining strategy depends on the relative ability of groups to reward or punish a legislator. Figure 4.1 (A) represents maintaining strategies in response to groups of equal strength and differing salience levels, where group 1 has greater salience for the issue than group 2 ($c_1 > c_2$), and the group who cares more about the issue is able to punish the legislator more for her actions than the group who cares less, but the group who cares more is also able to reward the legislator less than the opposing group ($z_1 > z_2 > x_2 > x_1$). In Figure 4.1 (B), the voting decision still relates to groups of equal strengths and differing salience for an issue, but group 1 can now reward the legislator more than group 2 and group 2 can punish more than group 1 ($z_2 > z_1 > x_1 > x_2$).

In these graphs, it is apparent that the lower limit for relative salience levels increases in the difference in the ability of both groups to punish a legislator relative to their ability to reward her behavior. Vote maintaining legislators choose to vote with the group that cares more with a probability greater than or equal to .5. In other words, they are less likely than vote maximizing legislators to demonstrate a bias in their roll call voting behavior that favors black over white collective action participants. This maintaining strategy is consistent across maintainer types.

As aforementioned, vote maintaining legislators face little electoral competition and tend to represent safe districts or those with homogeneous constituency preferences. Decreased electoral competition and turnover has led to the concern that legislators are less accountable to their constituents (Jones, 2013; Mayhew, 1974). Still, even when reelection becomes sufficiently certain, legislators must be mindful not to become too complacent such that they ignore the salient concerns of constituents with the capacity to end their legislative careers (e.g. Ansolabehere, Brady and Fiorina, 1992).

Republican legislators have greater levels of district preference homogeneity

on policies benefitting racial and ethnic minorities than Democrats (Sniderman and Carmines, 1997). Given the more conservative racial policy preferences among Republicans, these legislators have little incentive support the more ideologically liberal leaning preferences raised during collective action (see Figure 4.2) by participants of any race. Constituents perceive greater levels of responsiveness when descriptively represented by a legislator of their same race, regardless of whether that legislator is also a co-partisan (Bowen and Clark, 2014; Tate, 2004). This means that black constituents are more likely than whites to disapprove of Republican legislators who are overwhelmingly white. Higher levels of disapproval among black compared to white constituents suggests that when Republicans do decide to represent collective action participants' preferences, they may choose to represent black constituents who may be more resolved to electorally punishing the legislator for ignoring their salient preferences.

Figure 4.2: Ideology of Collective Action Participant Claims
(Civil Rights, Minority Issues, and Civil Liberties)
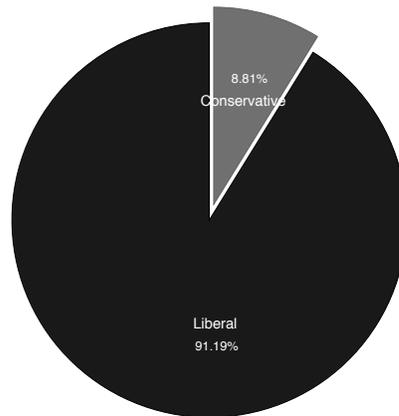
Data Source: Dynamics of Collective Action, 1991-1995

While Republicans are generally less supportive of policies benefitting black constituents, black, mostly Democratic, legislators are the most ardent supporters of black interests (Minta, 2011; Hall, 1996). Consequently, when black constituents en-

gage in collective action, it is likely that their black legislators are already supporting claims made during collective action. However, there is some misalignment between the personal goals of black legislators, black constituency preferences, and party pressures. Among Democrats, black legislators vote more liberally than whites on roll call votes in effort to advance black interests (Whitby, 1997). They sometimes even vote more liberally than black constituency preferences (Tate, 2004). Accordingly, black legislators appear more as vote maintainers than vote maximizers. Notwithstanding, vote maintaining strategies only exist if the rewards lower resource groups can contribute to reelection exceed the negative consequences of voting against higher resource groups.[1]

If the Vote Maintaining and Vote Maximizing strategies are true, then the refined *Resource Constraint Hypothesis* should also hold:

> Refined Resource Constraint Hypothesis: Any legislator is more likely to support collective action by constituents with low resource capacity compared to similar collective action by constituents with high resources.

When presented with the opportunity to vote on legislation relating to concerns raised during collective action, legislators can vote to support or not support their constituents' concerns. The decision is complicated when considering the often incompatible constituency preferences on many issues. Reelection-minded legislators look to represent the salient concerns of their constituents to navigate this quandary. As salience is not easily calculable, legislators can discern the intensity of constituency preferences in the effort required to mobilize the collective action. Groups overcoming greater barriers to participation are likely to have higher levels of salience for an

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[1]I present the case of two collective action participant groups with conflicting preferences on an issue. In the case that both low and high resource groups are on the same side of an issue, the expectations still hold. A maximizer always votes with the lower resource constituency, and that the maintainer votes with this constituency with a probability of at least .5 regardless of how much either group cares about the issue. For maintainers, this is only true if neither group affects the legislator's reelection prospects or if both groups have equal amounts of concern for the issue (Fiorina, 1974, ch. 3).

issue. Meanwhile, the likelihood of salient concerns is less certain among groups for which participation is less costly. The likelihood that a legislator will represent collective action participants also depends on how pertinent reelection concerns are to the legislator. Reelection-minded legislators can reflect one of two behaviors: they can act to maintain their current probability of reelection or they can act to maximize that likelihood. Regardless of legislators' strategies, legislators are generally more likely to represent the interests of lower resource collective action participants than their higher resource constituents. By implication of the vote maintaining and vote maximizing strategies the following is also expected:

> Electoral Context Hypothesis: The bias in favor of low resource relative to high resource collective action participants is likely to be larger among vote maximizing legislators than among vote maintaining legislators.

The vote maximizing strategy suggests that vote maximizing legislators should be more supportive of the concerns of low resource constituents than high resource constituents following their collective action, while the vote maintaining strategy suggests that the voting behavior of vote maintaining legislators should be at least marginally biased towards the interests of low resource collective action participants. Therefore, vote maximizing legislators should demonstrate a bias in favor of lower resource groups more often than vote maintaining legislators do. An empirical corroboration of these theoretical implication should demonstrate that legislative bias at least slightly favors black relative to white collective action participants, regardless of the electoral context; and that vote maximizing legislators are more likely than vote maintaining legislators to be biased in favor of black relative to white collective action participants.

Data and Measurement

To assess whether the refined *Resource Constraint Hypothesis* and the *Electoral Context Hypothesis* are correct, I again employ the data on collective action from the Dynamics of Collective Action (*DCA*) dataset from 1991 to 1995 (McAdam and Su, 2002). This data includes any event reported in the *New York Times* involving multiple persons publicly expressing a grievance. I locate the legislator representing constituents engaging in collective action using GIS software and congressional district boundaries from the US Census Bureau. The dependent variable, *Support*, is a dichotomous measure of whether the legislator votes in support of an issue relating to Civil Rights, Minority Issues, or Civil Liberties raised during collective action on the first final passage roll call vote taking place after the collective action event but before the next Congress convenes.

Each analysis includes an interaction between participant's resource capacity and the electoral context of the legislator, and the constituent terms of that interaction. I measure resources using *Black Participants*, which takes on a value of one if collective action participants are black and zero if participants are white. Black participants are the lower resource group. I characterize the legislator's behavior as vote maximizing or vote maintaining based on the legislator's electoral context.

Vote Maximizers: I analyze two types of maximizers: (1) those uncertain about who their loyal constituents are, and (2) those representing heterogeneous constituencies. First, uncertain legislators are those without a good understanding of the district they represent. These tend to be legislators in their first or second term (Fiorina, 1974). The variable, *New Legislator*, is coded as one if the legislator is in his or her first or second term, and zero otherwise. Second, legislators representing districts with conflicting opinions are likely to also represent marginal districts. This will be a district in which a legislator wins by a *Small Margin of Victory* (less than 60%). Legislators in this category might also be those representing mostly liberal Democrats

since liberal Democrats conflict on their support for racial policies depending on their levels of racial prejudice (Sniderman and Carmines, 1997). On issues concerning race, *Nonblack Democrats* are likely to behave as vote maximizers because they represent constituents with conflicting opinions on issues within the Civil Rights, Minority Issues, and Civil Liberties Policy Agendas Project classification.

Vote Maintainers: Vote maintainers are largely from safe electoral districts. Legislators with non-conflicting goals are likely to be ranking party members who represent districts typical of their party. These legislators are also likely to be representing safe electoral districts and are likely to have longer lengths of service in Congress. Senior legislators are coded with a value of zero in the *New Legislator* variable. Another indicator of safety is a large electoral margin of victory, or winning by more than 65% (Fiorina, 1974). Legislators with large electoral margins of victory are given a value of zero in the *Small Margin of Victory* variable. Safety is greater when there is homogeneity of preferences in the district. Republican constituents typify a consensual constituency on racial policies as they generally oppose them on political grounds regardless of their level of racial prejudice (Sniderman and Carmines, 1997). As *Republican* legislators are most common to represent conservative, Republican constituents, they are also likely to behave as vote maintainers on issues of Civil Rights, Minorities Issues, and Civil Liberties. Black members of Congress are also maintainers as they tend to represent districts with greater preference homogeneity (Lublin, 1997). Except for the analysis which compares *Black Democrats* to Republicans the ensuing analyses compare vote maximizing legislators relative to vote maintainers. The reference category for each of the models comparing nonblack Democrats, black Democrats, and Republican legislators is denoted in the table.

To demonstrate that legislators are responsive to collective action participants in light of other legislative considerations, I include several variables that are known to influence legislative behavior in the empirical models. *Public Salience* is a measure of district level salience for civil rights, minority issues, and civil liberties

created using multilevel regression and poststratification (MRP) (Warshaw and Rodden, 2012; Lax and Phillips, 2009), data from the 1992, 1994, and 1996 American National Election Study Post-Election, and from the 1990 Decennial Summary File 3. From Lublin (1997)'s replication dataset, I include median levels of *Education* and *Income* in the district; *Percent Black* and *Percent Latino* district level voting age populations; *Democratic Representative*, which indicates whether the legislator is a member of the Democratic or Republican Party; the legislator's number of terms in office, or *Length of Service*; whether the legislator is an *Incumbent*; the legislator's *Margin of Victory* during the election; whether the legislator is a *Black Representative*, *Latino Representative* or *Female Representative*; and whether the district is in a *Southern State*. The legislator's *Relative Voting Record* on similar issues relative to other legislators in the U.S. House of Representatives is developed using Poole and Rosenthal NOMINATE scores (Poole and Rosenthal, 1997).

Electoral Context and Legislative Bias

Tables 4.3 through 4.5 display the results of maximum likelihood estimation (MLE) models of logistic regressions with congressional district fixed effects.[2] Each model includes a binary variable for *Black Participants*, a binary variable comparing vote maximizing and vote maintaining variables, and an interaction of the two terms. This model specification allows for the effect of collective action participants on legislators' voting behavior to depend on the electoral context and for the effect of electoral context on legislators' voting to depend on the race of collective action participants (Stock and Watson, 2007).

Table 4.3 examines the legislative support for black and white collective action participants' interests by new and senior members of Congress. The first three terms in this model provide some support for both the refined *Resource Constraint*

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[2]I use the logit command in STATA for the fixed effects models.

Hypothesis and the *Electoral Context Hypothesis*. As both *Black Participants* and *New Legislators* are binary variables and the interaction of the two variables is also included in the model specification, the coefficient on the first term shows the difference in the effect of black participants relative to white participants on legislative support for constituents' interests when the value of the second term is zero (ie, when the legislator has more than two terms of service in Congress) and other variables are held constant(Stock and Watson, 2007). The positive and statistically significant coefficient on the first term in the model, *Black Participants*, supports the expectation that Senior legislators are more likely to support black collective action participants than they are to support white participants' concerns following collective action. This suggests that vote maintaining, senior legislators, who have less incentive than new legislators to be responsive to constituency concerns are still more likely to represent the salient interests of lower resource participants than they are to represent higher resource participants. The positive coefficient on *New legislator* indicates that legislators in their first or second term in Congress are more likely than senior legislators to support white collective action participants. This log odds coefficient does not meet conventional levels of statistical significance.

The coefficient on the interaction term is the difference in the effect of collective action participants' race on legislative behavior for new legislators versus senior legislators (Stock and Watson, 2007). It shows the likelihood of legislative support of new legislators responding to black participants' concerns relative to senior legislators responding to white participants' concerns. Any difference in legislative support could be attributable to the race of the participants, the seniority of the legislator, or both. The standard errors suggest that there is not statistically significant difference between the voting behavior of new legislators in response to black collective action and the voting behavior of senior legislators in response to white collective action. Notwithstanding, the interaction term does not directly address the refined *Resource Constraint Hypothesis* or the *Electoral Context Hypothesis*. The inclusion of the in-

Table 4.3: Legislative Support of Freshmen and Sophomore vs Senior Members of Congress

Black Participants	0.614***
	(0.161)
New Legislator	0.146
	(0.197)
Black Participants X New Legislator	0.075
	(0.266)
Public Salience	−2.687***
	(0.603)
Education	−0.0937
	(0.686)
Income	1.335**
	(0.576)
Percent Black	−2.209
	(1.563)
Percent Latino	−0.600
	(1.945)
Democratic Representative	1.197***
	(0.408)
Relative Voting Record	−1.082
	(0.805)
Length of Service	0.973
	(0.829)
Incumbent	−0.702***
	(0.200)
Margin of Victory	0.917
	(0.629)
Black Representative	0.016
	(0.651)
Latino Representative	0.198
	(0.686)
Female Representative	0.207
	(0.329)
Southern State	−4.353**
	(1.768)
Constant	−0.493
	(1.574)
Congressional District Dummies	Yes
Observations	4441
Log likelihood	−2392.2

The dependent variable, legislative support, is binary taking on a value of 0 or 1.

Coefficients are Log Odds.* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

teraction term in the model does allow for calculations of predicted probabilities for relationships that do address the hypotheses.

Figure 4.3 shows the likelihood of legislative support for black relative to white collective action participants for each type of legislative behavior – vote maintaining (senior) legislators and vote maximizing (new) legislators. Each bar represents the difference in predicted probabilities when all other covariates are held at their mean values. Vote maintaining, senior legislators are 15% more likely to support black collective action participants than they are to support white collective action participants. Vote maximizing legislators are also more likely to support black than white collective action participants with a predicted probability of 0.17. The 95% confidence intervals on each of the differences in predicted probabilities demonstrates that the effects of resource capacity on legislative support is statistically significant. While Figure 4.3 provides support for the refined *Resource Constraint Hypothesis* it provides limited support for the *Electoral Context Hypothesis* – the legislative bias in favor of black collective action participants appears to be larger for new legislators than for senior legislators. Figure 4.6 provides a clearer representation of the differences in vote maximizing and vote maintaining legislators' behavior.

As the coefficients on *New Legislator* and the interaction term in Table 4.3 show, vote maximizing legislators appear to more likely than vote maintaining legislators to support the interests of collective action participants. However, these differences fail to reach conventional levels of statistical significance. Figure 4.4 confirms this relationship. There is no statistically significant difference in the legislative behavior of vote maximizing (new) legislators and vote maximizing (senior) legislators in response to collective action participants.

Table 4.4 addresses whether legislators representing heterogeneous districts are more likely than legislators representing homogenous districts to support black relative to white collective action participants. The degree of district heterogeneity is measured by whether a legislator has a small (winning by less than 60%) or large

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Figure 4.3: Resources and Legislative Support by Length of Service
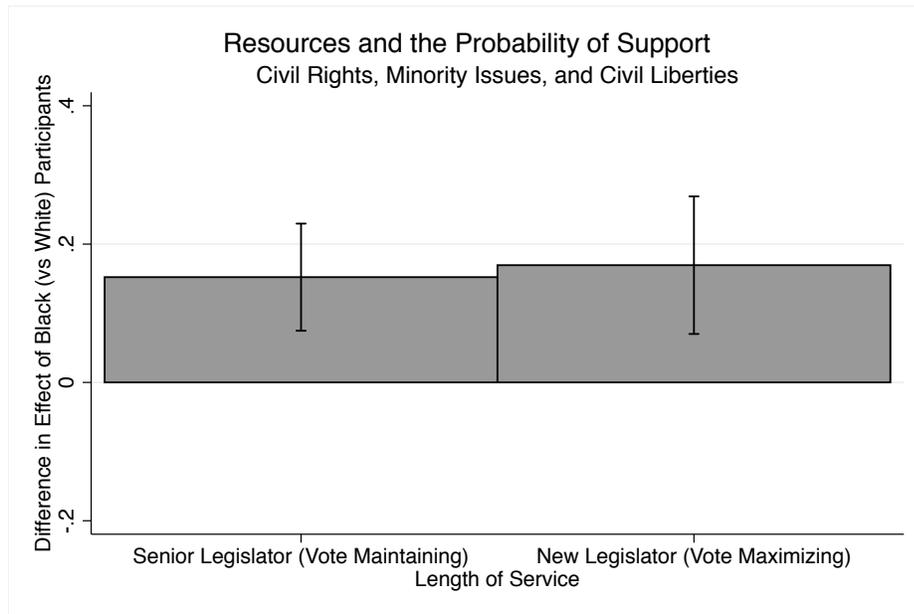
Note: Difference in the predicted probability of legislative support of low resource group relative to high resource group based on the model in Table 4.3. All covariates are held at their means.

Figure 4.4: Resources and Legislative Support by Length of Service (Length of Service)
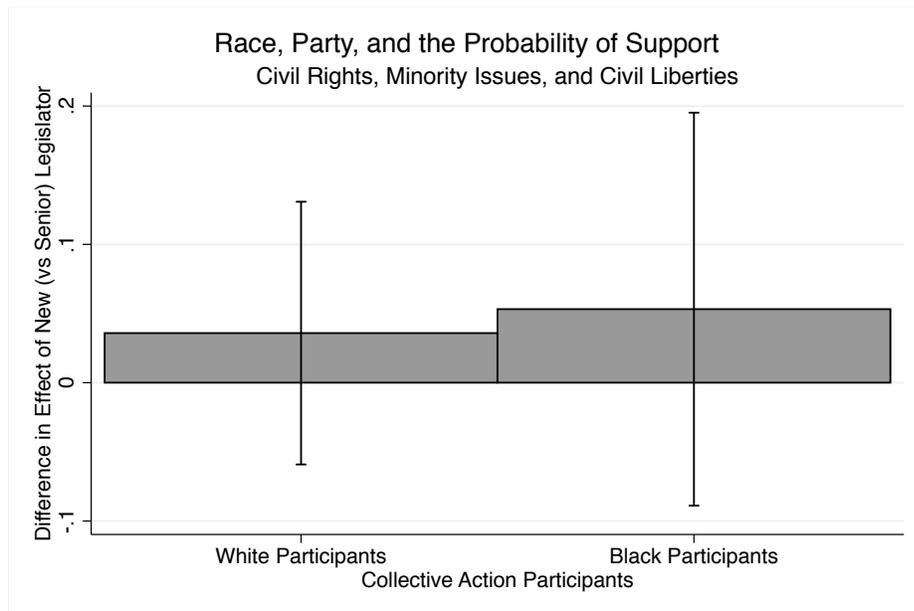
Note: Difference in the predicted probability of legislative support of vote maximizing (freshman and sophomore) legislators relative to vote maintaining (senior) legislators based on the model in Table 4.3. All covariates are held at their means.

(winning by more than 65%) margin of victory in his or her reelection.[3] The positive and statistically significant logistic coefficient on *Black Participants* reveals that legislators with large margins of victory are more likely to support black collective action participants than white participants. Additionally, the positive logistic coefficient on *Small Margin of Victory* suggests that less electorally secure legislators are more likely than more electoral security to respond to the interests of white collective action participants. However, this relationship fails to reach statistical significance at the 95% confidence level (p=.077). The interaction term is also positive and statistically insignificant. This term compares the influence of participants resources on the legislative behavior of legislators with small versus large margins of victory. Alone, the coefficient does not reveal whether differences in legislative behavior are due to the race of the participants or the electoral security of the legislator. Once again, calculating the predicted probabilities provides further interpretation of the empirical findings as they relate to the theoretical expectations.

Figure 4.5 displays the difference in predicted probabilities of legislative support following collective action by constituents of disparate resource capacities for legislators with large and small margins of victory, respectively. Both vote maintaining and vote maximizing legislators are more likely to support black collective action participants' interests than they are to support white collective action participants' interests. Vote maintaining legislators with large margins of victory are 8% more likely to support black collective action participants than they are to support white collective action participants. Vote maximizing legislators represented by small margins of victory are 13% more likely to support black collective action participants relative to white collective action participants. Both of these differences are statistically significant.

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[3]This variable excludes legislators that win by more than 60% but less than 65% to provide clearer cutpoints for the comparison of vote maximizing and vote maintaining legislators. The Appendix displays the tables for models where *Margin of Victory* is coded with a cutpoint at 60% and another with a cutpoint at 65% (see Tables C.6 and C.7). The results are generally robust to the coding of the margin of victory variable.

Table 4.4: Legislative Support and Electoral Margin of Victory

Black Participants	0.326**
	(0.166)
Small Margin of Victory	0.693*
	(0.392)
Black Participants X Small Margin of Victory	0.302
	(0.318)
Public Salience	−2.338***
	(0.796)
Education	−0.0713
	(0.930)
Income	0.280
	(0.776)
Percent Black	−0.172
	(1.913)
Percent Latino	0.0608
	(2.743)
Democratic Representative	1.758***
	(0.489)
Relative Voting Record	−1.132
	(1.002)
Length of Service	0.313
	(0.767)
Incumbent	−0.752***
	(0.258)
Margin of Victory	1.550
	(1.142)
Black Representative	−0.656
	(0.802)
Latino Representative	−0.196
	(0.870)
Female Representative	0.780*
	(0.405)
Southern State	−5.178***
	(1.789)
Constant	−0.459
	(1.813)
Congressional District Dummies	Yes
Observations	3703
Log likelihood	−2079.8

The dependent variable, legislative support, is binary taking on a value of 0 or 1.

Coefficients are Log Odds.* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

Figure 4.5: Resources and Legislative Support by Margin of Victory
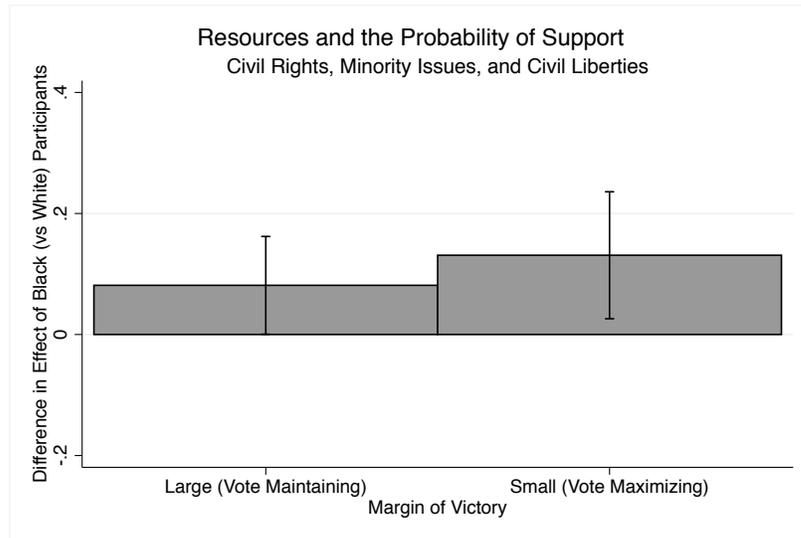
Note: Difference in the predicted probability of legislative support of low resource group relative to high resource group based on the model in Table 4.4. All covariates are held at their means.

Vote maximizing (small margin of victory) legislators are also more responsive to collective action participants than vote maintaining (large margin of victory) legislators with one exception. In Table 4.4, the log odds coefficient on *Small Margin of Victory* reveals a positive but statistical insignificant difference in the legislative styles of legislators in responding to white collective action participants. The predicted probabilities in Figure 4.6 reveals a similar relationship. The probability of legislative support in response to white collective action participants among vote maximizing legislators with small margins of victory is 17% higher than the probability of legislative support among vote maintaining legislators with large margins of victory. This difference fails to reach the 95% confidence level for statistical significance (p-value = 0.06) when all covariates are held at their means. In response to black participants, the likelihood of legislative support among legislators with small margins of victory is 22% higher than that of vote maintaining legislators with large margins of victory. That difference is statistically significant at the 95% confidence level. These results with respect to the legislator's margin of victory provide some support for both the refined *Resource Constraint Hypothesis* and the *Electoral Context Hypothesis*.

Figure 4.6: Differences in Maximizing and Maintaining Behaviors (Margin of Victory)
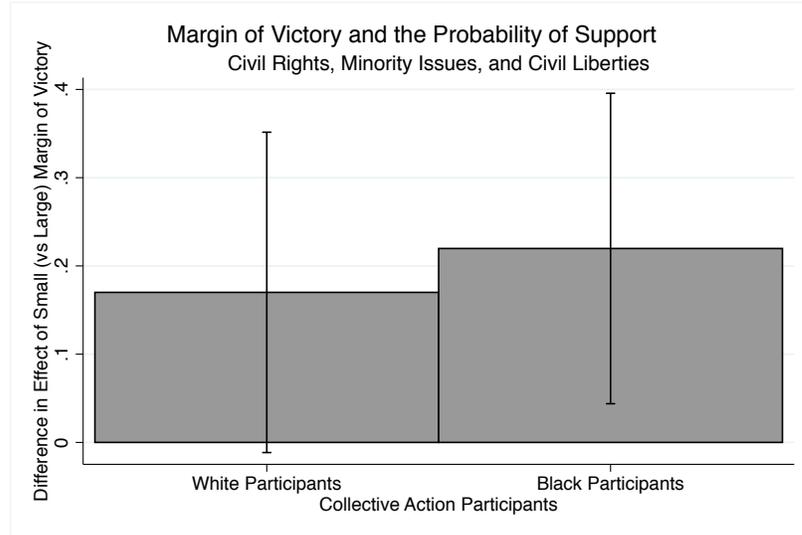
Note: Differences in the predicted probability of legislative support of vote maximizing relative to vote maintaining Democrats by resource levels of collective action participants based on the model in Table 4.3. All covariates are held at their means.

Table 4.5 displays the results of the empirical model assessing the legislative support of black and white collective action participants' interests by legislator's party and race.[4] This table speaks to a cleavage in extant literature that evaluates legislative responsiveness and representation of black constituents. While some work suggests that black legislators are more likely to represent the interests of black constituents (Tate, 2004; Whitby, 1997), others suggest that black legislators are less responsive to black constituents than their legislative counterparts (Bowen and Clark, 2014; Swain, 1993). The theory of legislative bias posits that legislative support in response to collective action participants is moderated by whether legislators believe that constituents have salient concerns for an issue and whether the legislator is electorally insecure enough to warrant capitulating to those interests (i.e., whether legislators behave as vote maximizers of vote maintainers).

Nonblack legislators represent more heterogeneous congressional districts than the districts represented by black Democrats, so they have more incentive to support

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[4]Due to multicollinearity, I do not include controls for *Democratic Representative* or *Black Representative* in the models assessing the race and party of the legislator.

sub-constituency preferences that diverge from their own preferences. This theory would therefore lead to the expectations that nonblack Democrats who are most susceptible to constituency pressures would demonstrate a greater bias in legislative support favoring black participants than other legislators. At the same time, black legislators have personal preferences that align with black constituency preferences even in the absence of strong constituency pressures. So, black legislators are likely to already be supporting to the intense preferences raised by black collective action participants. Moreover, Republicans, who represent districts with homogenous constituency preferences in opposition to the salient concerns of collective action participants and who do not rely on the votes of liberal constituents for reelection, are less likely than all other legislators to favor black constituents. The empirical results confirm these expectations.

The log odds coefficients on *Black Participants* Table 4.5 demonstrates that there is no statistically significant difference in Black or Republican legislators' support of black collective action participants relative to white participants. The only statistically significant relationships are on the *Nonblack Democrat (Maximizing)* variable and the interaction term in Model II. However, these relationships are not statistically significant at the 95% confidence level (p-value=0.79 and p=0.093, respectively). The predicted probabilities in Figures 4.7 and 4.8 provide more information with respect to the theoretical expectations.

The second graph in Figure 4.7 displays the estimated differences in predicted probabilities from Model II while holding all other covariates at their means. Nonblack Democrats are less likely than black Democrats to support collective action participants, but these estimates fail to reach the 95% confidence level of statistical significance (p-value = .064 for white participants and p-value = 0.284 for black participants). Calculating the predicted probabilities from the other models in Table 4.5 reveals that there is no statistically significant difference in the vote maximizing and vote maintaining behavior of legislators when considering their race and party as

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Table 4.5: Legislative Support by Race and Party

	Relative to (Vote Maintaining):		
	Republican Model I	Black Democrat Model II	Republican Model III
Black Participants	0.250 (0.314)	0.339 (0.255)	0.201 (0.331)
Nonblack Democrat (Maximizing)	0.271 (0.645)	−1.341* (0.762)	
Black Democrat (Maintaining)			−0.0935 (2.268)
Black Participants X Nonblack Democrat	0.559 (0.357)	0.518* (0.308)	
Black Participants X Black Democrat			0.199 (0.421)
Public Salience	−2.512*** (0.825)	−4.024*** (0.910)	−2.921*** (1.060)
Education	0.199 (0.934)	−1.028 (0.948)	6.137* (3.701)
Income	1.089 (0.695)	2.266*** (0.778)	−3.461 (2.390)
Percent Black	1.132 (3.259)	−4.389** (1.867)	0.880 (4.946)
Percent Latino	−3.309 (2.982)	−3.162 (2.293)	4.153 (6.745)
Relative Voting Record	0.631 (1.040)	−1.428 (1.241)	−3.113** (1.474)
Length of Service	0.480 (0.836)	1.191 (0.809)	4.989* (2.967)
Incumbent	−0.355 (0.235)	−0.993*** (0.222)	−2.020*** (0.672)
Margin of Victory	−0.370 (0.852)	1.193 (0.792)	5.696** (2.537)
Latino Representative	−0.906 (0.941)	1.521* (0.777)	−3.211 (3.520)
Female Representative	−0.978* (0.515)	0.725* (0.393)	6.420*** (2.442)
Southern State	−4.634*** (1.786)	−1.169 (1.857)	−2.503 (2.072)
Constant	−0.0929 (1.603)	3.591** (1.644)	−4.968* (3.006)
Congressional District Dummies	*Yes*	*Yes*	*Yes*
Observations	2366	3575	2366
Log likelihood	−1206.9	−2021.4	−1206.9

The dependent variable, legislative support, is binary taking on a value of 0 or 1.

Coefficients are Log Odds.* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

the differences in predicted probabilities fail to reach conventional levels of statistical significance and are either positive or essentially zero.

Figure 4.7: Differences in Maximizing and Maintaining Behaviors (Party and Race)
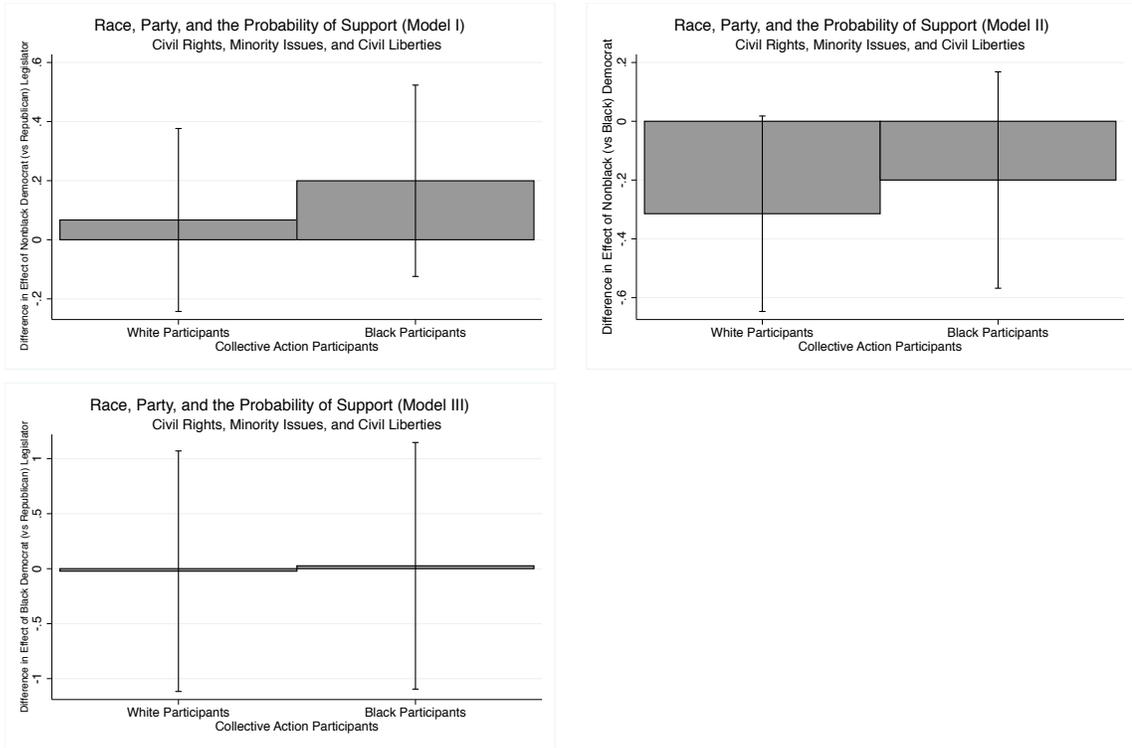
Note: Difference in the predicted probability of legislative support of vote maximizing relative to vote maintaining Democrats by resource levels of collective action participants based on the model in Table 4.5. All covariates are held at their means.

Stronger support for the theoretical expectations is found in Figure 4.8, which illustrates the difference in legislative support for black relative to white collective action participants given the race and party of the legislator. As expected, the bias in favor of black collective action participants is largest and only statistically significant at the 95% confidence level for vote maximizing, nonblack Democrats. The bias in favor of black collective action participants fails to reach conventional levels of statistical significance for any of vote maintaining legislators giving credence to the expected strategy of vote maintainers to only be marginally more likely to support black over white collective action participants (i.e., the probability of support for

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black relative to white collective action participants is greater than or equal to 0.5).

Figure 4.8: Resources and Legislative Support by Race and Party of Legislator
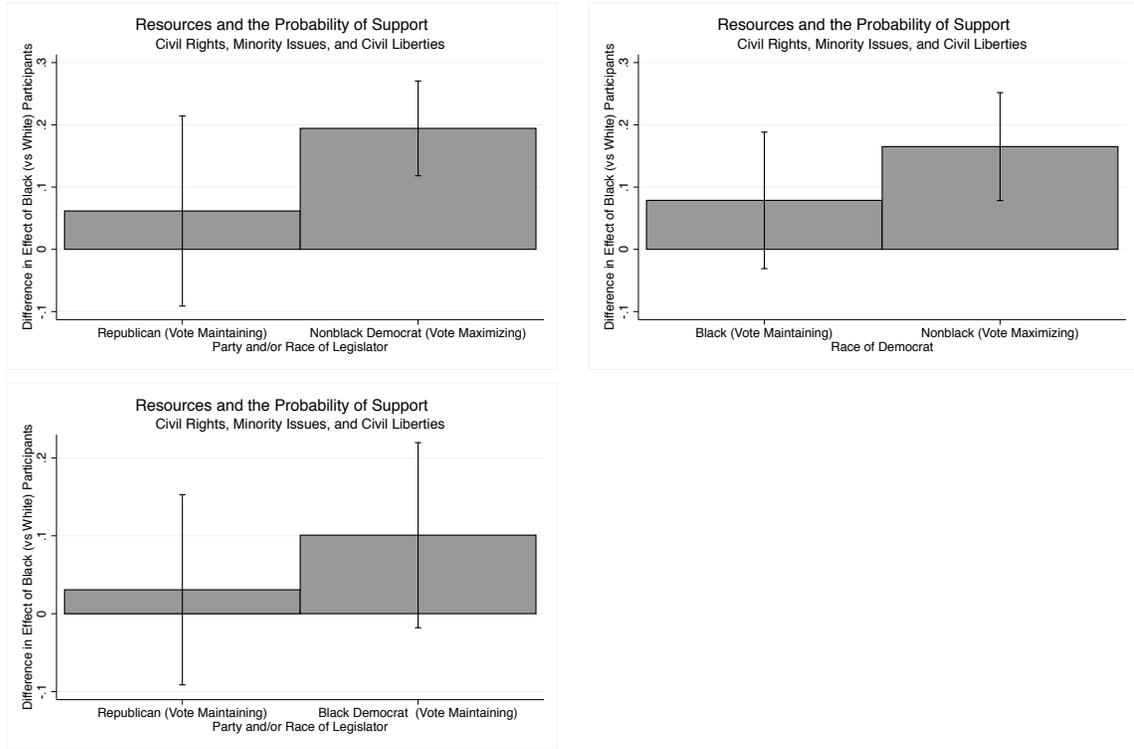
Note: Differences in the predicted probability of legislative support of low resource group relative to high resource group based on the models in Table 4.5. All covariates are held at their means.

Each of the analyses in Tables 4.3 through 4.5 and their subsequent figures are conducted in consideration of measures identified in extant literature to have an influence on legislative decision-making. For example, in each model, I include district level public salience for civil rights, minority issues, and civil liberties. Public salience is not a measure of district preference but rather the percentage of people in a district with a high level of salience for an issue. The purpose of this measure is to control for shifts in legislative behavior that are in response to shifts in district level salience instead of collective action. In all models, legislators are less supportive of collective action participants' issue preferences as public salience increases and this relationship is statistically significant. Perhaps this is because the public's preferences diverge from collective action participants and legislators are less willing to support the preferences

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of a smaller constituency when a larger group is more attune to legislative action.

As expected, in all models, incumbent legislators are less likely than new legislators to support collective action participants' interests. This is because incumbents have a greater knowledge of their district than new legislators do. They are, therefore, less susceptible than legislators in their first term to constituency pressures. Legislators representing congressional districts in southern states are less likely than other legislators to support the mostly liberal preferences of black and white collective action participants. Additionally, democrats are more likely than Republicans to support the preferences of collective action participants. Both of these relationships comport with expectation considering that southern legislators tend to vote more conservatively than nonsouthern legislators, and Democrats tend to vote more liberally than Republican legislators.

A legislator's voting record on Civil Rights, Minority Issues, and Civil Liberties relative to other legislators in each Congress, fails to reach statistical significance in most models, suggesting that legislative behavior on roll call votes containing issues raised during collective action may not be much different than legislative behavior more generally. An exception occurs when considering vote maintaining, black Democrats relative to Republicans. The more liberal a legislator is, the less likely he or she is to support collective action participants' preferences. These results, together with the relationship between legislative behavior and other measures of constituency influence imply that legislative behavior in response to collective action participants depends largely on the electoral context.

On Legislative Responsiveness to Black Collective Action Participants

Scholars continuously investigate whether and the extent to which legislators reflect the preferences of their constituents in their roll call voting behavior (see, for instance, Achen, 1978; Fiorina, 1977; Miller and Stokes, 1963). In this work, I extend the theory of legislative bias in relation to collective action participants in different electoral contexts. I demonstrate that while legislators are responsive to constituents with greater levels of issue salience, as revealed through the resource levels of collective action participants, the extent of legislative bias depends on the electoral context. In no case does legislative bias favor white, higher resource collective action participants - a well-established bias in scholarship on legislative bias. Legislators are at least as likely to support black participants relative to white participants, regardless of the electoral context. This bias is largest for legislators behaving to maximize their probability of reelection. Notwithstanding, the amount of legislative bias in favor of black constituents is likely to be even be stronger than what is revealed in these analyses. To be sure, the effect of constituency influence is masked by the influence of party pressures or legislative voting behavior (e.g. Crespin, 2010; Gerber and Lewis, 2004; Jackson and Kingdon, 1992; Fiorina, 1974).

This research has important implications for scholarship on the representation of black constituency interests. Competing conclusions concerning whether legislators are responsive to black constituents likely stem from the electoral contexts in which the interaction between representation and constituency influence occurs. Nonblack Democrats may be generally less responsive to black constituents, but they are more likely to submit to the salient interests of collective action participants. As black collective action participants must overcome greater barriers to engage in participation equal to that of their white counterparts, their participation suggests to legislators that they have greater *care* or salience for the issue than their higher resource counter-

parts. Greater levels of salience suggests to legislators that high salience participants are more willing than lower salience participants to reward or punish their legislator for her voting behavior. Consequently, electorally insecure, nonblack Democrats have greater levels of responsiveness to black collective action participants.

Legislative responsiveness to collective action participants is less evident among Republicans and black Democrats. Republicans do not have to respond to black collective action participants because they do not need their votes to attain reelection. Black Democrats are not as responsive to black collective action participants relative to their nonblack counterparts in the Democratic Party, but this does not mean that they do not represent black constituent interests. In general, black Democrats have a sense of linked fate that leads them to pursue policies they believe will benefit the black community (Minta, 2011). Their electoral security permits black Democrats to pursue what they believe to be good public policy even if that means sometimes voting against the preferences of black collective action participants. Nevertheless, the results here demonstrate that all legislators are at least as likely to support black collective action participants as they are to represent white collective action participants.

In general, I demonstrate in this work that legislative behavior is most likely to favor black constituents engaging in collective action when those legislators behave to maximize votes in hopes of attaining reelection. I reach conclusions about the legislative behavior of representatives by exploring three types of vote maximizers and four types of vote maintainers. In no case are legislators more likely to represent the more advantaged, white collective action participants over white collective action participants.

To this point, I argue that legislators are most responsive to collective action when the participants are disadvantaged. This argument is thus far based on a dichotomous analysis of resource capacities. However, there is variation in resource capacities within high and low resource groups. In the next chapter, I continue to

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empirically evaluate the theory of legislative bias with an analysis of organizational resource capacities. I assess how organizing and mobilizing capacities influence a legislator's proclivity to support preferences expressed during collective action. I find that legislators are generally more likely to support low resource groups than high resource groups, except when groups are able to mount both organizing and mobilizing resource capacities.

CHAPTER V

Why David *Usually?* Wins: Organizational Resources and Legislative Bias to Collective Action

"When Cesar Chavez used to say 'power makes you stupid,'
this is what he meant: you come to rely on an overwhelming
resource advantage, which is exactly what creates
opportunities for the Davids of the world."

-Marshall Ganz 2009, p. 253

In the 1960s and 1970s, the National Farm Worker's Association (NFWA) attained collective bargaining agreements and legislation benefitting California farm workers when no other organization in all of the twentieth century had been able to do so. They outperformed the more powerful AFL-CIO and Teamsters unions, which had greater financial resources, more staff experienced in unionizing, and superior political connections. Recognizing their disadvantages, the Cesar Chavez-led NFWA leveraged its organization's greater motivation, personal experience, and salient knowledge of the plight and circumstances of farm workers to organize thousands of politically marginalized Californians to engage in collective action for the ability to unionize (Ganz, 2009). Ganz (2009) demonstrates how one organization made up primarily of ethnic minorities surpassed the labors of its more resourced counterparts when the odds were not in their favor. That work speaks of the win by the NFWA as

an insurmountable, exceptional feat that is attainable when an organization is able to effectively leverage its relative resource disadvantage. I argue that the ability of lower resource groups to be more successful in their collective action efforts than their higher resource counterparts is something that should be expected more generally.

The *Resource Constraint Hypothesis* posits that when legislators view collective action by their constituents, they consider the resource capacity of the participants to infer how salient the issues raised during the collective action are to the participations. Legislators are more likely to reward collective action by lower resource groups who must overcome greater barriers to participation because they believe that groups engaging in costlier participation are more likely to reward (or punish) the legislator for supporting (or opposing) the group's salient interests. Support for this hypothesis is demonstrated in Chapter III, and represented in Figure 5.1. Legislators are 18 percent more likely to legislatively support the interests of collective action participants when there is no formal interest group present than they are to support the interests of collective action featuring a formal interest group. Notwithstanding, there is a great deal of variation among interest groups that engage in collective action.

Figure 5.1: Formal Interest Groups and Legislative Support
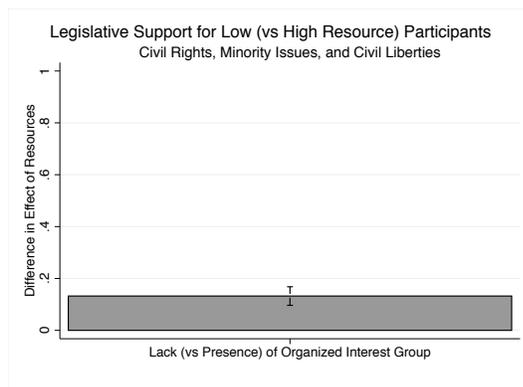
Note: This is a representation of the difference in predicted probability of legislative support of the lack (vs presence) of an organized interest group in Figure 3.1 based on Model III in Table 3.1. All other variables are held at their means.

Some interest groups are like the NFWA. They have passionate leaders, active

members, and few financial resources. Other interest groups are like the American Academy of Pediatricians. They are led by professional staffers who advocate with substantial budgets on behalf of their members. Then, there are those interest groups that employ a mix of low and high organizational resource capacities. When considering the variation in organizational resource capacities, it becomes apparent that a simple comparison of collective action without a formal organization to collective action with a formal organization only begins to address the extent of the influence of organizational resources on the responsiveness of legislators to collective action in their districts.

In this chapter, I further assess the influence of organizational resource capacity on legislative behavior by evaluating the legislative response to the collective action of four categories of groups: those not featuring a formal interest group(i.e., grassroots collective action), organizing interest groups, mobilizing interest groups, and interest groups with both organizing and mobilizing capacities. I begin this endeavor by describing the proclivity for collective action by different organizational types. I then extend the *Resource Constraint Hypothesis* by comparing each of the organizational resource capacity types to each other. I follow that discussion with an explanation of the methods for evaluating the expectations. I conclude with a discussion of the results and address any deviations. The findings suggest that legislators are more responsive to interest groups with organizing capacity than they are to grassroots collective action. Legislators are least responsive to high resource groups represented by mobilizing only interest groups.

The Indirect Role of Organizations

The costliness of participation manifests in many ways. Knowing where to protest, whom to vote for, or what issues are important are daunting and time consuming tasks even for the most educated constituents. Determining the best time

and place for an activity is difficult for individuals without planning or mobilizing experience. Having the time to participate in an already planned event is uncommon for residents working multiple jobs or caring for family members. Even when time is adequate, securing transportation or being in the right networks to know when and where an event is happening can be problematic for many low resource groups.

Indirectly, civic organizations and unions play a major role in facilitating participation by building the capacity of their members to engage in collective action. They develop members' problem-solving skills, enhance leadership capacities, broaden social networks, and increase the efficacy of their members. In promoting civic skills (Verba, Schlozman and Brady, 1995) and supporting political mobilization (McKenzie, 2004) civic organizations provide social capital that translates into civic engagement and then into political participation (Putnam, 1995). Similarly, participation in union activities leads to workers who engage in politics and social movement organizations (Kerrissey and Schofer, 2013; Nissen, 2010), particularly as unions evolve to focus more on developing their memberships' skills. For example, instead of sending union representatives to resolve disputes, unions are training their members to resolve their own problems, which leads to a membership with a greater capacity for collective action (Voss and Sherman, 2000). So while the organizations that develop these capacities may not directly engage in specific collective action events, they facilitate collective action by developing constituents capable of mobilizing without the presence of formal organizations.

Nevertheless, declines in the number of civic organizations (Skocpol, 2007; Putnam, 1995) and private sector unions (Freeman, 1998; Farber and Western, 2001) creates uncertainty in the ability of lower resource groups to engage in collective action without the energy of a formal organization. During the height of unionization, the majority of unions were in the private sector representing lower income, blue collar workers. Today, however, a negligible percentage of the US population is covered by a collective bargaining agreement and employees who are represented by unions

are mostly in the public sector. The decline in the number of private sector unions coincides with an increase in public sector unions (Freeman and Han, 2012) representing professionals workers, like teachers and nurses, with higher levels of education (Kerrissey and Schofer, 2013). These individuals are already likely to participate and to be asked to participate (Rosenstone and Hansen, 1993). As such, unions and civic organizations reach and affect fewer inactive participants.

The absence of indirect mobilizers has left a void that may be filled by the internet and online social networks. It appears that in the place of formal, capacity building organizations, like churches, universities, and unions, more recent collective action is being brokered online. Change.org has made the mobilization of online petitioning effortless. Offline events, like die-ins, vigils, and boycotts are being coordinated using online social networking services, including Twitter and Facebook. These networks may be creating opportunities for mobilization without organizations but they do not preclude the presence of organizations as mobilizing forces. Organizations still play a more direct role in fostering collective action.

Collective Action Among Interest Groups

Interest groups engaging in collective action come in all shapes and sizes. Some interest groups, like advocacy groups, trade associations, and labor unions have broad, active membership bases and fewer financial resources relative to other organizations (c.f. Gerber, 1999; Dahl, 1961), which makes them less likely than businesses to lobby legislators (Boehmke and Patty, 2013; Yackee and Yackee, 2006; Golden, 1998; Furlong and Kerwin, 2005). Instead, these organizations leverage their large membership bases during collective action to influence policy (c.f. Kerrissey and Schofer, 2013). Other, well-financed organizations, like businesses, have few active members but are able to hire lobbyists with issue-specific expertise and greater networks to pursue their interests. These organizations rarely engage in collective action relying

instead on inside lobbying activities to pursue their goals (Kollman, 1998). Notwithstanding, collective action is not beyond the scope of business organizations. Recognizing the strength of collective action by the politically marginalized, well-financed organizations subsidize participation to give the appearance of a grassroots effort in pursuit of their goals (Walker, 2009).

Not only have the number of unions and civic organizations declined, but the character of membership organizations has changed. Advocacy groups have evolved from organizations with members actively engaged in volunteering into organizations with a primarily dues paying membership (Skocpol, 2007). These more professionalized organizations are now more likely to call on their members to donate to a lobbying campaign employing policy experts than to ask their members to participate in a demonstration to further one of the organization's causes. Interest groups today, even those with a history of mobilizing their members for collective action, are more likely to employ a more professional staff with law degrees or congressional experience and fewer connections to grassroots efforts. Indeed, the reason many lower resourced groups have been able to attain modest levels of success is due to their leaderships' greater levels of motivation for the cause and salient knowledge concerning their membership, which is less common among the leadership of highly resourced organizations (Ganz, 2009). When comparing organizations and their collective action engagement, not only is the propensity of the organization to induce collective action important but so too is the nature of the instigation.

A Legislator's View of Groups and Collective Action

Legislators' desire to support collective action participants stems from the constraint of reelection. Regardless of a legislator's motive for being an elected of-

ficial, they must be in office for that motivation to become realized. With this in mind, legislators desire to represent the salient interests of their constituents as it is on those salient issues that constituents will base their voting decisions. The *Resource Constraint Hypothesis* states that in response to collective action by their constituents, legislators are more likely to support the interests of lower resource constituents because their costlier participation is more likely to be induced by a salient interest and because lower resource groups are less likely than their counterparts to be actively communicating their interests to legislators through other forms of participation. Thus, collective action by lower resource groups possibly represents the first communication legislators receive about an interest with electoral repercussions.

The resources that an interest group brings to a collective action event are extensive. Practiced mobilizers can initiate a collective action event with a large number of participants and a clear message, and because of their experience, they can initiate the event without the participants having salient interest in the issue. The mobilizers could motivate participation by making it a social event or they could incentivize participation with money or other perks. Wary of the practiced strategizing of interest groups, legislators are more willing to believe the communication signaled through collective action following minimal mobilizing efforts since these grassroots efforts are more likely – relative to collective action induced by formal interest groups – to reflect true issue salience (Kollman, 1998). Restating the *Resource Constraint Hypothesis* as it applies to organizational resource capacities leads to the first expectation for this analysis:

No Interest Group vs Interest Group: Collective action not featuring a formal interest group is more likely than that featuring any interest group to receive legislative support.

Nevertheless, organizations differ in the ways in which they engage their membership. Some interest groups mobilize their membership while others organize

members for collective action. Mobilizing "is more sporadic involving large numbers of people for relatively short periods of time and probably for relatively dramatic activities" (Payne, 1989). Mobilizing organizations do the work of coordinating an event and they implore likely participants to take part in the event. Building members' capacity might happen, but it is not mobilizing interest groups' top priority. Their goal is to get as many people to participate in an event without building participants' capacity for civic engagement (Han, 2014). Organizing involves building the capacity of individuals to be active participants in the organization. Interest groups that organize call upon their members to assist in coordinating events and to become influential in the organization's direction (Ganz, 2009; Payne, 1989). Success for organizing groups is measured by the development of leaders who also participate.

Legislators are most fearful that a previous vote on an issue could become politicized during a campaign and could negatively effect their reelection prospects (Arnold, 1990). Collective action by organizing interest groups represents a credible threat these organizations can legitimately re-mobilize constituents during an election. This is most plausible when an organization has sustained interactions with constituents in a legislator's district. Organizations with local or regional chapters fit this criteria because they have a physical presence in the communities they claim to represent, which facilitates active membership (Skocpol, 2007). Strong ties within a community also assists the organization's leadership in knowing which issues are truly salient for constituents (Ganz, 2009). There is nothing worse than a legislator supporting an interest an organization claims is important for constituents and then discovering that members were not actually concerned about the issue. Such was the case with the Medicare Catastrophic Coverage Act of 1988 (Kollman, 1998). The AARP convinced legislators that the bill was what their constituents wanted; but when the bill passed, senior citizens were so vocal in their outrage that Congress repealed the Act in 1989.

Mobilizing organizations are less connected to their membership. They tend

to have a dues paying membership, large budgets, a large staff, and research and lobbying activities. These are all characteristics of professionally managed organizations populated by higher resourced members (Skocpol, 2007, p. 39), whom I argue are less likely to receive legislative support than lower resourced constituents. Organizations relying primarily on members to pay dues are less likely to mobilize constituents for collective action (Skocpol, 2007). In addition to the fact that organizations with dues paying members are less likely to have personal connections with their members than organizations with active members, collective action from these groups may not be as informative to legislators. Dues paying members are more likely to be professionals who relay their salience for issues through lobbying efforts, campaign contributions, and other traditional methods of political participation. Collective action is then another of many methods legislators learn about the salient concerns of their constituents. Therefore, the salience signal from collective action is less influential for these groups for legislative behavior than for lower resource groups. Consequently,

> Organizing vs Mobilizing Organizations: Collective action featuring organizing organizations is more likely than that featuring mobilizing organizations to receive legislative support.

Other characteristics of mobilizing organizations relate to financial incentives. Organizations with large budgets or budgets funded by external sources are less accountable to their members and more accountable to their external funding grantors (Ganz, 2009). When organizations are not held accountable by their members, their ability to possess salient knowledge about the members' concerns and needs decreases. The size of a professional staff also influences the legitimacy of organizations' collective action. A large, employed staff signifies a leadership with less of an interest in seeing the organization's goals realized (Ganz, 2009). They are motivated by financial incentives and less so by personal concerns. Small staff, on the other hand, reflect the need for a more active membership. The staff itself can not feasibly pursue all of the

organization's efforts. The organization must rely on active members for collective action or shift their efforts towards lobbying or research tactics that require fewer participants (Han, 2014). Research and lobbying activities could involve the participation of members, but organizations that rely mostly on these tactics are less likely to be effective compared to tactics that engage members in novel collective actions. Certainly, tactics are most effective when they are creative, diverse, and catch their targets off guard (Ganz, 2009; Kollman, 1998).

Organizations are not forced into choosing to pursue either organizing or mobilizing strategies; they can do both. Organizations, like the NAACP, have a large, professional staff with dues paying members. Their national offices lobby and disseminate research, while their local and regional chapters engage members to volunteer in activities like voter registration drives. Organizing and mobilizing interest groups have greater financial resources than purely organizing groups while also possessing the active membership base necessary for collective action that is not characteristic of mobilizing interest groups. Because of their higher financial and membership resources, compared to organizing only interest groups, collective action by interest groups characterized by both is easier to instigate. Therefore, I expect the following:

> Organizing and Mobilizing vs Organizing Only Interest Group: Collective action featuring an organizing and mobilizing interest group is less likely than that featuring an organizing only interest group to receive legislative support.

While organizing and mobilizing interest groups benefit from the active participation of their membership and the financial resources of external sponsors, the staff and membership is likely to differ from that of mobilizing only interest groups. The diverse expertise of professional and rank-and-file leadership means that interest groups characterized by organizing and mobilizing have a better awareness of the salient interests of their active membership. The professional staff of mobilizing only interest groups uses its knowledge of pursuing more institutional tactics – including

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letter-writing campaigns, petitions, and lobbying – to pursue their interests. The differences in the collective action tactics is displayed in Table 5.1. As the table reveals, mobilizing only organizations are more likely than mobilizing and organizing interest groups to use institutional tactics requiring skills acquired with higher levels of education than extra-institutional tactics. However, it is not just differences in staff that differentiates mobilizing only interest groups from mobilizing and organizing interest groups.

Table 5.1: Organizational Capacity and Collective Action Tactics

	Organizing Only	Organizing and Mobilizing	Mobilizing Only
Institutional Tactics	17	325	437
Extra-Institutional Tactics	1,231	1,814	1,023
Total	1,248	2,139	1,460

Note: Data on tactics is acquired from the Dynamics of Collective Action Dataset. Organizational resource capacity classifications are made based on a novel dataset of information obtained from the Internet.

Mobilizing only interest groups tend to be professional organizations, businesses and other types of financially secure groups populated by a more educated and professional membership compared to mobilizing and organizing interest groups. This means that the members of mobilizing only interest groups are more likely than interest groups utilizing both organizing and mobilizing capacities to already be communicating their interests to legislators. As the membership of interest groups exercising in mobilizing and organizing may not afford the higher dues necessary to employ lobbying, they supplement their more institutional tactics with their memberships' sustained engagement. Bearing in mind the *Resource Constraint Hypothesis*, this suggests the following:

Organizing and Mobilizing vs Mobilizing Only Interest Group: Collective action featuring an organizing and mobilizing interest group is more likely than that featuring a mobilizing only interest group to receive legislative support.

For easier reference, each of the expectations regarding the influence of organizational resource capacity on legislative behavior in response to collective action are depicted in Table 5.2.

Table 5.2: Expectations for Organizational Resources and Legislative Support

	Reference Category: No Interest Group Present Models I - III	Reference Category: Organizing and Mobilizing Models IV & V	Reference Category: Mobilizing Only Model VI
Organizing Only	$--$	$++$	$++$
Mobilizing Only	$--$	$--$	
Organizing and Mobilizing	$--$		

Measuring Legislative Responsiveness to Organizational Capacity

The Dynamics of Collective Action (DCA) data includes any event reported in the *New York Times* fitting the definition of collective action – a public event involving multiple people expressing a policy concern (McAdam and Su, 2002). Examples include petitions, letter-writing campaigns, rallies, marches, riots, boycotts, and strikes. The DCA records the name of up to four organizations present during a collective action event. Organizations mentioned to have engaged in collective action range from public interest law firms to citizens groups to businesses to religious groups. The primary independent variables relate to the organizational capacity of the groups participating in collective action events. I use the name of the interest group and additional information found in the *New York Times* article on the collective action event to find information concerning each collective action group's organizing and mobilizing capacities. The name of the organization was subsetted from the rest of the DCA into a new data file during the categorization of interest groups to remove any information that may bias the classification of organizations. Furthermore, the presence of more than one interest group during any particular collective action event

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and the participation of some interest groups in multiple locations makes it more difficult to inadvertently allow my expectations for the data to influence the coding. Still, future iterations of this analysis will employ coders unaware of the hypotheses to ensure that the coding of the data does not influence the results.

Information about organizations is readily available from the group's websites, archives, and media coverage. The Internet Archive: Wayback Machine (located at www.archive.org) also provides access to information on older versions of websites. As the collective action events in this data occurred in the infancy of the public's use of the internet, I culled information about interest group's mobilizing and organizing capacity from primary and secondary internet sources written or uploaded within a few years of the collective action event. The wider time frame is used to gather enough information on the interest groups to make an informed classification of the groups' organizational capacity.

Admittedly, much can happen with respect to an interest group's resource capacity in the months prior to and following a collective action event. Smaller organizations grow. Larger ones decline in their membership or staff size. A key leadership hire can increase an interest group's mobilizing and/or organizing capacity. Likewise, internal strife can drastically diminish any organizational capacity that an interest group once had. Nonetheless, these changes should not bias any empirical results in favor of particular groups as any over time shifts in organizational capacity are likely to influence high and low resource groups alike.

The use of the Internet as a source of information about interest groups may cause concern with respect to the availability of information on each interest group's organizational capacity. Any information bias is unlikely to correlate with legislative success. The issues raised during collective action do not necessarily target elected officials. Even when they do, the legislation that is being voted on in the House of Representatives includes various issues that affect multiple groups at once.[1]

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[1]Recall that a bill does not have to exclusively relate to a collective action claim. It must however

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Legislative support is also not the only measure of interest group success. A group may be successful if it sufficiently provides voice to its members concerns, if they are able to get support from their local community, or if they are able to raise funds for an internal cause. So even if successful groups are more likely to have information about them online, it is not clear that measure of success should bias the results in favor of low or high resource groups.

There may exist a relationship between organizational resource disparities and how much information is available online for each interest group. Associations with longevity, greater networks, novel tactics, or professional staff are more likely to receive newspaper coverage and to have concerning their activities available on their own websites. Therefore, any potential empirical bias will likely be against finding any advantage in legislative support favoring low resource groups due to a lack of information about those groups.

On a random sample of 85% of all interest groups in the DCA data, I collected information about each organization's membership, staff, finances, tactics, locations, issue areas, and purpose. Of those 400 interest groups, I was able to find enough information to make determinations about the group's organizational resource capacity for 230 interest groups. Ten groups are excluded because the information available online did not relate to the time period in which the collective action event occurred.

A list of mobilizing and organizing characteristics developed based on the previous discussion of extant literature on interest groups' mobilizing and organizing capacities is provided in Table 5.3. The categorization of an interest group as having organizing and/or mobilizing resource capacities is not based on passing any numerical threshold for any category but rather on whether the characteristic speaks to the way the organization engages its members. Certain characteristics, like of-

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address an issue raised during collective action. When a vote on a roll call bill relating to a collective action claim occurs, regardless of how complex the bill is there is the possibility that groups could become aware of a vote (not) in support of the group's preferences. It is this possibility that forces legislators to consider being responsive to a salient group.

fering capacity building activities, encouraging members to be active participants in the organization, or having a staff or leadership composed primarily or exclusively of volunteers or community activists, result in the routine classification of an interest group as have organizing capacity. These activities demonstrate the commitment of organizing groups to building the capacity of their members to fully participate in determining the interest groups' direction, successes, and failures (Han, 2014; Ganz, 2009). If the membership size is large, the primary activity of a membership is paying dues, or if the staff is composed mainly of professionals, then the group is necessarily classified as have mobilizing capacity (Skocpol, 2007). Interest groups that habitually ask members to participate in activities requiring quick, independent tasks are classified as having mobilizing capacity, while any time or labor intensive (usually extra-institutional) collective action mentioned for an interest groups leads to that group being classified as having organizing capacity (Han, 2014).

Table 5.3: Organizational Resource Capacity Characteristics

Mobilizing Characteristics	Organizing Characteristics
Dues Paying Membership	Volunteering Membership
Instantaneous Membership Involvement	Sustained Membership Involvement
Large Budget	Small Budget
External Funding	No External Funding
Large Staff	Small Staff
Professional Staff	Lay Staff
Large Membership Size	Small Membership Size
Technical Assistance/Services	Trainings/Capacity Building Activities
Institutional Tactics	Extra-institutional Tactics
(e.g. Lobbying, Research, Petitions)	(e.g. Strikes, Marches, Vigils)

The classification of groups as having organizing or mobilizing capacities is made independently. Consequently, a group could be classified as having mobilizing and organizing capacities. For example, in the early 1990s the National Organization for Women (NOW) had hundreds of thousands dues paying members that were called on to volunteer and engage in rallying, marching, picketing, civil disobedience, lobbying, and other efforts. Some of the activities NOW members were asked to par-

ticipate in were time- and labor-intensive, while others were as effortless as signing and sending a scripted letter to an elected official.

In the same way that groups could be categorized as having both mobilizing and organizing capacities, if they did not possess any mobilizing or organizing characteristics, they are classified as not mobilizing and not organizing. On the latter, interest groups could have no clear organizing or mobilizing capacity but still engage in collective action. This could be because the interest group was short lived or because the initiating group was not an interest group, but rather a government entity or informal group. Due to the peculiarity of the neither category, analyses are not conducted on these interest groups.

There are four expectations for how organizational resources influence legislative behavior following collective action. The first compares the lack of an interest group to any interest group. While the neither mobilizing nor organizing category is excluded from analyses, I use the previously coded *No Interest Group Present* variable to represent the lowest organizational resource group. Three variables are created for each of the interest groups: organizing only, mobilizing only, and organizing and mobilizing interest groups. Each interest group type is coded as a 1 and the reference category of no interest group present is coded as a 0.

For the expectation comparing organizing only to mobilizing only interest groups, organizing only is coded as a 1 and mobilizing only is coded as a 0. The next expectation comparing organizing only interest groups to those with both organizing and mobilizing capacities is measured with a variable indicated by a 1 if a group has organizing only capacity and a 0 if they have both organizing and mobilizing capacities. Finally, mobilizing only interest groups are code as a 1 and organizing and mobilizing interest groups as a 0 to evaluate the last expectation. The interest groups and their respective reference categories are indicated in Table 5.4.

The organizational resource capacity data is merged with the DCA data for multivariate analysis. The unit of observation is a roll call vote by a member of

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Congress on an issue raised by a group during a collective action event occurring within or near the legislator's district. As I am interested in the legislative responsiveness to particular groups and multiple groups can be participating at an event, a single vote is sometimes applicable to multiple organizations. Additionally, some organizations engage in collective action multiple times during a two-year congressional session. Therefore, legislators will have the opportunity to respond to the same organization multiple times. Consequently, there is an increase in the number of observations compared to analyses in previous chapters.

The dependent variable is a dichotomous measure of legislative support for collective action participant grievances. For example, several collective action events concerned LGBT issues. During the 102nd Congress, the House of Representatives voted on the District of Columbia Appropriations Act, 1993 (or HR 6056). A section of that bill states that "No funds made available pursuant to any provision of this Act shall be used to implement or enforce any system of registration of unmarried, cohabiting couples whether they are homosexual, lesbian, or heterosexual . . . ". While this bill only has implications for the District of Columbia, it explicitly mentions homosexuals and lesbians. Therefore, any vote on this legislation is a symbolic vote for or against LGBT rights more generally. Legislators could suffer electoral repercussions for their vote from constituents on either side of the issue should the vote become publicized. For anti-gay collective action events, the dependent variable is coded as a 1 in support of collective action participants' policy stance if a legislator representing a district where such events occur voted in support of HR 6056, and 0 otherwise. The analysis is conducted on events reported in the *New York Times* from 1991 to 1995. Additionally, only events on issues concerning Civil Rights, Minority Issues, and Civil Liberties and for which there was a final passage roll call vote in the House of Representatives during the congressional session in which the event occurred are included in the analysis.

Other independent variables and congressional district fixed effects are also

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included in each of the models comparing interest group organizational capacity to address any legislative, personal, or other constituency pressures that may influence the legislator's decision to vote in support or opposition to issues raised during collective action. These variables include district level *Public Salience* for Civil Rights, Minority Issues, and Civil Liberties; the district's median levels of *Education* and *Income*; and the district's *Percent Black* and *Percent Latino* voting age populations. Additionally, I incorporate the legislator's party (*Democratic Representative*), *Relative Voting Record*, *Length of Service*, status as an *Incumbent*, *Margin of Victory* in the previous election, race, and gender. Finally, I include whether the congressional district in which the collective action occurred presides in a *Southern State*.

Organizational Capacity and Legislative Bias

Taking this more nuanced view of organizational resource capacity reveals that the lower resource advantage is more nuanced than the initial finding concerning organizational resource capacity on legislative behavior might suggest. The first three models in Table 5.4 analyze whether not having a formal interest group present at a collective action event is more likely to produce legislative support than a collective action event where any formal interest group is present. The theoretical expectations only receive empirical support in Model II. Legislators are more likely to support collective action not featuring an interest group only when compared to collective action featuring mobilizing only interest groups. Otherwise, legislators are more likely to support any interest group with organizational resource capacity than they are to support collective action not featuring an interest group. Each of these coefficients are statistically significant at the 95% confidence level.

The log odds coefficient on *Organizing Only* in Model IV suggests that there may be little difference between organizing only interest groups and interest groups with organizing and mobilizing capacities. While the log odds coefficient is negative,

it fails to meet any conventional levels of statistical significance. Moreover, the relationships between both of the organizing resource types and each other organizational resource capacities are similar. Subsequent models corroborate the advantage of organizing interests groups and the disadvantage of mobilizing only interest groups in receiving legislative support following collective action. Models V and VI in Table 5.4 reveal that mobilizing only interest groups are less likely than organizing and mobilizing and organizing only interest groups, respectively to receive legislative support for issues raised during collective action. Both of those coefficients reach conventional levels of statistical significance.

Table 5.4: Organizational Resources and Legislative Support

	Reference Category: No Interest Group Present			Reference Category: Organizing and Mobilizing		Reference Category: Mobilizing Only
	Model I	Model II	Model III	Model IV	Model V	Model VI
Organizing Only	0.389***			-0.368		1.096***
	(0.141)			(0.245)		(0.194)
Mobilizing Only		-1.124***			-2.798***	
		(0.0974)			(0.214)	
Organizing and Mobilizing			0.307**			
			(0.136)			
Public Salience	-2.880***	-2.836***	-2.748***	-0.242	3.671	-2.370
	(0.318)	(0.316)	(0.323)	(3.667)	(3.264)	(3.210)
Education	-0.347	-0.356	-0.868**	-1.867	-4.249*	-1.235
	(0.399)	(0.398)	(0.401)	(2.546)	(2.300)	(2.271)
Income	1.416***	1.646***	1.857***	2.376	5.856**	5.046**
	(0.337)	(0.337)	(0.341)	(2.521)	(2.530)	(2.152)
Percent Black	-3.960***	-3.681***	-4.574***	-1.581	1.489	-8.408
	(0.943)	(0.931)	(0.946)	(6.876)	(6.455)	(5.265)
Percent Latino	-0.832	-0.856	-1.080	-1.404	0.761	-3.692
	(1.112)	(1.107)	(1.118)	(8.129)	(6.691)	(6.449)
Democratic Representative	1.151***	1.241***	0.900***	1.931	1.292	2.692**
	(0.242)	(0.241)	(0.245)	(1.446)	(1.239)	(1.254)
Relative Voting Record	-1.099**	-1.243***	-0.105	-2.400	-2.690	-4.346*
	(0.469)	(0.472)	(0.476)	(2.908)	(2.782)	(2.599)
Length of Service	-0.322	-0.323	-0.809**	-0.760	-3.120	1.252
	(0.393)	(0.392)	(0.395)	(2.606)	(2.304)	(2.274)
Incumbent	-0.495***	-0.440***	-0.608***	-2.634***	-1.070**	-1.014**
	(0.123)	(0.123)	(0.124)	(0.659)	(0.516)	(0.499)
Margin of Victory	0.734*	0.797**	0.627	-0.359	-0.636	-0.245
	(0.393)	(0.387)	(0.393)	(1.969)	(1.685)	(1.740)
Black Representative	0.930**	0.909**	1.008***	0.157	-0.609	2.308
	(0.376)	(0.372)	(0.376)	(2.718)	(2.457)	(2.190)
Latino Representative	0.534	0.665*	0.443	-0.583	-0.761	2.336
	(0.385)	(0.383)	(0.385)	(2.786)	(2.425)	(2.314)
Female Representative	-0.159	-0.105	-0.205	0.435	-0.617	-2.577**
	(0.195)	(0.194)	(0.196)	(1.424)	(1.318)	(1.263)
Southern State	-1.414	-2.808*	-0.892	-2.986	-0.937	-5.873***
	(0.874)	(1.628)	(0.882)	(2.432)	(3.013)	(2.139)
Constant	0.591	1.334	0.531	4.691*	4.160	0.721
	(0.645)	(1.216)	(0.645)	(2.816)	(2.580)	(2.055)
Congressional District Dummies	Yes	Yes	Yes	Yes	Yes	Yes
Observations	10469	10683	10563	743	1161	937
Log likelihood	-5054.8	-5422.0	-4996.0	-263.4	-487.9	-419.3

The dependent variable, legislative support, is binary taking on a value of 0 or 1. All independent variables are coded 0 to 1.

Coefficients are Log Odds. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

The substantive effects calculated from the models in Table 5.4 are displayed in Figure 5.2. Each bar in the figure reflects the difference in the predicted probabilities of legislative support given the organizational resource capacity of collective action participants. For ease of interpretation, the higher resource group is the reference category in each of the bars such that any positive relationship (above the dashed line where y=0) suggests support for the *Resource Constraint Hypothesis* and any bar below that line offers less support for the theoretical expectations. Confidence intervals are placed on each bar to indicate when the differences in the predicted probabilities of legislative support are statistically significant at the 95% confidence level.

Figure 5.2: Organizational Resources and Legislative Support
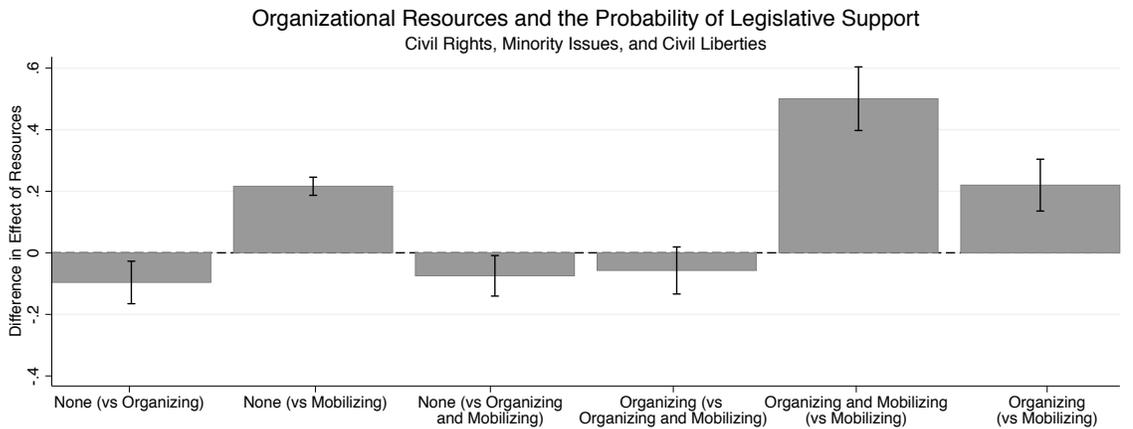
Note: Difference in the predicted probability of legislative support of low resource group relative to high resource group based on the models in Table 5.4. All covariates are held at their means.

Figure 5.2 demonstrates that, contrary to expectations, collective action not featuring an interest group is 9% less likely to gain legislative support than organizing only interest groups' collective action and 7% less likely to gain legislative support than interest groups possessing organizing and mobilizing capacities. These differences are substantively and statistically significant.

Stronger support for the *Resource Constraint Hypothesis* is present in the second, fifth, and sixth bars. Not having an interest group present at a collective

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action event is almost 22% more likely to lead to legislative support than having a mobilizing only interest group at an event. Organizing and mobilizing interest groups are 50% more likely to receive legislative support following collective action than mobilizing only interest groups. Moreover, organizing only interest groups are 22% more likely to gain legislative support than mobilizing only interest groups. All of these substantive differences are statistically significant. They also reveal that the biggest differences in legislative support arise with respect to mobilizing only interest groups. While mobilizing only interest groups have the greatest financial and professional resources and are most likely to represent higher resource members, they are consistently and substantially less likely to receive legislative support following collective action than each of their lower resource counterparts. Futhermore, all of these relationships hold given other legislative considerations, like party, constituency pressures and legislators' own personal preferences.

On Organizational Resource Capacity and Legislative Behavior

Kollman (1998) and Gillion (2013) have potentially competing perspectives on how legislators perceive interest groups when viewing collection action. According to Kollman (1998), legislators prefer to support events that require less effort to initiate because it is a clearer indication of the group's true salience for the issue. If people are willing to show up for a collective action event without being enticed to do so then they will be even more willing to show up to punish or reward a legislator during an election if they become aware of a vote against or for their interests.

Gillion (2013), on the other hand, argues that the presence of a formal organization, at least relative to the lack of any formal interest group, signals to a legislator that participation is legitimate and worthy of representation. A legislator assumes

that an organization would not devote its resources to mobilizing participation if it did not believe that the issue was truly salient to their members. This is particularly true if the organization wished to be perceived as authentic in future interactions with the legislator. Even more, that an organization can instigate individuals to participate in collective action suggests to a legislator that the mobilization could reoccur at a more critical electoral junction. While individuals may become distracted by daily obligations and personal responsibilities, it is the job of formal interest groups to remain focused on representing the interests of their members. So, even if collective action participants are misrepresenting the true salience of a legislator's constituency, the legislator is more likely to respond to such participation if a formal interest group is present.

As in previous expectations for the effect of resources and salience on legislative responsiveness, I argue that legislators will reward collective action (even when not politically focused) by lower resource groups and discount participation by higher resource groups. Equal levels of revealed salience suggests that lower resource, politically marginalized groups may actually care more about the issue since they were able to overcome greater barriers to participation for similar amounts of participation. Additionally, higher resource groups, who are more likely to participate electorally because they do not face as many participation barriers, communicate their preferences and the intensity of those preferences more often to legislators. Their interests are also more likely to be represented by legislators, which decreases the perceived threat that precipitates most collective action.

When comparing grassroots collective action to the presence of any interest group, empirical support is established for the *Resource Constraint Hypothesis* and for the Kollman (1998) perspective. The lack of a formal interest group at a collective action event is more likely than having an interest group present to gain legislative support following collective action. However, moving beyond a dichotomous relationship of having or not having an interest group suggests that these two prospectives

may not be completely at odds.

Interest groups engage in collective action at different rates. They differ in their institutional networks, financial arrangements, and organizational structure. They also vary in the extent of the mobilizing or organizing efforts. Each of these factors are meaningful for the perception among legislators of the salience of participants' concerns and they also speak to the legitimacy of the group's concerns. Legislators may perceive legitimacy based on an interest group's organizing capacity and the group's proclivity to encourage active participation and sustained, personal interactions with their participants. Legitimacy can also be found in the group's mobilizing characteristics. Mobilizing interest groups acquire legitimacy within the conventional networks traveled by professional staff or external sponsors. They maintain legitimacy during sustained communication between those staff, sponsors, and the legislator.

The results presented here suggest that while mobilizing interest groups benefit from their engagement in other types of participation, their collective action is less likely to gain legislative support than grassroots efforts (e.g Kollman, 1998). Nevertheless, when comparing grassroots collective action to other interest groups besides mobilizing only groups, the presence of an interest group is more likely to result in legislative support than grassroots efforts (e.g. Gillion, 2013). This suggests that while legislators appreciate the costly, authentic nature of grassroots efforts as a signal of the group's true salience for an issue, they prefer the legitimacy that organizing interest groups bring to collective action.

The empirical results in this chapter complicate but do not necessarily challenge the *Resource Constraint Hypothesis.* While, collective action featuring organizing interest groups – and not collective action devoid of an interest group – is most likely to gain legislative support, organizing interest groups also represent a low resource group. Organizing interest groups, like the Human Rights Watch, Urban League, and Save Our Homeless People Association, tend to represent racial and

ethnic minorities, the poor, and other low resource groups that rely on collective action for representation. They ask their members and supporters to actively participate because human capital is their most accessible resource. Earth First!, American Disabled for Attendant Programs Today (ADAPT), Housing Works, and other organizing interest groups engage their members as leaders in the effort to bring attention to their politically marginalized, salient concerns. Certainly, while organizing interest groups may not be the lowest resource collective action groups, they are a low resource group engaging in costly collective action.

A stronger threat to the *Resource Constraint Hypothesis* would be if mobilizing only interest groups were more likely to gain legislative support than any of other organizational resource groups. Yet, mobilizing only interest groups are consistently least likely than any other collective action group to gain legislative support. Even more, the largest differences in legislative support arise when comparing the likelihood of legislative support for mobilizing only interest groups to other collective action groups. Mobilizing only interest groups are not simply less likely to receive legislatively support, but they are far behind other groups in gaining legislative support for their interests, at least following collective action. These findings suggest that the NFWA may not be as exceptional as Ganz (2009) might suggest. The Davids of the world more than just sometimes win in gaining legislative support following collective action.

CHAPTER VI

The Difference Two Decades Make

*"It seems like it is easier than ever to get people engaged
in the twenty-first century, and the political process
seems more open to citizen input.
People power, perhaps, is on the rise."*

- Hahrie Han 2014, p. 3

On March 28, 2012, Congressman Bobby Rush provocatively donned a hooded sweatshirt before the United States House of Representatives. Explaining his actions, Rush told CNBC, "The floor of the House . . . should not ever be disconnected nor distant from the cries of the American people for justice. That's one of the reasons I wore the hoodie to the floor."[1] The hoodie was a symbol for protests held throughout the nation as groups expressed outrage over the delayed arrest and later failed conviction of George Zimmerman, a neighborhood watchman who killed teenager Trayvon Martin after fearing him to be suspicious. While the death of Trayvon was the impetus for this specific protest, the events embodied a larger dissatisfaction over current and historical injustice for African Americans. Rush elaborated, "I'm outraged because this pattern [of black men being racially profiled] has existed in this nation for a long time . . . I wore a hoodie because I wanted to identify with [the demonstrators] and tell them to keep demonstrating, because be it not for them we wouldn't even be discussing Trayvon Martin."

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[1]Retrieved on March 23, 2014 from `http://www.cnbc.com/id/46886308`.

Collective action is a public form of non-electoral participation that involves multiple participants professing a desire for some policy-related outcome (McAdam and Su, 2002). These events involve familiar protest events like rallies, marches, and demonstrations; and, more conventional participation including petitions, lobbying, and letter-writing campaigns. One virtue of collective action is that it can inform policymakers about their constituency (Gillion, 2013; Kollman, 1998). This information can enhance responsiveness and is pertinent for public officials wishing to avoid political repercussions on Election Day (Arnold, 1990). Surprisingly, there have been relatively few empirical studies demonstrating the influence of collective action on legislative decision-making (e.g. Gillion, 2013; McAdam and Su, 2002). There is even less focus on how the influence of collective action on legislative behavior varies across the resource levels of diverse participants.

The goal of this project is to examine the moderating effect of resources in the relationship between public opinion and representation. Particularly, I analyze whether legislators are more likely to reflect the interests of higher or lower resourced collective action participants in their roll call voting behavior following collective action. The theory of legislative bias expects that legislators are more likely to represent the interests of lower resource groups than higher resource collective action participants because they want to represent the interests of groups who care enough about an issue to reward or punish the legislator during the next reelection. For groups faced with less flexible time, little money, inadequate transportation, and other resources pertinent for participation, collective action is more difficult to mobilize. However, when issue salience is high, the desire for action grows more urgent and the ability to participate becomes more likely for infrequent participators. This bias in favor of low resource collective action participants is robust to the measurement of resources, the nature of collective action, the type of legislator, and the characteristics of the group's organizational capacity, at least according to data for the 102nd, 103rd, and 104th Congresses.

The Data

The data for this dissertation relies heavily on the Dynamics of Collective Action (DCA) database – a compilation of collective action events reported in the *New York Times*. While comprehensive, the DCA is limited to collective action events reported 1960 to 1995. I used GIS to code the congressional district that overlaps with the collective action events, but the data necessary for this coding was until recently only publicly available beginning 1991 to present. Although I confine the analysis to 1991-1995, extrapolating those results to current legislative behavior may not be appropriate. To be sure, contemporary collective action has taken somewhat of a more online presence, the House of Representatives is now more ethnically and racially diverse, the electoral participation of racial and ethnic groups is beginning to comport with that of white voters, and the election of the nation's first black president has lead some to coin the nation "post-racial" implying that racial discrimination is no longer significant. These trends could have implications for the relationship between resources, collective action, and representation.

Even more, the DCA is limited in its geographical scope. The *New York Times* is biased towards events occurring in major cities like New York, California, and Washington, DC. If we are interested in the influence of collective action on congressional behavior, then the scope of the analysis must be on the events to which legislators are likely to respond. To be clear, a legislator is North Carolina is less likely to respond to a protest in Times Square than if the event occurred at the State's Capitol building and a regional newspaper is more likely than the *New York Times* to cover the North Carolina event. In an attempt to expose the extent of the data's limitations, with the help of undergraduate research assistants, I created a dataset of collective action events that occurred in 2012 and were covered in the newspaper with the largest circulation in the 20 largest United States metropolitan areas.

Description of New Data Collection

The DCA codebook meticulously details the data collection and coding process that generated the 1960-1995 data. I use this information as a guide for the collection and coding of collective action events for 2012. In generating the initial data, coders manually searched the *New York Times* for instances of and information concerning collective action events. The new data is derived from Factiva, an online newspaper archive. Accordingly, there is some dissimilarity in the coding procedures.

The first step in the data collection process is to gather all newspaper articles from 2012 potentially relating to collective action. This is done by conducting a comprehensive Factiva boolean search. In developing the boolean search, I scanned the DCA codebook and data for all code words relevant to collective action events. I paid most attention to the title of the articles, the type of collective action listed, and characteristics of the event (eg, violence, brutality, multiple arrests). The goal is to be as inclusive as possible to avoid excluding appropriate articles. I then tested the search on Factiva for a period covered by the DCA data. I found that around 90 percent of the articles present in the DCA were identical to those found by the Factiva boolean search. The majority of collective action events not found by the boolean search were reported in the other newspapers (i.e., not the *New York Times*).

The abundance of terms used to create the effective boolean search also produced many false positives including obituaries, recipes, and other articles fitting the search terms but irrelevant to the definition of collective action for the target year, 2012. For example, an article may mention the 1963 March on Washington or the 300 student-athletes recognized in a March edition of a newspaper. The former should be excluded from the sample since it does not fall within the date range. The latter should be excluded because while "March" is a relevant collective action term, the usage of the word refers to a date; it is not a collective action event. Research assistants skim each article obtained in the search to exclude false positives.

Finally, research assistants code each article following the DCA coding manual, which collects data on 76 variables. The coding produces rich information on the time, date, and location of the event; the demographics of participants; the specific type of event; the amount and type of violence, arrest, and police action associated with the event; the target; the purpose or impetus for the activity and a multitude of other information. Additionally, research assistants code for whether the event occurred online. Understanding this new data in comparison to the 1991-1995 data provides insights into what to expect regarding current legislative responsiveness to collective action.

Comparing the Data

A preliminary look at collective action across time suggests that contemporary collective action may not be much different than that occurring over twenty years ago. As Figure 6.1 reveals, the *New York Times* covered 245 collective action events in 2012 and averaged just over 300 collective action events in 1991 through 1995. While there are many forces that can explain the ebbs and flow of collective action, including constituents' level of contentment and feelings of efficacy, this first look at the frequency of collective action suggests that there were about as many collective action events in 2012 as there were in the initial analyses. So if there are differences in contemporary legislative behavior in response to collective action, those differences are not likely due to the frequency of events.

While considering the frequency of events, it is important to note that the *New York Times* does fail to cover a lot of collective action. Only 16% of collective action events in the 2012 data were reported by the *New York Times*. This may trigger cause for concern about the representativeness of the *New York Times* data; however, further examination of the 2012 data demonstrates that any concern may be unfounded. Figure 6.2 looks at any disparities in newspaper coverage based on the nature of collective action. This figure shows that the *New York Times* covers

Figure 6.1: Frequency of Collective Action Across Time

There may be disparities in news coverage with respect to the race or ethnicity of the participants. Figure 6.3 shows that compared to other newspapers, the *New York Times*'s coverage of collective action events underrepresents collective action by black participants but gives a larger portion of its coverage to collective action featuring Latinos. So, while the frequency and nature of collective action does not differ much when comparing the *New York Times* to other newspapers, there are differences

similar collective action as other events. The *New York Times* gives slightly more coverage to rallies and less coverage to petitions and letter-writing campaigns that other newspapers, but the differences are small.

Figure 6.2: Comparing Newspaper Coverage by Type of Events

in the participants likely to receive coverage in newspapers. These differences have implications for the empirical tests of legislative bias using the DCA data, which rely exclusively on *New York Times* coverage of collective action. The newspaper data serves as a proxy for information that legislators have concerning collective action in their districts; but legislators depend on more than just newspaper coverage for that information. The fact that the *New York Times* misrepresents the occurrence of collective action based, at least partly, on who is participating means that the empirical results in this dissertation may underestimate the influence of collective action on legislative behavior. The *New York Times'* coverage also distorts the incidence of collective action taking place online.

Figure 6.3: Comparing Newspaper Coverage by Race of Participants
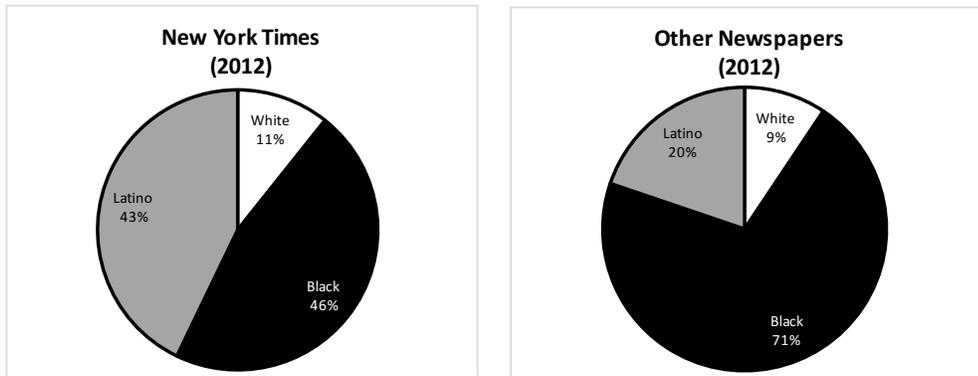
Figure 6.1 demonstrates that the 2012 data collection process uncovers some collective action events and may elucidate some influence of online collective action on legislative behavior. About 10% of the collective action events reported in the nation's largest newspapers occurred online. This data likely reflects a gross underestimate of online collective action. The majority of online events in the 2012 data are rallies or petitions that were organized or conducted online (See Figure 6.4). Missing from this data are various online petitions promoted on change.org and other websites, and the numerous hashtag collective action campaigns including #Kony2012, #BringBackOurGirls, and #JusticeforTrayvon. Indeed, over the last two decades, the internet has evolved from being a novel technology to being a staple for the or-

dinary citizen. Social networking sites, personal blogs, public and private web pages, and apps facilitate collective action and have implications for the nature, coverage, and influence of contemporary collective action.

Figure 6.4: Frequency of Collective Action Across Time

Types of Collective Action (2012)
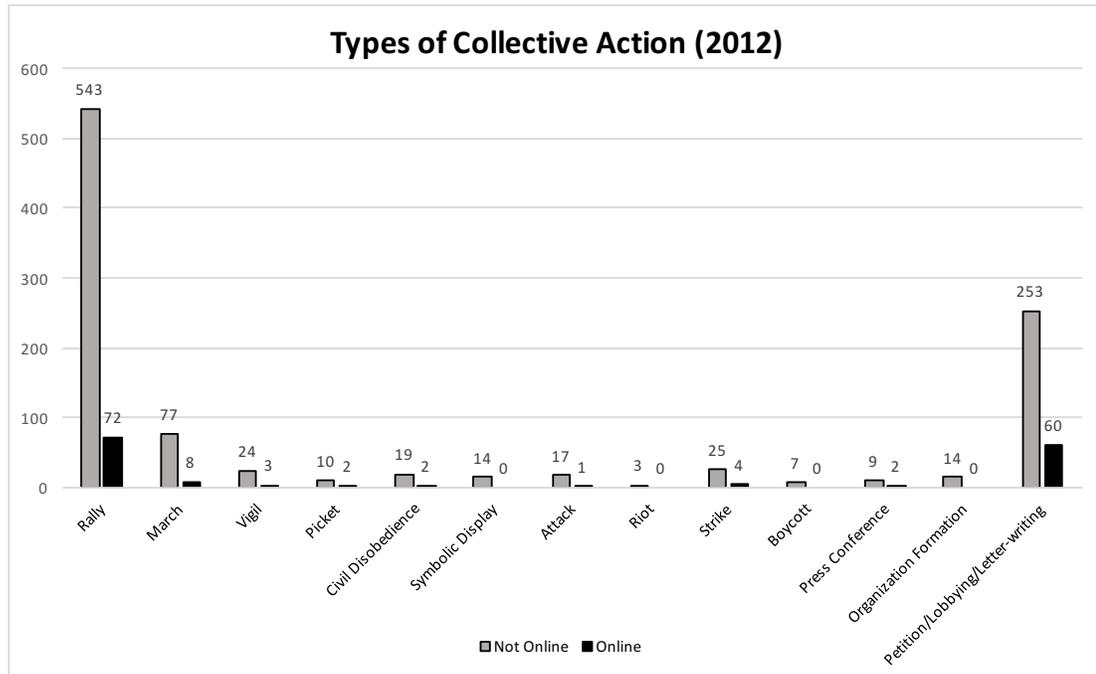
On Contemporary Collective Action and Legislative Behavior
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In 2015, hundreds of collective action events saturated the nation's newspapers, television outlets, and social networking pages. The year began with a continuation of marches, petitions, and rallies calling for accountability for police officers and the valuation of black lives. Other events marking the year included Confederate flag rallies in South Carolina and Mississippi and nationwide demonstrations against fast food companies. By year's end, collective action was erupting across the nation at universities and colleges with students exposing racism and calling for a more inclusive community.

Recent responses to the protests following the failed indictments of police-men involved in the deaths Mike Brown and Eric Garner suggest that collective action presents an opportunity for constituents with fewer resources to receive policy support from their elected officials. For example, in December 2014, Congress reauthorized The Death in Custody Reporting Act (2000), which requires local law enforcement agencies to report any death occurring while in police custody to the federal government. The President also asked Congress to authorize funds to improve police training and provide officers with body cameras. While these efforts are criticized for being "too narrow and potentially ineffective", they do show that elected officials are acknowledging and attempting to address concerns raised by collective action participants.

This work demonstrates that members of Congress do not respond equally to events occurring within their district. Legislators are generally more likely to represent the interests of lower resource groups than their higher resource counterparts following collective action. This argument finds robust theoretical and empirical support.

The formal theory of legislative bias presented in Chapter II is an adaption of a costly signaling model featuring an interest group of two types (high or low salience) and a legislator desiring to represent the salient interests of her constituents. The group sends a signal concerning its issue salience level to the legislator by engaging in collective action. That signal could be misrepresenting the group's true salience level in order to gain legislative support. Understanding the fallibility of the signal, the legislator considers the resource level of the group. As lower resource groups face greater burdens in achieving collective action, the legislator is more likely to believe that lower resource groups have high levels of salience for an issue when they are able to engage in collective action.

I refine the theory of legislative bias in Chapter IV to verify that legislative bias in favor of low resource groups exists regardless of the type of legislator represent-

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ing constituents. The theoretical model considers the voting behavior of two types of legislators: maximizers and maintainers. The legislative behaviors are distinguished by the legislators electoral context, which determines legislators' susceptibility to constituency pressures. Vote maximizing legislators behave to maximize their subjective estimate of their current probability of reelection. The theory proposes that vote maximizers' aspiration to represent the most salient concerns of their constituents leads vote maximizers to demonstrate a larger bias than other legislators in favor of low resource collective action participants. Vote maintainers are secure in their subjective estimate of their current probability of reelection, so they do not actively seek to win additional electoral support. However, even vote maintaining legislators are expected to be as likely, and sometimes more than likely, to favor low resource participants in their roll call voting behavior.

Chapters III through VI empirically support the predictions of the formal theory. In Chapter III, I find that no matter how resource capacity is measured, legislators are more likely to legislatively support concerns raised during collective action by low resource collective action participants. Poor participants, and racial and ethnic minorities are more likely than non-poor groups and white participants to gain legislative support following collective action. Additionally, grassroots collective action and that featuring extra-institutional tactics, like marches, rallies, and demonstrations, are advantaged over collective action featuring formal interest groups and institutional tactics, like petitioning, letter-writing campaigns, and lobbying, respectively. This legislative bias in favor of low resource groups remains even when considering other characteristics of collective action known to influence legislative behavior, including media attention, the number of participants at a collective action event, and the collective action's level of disruptiveness.

Chapter V empirically assesses the legislative responsiveness of vote maximizing and vote maintaining legislators to black and white collective action participants. Specifically, I compare legislators with differing lengths of service, electoral margins

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of victory, and partisanship. For each of these empirical models, legislators are at least marginally more likely to support black collective action participants over white collective action participants. The bias in favor of black collective action participants is larger and more often meets conventional levels of statistical significance among vote maximizing legislators.

Chapter VI moves beyond the dichotomous empirical examinations of resource capacities while exploring the influence of organizational resources on legislative behavior. The findings mostly comport with what is uncovered in other chapters. Legislators are more likely to support grassroots collective action than they are to support collective action featuring an interest group, except for when the interest group has organizing resource capacities. The highest resource, mobilizing only interest groups are consistently and substantially less likely than their lower resource counterparts to receive legislative support for participants' interests following collective action.

Together, these theoretical and empirical findings demonstrate that even when controlling for characteristics of a collective action event, considering a member's electoral context, or delving deeper into organizational resource capacity, legislators are generally more likely to favor low resource groups in their roll call voting following collective action. Still some doubt may remain that the conclusions reached here are generalizable to periods beyond this analysis.

Perhaps the 102nd, 103rd and 104th Congresses were different than those that preceded it or those that follow. In recent years, the participating electorate has become more ethnically and racially diverse, the difference in black and white electoral participation rates is becoming insignificant due to the campaign of the first black president (Lopez and Taylor, 2009) and electoral reforms that mitigate participation obstacles (Leighley and Nagler, 2014). Yet, that trend could change considering that the nation's first black president will soon be leaving the nation's highest political office and given that the electoral reforms that increased participation are under attack

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or have been repealed in many states. Notwithstanding shifts in electoral participation rates, collective action events surrounding living wages, voter suppression laws, police brutality, and access to health care suggest that racial and ethnic minorities, the poor, and other lower resource groups still feel politically marginalized and are still communicating their salient interests to legislators through collective action.

As the country has become more diverse, so has the House of Representatives, albeit at slower rates. Comparing the institutional incentives might suggest different levels of responsiveness by current legislators than that revealed in this analysis. The current Congresses have been functioning under divided government just as the 102nd through 104th Congresses were. However, Democrats controlled the House in the 102nd under divided government, but with unified government in the 103rd Congress.

The advent of the internet may also cause some concern for the credibility of these findings for understanding current legislative responsiveness to collective action. The internet produces both advantages and disadvantages for the influence of collective action on legislative behavior. On one hand, the internet makes it easier to organize large numbers of people for an event. Instead of knocking on doors, attending church, or organizing during office meetings, mobilizers can virtually enter individuals' work, home, and cell phone environments to arrange and advertise collective action events. The internet also provides a platform where participants can publicize and clarify their concerns without having to rely upon the goodwill of a news reporter or a proficient, recognized leader. On the other hand, with the increased independence that the internet provides online collective action lacks the legitimacy and direction that a central leader or experienced journalist could provide a movement. It is much more difficult to communicate a salient concern or grievance when multiple voices are competing to speak for the group. Furthermore, the ease of mobilizing collective action via the internet removes the costliness that makes collective action informative for legislative decision making. As such, an over-reliance

on online collective action will likely decrease the effectiveness of collective action in influencing legislative behavior.

Notwithstanding, I still expect the legislative bias in favor of lower resource collective action participants to hold. The formal theory, which is not temporally restrained, demonstrates that regardless of the particular tactic, or a legislator's electoral context, reelection-minded legislators have incentives to be biased in favor of representing the most marginalized constituents within their districts following collective action. The likelihood of legislative responsiveness increases when legislators view costly participation by their constituents.

Contributions

In exploring the differential legislative responses to collective action by participants of various resource levels, this project contributes to an immense literature dedicated to understanding the determinants of legislative voting behavior (c.f. Hall and Deardorff, 2006; Aldrich, 1995; Arnold, 1990). It furthers the theoretical foundations of this debate by demonstrating the benefits of exploring collection action - a source of constituency influence beyond voting and preferences acquired through public opinion surveys. Still, this is not the first work to focus on the influence of collective action on legislative behavior.

Previous research finds that collective action can provide incentives for legislators to engage in bargaining (Gamson, 1975; Lipsky, 1968) that benefits marginalized groups. Empirical support for these claims are found in more recent work on legislative behavior. McAdam and Su (2002) asserts that antiwar protest positively shifts congressional voting behavior during the Vietnam War. Additionally, (Gillion, 2013) finds that collective action leads to responsive legislative behavior, at least with respect to the influence of collective action for minority interests on the roll call votes of legislators representing districts in which collective action occurs. This projects builds upon the scholarship on the influence of collective action on legislative behav-

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ior by focusing on the differential representation of advantaged and disadvantaged populations. In this effort, this work contributes to an ongoing debate regarding the existence and extent of legislative bias in the representation of sub-constituencies.

The findings of the formal and empirical models complicate what is currently known about differential legislative responsiveness to constituents with disparate resource capacities. To be sure, legislators are generally more responsive to requests from white constituents than black constituents (Butler and Broockman, 2011) and are more likely to favor affluent constituents over the less affluent (Bartels, 2008) given similar levels of contact. Additionally, legislators are most likely to hear the concerns of constituents with the resources to make more frequent, informed contact (Miler, 2007). Conventional and theoretical wisdom alike would lead one to believe that racial and ethnic minorities and the poor are consistently disadvantaged in policymaking. While this may be the case, there are reasons to believe that lower resources groups sometimes win (Hacker and Pierson, 2002; Piven and Cloward, 1977; Gamson, 1975; Lipsky, 1970, 1968). This research adds to the latter faction. While collective action may be more influential for lower resource groups, the analyses suggest that collective action only mitigates the biases that politically marginalize these groups.

Furthermore, this work deepens our understanding of tactical resource disparities in analyzing whether legislators view disruptive events as legitimate, information conveying participation worthy of representation. The findings suggest that while some low resource groups are more likely to be stereotyped as disruptive when they engage in collective action, this stigmatization does not remove the influence of collective action on legislative behavior. Legislative bias in favor of low resource groups persists even when events are disruptive.

This dissertation provides a lens to view the collective action events that flood our televisions, radios, and newspapers. The findings suggest that collective action not only provides a voice to the discontent, but it also presents a widely unrecognized opportunity for communication between constituents and legislators.

While legislators may have various motivations for casting votes, including altruism and personal ambitions, the desire for reelection incentivizes legislators to represent the truly salient concerns of their constituents. Who is initiating the communication is as important, and maybe more important, for legislative responsiveness than any other characteristic of a collective action event. Legislative responsiveness to collective action by the politically marginalized results in an advantage for the disadvantaged constituents within a district.

APPENDICES

APPENDIX A

Formal Model Proof

There is a set of semi-pooling equilibria that address the model's main hypothesis. Semi-pooling equilibria occur when one or both players mix between strategies. These equilibria are particularly interesting because they allow for comparative statics and they express the conditions under which legislative support following collective action is likely.

Actors

The model consists of two actors. The group, G, sends a signal communicating whether it has high or low salience for an issue ($G_{t=h}$ or $G_{t=l}$). The sender's type, or salience level, is private information to the group and is determined exogenously by nature or some player or event not involved in this interaction. The receiver is a legislator, L, who places a probability, λ, on the belief that the group is a high type, and, $1 - \lambda$, on the prior belief that the group is a low type. Both players are aware of this probability.

Actions

The group moves first anticipating the legislator's rational decision-making. The group wants to increase the probability of gaining legislative support without ever engaging in collective action (CA) since collective action is costly. Costs to engage in collective action are higher for low resource groups than they are for high resource groups. Accordingly, a high salience type group ($G_{t=h}$) always chooses collective action (CA), a low salience group ($G_{t=l}$) chooses collective action

(CA) with probability α and a low salience group ($G_{t=l}$) chooses no collective action ($\neg$CA) with probability $1 - \alpha$.

After the group moves, the legislator takes an action $a \in \{y, n\}$. With this action, the legislator informs the group whether she is supporting the group's policy preference. The legislator would prefer to support a group that provides her with more electoral support without discouraging existing support. Therefore, she would prefer to support a high salience group over a low salience group. The legislator wants to increase the probability of legislative support for a high salience interest group ($G_{t=h}$). She wants to persuade highly salient interest groups to engage in collective action so that she may gain more information and better predict and mitigate potentially negative electoral consequences. So, for the legislator, she never supports the policy after seeing no collective action, she supports the policy after seeing collective action with probability γ, and does not support the policy after seeing collective action with probability $1 - \gamma$. After observing the group's action, her posterior beliefs are that with probability σ, the group is a high salience type ($G_{t=h}$), and $1 - \sigma$, the group is a low salience type ($G_{t=l}$).

Players' Utility

The group has the following utility:

$$U_G = at - \hat{C}A(C_r)$$

In this utility function, the group receives a positive payoff if the legislator chooses to legislatively support the group $a = y$. But, the group only receives this payoff if the group places high importance on receiving policy support ($G_{t=h}$). When $a = n$, the group receives a non-positive utility from engaging in collective action. Collective action is costly so when the group engages in collective action it pays a cost ($\hat{C}A$). The group does not pay the cost if it has sufficiently high resource levels such that it does not feel the costs of engaging in collective action (ie, $C_{r=H}$=0 and $C_{r=L} = 1$).

The legislator's utility function is specified as follows:

$$U_L = a(t - k)$$

When choosing how to respond to collective action, a legislator considers the consequences

of each of her actions. Supporting a high salience interest group ($G_{t=h}$) results in a higher payoff than supporting a low salience interest group ($G_{t=l}$). When the group's salience is high ($G_{t=h}$), she receives a positive payoff for supporting the group ($a=y$) and no payoff if she opposes the group ($a=n$). When the group's salience is low ($G_{t=h}$), she receives 0 payoff for not supporting the group. Choosing to support a group also results in a cost ($k \sim U[0,1]$).

Strategies

1. Probability($CA|G_{t=h}$) = 1

   For $G_{t=h}$ to pursue this strategy,

$$
\begin{aligned}
U_{IG_h}(CA) &\geq U_{IG_h}(\neg CA) \\
\gamma(1(1) - (1)C_r) + (1-\gamma)(0(1) - (1)C_r) &\geq 0(1) - C_r(0) \\
\gamma(1 - C_r) + (1-\gamma)(-C_r) &\geq 0 \\
\gamma - \gamma C_r - C_r + \gamma C_r &\geq 0 \\
\gamma - C_r &\geq 0 \\
\gamma &\geq C_r
\end{aligned}
$$

2. Probability($CA|G_{t=l}$) = α, where $\alpha = \frac{\lambda(1-k)}{k(l-\lambda)}$

   For $G_{t=l}$ to pursue this strategy, it must be indifferent between CA and $\neg$CA.

$$
\begin{aligned}
U_{IG_l}(CA) &= U_{IG_l}(\neg CA) \\
\gamma(1(0) - (1)C_r) + (1-\gamma)(0(0) - (1)C_r) &= 0(0) - C_r(0) \\
-\gamma C_r - C_r + \gamma C_r &= 0 \\
-C_r &= 0 \\
0 &= C_r
\end{aligned}
$$

3. For L, Probability($y|CA$) = γ, where $\gamma \geq C_r$.

   For L to pursue her strategy, she must be indifferent between $y|CA$ and $n|CA$.

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$$
\begin{aligned}
U_L(y|CA) &= U_L(n|CA) \\
\sigma(1(1-k)) + (1-\sigma)(1(0-k)) &= 0 \\
\sigma - \sigma k - k + \sigma k &= 0 \\
\sigma - k &= 0 \\
\sigma &= k
\end{aligned}
$$

4. Probability$(n|\neg CA) = 1$

   For L to pursue this strategy,

$$
\begin{aligned}
U_L(y|\neg CA) &\leq U_L(n|\neg CA) \\
\rho(1-k) + (1-\rho)(-k) &\leq 0 \\
\rho - \rho k - k + \rho k &\leq 0 \\
\rho &\leq k
\end{aligned}
$$

5. L must update beliefs after seeing G action.

$$
\begin{aligned}
p(h|CA) &= \frac{p(CA|h)p(h)}{p(CA|h)p(h) + p(CA|l)p(l)} \\
\sigma &= \frac{1(\lambda)}{1(\lambda) + \alpha(1-\lambda)} \\
k = \sigma &= \frac{\lambda}{\lambda + \alpha - \alpha\lambda} \\
k\lambda + \alpha k - \alpha k\lambda &= \lambda \\
\alpha k(1-\lambda) &= \lambda - k\lambda \\
\alpha &= \frac{\lambda(1-k)}{k(l-\lambda)}
\end{aligned}
$$

APPENDIX B

Minority Issue Areas

Minority Policy Issue Areas as Listed in the Policy Agendas Project Topics Codebook

The following are issue as listed in the Policy Agendas Project Topic Codebook. Minority issue areas were chosen based on the definition in Gillion (2012). These issue areas are most relevant to the Civil Rights, Minority Issues, and Civil Liberties claims used to identify bills for the dependent variable of Legislative support used in the analyses conducted for this paper. The complete codebook, with examples of each issue area is available at http://www.policyagendas.org/page/topic-codebook.

2. Civil Rights, Minority Issues, and Civil Liberties
200: General (includes combinations of multiple subtopics)
201: Ethnic Minority and Racial Group Discrimination
202: Gender and Sexual Orientation Discrimination
204: Age Discrimination
205: Handicap or Disease Discrimination
206: Voting Rights and Issues
207: Freedom of Speech & Religion
208: Right to Privacy and Access to Government Information
209: Anti-Government Activities
299: Other

502: Employment Training and Workforce Development
503: Employee Benefits
530: Immigration and Refugee Issues

603: Education of Underprivileged Students

1208: Family Issues

13. Social Welfare
1300: General
1301: Food Stamps, Food Assistance, and Nutrition Monitoring Programs
1302: Poverty and Assistance for Low-Income Families
1303: Elderly Issues and Elderly Assistance Programs (Including Social Security Administration)
1304: Assistance to the Disabled and Handicapped
1305: Social Services and Volunteer Associations
1399: Other

APPENDIX C

Robustness Checks

Table C.1: Resources and Legislative Support (Random Effects Models)

	Model I	Model II	Model III	Model IV	Model V
Poor Participants	1.519***				0
	(0.551)				(.)
Nonwhite Participants		0.523***			0.615***
		(0.110)			(0.134)
No Organized Interest Group			0.555***		0.514***
			(0.0761)		(0.0909)
Extra-Institutional Tactics				0.756***	0.576***
				(0.111)	(0.116)
Public Salience	−1.503***	−1.578***	−1.557***	−1.544***	−1.710***
	(0.383)	(0.385)	(0.383)	(0.457)	(0.463)
Education	−0.334	−0.255	−0.409	−0.555	−0.530
	(0.507)	(0.509)	(0.511)	(0.587)	(0.594)
Income	1.264***	1.013**	1.446***	1.434***	1.229**
	(0.438)	(0.442)	(0.442)	(0.511)	(0.523)
Percent Black	−0.0572	−0.153	−0.0497	−0.423	−0.546
	(1.095)	(1.101)	(1.100)	(1.258)	(1.272)
Percent Latino	−0.433	−0.744	−0.455	−0.0283	−0.522
	(1.223)	(1.230)	(1.229)	(1.435)	(1.454)
Democratic Representative	0.739***	0.823***	0.760***	0.717**	0.828**
	(0.281)	(0.282)	(0.282)	(0.336)	(0.341)
Relative Voting Record	−0.126	−0.259	−0.0885	0.409	0.346
	(0.549)	(0.552)	(0.551)	(0.659)	(0.664)
Length of Service	0.535	0.648	0.445	0.723	0.741
	(0.495)	(0.496)	(0.501)	(0.575)	(0.586)
Incumbent	−0.571***	−0.644***	−0.542***	−0.570***	−0.623***
	(0.167)	(0.169)	(0.168)	(0.198)	(0.202)
Margin of Victory	0.853*	0.847	0.990*	0.281	0.284
	(0.514)	(0.515)	(0.519)	(0.594)	(0.601)
Black Representative	−0.523	−0.529	−0.550	−0.537	−0.534
	(0.442)	(0.444)	(0.444)	(0.508)	(0.513)
Latino Representative	−0.0707	−0.0675	−0.0584	−0.0819	−0.0399
	(0.462)	(0.464)	(0.465)	(0.536)	(0.541)
Female Representative	0.614***	0.615***	0.625***	0.517*	0.524*
	(0.235)	(0.236)	(0.236)	(0.272)	(0.275)
Southern State	0.123	0.0831	0.192	0.000579	−0.0610
	(0.282)	(0.283)	(0.283)	(0.342)	(0.344)
Constant	−0.387	−0.251	−0.917**	−0.966*	−1.058**
	(0.414)	(0.416)	(0.424)	(0.496)	(0.507)
Random Effects Parameter	2.107***	2.131***	2.120***	2.227***	2.243***
	(0.341)	(0.344)	(0.342)	(0.471)	(0.474)
Observations	5497	5497	5481	3709	3693
Groups	257	257	256	212	211
Log likelihood	−2785.4	−2778.8	−2754.4	−2075.7	−2039.2

The dependent variable, legislative support, is binary taking on a value of 0 or 1. All independent variables are coded 0 to 1.

Coefficients are Log Odds. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

Table C.2: Resources and Legislative Support (Pooled Regression Models)

	Model I	Model II	Model III	Model IV	Model V
Poor Participants	0.340*** (0.0781)				0 (.)
Nonwhite Participants		0.0878*** (0.0230)			0.339*** (0.121)
No Organized Interest Group			0.110*** (0.0135)		0.675*** (0.0783)
Extra-Institutional Tactics				0.119*** (0.0239)	0.342*** (0.103)
Public Salience	−0.0526 (0.0357)	−0.0973*** (0.0373)	−0.0623* (0.0356)	−0.381*** (0.0439)	−1.873*** (0.208)
Education	0.104 (0.0634)	0.140** (0.0641)	0.0935 (0.0630)	−0.143* (0.0747)	−0.591* (0.331)
Income	−0.166*** (0.0577)	−0.208*** (0.0585)	−0.176*** (0.0577)	0.377*** (0.0715)	1.475*** (0.314)
Percent Black	0.988*** (0.105)	1.015*** (0.106)	0.957*** (0.104)	−0.0176 (0.126)	−0.0797 (0.579)
Percent Latino	0.0228 (0.108)	−0.0434 (0.110)	−0.143 (0.110)	−0.343*** (0.129)	−2.550*** (0.594)
Democratic Representative	−0.0370 (0.0318)	−0.0171 (0.0320)	−0.0300 (0.0314)	0.103*** (0.0355)	0.425** (0.195)
Relative Voting Record	−0.190*** (0.0578)	−0.217*** (0.0582)	−0.221*** (0.0580)	0.223*** (0.0662)	0.991*** (0.362)
Length of Service	0.529*** (0.0571)	0.565*** (0.0580)	0.467*** (0.0573)	0.813*** (0.0662)	3.796*** (0.354)
Incumbent	−0.133*** (0.0284)	−0.144*** (0.0285)	−0.119*** (0.0285)	−0.135*** (0.0337)	−0.583*** (0.144)
Margin of Victory	0.213** (0.0836)	0.219*** (0.0842)	0.284*** (0.0852)	−0.00613 (0.0975)	−0.0442 (0.413)
Black Representative	−0.326*** (0.0418)	−0.342*** (0.0421)	−0.306*** (0.0420)	−0.0672 (0.0498)	−0.181 (0.219)
Latino Representative	−0.0356 (0.0495)	−0.0181 (0.0498)	−0.000800 (0.0498)	0.155*** (0.0596)	0.955*** (0.257)
Female Representative	0.224*** (0.0258)	0.229*** (0.0258)	0.225*** (0.0261)	0.0876*** (0.0319)	0.408*** (0.136)
Southern State	−0.0378 (0.0293)	−0.0507* (0.0297)	−0.0384 (0.0292)	−0.0313 (0.0321)	−0.0427 (0.148)
Constant	0.476*** (0.0693)	0.490*** (0.0696)	0.412*** (0.0700)	0.230*** (0.0811)	−1.301*** (0.356)
Observations	5497	5497	5481	3709	3693

The dependent variable, legislative support, is binary taking on a value of 0 or 1. All independent variables are coded 0 to 1.

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

Table C.3: Resources and Legislative Support (Linear Probability Model)

	Model I	Model II	Model III	Model IV	Model V
Poor Participants	0.340***				0
	(0.0935)				(.)
Nonwhite Participants		0.0878***			0.339***
		(0.0217)			(0.121)
No Organized Interest Group			0.110***		0.675***
			(0.0137)		(0.0783)
Extra-Institutional Tactics				0.119***	0.342***
				(0.0223)	(0.103)
Public Salience	−0.0526	−0.0973***	−0.0623*	−0.381***	−1.873***
	(0.0337)	(0.0354)	(0.0336)	(0.0411)	(0.208)
Education	0.104*	0.140**	0.0935	−0.143**	−0.591*
	(0.0606)	(0.0611)	(0.0605)	(0.0700)	(0.331)
Income	−0.166***	−0.208***	−0.176***	0.377***	1.475***
	(0.0547)	(0.0554)	(0.0545)	(0.0663)	(0.314)
Percent Black	0.988***	1.015***	0.957***	−0.0176	−0.0797
	(0.103)	(0.103)	(0.102)	(0.123)	(0.579)
Percent Latino	0.0228	−0.0434	−0.143	−0.343***	−2.550***
	(0.104)	(0.105)	(0.106)	(0.125)	(0.594)
Democratic Representative	−0.0370	−0.0171	−0.0300	0.103***	0.425**
	(0.0328)	(0.0331)	(0.0327)	(0.0380)	(0.195)
Relative Voting Record	−0.190***	−0.217***	−0.221***	0.223***	0.991***
	(0.0593)	(0.0596)	(0.0592)	(0.0709)	(0.362)
Length of Service	0.529***	0.565***	0.467***	0.813***	3.796***
	(0.0578)	(0.0587)	(0.0580)	(0.0682)	(0.354)
Incumbent	−0.133***	−0.144***	−0.119***	−0.135***	−0.583***
	(0.0264)	(0.0266)	(0.0264)	(0.0307)	(0.144)
Margin of Victory	0.213***	0.219***	0.284***	−0.00613	−0.0442
	(0.0772)	(0.0772)	(0.0774)	(0.0900)	(0.413)
Black Representative	−0.326***	−0.342***	−0.306***	−0.0672	−0.181
	(0.0402)	(0.0403)	(0.0402)	(0.0474)	(0.219)
Latino Representative	−0.0356	−0.0181	−0.000800	0.155***	0.955***
	(0.0463)	(0.0466)	(0.0464)	(0.0555)	(0.257)
Female Representative	0.224***	0.229***	0.225***	0.0876***	0.408***
	(0.0248)	(0.0248)	(0.0247)	(0.0293)	(0.136)
Southern State	−0.0378	−0.0507*	−0.0384	−0.0313	−0.0427
	(0.0270)	(0.0272)	(0.0269)	(0.0316)	(0.148)
Constant	0.476***	0.490***	0.412***	0.230***	−1.301***
	(0.0644)	(0.0644)	(0.0647)	(0.0764)	(0.356)
Observations	5497	5497	5481	3709	3693

The dependent variable, legislative support, is binary taking on a value of 0 or 1. All independent variables are coded 0 to 1.

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

There may be concern that specific issue areas should be accounted for in the model speci-fication. Within the Civil Rights, Minority Issues, and Civil Liberties Policy Agenda's Project major topic classification, there are a multitude of subtopic issues including discrimination, voting issues, and first amendment rights (see Appendix B). Specific issue areas are associated with legislative support, independent of the resource levels of the participants. That relationship changes when considering the resource level of participants. Welfare becomes a different issue when associated with black constituents than when associated with white constituents (Gilens, 2000). Indeed, I argue that the way that legislators perceive and respond to an issue is conditional on who is asking. So, empirically controlling for specific issue areas removes some of the variation in legislative responsiveness that is due to the costliness and salience of an issue for groups of disparate resource levels. Notwithstanding, I display the results of the fixed effects models with issue areas clustered standard errors in Table C.4.

Table C.4: Resources and Legislative Support (Fixed Effects Model with Issue Area Clustered SE)

	Model I	Model II	Model III	Model IV	Model V
Poor Participants	1.514*				0
	(0.792)				(.)
Nonwhite Participants		0.538*			0.633
		(0.322)			(0.432)
No Organized Interest Group			0.562*		0.513
			(0.309)		(0.375)
Extra-Institutional Tactics				0.786	0.610
				(0.515)	(0.585)
Public Salience	−2.614***	−2.605***	−2.452**	−1.388***	−1.249***
	(1.004)	(0.954)	(1.039)	(0.375)	(0.468)
Education	−0.282	−0.269	−0.440	−1.151	−1.304
	(1.364)	(1.340)	(1.385)	(1.102)	(1.086)
Income	1.697	1.455	1.912	2.064	1.904
	(1.724)	(1.660)	(1.753)	(1.735)	(1.617)
Percent Black	−2.044	−2.110	−1.867	−1.852	−1.866
	(1.327)	(1.388)	(1.283)	(1.369)	(1.289)
Percent Latino	−0.399	−0.866	−0.213	−1.666	−2.230*
	(0.979)	(0.859)	(0.951)	(1.146)	(1.148)
Democratic Representative	1.126**	1.201**	1.078**	0.897*	0.966**
	(0.503)	(0.469)	(0.520)	(0.485)	(0.491)
Relative Voting Record	−0.907	−0.987	−0.731	−0.0331	0.0690
	(1.402)	(1.399)	(1.468)	(0.996)	(1.092)
Length of Service	0.348	0.445	0.200	−0.165	−0.266
	(0.761)	(0.772)	(0.791)	(0.718)	(0.738)
Incumbent	−0.631	−0.715	−0.602	−0.533	−0.595
	(0.473)	(0.478)	(0.463)	(0.561)	(0.591)
Margin of Victory	0.984*	0.943	1.044*	0.510	0.433
	(0.563)	(0.582)	(0.587)	(0.671)	(0.761)
Black Representative	0.0882	0.0811	−0.000204	0.132	0.0955
	(0.350)	(0.353)	(0.333)	(0.498)	(0.485)
Latino Representative	0.277	0.290	0.189	0.419	0.394
	(0.437)	(0.410)	(0.457)	(0.601)	(0.595)
Female Representative	0.343	0.357	0.351	0.313	0.335
	(0.397)	(0.382)	(0.389)	(0.510)	(0.478)
Southern State	−4.240***	−4.361***	−3.865***	−1.211	−1.666
	(0.564)	(0.528)	(0.671)	(1.680)	(1.944)
Constant	−0.721	−0.421	−1.189	−0.682	−0.527
	(1.016)	(0.980)	(1.118)	(1.091)	(1.185)
Congressional District Dummies	Yes	Yes	Yes	Yes	Yes
Observations	4855	4855	4840	3073	3058
Log likelihood	−2499.2	−2492.5	−2469.7	−1838.9	−1804.0

The dependent variable, legislative support, is binary taking on a value of 0 or 1. All independent variables are coded 0 to 1.

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

Table C.5: Resources and Legislative Support (Without MPR Public Salience Measure)

	Model I	Model II	Model III	Model IV	Model V
Poor Participants	1.521***				0
	(0.551)				(.)
Nonwhite Participants		0.544***			0.628***
		(0.113)			(0.138)
No Organized Interest Group			0.576***		0.522***
			(0.0780)		(0.0936)
Extra-Institutional Tactics				0.785***	0.607***
				(0.114)	(0.120)
Education	−1.194*	−1.175*	−1.302**	−1.599**	−1.708**
	(0.622)	(0.624)	(0.627)	(0.725)	(0.735)
Income	1.877***	1.630***	2.082***	2.126***	1.958***
	(0.541)	(0.546)	(0.545)	(0.642)	(0.656)
Percent Black	−0.444	−0.507	−0.349	−0.991	−1.076
	(1.444)	(1.452)	(1.454)	(1.686)	(1.713)
Percent Latino	0.0669	−0.406	0.235	−1.421	−1.999
	(1.832)	(1.842)	(1.844)	(2.142)	(2.179)
Democratic Representative	0.445	0.521	0.441	0.530	0.639
	(0.352)	(0.354)	(0.355)	(0.424)	(0.431)
Relative Voting Record	0.0919	0.0103	0.217	0.474	0.527
	(0.730)	(0.734)	(0.734)	(0.886)	(0.896)
Length of Service	−0.328	−0.223	−0.447	−0.522	−0.596
	(0.610)	(0.612)	(0.620)	(0.707)	(0.725)
Incumbent	−0.553***	−0.637***	−0.527***	−0.464**	−0.529**
	(0.189)	(0.191)	(0.191)	(0.224)	(0.229)
Margin of Victory	0.516	0.478	0.606	0.270	0.219
	(0.607)	(0.608)	(0.612)	(0.699)	(0.709)
Black Representative	−0.436	−0.445	−0.503	−0.135	−0.152
	(0.603)	(0.606)	(0.607)	(0.705)	(0.716)
Latino Representative	−0.389	−0.374	−0.445	0.0937	0.0951
	(0.629)	(0.631)	(0.633)	(0.733)	(0.743)
Female Representative	0.174	0.191	0.196	0.231	0.265
	(0.312)	(0.314)	(0.314)	(0.369)	(0.375)
Southern State	−4.378**	−4.498**	−3.985**	−1.220	−1.671
	(1.763)	(1.763)	(1.776)	(1.873)	(1.871)
Constant	−0.360	−0.0648	−0.860	−0.520	−0.387
	(1.550)	(1.552)	(1.568)	(1.623)	(1.609)
Congressional District Dummies	*Yes*	*Yes*	*Yes*	*Yes*	*Yes*
Observations	4855	4855	4840	3073	3058
Log likelihood	−2509.9	−2503.0	−2479.0	−1840.6	−1805.3

The dependent variable, legislative support, is binary taking on a value of 0 or 1. All independent variables are coded 0 to 1.

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

Table C.6: Legislative Support and Electoral Margin of Victory (60% Cutpoint)

	Small Margin of Victory (Winning by 50-60%) Large Margin of Victory (Winning by more than 60%)
Black Participants	0.666***
	(0.152)
Small Margin of Victory	0.548**
	(0.278)
Black Participants X Small Margin of Victory	−0.119
	(0.298)
Public Salience	−2.262***
	(0.648)
Education	−0.577
	(0.717)
Income	1.286**
	(0.596)
Percent Black	−2.410
	(1.583)
Percent Latino	−0.137
	(1.957)
Democratic Representative	0.998**
	(0.420)
Relative Voting Record	−0.619
	(0.854)
Length of Service	0.315
	(0.662)
Incumbent	−0.540***
	(0.206)
Margin of Victory	1.834**
	(0.866)
Black Representative	−0.0263
	(0.648)
Latino Representative	0.0827
	(0.683)
Female Representative	0.155
	(0.332)
Southern State	−4.508**
	(1.768)
Constant	−1.352
	(1.652)
Congressional District Dummies	*Yes*
Observations	4383
Log likelihood	−2362.1

The dependent variable, legislative support, is binary taking on a value of 0 or 1.

Coefficients are Log Odds.* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

Table C.7: Legislative Support and Electoral Margin of Victory (65% Cutpoint)

	Small Margin of Victory (Winning by 50-65%) Large Margin of Victory (Winning by more than 65%)
Black Participants	0.319*
	(0.163)
Small Margin of Victory	0.0521
	(0.282)
Black Participants X Small Margin of Victory	0.829***
	(0.274)
Public Salience	−2.391***
	(0.639)
Education	−0.262
	(0.714)
Income	1.341**
	(0.611)
Percent Black	−2.231
	(1.600)
Percent Latino	−0.433
	(1.970)
Democratic Representative	1.095***
	(0.417)
Relative Voting Record	−0.852
	(0.856)
Length of Service	0.330
	(0.672)
Incumbent	−0.569***
	(0.211)
Margin of Victory	1.012
	(0.951)
Black Representative	0.110
	(0.649)
Latino Representative	0.285
	(0.690)
Female Representative	0.222
	(0.333)
Southern State	−4.351**
	(1.768)
Constant	−0.627
	(1.713)
Congressional District Dummies	*Yes*
Observations	4383
Log likelihood	−2358.8

The dependent variable, legislative support, is binary taking on a value of 0 or 1.

Coefficients are Log Odds.* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$ Standard errors in parentheses.

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