



UP OR DOWN! HOUSE MANAGEMENT AND PUBLIC FINANCE THEORY FROM AMERICA'S ERA OF HASTERT



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ABSTRACT

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This primarily conceptual article hypothesizes that the deep divisions in United States politics can in part be traced to the “Hastert Rule,” a management practice since the 1990s which limits lawmakers individual respect, legitimacy, and power. The article first philosophically analyzes the noticeable change in discourse since the “Hastert Rule,” from “compromise” to “common ground.” Next the article offers a regression showing the Hastert Rule’s impact on volume of bills passed, and on public opinion, then arguing via Public Finance/Choice Economics that this management practice has led to changes in American society. A strong case regression is run concerning immigration. The results show that the Hastert Rule has hardened party lines and the public is voting for candidates according issues they suspect are not favored by the opposite party, here termed “median-division” theory. The article concludes with policy suggestions to give individual lawmakers and voters more power over legislative management- up or down!

Contribution/Originality: This study contributes to the existing literature in that it is the first known article to regress political and societal divisiveness by the Hastert Rule which is used by the U.S. House of Representatives. Also, it proposes an original concept related to median-voter theory, highlighting the importance of voter turnout.

1. INTRODUCTION

The 1810s to the 1830s in the United States was known as “The Era of Good Feelings,” because the major parties were united in viewpoints and there were few controversial issues. America had just defeated Great Britain in war for a second time, securing the Western Hemisphere for America as its own territorial border. Three presidents in a row served consecutive terms. The periods since that time have been marked by times of squabble and gridlock, others more halcyon, but nowhere nearly as united as that quasi one-party era.

In sharp contrast, the current era in American politics, since approximately the mid-1990s, might be best termed “The Era of Bad Feelings,” for the exact opposite reasons, and presidents are still being elected to multiple terms, presumably because power is easier to sustain once it is obtained. Nevertheless, there is immense divisiveness, among voters, and among Congressmen themselves, with stories of Senators going home early and not socializing with those of the other party. This behavior is similar to the cultural “bowling alone” syndrome that Putnam (2000). In fact, it was not until the start of his second term that President Obama invited Republican leaders to the White House, while President Trump questioned why he was even talking to lower-level House

Representatives at one point when he brought up healthcare to debate. If one listens closely enough to personal friends, you can hear tales of family members not talking with each other due to how they voted in the 2016 or other previous elections. We need an “era of better feelings” to lead us through the “Soaring ’20s”- but how?

Much of politics can be discerned by talking to people. A few years past, informatively, the brother of one of the authors perused a history museum in the American South, along with a contingent of schoolchildren, and the curator asked the children, “Does anyone here know the meaning of the word *compromise*?” After no response, the curator said, “That is what politicians *used* to do.” He continued, speaking amidst silence: “to do this, one side gives up one part, the other side gives up one part, and you meet in the middle,” before explaining the details of the Compromise of 1820, which admitted some states as free and others with slavery into the Union.

2. RESEARCH QUESTIONS AND HYPOTHESIS

Amidst this background, the research questions of this article are: first, how has the Hastert Rule affected Congress’ lack of bipartisanship, and second, has it contributed to the divided public, with partisan views over certain controversial issues? Some compromises have not diminished conflict: the movement West in America brought new “lands” on which to trod, leading up to the Civil War. But many compromises have derailed wars for years. Overall, the hypotheses of this article are that the Hastert Rule has diminished productivity, in the number of bills passed by Congress. It has contributed to elite and public polarization, particularly on once mainstream issues, and it has decreased trust in government. In the mid-1990s, a series of compromises that balanced the federal budget were passed by Congress, the last of such compromises. At the end of that decade in 1999, an essentially Republican “coup” overthrew House Speaker Newt Gingrich, and amid controversies over womanizing, appointed as Speaker Representative Dennis Hastert, a believed-to-be mild-mannered gentleman from Illinois. Speaker Hastert, to avoid having Republicans, who only a few years earlier had retaken Congress, and also avoid voting on controversial issues, imposed his so-called management “rule of thumb.”

Although the “rule” was defined as passing bills supported by a “majority of the majority,” referred to by David W. Hohde in the 1970s as “Conditional Party Government,” (Fechner, 2014) Congress would only vote on issues that he or she, the leader, knew would pass. This practice would also obviate the embarrassment of voting on unsuccessful issues, and eliminate his party members from having to take positions on thorny political issues, which could hurt their reelection chance. Fechner writes that it “serves political objectives” and “gives you the votes to keep your [representatives’] jobs” (Fechner, 2014). Greenberg (2013) writes that it was “a tactic to prevent political embarrassment.” Following 1994, several years before Mr. Hastert was elected Speaker, and his “rule” was put in effect, Congress has approved 40% fewer laws each session than in the period from 1975-1994 (The Economist, 2018a). Going back to the research question, is this statistically significant?

Although other House Speakers had used the “Hastert Rule” briefly before, Speakers Tom Foley and Gingrich are known to have “violated” the Hastert Rule a small number of six times each (Noah, 2013) but the phrase did not become popularly used until 2004. Fechner (2014) quotes former Senate Majority Leader Harry Reid (D-NV) saying that when he was in the House, Speaker Foley practiced an open management style whereby he would not “even consider” majority rule when parties “worked together on a bipartisan basis.” Speaker Gingrich even used bipartisanship to pass the 1995 Welfare “Work Opportunity Act,” which was vetoed by President Clinton, later to be signed, in a different form, in 1996, in an election year where parties were searching for accomplishments on which to run (Govtrack.us).

3. LITERATURE REVIEW

This paper falls under Public Choice/Public Finance economics. The decline in legislative activity over the last several decades appears to be related to a number of social factors, among them: the polarization from changes in the media, and the catering of the media to niche markets so as to make more money at a time of more media

outlets. The latter was studied by the nascent economist Matthew Gentzkow, winner of the J.B. Clark Medal in 2014, for the best American economist under age forty. Polarization has also been effected by changes in election laws. In essence, with more money coming in, especially from overseas, greater funds are required to conduct campaigns. In addition, polarization has changed with the coming of social media, which enables citizens or political leaders to be more divisive and insensitive in sending off in-personal tweets and messages. Lee (2015) finds that differences the farthest ends of parties has not led to polarization. But, it is argued here, that it is not that extremism, such as found in the ranks of the “Tea Party,” that is a cause of fewer bills being passed, many of which are near the political center. Instead, polarization and gridlock across parties have prevented compromising. Welna (2012) quotes Ornstein’s qualitative research saying the country has become run by “parliamentary-style political parties,” an idea similar to the Hastert Rule in the sense that intense negotiation, even within parties, is necessary to pass the simplest bills. Such negotiations are difficult for new American lawmakers, which they are not used to, and are becoming less-so as fewer negotiations occur. And, America has a President and not a Prime Minister that can be voted out of office. In other writings, Welna also cites Ornstein agreeing with the hypothesis by noting that, while the U.S. Senate is compromising, the House is not. Yglesias (2013) writes that the Hastert Rule has replaced some arcane committee rules which were once used to block bills.

McCarthy (2016) writes that more members of Congress now vote along party lines, but part of the reason for this, which he does not address, and we will, is that they are being given fewer and fewer of choices on which to vote. He also blames increased polarization on the decline of the more middle-class, moderate, Southern members of Congress, and on the frequent use of the Senate filibuster. But the filibuster has since been loosened for filling Cabinet and Supreme Court posts, and in cases of the “nuclear option,” where the filibuster is occasionally bypassed when parties deem it absolutely necessary. This paper only addresses the polarization of parties and the public in the section on the “median voter,” and there, partisanship is, too, hypothesized to by a bi-product of the Hastert Rule, whereas the regressions which proceed it show that party control of part or of an entire government has little effect on productivity.

Overall, this paper argues that by removing the ability of lower level lawmakers to introduce bills and amendments, the “Hastert Rule” for House management reduces Congressional members to pawns on a chessboard, leaving near complete control of the agenda to the Congressional leadership in both bodies. Instead, more productive laws would pass if the leadership were less afraid to bring up bills for a vote. And, lesser officials, surely, would feel more respected if they knew their own bills were being voted on, whether passing or not, and, feeling better, would be more likely to vote for the bills of their colleagues. The result would be greater productivity, bipartisanship, and less divisiveness.

‘Median voter’ theory accounts for some of the divisiveness, but again, as will be shown, it can be linked to the Hastert Rule. Median voter theory was developed primarily by Black (1948) now a staple of Public Finance, and it suggested that political leaders will support and implement policies which coincide with the views of the median voter, but only if making certain assumptions, such as that all preferences are single peaked, which will be discussed later. Today, Fraenkel (2016) calls this theory as being “dead,” because both Presidents Obama and Trump were only able to win by connecting with the marginalized voters, at the far ends, and “turning out the vote.” Black’s article, which was based on earlier works by others from the 1920s, set off strings of papers on topics now known as political-economy, public finance, or public choice.

One early, meaningful paper was by Tiebout (1956) who wrote in the new field of public finance that the public votes with their feet, moving to areas where their votes will have more impact. Sadly, one can generalize that the public is less mobile today than during the “Levitt town,” suburban growth of the 1950’s, and that people move less often today, and when so for economic reasons. This truism is established by a 2017 Census study, which will be discussed later on. Pertaining to the Hastert Rule itself, Buchler (2011) finds that “party agenda control can allow majority party extremists to defeat more centrist minority party candidates.” Richman (2015) disagrees, by

statistically allowing entire Congress to switch hands, and by assuming that voters care about outcomes of votes, and not singular votes themselves. Majority party votes may thus affect or not affect future power. Hall and Shepsle (2013) write about Hohde's "conditional" government, finding that consolidating power in Congressional leaders weakens the power of senior committee members, let alone freshmen. Finally, Carmines, Ensley, and Wagner (2012) find that while Americans and Congress are indeed bitterly divided, voters personally think about social and fiscal policies differently.

4. DISCUSSION AND METHODOLOGY

The methodology here is philosophically qualitative and solidly statistical. The "Hastert Rule" has remained in effect while Congress has changed parties, which is controlled for. In an interesting turn of events, in 2006 the Democratic Party retook control of Congress, largely due to the way Republicans were perceived after Hurricane Katrina and because of the declining situations in the wars in Iraq and Afghanistan. In President Obama's first mid-term election, the Republicans regained a majority, largely due to controversy surrounding the methods used in passing The Affordable Care Act. Also, more simply, such "wave elections" in off-year elections tend to be more "sociotropic," focusing on large national issues, as opposed to being "egotropic," when individuals vote how local elections affect themselves personally. In 2011, Republican Representative John Boehner became the House leader, the first Republican Speaker since Mr. Hastert. It was later learned that Mr. Hastert had been involved in a molestation scandal dating back to when he was a High School wrestling coach. With the "Hastert Rule" still being used since its inception, the new Speaker, Mr. Boehner, was now talking about reaching "common ground" with the Democratic Party, as opposed to using the word "compromise," because compromise, to hold his position, and the majority, he felt was no longer possible. Since then it is a word that has hardly been used by anyone. This may be a byproduct of the Hastert Rule.

What is "common ground," how is it different from "compromise," and why has this distinction become more prominent, philosophically, over the last two decades? Most likely, the "Hastert Rule" is play, corresponding with the discourse change time-wise. Compromises have become more difficult since the early republic because over the years, more issues have become rights. Rights are harder to touch, as permitted in the 9th and 10th Amendments to the Constitution, as well as the 14th Amendment passed after the Civil War. Some examples of progressive rights might be the rights of African Americans to freely vote, the rights of protected groups to have a job under the 1964 Civil Rights Act, and the progressing rights of women.

The new phrase "common ground" take us to the battles over "ground" between herders and ranchers in the American "Old West." Each group had to live beside each other, but with no land being used by both. The word "common" then returns us to the works of the early 20th Century economist Elinor Ostrom, who wrote about the "tragedy of the commons," the practice whereby herders in Europe, from the 1840s onwards, allowed the owners of all local animals to graze on all public property. In the writings of Hardin (1968) the only solution to the individualistic society designed by Adam Smith, from commons' problems ranging from nuclear wars, to pollution, to overpopulation, to overgrazing, is morality, similar to the socially conscious player in a game theory model, theories which were developed afterwards. But is not negotiation, and how we negotiate, part of the solution? Ostrom tells us that it is about reciprocity and reputation, such as trust that develops, an example offered here being that between the U.S. and U.S.S.R. at the Cold War's end, but which reignited after riots in Ukraine.

The tragedy is that common ground can be a pretext for avoiding compromise, until one party takes over, and makes a far-reaching policy the policy for all of us, the "commons." One example are public goods shared by everyone. Consider the national debt, amassed whether through overspending or under-taxing. Such a policy consumes all resources for all us, as did public grazing. Or representatives only deal with peripheral issues, making "comprehensive" reform on major issues impossible until large numbers of one party are elected in a wave, only to be thrown out later in a repetitive cycle. In essence, the land each party seeks from the other side is no longer as

valuable compared to the land it does not want to give up, due to political forces. So instead, each party looks for land the other owns which is equally as valuable, thus “common ground.” This process will be studied later and is termed “median division theory” See [Figure 2](#).

The ways that compromise can be used, as opposed to “common ground,” in your authors’ analysis, are through percentages. Compromise is most effective, particularly on economic issues, when using numbers; take two numbers, and find the average. This is indeed how compromises were used in the early Republic, such as in the series of 1800’s compromises that led to slave and free states joining the Union, and could be used today to balance votes equally if Puerto Rico, the District of Columbia, or northern California were to become new states. In fact, in the Constitution, the definition of slaves as $3/5$ of a person for computing population to determine representation was a numerical compromise, as was the agreement to end bringing slaves to America in 20 years; the year numerically was a compromise. Not to draw a comparison, but today, a situation exists in which some favor regulations to stop pollution. Here again, “cap and trade” allows for a certain number amount of pollution to be legal. Thus, numbers, on certain issues, can make compromising easier, but call into question strong feelings.

To those favoring “common ground,” a “right” implies that it is in-fact “right”- how could we allow something that we believe is wrong? Early Enlightenment scholars argued that political rights came directly from God, rather than being human constructs, most likely since this was to counter imperial kings’ notions that *their* rights came from God. Not all issues can be reduced to numbers, whether morally, or mathematically. If people cannot accept a policy, because if they believe something is right, how could they allow or disallow it in its entirety?

Today, there have been talks over airline passengers’ bill of rights, and a healthcare bill of rights. Healthcare may or may not be a right, but does this necessarily mean that people should have or not have to pay for it? The payment, though, is a number and that means that it can be negotiated. Immigration occurs in numbers, and for that reason (illegal, or legal) could immigration be agreed on in numbers as such? Or in each of these examples, could extenuating policies, such as policies which indirectly affect such fiery issues as abortion or pollution, in effect be used statistically in essence to reach a compromised numbers, such as limited pollutants per year? “Common ground” does seem to imply finding alternative areas to agree on, not the main issue itself. But, if you cannot agree on some issue using “compromise,” then what is the alternative- to postpone it indefinitely, wait for a “gang” of representatives to form, or let hostilities break out? Compromise, thus, can take away human liberties, but it can prevent extremities and conflicts. Contrary, common ground means passing bills only in areas of extreme agreement, and not dealing with the thornier issues. We are able to walk on parts of the common areas or grounds, in more terrains and conditions, but not allowing, or accepting, the chance to walk on each other’s, thus not making these areas as parts of the commons and the compromises.

The area where “compromise” seems most obvious is in tax and budget issues, which involve numbers more directly than other issues, yet they are still contentious. Budget and taxes would seem to be negotiable by agreeing to a middle range spending numbers and middle range tax numbers. With raising revenue, Grover Norquist, a think-tank leader, “requires” all incoming Republican members of Congress to sign a “no new tax” pledge. However, is raising or lowering tax brackets or tax caps, such as with the Payroll Tax, a new tax? Norquist has actually said, whether intentionally or not, that it does not qualify as such. Therefore, debt and the deficit should be the easiest matters to deal with, since they involve numbers. In fact, President Clinton and Speaker Hastert were discussing budget cuts at the end of the former’s term, with Hastert favoring 1% cuts, and President Clinton favoring 0.25%, and they compromised at 0.86% ([Ryan, 2013](#)). This “across the board” effort seems most successful. But because of political perceptions of interest groups, budget compromises today often fail, and that is why the United States has had so many budget shutdowns and debt cap battles over the past three decades. Even budgetary policies are not compromised over because of “median-division theory,” which is explained next, after the regressions on the Hastert Rule, and “median-voter theory” See [Figure 1 & 2](#).

In effect, the Hastert Rule turned out to be the only way that Speaker Boehner could hold his coalition together on what he, and the party base wanted. Otherwise, there would have been a propitious compromising occurring across the aisle, most poignantly, twenty years ago, over the issue known as DACA, granting citizenship to children brought to the United States illegally. Instead, as a result, moderate “Blue Dog” Democrats slowly vanished, and the “Tea Party,” or “Freedom Caucus” Republicans arose. By bringing up choices that he knew could only pass, Congress went from voting by party lines 60% in the 1970s, to 90% today (Davenport, 2017). Since 2001, the number of Democrats in the public calling themselves “liberal,” and the number of Republicans calling themselves “conservative,” have both significantly increased (Saad, 2018). In 2013, the Republican Party engaged in a fierce debate over whether or not to keep the Hastert Rule, which some claimed was causing Democrats to try to bring issues to the floor to force Republicans to vote on them (Hooper, 2013). Ultimately, the inability to lead factions and please President Trump simultaneously led to Speaker’s Boehner ouster by his party, and led to a policy under a new Speaker, Mr. Ryan from Wisconsin, who only brought up issues supported by President Trump (Hooper, 2013) a so-called “Trump Rule.” This policy, while strong for shaping the agenda, defies the logic of separate branches of government.

5. RESULTS

To test the Hastert Rule, first, using data from the Pew Research Center up to the present Congress dating back from 1974, not too recent, nor too old, and harkening back to an equally divisive time after the Watergate Scandal, thus holding political ideologies constant, and making it a stronger case that other factors are involved in declining productivity. These dates also use similar time frames as other studies, such as by Jones (2001) and it provides an ample amount of data. It is found: the control variable of a President’s party controlling at least on branch of Congress is insignificant. However, using a dummy (binary) variable for when the Hastert Rule was first used, Congress has on average passed a constant 4.75% of its bills submitted per Congress, which the Hastert Rule reduces by 1.32% at 98% significance See Table 1.

Ho: $B1 > 0$ $B2 < 0$ Ha: $B1, B2 = 0$

Table-1. Efficiency

Dependent Variable:		F > p value: 0.058*		R2: 0.238
% of Bills Passed	Coefficient	t	p	
Political Control, B1	0.035	0.07	0.947	
Hastert Rule in Effect, B2	-1.321	-2.53	0.019*	
Constant	4.753	11.23	0.000*	

Note: *= significant at 90%.

- For the current Congress, a generous counterfactual number of 2% bill passage rate was used, even though Congress may not even make this amount.
- The number of “bills,” otherwise known as “laws,” were used, and not resolutions, the latter which are easier to pass, but the outcome would have likely been the same.
- For votes on bills that were absolutely necessary to compromise on to pass, each of Speaker Hastert, Speaker Pelosi, and Speaker Boehner broke the Hastert Rule several times, averaging about 1.5 votes per year in power for each Speaker per year, so, since this was about the same for all, it was not included in the regression.

Next, we used the same years to test the public “trust” of the government since 1974, with a dummy (binary) variable for the years under the Hastert Rule See Table 2.

Ho: $B1, B2 < 0$ Ha: $B1, B2 = 0$

Table-2. Trust.

Dependent Variable:		F > p value: 0.1048* R2: 0.193	
% of Public Trust	Coefficient	T	p
Political Control	-3.145 %	-0.89	0.381
Hastert Rule in Effect	-6.569 %	-1.87	0.076*
Constant	35.298 %	12.39	0.000*

Note: *= significant at 90%.

The effect of the Hastert Rule has lessened public trust approximately 6% each two-year Congress since its inception, significant at 90%, with the model being significant, by a rounded F value, at a 90% level in this case, as well. The effects of the Hastert Rule are intense.

6. ADDITIONAL EXPLANATORY THEORY

To turn our attention to the overall effects of the Hastert Rule, “Median voter theory,” Figure 1, which was touched on earlier, was first applied to politics by Black (1948). The theory assumes that parties and candidates move to the political middle, because beliefs on policies are a bell curve with most voters falling in the center. This should occur both during the primaries (within parties) and in the general election. The political center is defined where 50% of the public falls on both sides of the curve, assuming it is normally distributed. These theories developed into Public Choice economics, contributed to by scholar James Buchanan in the 1980s. Other definitions of the “middle” come from author E.J. Dionne, in *Why Americans Hate Politics*, which is a questionable title, but as, “believers in conventional social morals that ensure family stability ... and as pragmatically supportive of government intervention in spheres such as education, child care and health care, as long as budgets are balanced.” The “middle” can be, too, seen as a “balance of social equality with a degree of social hierarchy” (Woshinsky, 2008). Today, these feelings often cross party lines, as many new studies have found more and more Americans identifying themselves as “fiscally conservative and socially liberal.”

With the Hastert Rule, Congressional divisions have helped to aggravate public divisions, as shown here statistically. This is part of a newly formed debate by political scientists over whether “polarization in Congress preceded or followed polarization among the wider public...” (Desilver, 2014). Bishop and Pearce (2015) would still hold that people move for political reasons, but the main political reason they see is economic income inequality. As far back as 1956, Tiebout, as already cited, noted that policies breed migration, which re-strengthens those original policies, such that states end up with like-minded voters and that competition between policies is reduced because states’ people think and vote differently. The works of many, though, such as by Case, Hines, and Rosen (1989) demure in that they find that neighboring states do in fact have similar policies. However, a 2017 Census Bureau study, already noted, found that the top five reasons for why people are due to economic reasons, primarily because of some reason related to housing (48%), and that most moves are between counties (Carmichael, 2017). Globally, most people move for economic aims, too, but politics is also, and has historically been, a factor (Florida Professional Development Alternatives, 2019).

Median-voter theory for explaining political positions fails, in course, and should be replaced by “median-division theory,” see Figure 2, an fleetingly conceptual idea mentioned by others but explained anew here, in studying both the campaigning and governing since the “Hastert Rule.” According to *The Economist*, “When politics is so polarized, people no longer cluster in the ideological middle” (The Economist, 2018b). They do indeed, we argue here, but it is the *perception* of the ideological middle which worries some voters and parties. Median-voter theory in part fails because parties are not allowed to move to the center, due to the enormous amounts of money invested by interest groups and the need to propose catchy policies that can flourish and not be perceived as supported from the opposing side, such as on social media. Parties cannot pass middle-ground policies because they will not invest all of the time and effort to support some issue that the base can perceive as being supported by the other “tribe” see Figure 1 & 2. And, with their “bases,” hard-core voters, solidified, they are searching for younger members from their extremes, not centers. The Hastert Rule adds to the antipathy by passing along years of

Congressional divisions to the public. This is due to the fact that it acerbates hard feelings amongst the public over long periods of time, what Lee (2015) calls “drift,” whereby voters are not looking for similarities between parties, but at differences, hardened over time. The United States is now not even in gridlock, but it has gone beyond this condition, in which Congress and the public are not even debating issues, and the government is simply running on fumes. It harkens back John Stuart Mill’s mid-1800’s term, the “tyranny of the majority,” with a lessening role each time a party becomes the minority, and an expansion of president executive action authority. Below, in Figure 2, perceptions make it hard to be truly in the political middle. Perceptions cause parties to have to raise more money even to maintain the base party voter.

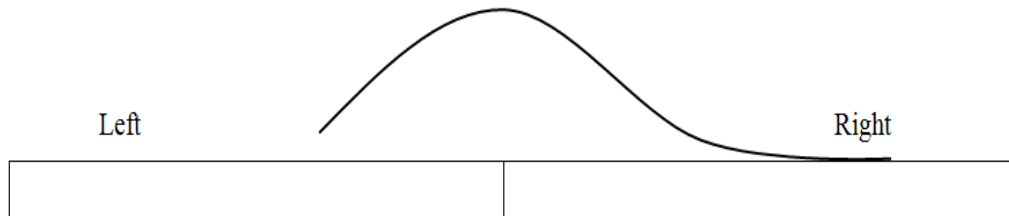


Figure-1. Median-voter Theory.

Source: Arnold (2019).

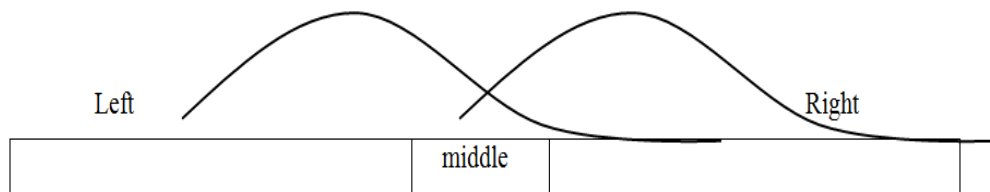


Figure-2. Median-division theory.

Further, with the traditional median voter theory, in the middle, it is observed that there is no incentive to vote or turnout, because one’s party’s candidate is just the same on issues as the other, unless you are just voting by party lines and not issues, which is not part of that model. In “median division theory,” one can add a “turnout line,” which conceptually increases as you move towards the extreme of issues. The elasticity (run over rise) of the turnout line is change in turnout over change in those you share your opinions, and, after much movement back and forth between candidates, there should be an equilibrium in the traditional model where this elasticity as at a 45° angle, or 1:1 relationship, near the inflection point of the bell curve, where turnout of like-minded voters is greatest. Of course, turnout itself also depends on the benefits of voting (likelihood that your candidate will win times probability of victory) minus the time and/or cost (Arnold 2019, pg. 464). This, we will see, is occurring in the Era of Hastert due to more disenfranchised voters, from disgust over gridlock, backing the ideas noted in the last paragraph.

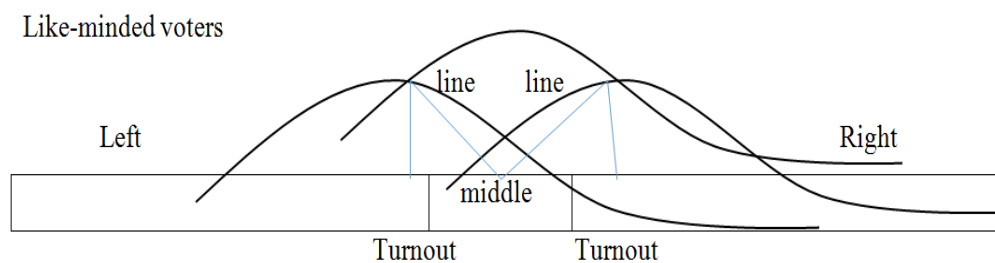


Figure-3. Median-division theory with perception and conceptual turnout.

Just to reiterate, the model above shows the greatest turnout of like-minded voters to be slightly right or left of center, and not in the center. To test this topic, we choose a now controversial issue to see if the Hastert Rule has affected public opinion, using a Pew Research poll from 1994-2016 annually, asking Democrats and Republicans, if “immigrants today strengthen the country because of their hard work and talents” (Jones, 2016). By estimating the

differences between Democrats, whose support for immigration has massively increased, and Republicans, whose support has slightly decreased, then with the regression on immigration views before and after Hastert, the Hastert Rule was very close to significance, but a data mistake was later found, partly due to serial correlation, which was corrected for.

With the data See Table 3, the Hastert Rule is significant as affecting the immigration divide over time, which was once a more central issue, as even conservative President Ronald Reagan supporting “moderate” immigration policies. The R2 value is highest amongst all of the regressions. Still, there is an 85% correlation between the two variables, which is somewhat high, which is lending itself to reverse causality, as seen in Table 4. This fact could suggest that the immigration divide has strengthened the Speaker’s power to control the issue. The public and presumably their representatives are turning to the Speaker for his/her power. Some voters and representatives may be blindly following the Speaker’s (or otherwise their party’s) positions. Future research could regress voters’ political views on a greater number of issues.

Ho: B1, B2 = 0 Ha: B1, B2 > 0

Table-3. Division Widening.

Dependent Variable:		F > p value: 0.0000* R2: 0.7319	
Divide in % who say immigrants			
Strength of country	Coefficient	t	p
Political Control	0.796	0.240	0.812
Hastert Rule in Effect	23.547	2.140	0.000*
Constant	3.276	0.420	0.688

Note: *significant at 90% or greater.
Source: Jones (2016) data used.

Table-4. Hardening effect on the public.

Ho: B1 = 0		Ha: B1 > 0	
Dependent Variable:		F > p value: 0.094* R2: 0.2550	
Increasing strength of Hastert Rule			
Strength of country	Coefficient	t	p
Immigration	0.031	7.140	0.000*
Party Control	0.003	0.020	0.983
Constant	-0.005	-0.050	0.959

Note: *= significant at 90%.
Source: Jones (2016) data used.

The above breakdown in the political middle, though, has been seen by one of your own authors. This author has seen economic suggestions go ignored by local political figures unless they are strongly political to one side. The middle is seen, by lawmakers, and increasingly by the public, as being an area of legislation for the other end. Concrete examples where the median-voter theory have failed are in not allowing the government to negotiate lower drugs prices, which was supported by both Senators Sanders (D-VT) and Cruz (R-TX) in their 2018 healthcare debate, but was not drawn up into a bill, or President Obama’s support for business tax cuts, which was never emphasized enough for passage. Or Senator Marco Rubio’s (R-FL) support for certain gun control in the debate after the shooting in Florida, which never developed, mainly because the Parkland students could not circumnavigate the Floridian politicians’ cursory answers and entrenchment of power. Marijuana could be legalized medically, or harsh punishments be reduced at the state or federal level. Or campaign finance rules would certainly pass. These are not just your authors’ musings, but the calculations by varied experts (Fechner, 2014).

Many of these issues fail to pass because politicians and voters alike are afraid that policies will be perceived as being too close to the political center. Even Maine Senator Angus King, who tends to favor moderate bills, says that they do fail due to the Hastert Rule (Sharp, 2013). And also, trading one issue, such as President Trump’s “wall,” for Deferred Action on Childhood Arrivals (DACA) is why comprehensive reform fails- using numbers to make everyone in Congress, or the public, happy, are too complex to be calculated with such comprehensive measures.

More directly, trading votes on issues such as these, again, may not be ethical. As former Wyoming Senator Alan Simpson once said: two bad ideas may pass- it depends, then on negotiation and how strongly each side feels about the others' bill or "land."

Several other issues where compromise may indeed prevail are on carbon taxes, for *The Economist* writes that scholars Van Boven and Sherman "have found that Republican voters will back carbon taxes if they are told Republicans favour (sic) such a policy" (*The Economist*, 2018c). A carbon tax could easily replace the business tax. Construction and infrastructure are another area in today's age that both sides cannot agree upon because neither side is sure of what "camp" nor "tribe" it falls in nor who would be perceived as gaining politically from it. On some issues, the voters and their party leaders actually disagree, such as on international trade. But, foreign deals should become easier to forge since parties already know the public will support them regardless of their policy. Still, this theory may be reevaluated in the November 2020 elections in light of President Trump's new tariffs. Beyond the Hastert rule, technology may be creating a digital political herd, which trample on their own side of the divide, which Thomas Friedman (2007) has written about regarding finance and globalization. Technology, along with foreign hacks of it, may be creating a mob mentality of the parties, both by the Republicans, who delight over reading President Trump's tweets, and the Democrats, such as with many supporting ending the Immigration and Customs Enforcement (ICE) Agency, which, while enthusiastic, adds to other socialist stances. It seems that with a stronger economy (before Covid-19), the Democrats have been freer to move left, as they did in 1988, and they were afterwards defeated in the Presidential election of that year. In years facing incumbents, such as 1964 and 1972, parties have tended to move to the far edges to attract greater numbers of dissatisfied voters.

Because of the Hastert Rule, votes on issues in the middle area are not taken for fear of political backlash over voters' perceptions, and how they perceive the other side. There is not currently a large enough center to oppose the two major parties, though it could become possible in the United States in the future, as happened in Italy with Prime Minister Matteo Renzi, France's Emmanuel Macron, and in some sense the rise of the Independence Party in Great Britain, in-between the upper classes and the Socialists. Though the first of these parties was met by disappointment, the fate of the other two remain ambiguous. In 2016, Democrats viewed candidate Hillary Clinton as more moderate than outgoing President Obama, even though the other side did not and President Obama's "rating" while he was in the Senate was actually more "blue" (if there is a "red" and "blue" America) than Secretary Clinton's (Cillizza, 2013). In short, perception matters. In the United States in 2016, a vast sum of Republicans (33%) saw President Trump as being more of a moderate, presumably helping his election (McCarthy, 2016). Former Starbucks CEO Howard Schultz announced a possible middle-way 2020 candidacy, or he could even run further into the future, which raises the question again if a third party candidate in the United States can succeed, especially for another businessman. To do well, one would need to draw from voters of both parties, as candidate H. Ross Perot did in 1992.

7. POLICY SUGGESTIONS

In addition to eliminating the Hastert Rule, and having a management style where all amendments and bills voted on by law, other political-economic ideas could similarly be enacted to find "compromise," as well as "common ground." These include, first, supporting the standard Senate filibuster rules, where Senators have to give long speeches and sleep on cots rather than just signing their name to a list to block legislation. Additionally, Congress could hold votes in "real time," that is directly after issues are debated, which would remove much confusion when postponed votes are brought back up for a vote later on Bishop and Pearce (2015). Furthermore, Weise and Larson (2015) suggest a secret ballot for choosing the Speaker, in order to choose one that is more bi-partisan, and allowing any vote to come up if it has "the support of at least a quarter of the members in each congressional party." Another idea from the new "Problem Solvers Caucus" would allow one to become Speaker only if they garnered

60% support of their own party membership, and at least 5 votes from the minority party. Or give more power to House conference committees- negotiate across branches, not just leadership (Hulse, 2018).

Legislation wise, a balanced budget amendment could prevent “overgrazing.” To be effective, however, and not leave enforcement up to the courts, or the Treasury Department, it would have to involve, first, balancing the yearly budget, and then having a “freeze,” preventing any “new,” large spending measures or tax cuts, except in the cases of war or recession. A “rainy day fund” could be part of it, to save money for the future. This is true of a new form of the line item veto that could eliminate “overgrazing,” one version of which was ruled unconstitutional last decade. But another form of the line item veto would still give the President a great amount of power. Still, the lines in a bill that the President eliminates could be overridden by a simple majority of Congress, allowing lawmakers to have a say on the final package, causing them to seriously think about overspending. Instead, unfortunately, partisanship would once again stand in the way. Furthermore, Congress could revise the necessity to vote every time the debt ceiling needs to be raised, but this change would call into question human discretion versus another possibly extraneous rule. More-so, changing the House rule, called a “discharge petition,” which requires a petition with 218 members’ signatures to bypass a Speaker’s refusal to bring a vote to the floor, could be weakened by lessening the number of signees needed. Oftentimes, those who sign such obscure petitions face political backlash from the House leadership.

McCarty (2011) analyzes the voting issue of “open primaries,” but downplays the votes of Independents, instead discussing Republicans and Democrats who vote in each other’s elections, and disregards gerrymandering. He was writing his article either before or at the same time that new computer technologies were being developed which essentially allow state lawmakers to contrive virtually any type of voting district they wish. His assertion that there is “little fundraising advantage for extreme candidates” (McCarty, 2011) runs counter to the massive amounts of small donations received by presidential candidates such as Senator Bernie Sanders (D-VT), and others, which depends on the mood of the public at the time, which has been becoming further from the center in-part due to the Hastert Rule, as shown.

In short, the United States needs unifying solutions, which no one is addressing. Perhaps, regarding for “gerrymandering,” a Constitutional amendment might be used to set up bipartisan state committees. Or, allow Independents to vote in primaries. A greater idea might be to reform the Electoral College, such that the winner would have to win the popular vote but be in the top two or three of electoral vote receivers. This alteration would prevent a free-for-all by eliminating it completely, but compel voters to weigh voting for a third party. Or, require the popular vote winner to also garner 1/3 of the electoral vote, which is similar to the 40% “legitimacy” idea proposed in the 1950’s, but is more conceptual because it relates to a three-party system. This idea could also encourage making the District of Columbia or Puerto Rico new states, because the electoral balance would change little, which was a compromise problem before the Civil War. If relations between the North and South had not had such hardened views over so many years, with “increased polarization among centrist citizens,” could the war and continued slavery have been avoidable (Trigger Events of the Civil War, 2020) Additionally, Election Day in November could be changed into a national holiday to expand voting access. Certainly, the voting rule of allowing Congress to decide the victor when no clear presidential winner emerges should be reevaluated, for it led to the “Corrupt Bargain” in 1824 in Congress, contributing to end of the “Era of Good Feelings.” Thus, Congressional kickbacks for certain members can be a divisive tactic- this was highlighted more recently by Chief of Staff Rahm Emanuel’s efforts to pass healthcare reform in 2008: compromise needs to be done fairly and equally across all members of Congress to work best.

8. CONCLUSIONS

The institution of the Hastert Rule is severely flawed. In fact, North Dakota, the only state that overtly bans such a rule within its own state legislature, is ranked as one of the happiest states amongst its people and one of the

best places to live. One of your authors in the past offered such a North Dakota style bill at his Connecticut Boy's State Mock Senate, and his fellow youth adopted it. It would be wonderful if only adults behaved like these children. If federal representatives are given the opportunity to make more choices, then representatives would be more likely to take a middle ground, since they would be trying to represent all of their communities rather than just the extremes (median voter theory; the theory itself involves numbers). Bringing all bills for a vote would make everyone feel on the "same ground," appreciated, and respected. Would this be better? It would better reflect what America wants. The policies passed should be the "majority of the peoples' representatives," not the "majority of the majority," as Hastert explained his "rule," because it would allow moderates on each side to come together to compromise. Albeit, they would still be pitted against by the base and strong forces in the parties, but this has been the epitome of American politics. Unless reforms are made, the minority can delay the work of Congress, which it severely has done and which has been statistically shown here. The time trying to determine if a party has enough votes to pass a bill could be time spent debating the issues, which rarely occurs anymore. If voting is a God-given right as expressed by the Founders, then certainly having a vote should be one as well. Common ground provides a platform with which to exist side-by-side, but larger problems, like those of the ranchers and the farmers, historically, will still need to be worked out, which is where compromise over the management process works in organizations. Certainly, one paper cannot cover public choice of management and governance singularly, and much of the conceptuality will be left to future research, but it is clear that all bills and amendments in Congress, time-considering, should be given the dignity of a vote by its leaders: "up or down!"

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REFERENCES

- Arnold, R. A. (2019). *Macroeconomics* (13th ed.). Boston, MA: Cengage.
- Bishop, R., & Pearce, S. (2015). Schedule house votes in real time, the hill. Retrieved from: <https://thehill.com/blogs/congress-blog/lawmaker-news/260604-schedule-house-votes-in-real-time>. [Accessed November 19, 2015].
- Black, D. (1948). On the rationale of group decision-making. *Journal of Political Economy*, 56(1), 23-34. Available at: <https://doi.org/10.1086/256633>.
- Buchler, J. (2011). The proximity paradox: The legislative agenda and the electoral success of ideological extremists. *Public Choice*, 148(1-2), 1-19. Available at: <https://doi.org/10.1007/s11127-010-9643-4>.
- Carmichael, M. (2017). *Why do people move? Here are the top reasons for relocation, livability*. USA: Livability Magazine.
- Carmines, E. G., Ensley, M. J., & Wagner, M. W. (2012). Political ideology in American politics: One, two, or none? *The Forum*, 10(3). Available at: <https://doi.org/10.1515/1540-8884.1526>.
- Case, A., Hines, J. R., & Rosen, H. S. (1989). Copycatting: Fiscal policies of states and their neighbors. *NBER Working Paper No. 3032*.
- Cillizza, C. (2013). How liberal is president Obama, really? Washington post. Retrieved from: <https://www.washingtonpost.com/news/the-fix/wp/2013/11/25/how-liberal-is-president-obama-really/>. [Accessed November 25, 2013].
- Davenport, D. (2017). A growing cancer on congress: The curse of party-line voting. Forbes. Retrieved from: <https://www.forbes.com/sites/daviddavenport/2017/12/13/a-growing-cancer-on-congress-the-curse-of-party-line-voting/> [Accessed December 13, 2017].
- Desilver, D. (2014). The polarized congress of today has its roots in the 1970s, Pew research center. Fact tank (blog). Retrieved from <http://www.pewresearch.org/facttank/2014/06/12/polarized-politics-in-congress-began-in-the-1970s-and-has-been-getting-worse-ever-since/>. [Accessed June 12, 2014].

- Fechner, H. (2014). *Managing political polarization in congress: A case study on the use of the hastert rule*. Paper presented at the Symposium at the Harvard Kennedy School of Government.
- Florida Professional Development Alternatives. (2019). Social Social science. Section 2: Geography in the elementary grades. Reasons for the movement of people in the world, nation, or state. Florida, USA. Retrieved from: <https://fl-pda.org/independent/courses/elementary/socialScience/section2/2f.htm>. [Accessed July 24, 2019]. Section 2: Geography in the elementary grades. Reasons for the movement of people in the world, nation, or state.
- Fraenkel, J. (2016). The death of the median voter. The interpreter. Retrieved from: <https://www.lowyinstitute.org/the-interpreter/death-median-voter>. [Accessed November 14, 2016].
- Friedman, T. L. (2007). *The world is flat 3.0: A brief history of the twenty-first century* (3rd ed.). New York: Picador.
- Greenberg, J. (2013). Dennis hastert: There was no hastert rule. Retrieved from: www.politifact.com. [Accessed December 19, 2013].
- Hall, A. B., & Shepsle, K. A. (2013). The changing value of seniority in the us house: Conditional party government revised. *The Journal of Politics*, 76(1), 98-113. Available at: <https://doi.org/10.1017/s0022381613001102>.
- Hardin, G. (1968). The tragedy of the commons. *Science*, 162(3859), 1243-1428.
- Hooper, M. K. (2013). GOP members vow opposition if leaders ignore hastert rule. The Hill. Retrieved from: <https://thehill.com/homenews/campaign/287495-gop-members-vow-to-go-rogue-if-leaders-ignore-hastert-rule>. [Accessed March 12, 2013].
- Hulse, C. (2018). Can the house speakership be saved? These lawmakers have an idea. The New York Times. Retrieved from: <https://www.nytimes.com/2018/06/16/us/politics/house-speaker-reform.html>. [Accessed November 20, 2018].
- Jones, B. (2016). Americans' views of immigrants marked by widening partisan, generational divides. Pew research center. Fact tank (blog). Retrieved from: <https://www.pewresearch.org/fact-tank/2016/04/15/americans-views-of-immigrants-marked-by-widening-partisan-generational-divides/>. [Accessed April 15, 2016].
- Jones, B. (2016). Americans' views of immigrants marked by widening partisan, generational divides. Pew Research Center. Fact Tank (blog). Retrieved from <https://www.pewresearch.org/fact-tank/2016/04/15/americans-views-of-immigrants-marked-by-widening-partisan-generational-divides>. [Accessed April 15, 2016].
- Jones, D. R. (2001). Party polarization and legislative gridlock. *Political Research Quarterly*, 54(1), 125-141. Available at: <https://doi.org/10.2307/449211>.
- Lee, F. E. (2015). How party polarization affects governance. *Annual Review of Political Science*, 18(1), 261-282. Available at: <https://doi.org/10.1146/annurev-polisci-072012-113747>.
- McCarthy, J. (2016). Trump seen as less conservative than prior GOP candidates, gallup.com. Retrieved from: <https://news.gallup.com/poll/196064/trump-seen-less-conservative-prior-gop-candidates.aspx>. [Accessed October 4, 2016].
- McCarty, N. M. (2011). The limits of electoral and legislative reform in addressing polarization. *California Law Review*, 99(2), 359-371.
- Noah, T. (2013). The absurdity of the hastert rule. MSNBC. Retrieved from: <http://www.msnbc.com/msnbc/the-absurdity-the-hastert-rule>. [Accessed July 21, 2019].
- Pew Research Center. (2017). Public trust in government: 1958-2017. Retrieved from www.people-press.org. [Accessed December 14, 2017].
- Putnam, R. D. (2000). *Bowling alone: The collapse and revival of American community*. New York: Touchstone Books.
- Richman, J. (2015). The electoral costs of party agenda setting: Why the Hastert rule leads to defeat. *The Journal of Politics*, 77(4), 1129-1141. Available at: <https://doi.org/10.1086/682415>.
- Ryan, E. (2013). Hastert: Primary challenges making congress Kind of neurotic. NPR.org. Retrieved from: <https://www.npr.org/sections/itsallpolitics/2013/10/08/230256554/hastert-primary-challenges-making-congress-kind-of-neurotic>. [Accessed October 8, 2013].

- Saad, L. (2018). Conservative lead in U.S. Ideology is down to single digits. Gallup.com. Retrieved from: <https://news.gallup.com/poll/225074/conservative-lead-ideology-down-single-digits.aspx>. [Accessed January 11, 2018].
- Sharp, D. (2013). Maine's King: 'Hastert rule' adds to gridlock. Associated Press, AP Regional State Report.
- The Economist. (2018a). America's electoral system gives the republicans advantages over democrats. Retrieved from: <https://www.economist.com/briefing/2018/07/12/americas-electoral-system-gives-the-republicans-advantages-over-democrats>. [Accessed July 12, 2018].
- The Economist. (2018b). Should the party move to the left or to the centre? Retrieved from <https://www.economist.com/special-report/2018/07/12/should-the-party-move-to-the-left-or-to-the-centre>. [Accessed July 12, 2018].
- The Economist. (2018c). A slow thaw: Republicans inch towards action on global warming. Retrieved from: <https://www.economist.com/united-states-2018/08/02/republicans-inch-towards-action-on-global-warming>. [Accessed August 2, 2018].
- Tiebout, C. M. (1956). A pure theory of local expenditures. *Journal of Political Economy*, 64(5), 416–424. Available at: <https://doi.org/10.1086/257839>.
- Trigger Events of the Civil War. (2020). American battlefield trust. Retrieved from: <https://www.battlefields.org/learn/articles/trigger-events-civil-war>. [Accessed June 20, 2020].
- Weise, C. L., & Larson, B. A. (2015). A way around the divided house majority. Real Clear Politics Journal, USA. Retrieved from https://realclearpolitics.com/articles/2015/10/16/a_way_around_the_divided_house_majority.html. [Accessed October 16, 2015].
- Welna, D. (2012). The 3 unofficial GOP rules that are making a deficit deal even harder. NPR. Retrieved from: <https://www.npr.org/blogs/itsallpolitics/2012/12/02/166268748/the-3-unofficial-gop-rules-that-are-making-a-deficit-deal-even-harder>. [Accessed December 2, 2012].
- Woshinsky, O. H. (2008). *Explaining politics: Culture, institutions, and political behavior*. New York: Routledge.
- Yglesias, M. (2013). *Boehner to reid: "Go F-yourself"; why party cartels matter*. USA: Slate Magazine.