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Features

Leaving Office Feet First: Death in Congress¹

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Death is stronger than all the governments because the governments are men and men die and then death laughs: now you see 'em, now you don't.

—Carl Sandburg,
“Death Snips Proud Men”

Charlie Wilson (D-TX) described his decision to retire from the U.S. House of Representatives as the best of the three options open to him: “To get defeated, to get carried out feet first, or to . . . start another life” (Gerhart and Groer 1995). Although much research has been undertaken on electoral defeat (Collie 1981; Ferejohn 1977; Jacobson 1992; Mann 1978) and voluntary retirement (Gilmour and Rothstein 1996; Groseclose and Krehbiel 1994; Hall and Van Houweling 1995; Hibbing 1982; Kiewit and Zeng 1993; Schansberg 1994), research on death is still in its infancy. Indeed, rather than staring death in the face, political scientists have buried the issue. In one recent study, for example, mortality is treated as a form of retirement:

Members of the House leave for a number of reasons, most prominent among them being electoral defeat and retirement. Other avenues of departure include death and expulsion. . . . Simplifying somewhat, we categorize all departures as either the result of electoral defeat or the result of ‘retirement’ (Gilmour and Rothstein 1996, 56).

Of course, some deaths—suicides—are voluntary. However, although many members of Congress die in office, suicide is extremely rare.² Accordingly, we caution against treating death as a form of retirement. Otherwise, members of Congress must be presumed to engage in such im-

plausible calculations as the following: “Let’s see now. How shall I spend the next few years? I suppose I’ll run for re-election. But maybe I should retire so I can spend more time playing golf. Or, since I’m thinking of retiring, why don’t I just shuffle off this mortal coil, cross over Jordan’s bank to the Stygian shore, pay my debt to nature, and join the choir invisible?”

Why Study Death?

Members’ deaths have both immediate and long-term political repercussions. It was the untimely passing of 14 members, including Speaker Nicholas Longworth (R-OH), that enabled the Democrats to elect one of their own as Speaker during the 72nd Congress (1931–1933) even though the Republicans had won a majority of House seats in the 1930 elections. Besides affecting partisan control of Congress, death has proven vital to the political advancement of women. As Kincaid (1978, 96) explains, “For women aspiring to serve in Congress, the best husband has been a dead husband, most preferably one serving in Congress at the time of his demise.”

Since the first session of Congress, the roll of members who have died in office numbers 1,084. Thus, of the approximately 11,500 individuals who have served in Congress, almost one-in-ten has succumbed to the ultimate term limit—more than have forsaken the House for the Senate, resigned, been expelled, or been appointed to higher office. As a consequence, death ranks third, behind retirement and electoral defeat, as a cause of congressional departure.³

Over the years, the incidence of

death has been extremely uneven, with the Grim Reaper cutting a wide swath through some sessions while avoiding others like the plague. Whereas 29 members were struck down during the 76th Congress (1939–41), only three breathed their last during the 103rd (1993–94). These fluctuations reflect more than accidents, for only two members of the unprecedentedly lethal 76th Congress died by accident; all the others died on purpose.⁴ Graphic evidence of this variability is provided in Figure 1, in which the heavier line charts the number of deaths per Congress during the twentieth century. The long-term trend—a mounting annual death toll for the first four decades followed by a steep decline over the remainder of the century—is immediately apparent, as are numerous short-term fluctuations around it.

Till Death Do Us Part: Explanations of the Body Count

How can we explain the congressional death toll? In stark contrast to political scientists, who have been deathly silent about this issue, members of Congress have been fascinated by it.⁵ Their obsession stems in large measure from the conviction that their own days are numbered. Senator Hiram Bingham (R-CT) sounded the death knell in 1931—the very year when House members were dropping like flies, costing Republicans control of the chamber:

It is a very striking fact and one which cannot be too often called to the attention of Senators that there is no other body of this size in the

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world which has as high a death rate as this body. Out of the 96 Senators, during the past 7 or 8 years at least three have died each year, and if there is anything that can be done to cause members of this body to enjoy greater health and to prolong their lives, it seems to me that no one should object to it (*Congressional Record*, 71st Congress, 3rd session, p. 4921, February 14, 1931).⁶

By 1945, anxiety on Capitol Hill ran so high that the House convened a special closed-door hearing at which Dr. George Calver, the Capitol Physician, was the star witness. Dr. Calver did little to assuage members' intimations of mortality. "When I first came to the Capitol," he testified, "it was not uncommon to pick up a Member of Congress who had died in his office at the rate of about one a month" (1945, 64).

Job Stress

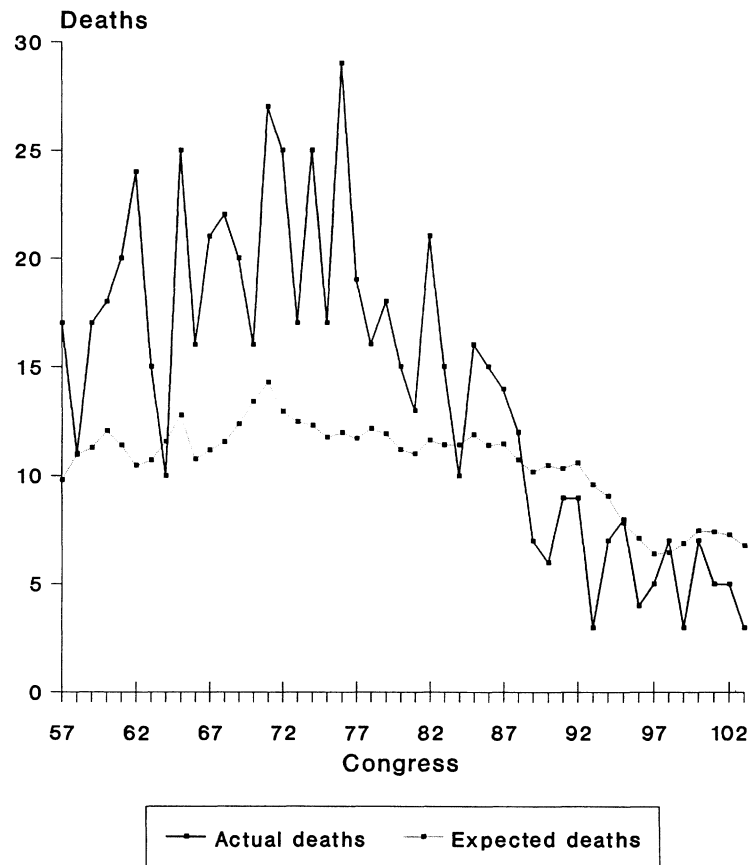
To account for the carnage, Dr. Calver pointed to the "environmental conditions" under which members of Congress operate, referring specifically to the high levels of stress they experience on a daily basis:

Taking a day's work, starting on an average of 9, and running until 7 in evening is a 10-hour day of very considerable stress and strain. . . . If, however, a man has to attend some social gathering at night, or some particular committee meeting at night, when he arrives at home and goes to bed, he is too tired to feel like getting up in the morning. . . . With all the irons which a Member of Congress has in the fire, it is difficult to see, under the present situation . . . how he gets along as well as he does (Calver 1945, 65).

Because most physical disorders, from the common cold to cancer, can be psycho-physiological (Bootzin and Acocella 1988, 199), sooner or later the high level of stress that members experience is certain to exact a physical toll. Of course, not all sessions of Congress are equally stressful. Some are frenzied, while others are dull, though presumably not deadly so. If members are keeling over due to job stress, they should be especially likely to do so when the pressure is on and more

FIGURE 1

Trends in Actual and Expected Congressional Deaths



likely to survive when the pace of legislative life is relatively relaxed.

Air Pollution

For many years, an altogether different environmental hazard—the poor quality of the air in the Capitol—posed a palpable threat to physical well-being. In 1859, within weeks after moving into a chamber fitted with a ventilation system that the *New York Herald* hailed as “the largest in the world,” senators began complaining. Senator John Parker Hale (Free Soil-NH) denounced the ventilation for turning the chamber into “the most unhealthful, uncomfortable, ill-contrived place I was ever in my life; and my health is suffering daily from the atmosphere” (*Congressional Globe*, 21 January 1859: p. 507). A decade later, Rep. John Covode (R-PA), chair of the Committee on Public Buildings and Grounds, introduced a resolution that began, “Whereas the confined

and poisonous air of the Hall and the corridors of the Representatives’ wing of the Capitol has caused much sickness and even death among the members of the House” (Brown 1970, 152).⁷ Smoking was banned in the House during the nineteenth century, but the prohibition did not filter through to the Senate until 1914, and then only after Senator Benjamin “Pitchfork Ben” Tillman (D-SC) heaped scorn on his colleagues for their slavish adherence to “the pernicious habit,” which had so mastered them “that they are nervous and miserable when they cannot get the nicotine poison that soothes their nerves” (*Congressional Record*, 9 March 1914: p. 4531):

The ventilation of this chamber is poor, as everyone knows: and when we increase its impurities by tobacco smoke, as is being done all the while, the air is never cleansed and is very unwholesome and unhealthy. Let us stop smoking in the Senate Chamber, and have the attendants open the gal-

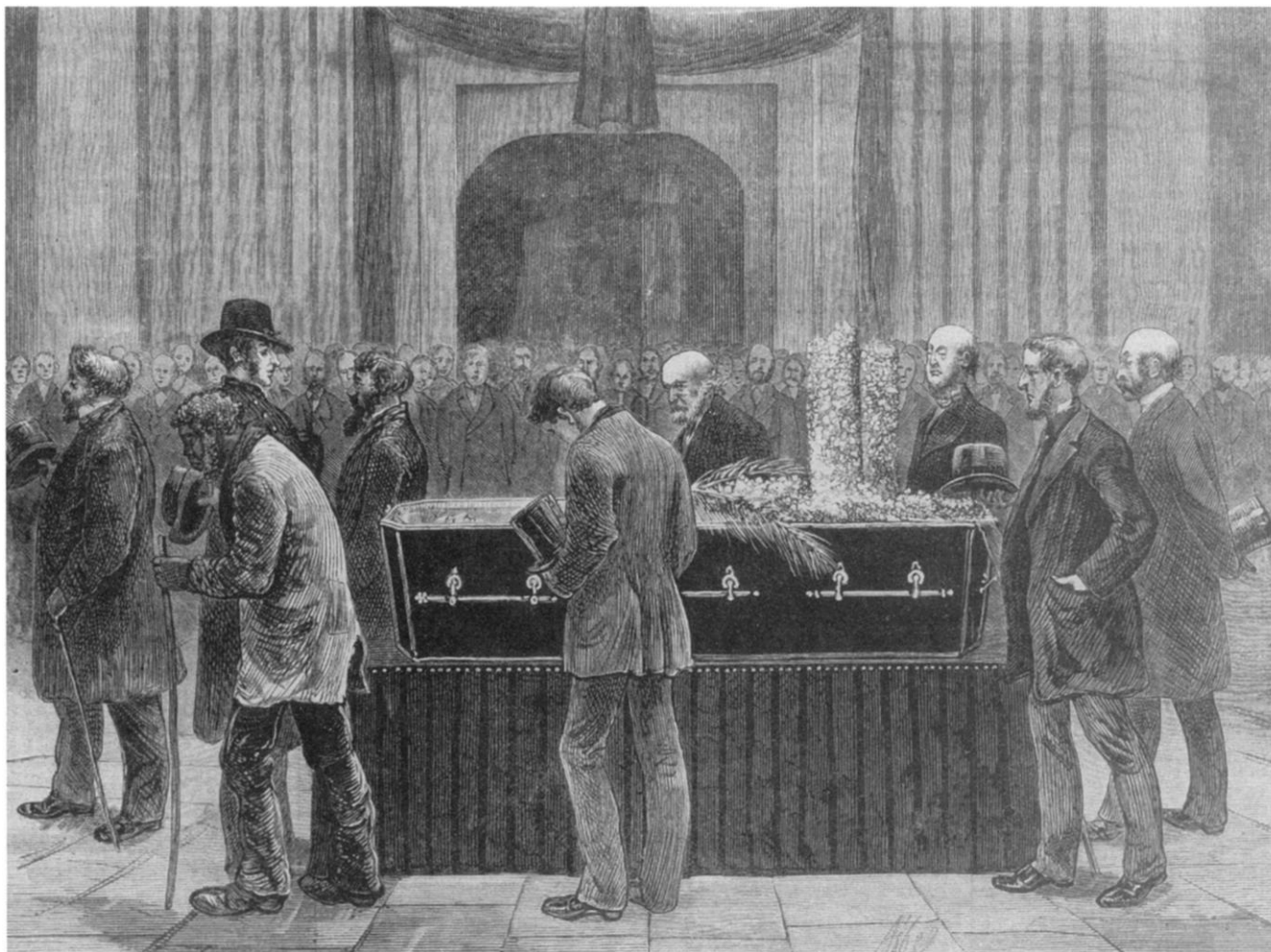


Photo Credit: U.S. Senate Collection

Senator Charles Sumner, a member of the Senate from 1851 until his death on March 11, 1874, lies in state within the U.S. Capitol. He is buried in Mt. Auburn Cemetery, Cambridge, MA.

lery doors every night . . . and have the windows leading to the open air outside opened all night so that pure air can come into the Chamber and wash it out and make it habitable and more healthy, and there will be fewer deaths among us (*Congressional Record*, 9 March 1914: p. 4532).

In a rhetorical *coup de grâce*, Tillman prophesied that a no-smoking rule would add “six to 15 years to their lives” and read aloud the names of 25 current and former senators who had died during the preceding four years.⁸

Tragically, though, the expulsion of the evil weed did not purify the Capitol air, as becomes clear in the following exchange during a 1924 Senate debate over whether to spend \$10,000 on a new ventilation system:

Senator Overman (D-NC): I know perfectly well that we ought to have

better air in this Chamber, but if what is proposed in the resolution shall be done as I understand, this beautiful Chamber will be torn to pieces.

Senator Copeland (D-NY): I wish to say the chief object of the resolution, if passed, is to prolong the life of the Senator from North Carolina.

Senator Overman (D-NC): I do not desire that my life be prolonged at an expense of \$10,000 of the taxpayers’ money (*Congressional Record*, 3 June 1924: p. 10272).⁹

Others apparently valued their lives more highly than did Overman, and in 1932 the installation of a modern ventilation system, complete with air-conditioning, brought an end to a century of congressional wailing.¹⁰ Before then, though, there seems little question that, had members been asked to account for the high

congressional body count, most would have pointed to air pollution as a primary cause.

Demography Is Destiny

Though Members of Congress—especially senators—may not perceive themselves as mere mortals, they cannot repeal the laws of nature. Older people are at greater risk of dying than younger people are, and women live longer than men. Moreover, during this century, advances in medical science and changes in lifestyle have extended life expectancy. Accordingly, long-term trends in the congressional death toll can hardly be considered apart from changes in mortality rates and in the age and gender composition of Congress.



Photo Credit: Library of Congress

Congressional Cemetery, Washington, DC.

Findings

To assess the vitality of these explanations, we fitted a model of deaths in the House and Senate during the twentieth century, beginning with the 57th Congress (1901–1903) and extending through the 103rd (1993–1994). We used the congressional workload, as measured by the mean number of bills introduced per day in a Congress, as an indicator of job stress, anticipating that the Capitol Physician’s 1945 testimony would be borne out by a positive coefficient. On the other hand, if toxic air killed members for the first third of the century, deaths should have declined significantly after the installation of the new ventilation system in 1932. Accordingly, we also included in the model a mummy variable, coded 1 to denote the improved air quality of the 73rd (1933–1935) through 103rd congresses, or 0 for earlier congresses; we expected the

coefficient for this variable to be negative. Finally, to represent broader societal trends, we calculated the “expected” number of deaths in Congress based on official estimates of age- and gender-specific mortality rates in the general population (Bureau of the Census 1960; Department of Health, Education and Welfare [Department of Health and Human Services] annual), the age and gender profile of members of Congress, and the number of members. For example, nationwide in 1990 there were 35.7 deaths per 1,000 males between the ages of 55 and 65, and 20.1 per 1,000 females in the same age bracket; that year, 10.6% of the male members of Congress and 9.4% of the women were between 55 and 65; and 5.6% of all the members were women. By combining age- and gender-specific mortality data for the general population with data on the age and gender

composition of Congress, then correcting for changes in the size of Congress, we derived an estimate of the number of congressional deaths expected if, controlling for gender and age differences, members died at the same rate as their constituents.

The lighter line in Figure 1 superimposes the expected number of deaths over the actual body count. It takes only a glance at the two lines to confirm the fears that members so often expressed during the first half of the century were well-grounded. With only one exception, in each Congress from the 57th through the 83rd, more members—often *many* more members—died than would have been forecast from actuarial tables. For example, the 29 members of the 76th Congress who fell into the sleep which knows no waking greatly outnumbered the expected 12. More generally, during those years a stiff toll of 18.9 members

TABLE 1.
Summary of Poisson Regression Model of Congressional Deaths

Predictor	Estimate	Std. error	t-statistic
Constant	.296	.329	.899
Expected deaths based on the gender-specific age composition of Congress	.233	.026	9.040**
Ventilation/air-conditioning system (0 = pre-installation, 1 = post-installation)	-.209	.107	-1.960*
Bills considered per day	-.002	.002	-.962

*p < .05 (one-tailed). **p < .001 (one-tailed). Poisson log-likelihood = -129.8. $\chi^2 = 55.1$. N = 47.

died per Congress, far in excess of the expected 11.7. Thereafter, congressional mortality declined sharply, both in absolute terms and relative to expectations. Indeed, in recent years the actual count has been about three corpses (hence six feet) below the expected number.

Figure 1 also establishes a broad correspondence between deaths in Congress and in the body politic, for actual deaths have followed the same general course as expected deaths—albeit with more extreme swings and fluctuations. The number of members who breathed their last during a given Congress has been closely tied to the expected number ($r = .792$).

To test the three explanations advanced earlier—and possibly lay them to rest—we estimated a Poisson regression model of the number of deaths per Congress (King 1989). As Table 1 indicates, the number of deaths expected on the basis of the age-gender profile of Congress dominates the model. This simply means that if we know how many men and women in each age cohort of the general public went the way of all flesh during a given period, we will have a very good idea of how many members of Congress began their eternal rest during the same period.

Contrary to the testimony of the Capitol Physician, job stress (at least as measured by the number of bills introduced per day in a given Congress) has not significantly affected the congressional death toll.¹¹ However, the significant negative coefficient for the ventilation/air-conditioning system dummy variable establishes the installation of the new ventilation and air-conditioning system as a real life-saver. How many members have been spared by

this marvel of modern engineering? A reasonable estimate is approximately three members per Congress.¹² Unfortunately, we cannot say *which* three.

Post-Mortem

The data we have dug up, even in skeletal overview, promise to breathe new life into a field long moribund. What remains, so to speak, is to provide some grounding for this body of evidence.

Members of Congress are well insulated from the rigors of real life. Staffers cater to their every need. The members are showered with bountiful perquisites of office. However, these perquisites do not include immunity to the maladies that annually dispatch hundreds of thousands of Americans to the Great Beyond. To be sure, when a member of Congress dies in office, it is news.¹³ But even though a particular death may be unexpected, death in the aggregate is routine. Congress is composed disproportionately of older men, and when older men lie down to take a nap, they sometimes remain horizontal. What warrants special note, however, is not that so many members of Congress die, but rather that for the last three decades congressional deaths have consistently fallen below actuarial expectations. Whereas members once bemoaned that the job was killing them, it now seems more appropriate to point to congressional pampering as the main reason why members live longer than expected.

For the most part, death in Congress reflects forces beyond the control of the members—but not entirely. After decades of deadlock

about whether to install a new ventilation system, the 72nd Congress finally acted. The effects were not instantaneous, for the deadliest Congress of all was the 76th; but this delayed reaction simply means that it took a few years for those enfeebled by the malignant Capitol air to die off. As they were replaced by hardy new members working in a purified atmosphere, the body count plummeted. Accordingly, we think there is at least a ghost of a chance that Polsby (1981, 30) is correct when he argues that the advent of air-conditioning in the 1930s and 1940s may have had no less momentous an impact on political life (and death) in the nation's capital than the massive changes the city underwent during the 1960s and 1970s—racial desegregation, home rule, and rapid population growth.

More generally, we have established that it is possible to forecast with considerable accuracy how many members of Congress will die in office. Although it may strike some as ghoulish, the next logical step is to begin developing and testing predictive models of which members will die. An answer to this grave question will require much digging.

Notes

1. We gratefully acknowledge the encouragement of Keith Krehbiel, and the comments of Chris Deering, Carol Sigelman, and Paul Wahlbeck. Maltzman also acknowledges the assistance of the American Political Science Association Congressional Fellowship Program.

2. According to the most reliable estimate available, eight members of Congress have committed suicide (Eisele 1995). Amer (1989) reported only seven, but the 1925 suicide of Senator Joseph McCormick (R-IL), who overdosed on barbiturates, was subsequently made public (Miller 1992). Senator Lester Hunt (D-WY) is the only member to have killed himself in the Russell Office Building. He did so after supporters of Senator Joseph McCarthy (R-WI) threatened to publicize the arrest of Hunt's son for committing homosexual acts in a Washington park unless Hunt withdrew from his 1954 re-election campaign—an incident that provided the inspiration for Allen Drury's (1959) novel *Advise and Consent*.

3. These figures and those reported below are from ICPSR and McKibbin (1993), the main data source for the present study. We alone are responsible for the findings and interpretations presented here.

4. Those two members were Representative George Heinke (R-NE), who was killed in an auto accident, and Senator Ernest Lun-

deen (R-SD), who died in an airplane crash. Heinke and Lundeen were two of many members to die in transportation-related accidents: by 1994, 17 died in airplane accidents, 11 in auto accidents, two in train mishaps, and two in steamboat explosions. Of the rest, many were assassinated, but only one (Rep. Jonathan Cilley, D-ME) died at the hands of a fellow member (William Graves, Whig-KY). Inter-branch relations have not always been so serene. For example, Senator David Broderick (D-CA) was mortally wounded in a duel with David Terry, Chief Justice of the California Supreme Court. For an extensive listing of members felled by unnatural causes, see Amer (1989); for more detailed discussions, see Kahn (1995) and Eisele (1995).

5. Elaborate rules cover virtually every conceivable legislative aspect of the death of a sitting or former member, including the form and timing of the resolution of regret, the suspension of business for memorial services, and even the placement of floral arrangements on the desk of the recently departed member (Riddick and Frumin 1992). The cemetery founded by Congress bears living testimony to this obsession, although one need not be a member of Congress to be buried there and only 70 of the 60,000 interred in the cemetery are former members. Many other members, including former Majority Leader Hale Boggs (D-LA), Speaker Tip O'Neill (D-MA), and almost every member who died before 1870, are memorialized, but not buried, there (Burger 1995). Congress no longer contributes to the maintenance of the cemetery, which now relies on funds from the sale of the remaining plots and from fees area dog owners pay to walk their dog on cemetery grounds (\$100 for the first dog and \$5 for every dog thereafter). Currently about 125 dogs are enrolled.

6. Senator James Thomas Heflin (D-AL) exclaimed in exasperation, "If this is such an unhealthy place, so dangerous to the physical well-being of senators, is it not exceedingly strange that in generation after generation so many men will exert themselves to get elected to a place where . . . death stands threatening them all the time?" (*Congressional Record*, 71st Congress, 3rd session, February 14, 1931: 4923–4924). Heflin's "generation after generation" reference proved prescient: Senator Howell Heflin (D-AL) is his nephew.

7. Covode's mortal fears were well grounded. He died in office on January 11, 1871.

8. It is perhaps not unduly cynical to question the sincerity of Tillman's concern for the well-being of his colleagues. In 1902, he was censured by the Senate for physically assaulting another Senator on the floor. He died in office on July 3, 1918, and is interred in the Ebenezer Cemetery in Trenton, SC.

9. Copeland knew whereof he spoke: a physician, he was the author of *Dr. Copeland's Home Medical Book* (U.S. Senate 1945). Unfortunately, he was living proof that Members of Congress do not live by air quality alone, for he died in office in 1938, six years after a new ventilation system, with air-conditioning, was installed.

10. The new system also reduced the need for periodic testing of air quality in the Cap-

itol; on this point, the classic reference is, of course, "Air Tests in the Capitol" (1914).

11. The poor performance of this variable may reflect strategic behavior by members who, late in a session, recognize that if they file another bill, someone will have to make the supreme sacrifice. The Capitol Physician pointed to two other aspects of serving in Congress as stress-inducing: "glad-handing," or "the attention [a member] receives from well-wishers, which really is a handicap"; and concern about financial well-being (Calver 1945, 63). "Glad-handing" was a euphemism for overindulgence in rich foods and alcoholic libations:

Perhaps the greatest physical handicap under which a Congressman is placed is the necessity of entertaining and being entertained by political well-wishers. The old expression that the way to a man's heart is through his stomach is practiced by many of these persons who think that by serving a particularly rich and over-delicious meal, they are doing the Congressman a great favor. Actually, all they are doing is loading up his metabolic furnace with fuel which he is not able to consume, and because of that he develops what we call a high blood fat which is a predisposing cause in the opinion of great many physicians of the condition which we call arteriosclerosis (Calver 1945, 64).

Lacking time-series data on congressional gluttony and drunkenness, we could not incorporate this factor in the model. In preliminary statistical spadework, we did include a measure of congressional salaries, expressed in constant dollars, as a rough index of financial pressure. After determining that this variable added nothing to the predictive power of the model, we dropped it from consideration.

12. This estimate follows from the standard method of interpreting coefficients in a Poisson regression model, which involves multiplying the coefficient by the mean of the dependent variable (King 1989). In this instance, $-.209 \times 13.8 = -2.88$.

13. It is also an occasion for the bipartisan "Flower Fund" to spring into action. If the deceased served on the House Appropriations Committee, the Flower Fund is used to buy flowers to honor the member—assuming that the fund is solvent. At the start of 1996, even though no member had died in the previous year, the fund was broke (Winneker 1996).

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The Impact of Term Limits on Legislative Behavior: An Examination of a Transitional Legislature

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Twenty-two states have established state legislative term limits since 1990 and several others are considering similar action. Legislative term limits, intended to force a continuous turnover in a legislature's membership, can produce a number of consequences seldom considered in the voluminous rhetorical literature on the subject. Several unanticipated ramifications have occurred in California's political system, for instance, since its adoption of term limits. California's experience suggests that term limits can influence legislators' early retirement rates, as well as the incidence of special elections, and can also produce alternative legislator career paths.

While there is an abundance of conflicting rhetoric surrounding the issue, there is a paucity of empirical research to support the various contentions. Term limit advocates use only theoretical arguments to support their claims that restricting tenure of office makes legislators more sensitive to constituent desires and thus more reflective of public opinion (Jacob 1994). Historical references, but no empirical evidence, serve term limit proponents who suggest that limited incumbent time in office makes legislative bodies

more deliberative (Will 1994). Term limit opponents similarly utilize only speculation when arguing that limited tenure of office handicaps effective governing (Cain 1994) and decreases needed policy-making expertise (Eastland 1993; Kesler 1994). None of these claims are supported by reliable, empirically verified data.

There also has been little systematic empirical analysis of the impact term limits have had on legislator behavior in any of the twenty-two states where they have been adopted. The limited preliminary analysis primarily examines only the reasons for public support for limiting officeholder tenure (Boeckelman 1994). Thompson and Moncrief (1993), however, in a structurally focused study that examined the retention rates of minority and non-minority legislators, suggest that term limits will create open legislative seats and improve the election opportunities for women and minorities. Moreover, Hibbing (1991) used a longitudinal approach to illustrate that more time in office increases legislative efficiency, but decreases attention to district affairs.

These studies, though valuable, are still only speculative. They make

no attempt to systematically observe and document transitional institutional conditions caused by term limits, nor do they make any substantiated analysis of alterations in legislator behavior caused by imposed tenure restrictions. The lack of comprehensive research on term limits is not surprising since limits are a recent innovation and their impact has yet to fully manifest. The three states that originally enacted legislative term limits, Oklahoma, Colorado, and California, did so in 1990, and they have yet to officially force any state legislators out of office. The situation in California, however, suggests that conditions are now propitious for fruitful research.

California's Experience with Term Limits

The 1994 state election completed the initial election cycle under term limits in California. This election cycle consists of all elections in which incumbent legislators who held office during the original enactment of term limits can legally seek reelection. Oklahoma and Colorado, the other two states that originally imposed term limits, gave their in-