

CONSTITUENT OPINION AND CONGRESSIONAL
LEADERSHIP: LETTERS TO MAJORITY LEADER CARL
ALBERT ON CIVIL RIGHTS 1963-64

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This article tests whether citizen opinions on a contested issue are affected by the issue position of their member of Congress. A highly-popular and visible incumbent, then-House Majority Leader Carl Albert was a strong supporter of the legislation that became the 1964 Civil Rights Act, despite coming from an unsupportive area. Letters mailed from Albert's district are strongly opposed to Civil Rights, in similar frequency and content to both other parts of Oklahoma and the South generally. This finding demonstrates the limited effect of legislator issue positioning on constituent attitudes.

INTRODUCTION

Carl Albert (D-OK) was at the heart of the liberal coalition that passed the landmark 1964 Civil Rights Act. As House Majority Leader, he helped steer the bill past procedural obstacles, and voted for the both the initial House bill and the compromise bill that emerged from the Senate. This strong support ran counter to common views back home in his rural southeastern Oklahoma district. One Oklahoman wrote to Albert about this disjuncture, but predicted Albert's position would be unaffected by his controversial stand:

If the Job Accommodations bill be enacted into law, I can imagine the reaction in Little Dixie. What's going to happen in towns like Durant, Hugo, etc.? But, as the Democratic whip of Congress, you are faced with the problem of supporting the President's program which is certain to be unfavorable to Oklahoma. Notwithstanding that fact, I am certain your reelection is certain.¹

This Oklahoma City resident's prediction came true, as Albert was unopposed for nomination and won 79 percent in the general election of 1964, and was never seriously electorally challenged on his rise to the Speakership in 1970. Even though 84 percent of Albert's constituent mail was opposed to nondiscrimination legislation, he was electorally invulnerable.

This disjuncture between a popular, high-profile and successful incumbent and his constituents' issue positions provides an opportunity to explore the relationship between elected and electorate. This article attempts to answer two questions about the relationship between legislators and the issue positions of their constituents. First, are residents of a given member's district more likely to agree with him or her on divisive issues as citizens from similar areas? Second, are there

¹ Letter to Carl Albert from Oklahoma City resident, July 18, 1963, Carl Albert Papers (hereafter CA), Carl Albert Center, Norman, Oklahoma.

evident differences in argumentative content between a member's constituents and other citizens, when the member has a clear and counter-majoritarian position? Letters sent to Carl Albert help to answer these questions and demonstrate the limitations of a member's effect on his or her constituents' issue positions. I hypothesize that Albert's constituents will be more supportive of Civil Rights than citizens from similar areas.

I use archival data from the Carl Albert Papers to serve as indicator of "motivated public opinion" on Civil Rights legislation in 1963 and 1964.² Albert's local and national prominence led to a large amount of correspondence, both from his southeast Oklahoma constituents and others from across the state and country. If Albert's issue position was attracting his constituents to his support of Civil Rights, we would expect them to be more supportive of nondiscrimination legislation. As discussed below, the similarity of the opinions of his constituents with those out of his district indicates that legislators do not have a significant effect on district opinion.

CONSTITUENTS, LEGISLATORS AND ISSUE POSITIONS

Students of the U.S. Congress have long been concerned with how citizens evaluate their member of Congress, and the sources of those evaluations. In answering the question posed by Richard Fenno in 1975 that if citizens negatively evaluate Congress, "How come we love our Congressmen so much?", political scientists, notably Parker and Davidson (1979), have pointed to the different sources of the two evaluations. Congress as an institution is evaluated on policy matters and policy effectiveness, while individual members are judged by "constituent service and personal characteristics." Constituent service, along with perquisites like franked mail, have been cited as the sources of increased incumbent advantage (Fiorina 1977). This bifurcation of constituent evaluation benefits incumbents, particularly in periods like the present where Congress is perceived extraordinarily negatively.

² The author thanks the Carl Albert Congressional Research and Studies Center for a generous research grant supporting this project, and for preserving and making available the archival records discussed in this article.

Members of the House and Senate can overcome negative evaluations of their institution through their personal connection with voters.

But can the positive personal connection between a member and his or her constituents mitigate negative evaluations of Congress's work, along with protecting members from the effects of negative evaluations of Congress? Such a relationship is clearly relevant in the light of recent survey-based research by Ansolabehere and Jones (2010) that argues the voters have clear preferences on major issues, and that these preferences drive vote choice. This article explores whether there is a causal connection between the evaluation of an individual member and the opinions of his or her constituents on a given policy issue. If a given legislator's position is different than the majority of her constituents, can she bring them in her direction? Born (1990), confirmed by Hibbing the Theiss-Morse (1995), found that support for Congress, although substantially lower, is affected by support for individual members by their constituents. This article examines whether constituent opinion on a given controversial issue, in this case Civil Rights, is affected by the issue position of their member of Congress.

The relationship between Carl Albert and his constituents provides an opportunity to examine whether there is causal significance between a member's issue positions and those of his constituents. Albert was never seriously challenged for reelection, and achieved national and local prominence due to his rise to congressional leadership. By 1963 he presented a clear and strong pro-Civil Rights position, having voted for the 1957 Civil Rights Act and in 1961-62 led the push for President Kennedy's proposal to extend the Civil Rights Commission created in the 1957 law (Albert 274-75). Albert was a visible part of a Democratic congressional leadership that had by the early 1960s become fully committed, at least rhetorically, to nondiscrimination legislation. An issue like Civil Rights, where his position ran counter to prevailing opinion in his region, provides an opportunity to examine whether a legislator can measurably affect the issue positions of his constituents. If Carl Albert was unable to pull residents of Southeast Oklahoma to his position, then likely no legislator could.

In attempting to determine why constituents often rate their member as "the best Congressman in the United States," Fenno conceptualizes the policy demands of constituents as easily met for most legislators:

On the policy side, we ask only that his general policy stance does not get too frequently out of line with ours. And, if he should become a national leader in some policy area of interest to us, so much the better (Fenno 278).

But what if a legislator has been able to, as Fenno writes, “display a sense of identity with us,” and has become a national leader, but has gotten “out of line” with constituent opinion? Can he bring his constituents some of the way toward his position? If so then the roles of delegate and trustee, which usually organize scholarship and teaching about legislators, might interact in a manner that benefits a given member and the issues he or she supports.

DATA AND METHODS

Albert’s status in the House leadership, and occasional appearance on national media programs like NBC’s Meet the Press, stimulated a greater amount (874 total) and wider geographic spread of correspondence than most House members. Letters in this study were gathered from the Carl Albert Papers at the Carl Albert Center for Legislative Research in Norman, OK. They were sent to his Washington, D.C. office in 1963 and 1964, and retained by his staff. Some, mostly from residents of the 13 counties located in his 3rd district, received responses sent over the signature of the congressman. Likely for this reason, letters were sorted into in-district, out-of-district Oklahoma, and out-of-state groups. This sorting was mostly correct, with occasional letters in the incorrect Oklahoma category. I checked the return address on letters or envelopes to confirm which category a given letter belonged.

It is not possible to know if these letters constitute the sum total of incoming correspondence about Civil Rights legislation during the 88th Congress. They were filed by Albert’s staff in folders labeled “Civil Rights,” and preserved by archival staff in the 1970s. All geographic letter groups under review – in-district, other Oklahoma, out-of-state, - contain letters both supporting and opposing nondiscrimination

legislation. This indicates that there were not files of letters sorted by support or opposition that were discarded, or that the office only kept supportive letters. Also all groups contain letters sent from all months from the spring of 1963 through the summer of 1964, indicating that there were not files sorted by date that were discarded. The analysis presented below must be understood in the context of possible selection bias at the point of receipt and in preservation.

The more significant selection bias inherent in this kind of data comes from the decision to write a letter to a member of Congress. Letter writers are likely not representative of a given geographic population. They are likely to be more interested in politics, greater news consumers, and more extreme in their views than the average citizen. They also are more likely to have a personal relationship with the congressman, and to be literate.

These selection bias limitations of constituent letter data are, at least for this inquiry, outweighed by their advantages. Taeku Lee (2002) has argued that letters sent to government officials can provide a more accurate measure of public opinion than polls, as survey methods can stimulate non-attitudes. This data has two clear advantages over survey data in assessing the effect of member positioning on legislation like the 1964 Civil Rights Act. First, issue polling in the time period is rare and mainly confined to national samples (see Page and Shapiro 1992), and thus unable to speak to the interaction between particular legislators and their constituents. Also, letters provide argumentative content, illuminating the sources of citizen opinions. Letters to Albert not only express support or opposition to Civil Rights, but the reasons for those positions. While the letters analyzed below are not a representative sample of public opinion on race in 1963-64, they are the best available measure of “motivated public opinion.” Little about a letter writer is discernible from these archival records, except argumentative content and residential location. This article uses those two variables to examine the legislator-constituent relationship on the issue of Civil Rights.

All letters were coded for Support or Opposition to Civil Rights legislation. I only included letters where support or opposition to Congressional action was clear from the text. I did not include letters that expressed an opinion but did not express support or opposition, although these were few in number. I did not include letters asking for

a copy of legislation, unless the request was part of a larger argument for or against legislation. I counted a letter as commenting on legislation if the writer mentioned a bill number, a proper or informal name for a specific bill, or referencing action by Congress. Letters that specifically called for action on school desegregation or limitation of the power of the Supreme Court were not included, although these were also few in number.

All letters analyzed in this article were coded for their general stance toward Civil Rights legislation, and five common argumentative types: Property Rights, Constitutional, Communist/Socialist, Totalitarian, and White Supremacist/Racist. Many letters used more than one type, and the many used none. Some letters merely called for support or opposition to legislation, and others had argumentative content that did not fit into my typology.³ I define and discuss each type below with evidence from the Albert collection

ANALYSIS OF CONSTITUENT CORRESPONDENCE

If Carl Albert's support of Civil Rights positively influenced the views of his constituents, they would show more support for nondiscrimination legislation than similar citizens who did not have a positive and meaningful connection with him. Such an attractive effect is not evident in letters sent to Albert, as 84 percent (196/234) opposed Civil Rights legislation.

Before comparing letters from Albert's constituents to those from other areas, it is helpful to establish that letters from his constituents are not somehow divergent because of his unique characteristics. The incoming correspondence of Tom Steed (D-OK), also held at the Carl Albert Center, provides a useful point of comparison. His 4th district bordered Albert's 3rd to the north, and he was also part of the moderate-to-conservative part of the House Democratic caucus. Steed, like Albert, voted for the 1964 Civil Rights Act. The small collection of letters preserved in his papers is 80 percent (88/110)

³ Most letters that did not use one of the four argumentative types expressed only support or opposition to legislation, and little in the way of reasoning or supporting statements.

opposed to Civil Rights,⁴ a similar percentage to Albert. This provides some indication that Albert's district is not an outlier because of his status in leadership or other personal characteristics.⁵

Incoming issue mail from Carl Albert's papers presents two points of comparison with similar populations. If the connection between the pro-Civil Rights Albert and his constituents was drawing them toward his position, then their views on nondiscrimination legislation should be more supportive than similar groups. Letters-writers from the rest of Oklahoma are a similar group, as are writers from other Southern states.⁶ If Albert had a unique effect on his constituents, then they should be more supportive of Civil Rights than the comparison groups.⁷

Table 1 shows that the three groups present nearly identical low levels of support for Civil Rights legislation. The small number of letters, particular from the South,⁸ limits the conclusions that can be drawn

⁴ Tom Steed Papers, Carl Albert Center, Civil Rights Files.

⁵ The archives of other Oklahoma congressmen from the 88th Congress do not provide points of comparison. One (Page Belcher) was an anti-Civil Rights Republican. Of the other three Democratic collections, two do not contain correspondence and one is currently unprocessed. The collections of neighboring members in Arkansas and Texas do not contain correspondence.

⁶ Scholars of Southern politics differ on the definition of the region, varying from only the 11 former confederate states to 16 by including all states where slavery was legal before the Civil War. I am here using a 13-state South, including the confederate 11 plus Oklahoma and Kentucky. Placing Oklahoma in a different region like the Midwest would not serve the purpose of this article, as other regions would be much more supportive of Civil Rights.

⁷ The hypothesized effect would come from Albert's general effect on constituent opinion, not a specific effect from his outgoing correspondence. Most of his responses to constituent letters state where the bill sits in the legislative process (i.e. House Judiciary Committee, Senate consideration) and express Albert's willingness to take account of the opinions presented in the given letter.

⁸ The small sample of letters to Albert from Southerners is consistent with three other available Southern collections I have analyzed. Opposition is dominant in Civil Rights mail to Sen. William Fulbright of Arkansas (90 percent), and House members Hale Boggs of Louisiana (80 percent) and Jim Wright of Texas (86 percent). The relative frequency of argumentative types is also similar to the Southern letters to Albert.

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from this data, but they are suggestive of a lack of legislator opinion leadership. I performed a Chi-square test, with a p-value of .90 far from statistical significance (see Table 2).

Table 1
Support and Opposition to Civil Rights, Constituent Letters

	Total	For	Against	% Against
OK-3 Albert Constituents	234	38	196	84%
Other Oklahoma	276	41	235	85%
Out-of-State Total	364	270	94	26%
South (non- OK)	61	10	51	80%
OK-4 (to Steed)	110	22	88	80%

Table 2
Expected Values, Letters to Carl Albert, Support for Civil Rights

	OK-3: Albert Constituents	Other Oklahoma	South (Non- Oklahoma)	Total
For	36.5	43.0	9.5	89
Against	197.5	233.0	51.5	482
Total	234	276	61	571

p-value: .8966

Albert's strong pro-integration stance was at odds with his constituents, although in line with the majority and direction of the caucus he would later lead as Speaker. Albert's legislative assistant, Charles Ward,

discussed the divergence of Albert's position and constituency in an April 21, 1964 letter to a constituent supportive of nondiscrimination legislation:

Carl was sure that if he had drawn a respectable Democratic opponent who had made civil rights an issue, he might well have been defeated this go-round. I feel that the fact no Democrat chose to file against him is testimony enough for his record as a Congressman. I don't believe this means that most of the people he represents agree with his stand on civil rights, however; I think it is just that they feel he was a valuable Congressman to them despite this.⁹

Ward is echoing Albert's exaggerated fear of reelection loss, which was often noticed by his legislative colleagues.¹⁰ The relationship between his views and his constituents, however, did not bring them into convergence on this issue.

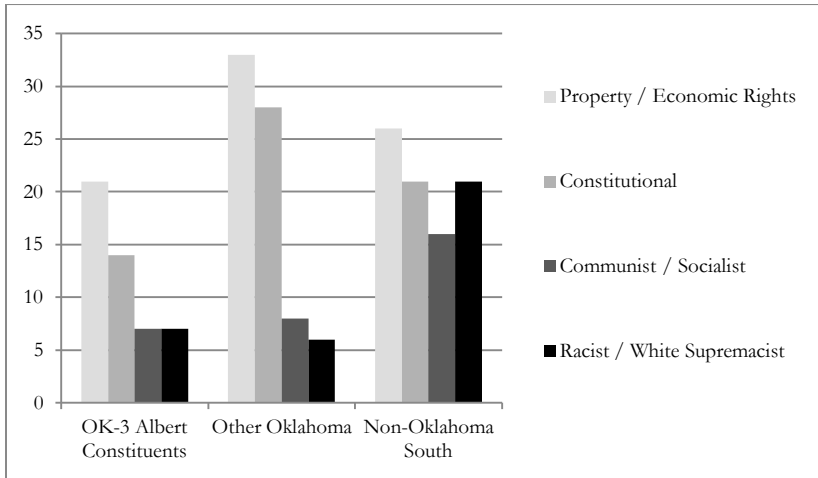
The argumentative content of letters from Albert's constituents was also similar to the comparison groups. The most common argumentative type in all three groups was Property and Economic Rights, with Racist and White Supremacist least common (see Figure 1).

⁹ CA Papers, Legislative Files, Civil Rights Files.

¹⁰ In his co-authored autobiography *Little Giant* (181-183) Albert recounts how he was regarded by his colleagues as excessively concerned with reelection in a safe district, even worrying that running that opposed would endanger him two years later because his voters would forget that they supported him. Albert's thinking is a particularly extreme example of the phenomenon Anthony King discusses in *Running Scared*.

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Figure 1
Frequency of Argumentative Frames (in percent)



Note: OK-3 Albert Constituents: N = 234
 Other Oklahoma: N = 276
 Non-Oklahoma South: N = 61

The relative frequency of all four types is roughly similar across all three groups, with the small sample size limiting any conclusions about variance. Table 3 presents expected values from a Chi-square test of all uses of the four argumentative types. The p-value of .04 indicates a barely-significant relationship between location and argumentative frame, with Non-Oklahoma Southern use of White Supremacist/Racist argumentation providing most of the significance. This likely reflects a difference of rhetorical patterns in the Deep and Peripheral South, and is not clear evidence of an attractive effect of Albert's pro-Civil Rights issue position.

Table 3
 Expected Values, Letters to Carl Albert by Argumentative Type

	OK-3: Albert Constituents	Other Oklahoma	South (Non- Oklahoma)	Total
Property or Economic Rights	46.42	87.59	21.00	155
Constitutional	36.53	68.94	16.52	122
Communist or Socialist	17.07	32.21	7.72	57
Racist or White Supremacist	14.97	28.26	6.77	50
	115	217	52	384

p-value: .0447

The discussion below defines and discusses four common argumentative types, with textual examples from all three groups, with attention to argument presented in opposition to nondiscrimination legislation. The small number of supportive letters mostly stated general support for legislation, or praised Albert's vote for the bill in 1964.

Property and Economic Rights was the most common type of argument in all three groups. A letter received this code if the writer argued explicitly that legislation was eliminating property rights, or the rights of property owners. I also included letters that argued that legislation took away the right of owners to make decisions involving their property. Some letters in this category also made reference to specific examples, like defending the ability of an owner of a house to rent a room to a person of their choosing. An Albert correspondent from Idabel, in his district, wrote on June 28, 1963 that "it would be a

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violation of the civil rights of private business men for any branch of the government, whether it be local, state or federal, to be allowed to tell them who they must sell or serve and who they must hire as employees.”

This classification of nondiscrimination legislation as infringing on the individual rights of citizens was common in all three groups. A Bartlesville, Oklahoma resident, from outside Albert’s district, wrote on June 27, 1963 of the conflict between federal legislation and his understanding of core American values:

President Kennedy’s proposed Civil Rights program will deprive men of their individual liberty. These proposed laws will give the government the power to dictate to a man owning a hotel, store, theatre, restaurant, or other place or private business. An American citizen owning a business certainly should have the right to discriminate against who he should serve, and to choose with care persons he should employ in his place of business.

Here the individual rights claims of minorities are superseded by the economic rights of business owners.

Property Rights is often presented as a universal concept at the core of American politics and society. A writer from Chicago on Dec. 15, 1963 cast his opposition to the bill in such universalistic terms: “We do not want this so called Civil Rights – which would rob us all of our rights. The rights of private and personal property and business is one of man’s fundamental rights, colored or white.” Such criticism of nondiscrimination legislation is also often presented in pragmatic terms, as limited the economic potential of the nation by government regulation.

Constitutional is the second most common argumentative type, and often appears in the same letter as a property or economic rights argument. A lengthy passage from an Albert constituent from

Healdton, Oklahoma on June 27, 1963 illustrates a common economic rights-based constitutional argument:

Forced integration of public eating places and bathing facilities, excepting city or municipal owned places, is a violation of the constitution in several ways:

1. The Federal Government has no right to tell a man or firm who they shall or shall not serve.
2. The Federal Government has no right to tell a man or firm who they shall or shall not hire.
3. If the bill on Civil Rights is passed the above will be true. The Federal Government will be able to dictate on either of the above.¹¹

In arguing that the legislation that would become the 1964 Civil Rights Act was unconstitutional, correspondents often grounded their opposition in expansive arguments about the American political system.

An Albert constituent from Ardmore, Oklahoma makes such a broad systemic argument:

We believe we have rights under our Constitution as same as anyone. The Power the bill will give the Attorney General is ridiculous and we believe the Oklahoma Delegation should stand up as great Americans and preserve our Constitution and our Rights instead of bending to a bunch of mob rule and demonstrations.¹²

Implied in this letter is the assumption that Albert, and the other two Oklahoma Democrats who voted with him, must be responding to pressure from Civil Rights demonstrations as “mob rule.” The possibility that a public official like Albert from McAlester, Oklahoma would personally support such legislation is implicitly rejected.

¹¹ CA Papers, Legislative Files, Civil Rights Files.

¹² Ibid.

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Writers to Albert from outside his district also made the connection between constitutional concerns and property rights. One Oklahoma City resident wrote on July 18, 1963 that:

Measures now being advocated by the current administration with regard to so called “Civil Rights” are incompatible with freedoms guaranteed by our United States Constitution. There are no “human rights” without property rights.¹³

This rights-based constitutional argument attempted to push Albert into seeing the Civil Rights issue as one of competing rights claims, with the right to property as a kind of primary right that trumps other rights claims.

The Cold War context of Albert’s Civil Rights mail is also evident, with nondiscrimination legislation often cast as a communist plot, or as moving the country toward communism or socialism. I code a letter as using a Communist or Socialist argumentative type if they specifically mention either ideology, or claim that proposed legislation will make the country like Russia or the Soviet Union. Letter writers usually used both words interchangeably, not differentiating between the two.

An Albert constituent from McAlester, Oklahoma wrote on Aug. 28, 1963 that “present Civil Rights bills will certainly drive us to a more complete socialistic government – it further removes the rights of business men and must be stopped.”¹⁴ This identification of the Civil Rights Act with socialism echoes the 1964 presidential campaign of Republican Barry Goldwater the next year. This connection between proposed legislation and the Soviet threat also appeared in letters to Albert from outside his district. One resident of Greenville, Mississippi wrote on June 21, 1963 that:

¹³ Ibid.

¹⁴ Ibid.

One of the basic differences between communism and socialism, on the one hand, and the free enterprise system on the other hand, is the right of the individual under the free enterprise system to own and use property for his own purposes, according to his own needs and desires and without under governmental interference.¹⁵

This argument did not stop politicians with long anti-communist histories like Albert, President Johnson or Senate Minority Leader Everett Dirksen from supporting nondiscrimination legislation, but it did win the allegiance of some who wrote to Albert.

One interesting finding from Albert's Civil Rights correspondence is the relative rarity of White Supremacist or Racist arguments. This kind of argument was much less common in the 3rd district and other Oklahoma groups, and but more common in the Southern group. I coded a letter as using this argumentative type if the writer argued that non-whites are inferior to whites, that non-whites have particular negative characteristics, or if the writer argued specifically for racial segregation.

These rarely-expressed explicitly racist arguments often defended the position of white Americans, and expressed fear that integration would lead to the breakdown of racial categories. Assuming that Albert understood Civil Rights from a racialist perspective, one Albert constituent from Antlers argued on Aug. 27, 1963: "but you know and I know that integration would lead eventually to race suicide, the obliteration of the white race as such."¹⁶ While relatively rare in Oklahoma letters to Albert, some writers did ground their opposition to Civil Rights in explicitly racial terms, like this Oklahoma City correspondent writing July 3, 1963:

¹⁵ Ibid.

¹⁶ Ibid.

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Tests have proven that the majority of negroes are not on a mental par with white people and all the legislation in the world won't change this fact. To encourage negroes to live in white neighborhoods would cause even more hatred and would endanger the welfare of the white people.¹⁷

Such explicitly racist argument is relatively rare in both Oklahoma groups (7 percent in the 3rd district and 6 percent from the rest of the state), its frequency rises to 21 percent in the Southern group. This might be an effect of greater Southern opposition to Civil Rights (see Page and Shapiro 1992) or an artifact of the small sample size.

CONCLUSION

Qualitative and limited quantitative analysis of letters sent to Carl Albert about Civil Rights in 1963-64 does not yield support for the expectation that Albert's constituents would be more likely to agree with his issue position than similar non-constituents. The kinds of argument presented by his constituents are similar to those from other parts of Oklahoma and the South, with Property and Economic Rights the most common argumentative type. The limited sample size and the selection biases inherent in the data source, make these findings only suggestive of a particular understanding of the legislator-constituent relationship. But that relationship is, at least in Albert's incoming correspondence, one in which a given member's causal role in public opinion is limited.

This lack of measurable effect also might arise from the nature of the issue under review. The strength of public opposition among white in Oklahoma and the South more broadly might mitigate any effect even a popular and prominent legislator like Carl Albert might have. The connection of Civil Rights with Presidents Kennedy and Johnson might also overwhelm and effect of Albert's position. But if a legislator-specific exists, it theoretically would be most evident in letters sent

¹⁷ Ibid.

directly to a particular legislator. The similarity of mail from Albert's constituents to other citizens from similar regions indicates that opinion on controversial issues like Civil Rights is driven by factors beyond their member of Congress.

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