

# Chapter 1

## Advertising, Credit Claiming, Position Taking, and *Executive Insults*

The foundation of democratic government is a connection between citizens and their elected legislators. Legislators have strong incentives to maintain and bolster connections with constituents. Those in government may have the ability to shape policy, but the source of power remains with the people. Constituents influence legislators by communicating their desires in person, by letter, by phone, by email, and by social media. People donate money, sign petitions, join demonstrations, volunteer, and ultimately vote for candidates. Yet the relationship between citizens and legislators is not simply a one-way path of translating citizen preferences into government policy, but instead is a relationship like any other where both parties influence one another.

Now, more than ever before in history, legislators have an ability to nearly instantaneously communicate *their* preferences, opinions, and priorities to constituents through electronic media. For example, President Obama delivered a public address announcing his plans for an executive order revising the standards for processing deportations to allow children of undocumented citizens living with the in the United States along with revising the procedures for granting working visas on November 20<sup>th</sup>, 2014. His speech started at 8:01 pm and ended at 8:16 pm. At 8:27 pm the first House Appropriations Chairman Hal Rogers (R-KY) sent the first Congress-to-constituent e-newsletter on the subject that included the following passages referencing Obama:

With this new proposal, the President has once again demonstrated his willingness to act unilaterally - against the spirit of our Constitution, against the law of Congress, and against the will of the American people – to make misguided, unwarranted changes to our immigration laws

His flagrant disregard for our nation’s laws is not only disappointing but deeply unsettling – I won’t stand for it, and the American people won’t stand for it

The next message came in at 8:39 pm from Representative Jeb Hensarling (R-TX) stating:

The president’s brazen action is lawless, unconstitutional, and arrogant.

Fellow Republican from Missouri, Representative Ann Wagner followed at 9:08 pm with: President Obama’s decision to unilaterally rewrite our immigration laws, for over five million unlawful immigrants, is a slap in the face to the American people who overwhelmingly rejected his failed agenda on Election Day.

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Within 24 hours, 43 Republican Representatives and Senators checked in with constituents offering their assessments of Obama and his announcement. The next few days included many more messages from Republicans. In the 24 hours from the original announcement there were just 16 official e-newsletters from Democrats to constituents. Not only were Democrat authored e-newsletters fewer in number, many were more reserved in tone. Congresswomen Susan Davis (D-CA) wrote:

Last night, President Obama, like eleven presidents before him, announced limited executive actions to address parts of our broken immigration system. The president's actions, however, are not a substitute for legislation by Congress to enact a comprehensive immigration plan that keeps families together, protects our borders, and strengthens the economy.

This difference in message volume - 16 to 43 - is found throughout the whole Congress. Nearly every day there are more messages criticizing Obama from Republican lawmakers than there are messages of support from Democratic lawmakers. The difference in tone involving intense rancor from Congressional Republicans, and cautious support from Congressional Democrats is also a feature of the Obama presidency. The issue of immigration is just one of many that reveals the different strategies of Republican and Democrat lawmakers as well as highlights the tactic of not just airing disagreements on policy, but on providing personal insults of the President in direct constituent e-newsletters.

In this book I analyze one of the latest eras in Congress-to-constituent communication - the world of mass, official electronic newsletters or *e-newsletters*. In doing so I offer the first academic and empirical take on what these direct communications mean to important parts of political science - inter-branch relations, polarization, and increasingly differentiated political vernaculars used by members of different parties.

As a starting point for this analysis, I put forward a theory of political communication that updates the current scholarly understanding by adding the oft-observed inter-branch *insult*. Second, I briefly describe how official government communications have historically evolved in the United States and I introduce a new electronic database of over 77,000 primary documents of Congress to constituent e-newsletters. This, I offer a variety of empirical analyses of which sorts of members are most likely to reference the President in constituent communications. In addition to identifying the most Obama-referencing legislators, I identify the topics that drive the most Obama-centric communications and show the rise and fall of specific insult types over the course of Obama's term. I conclude with a discussion of how these communications affect partisan polarization and the lawmaking process.

The landscape of how members of Congress connect with constituents has changed and continues to change. Much of the scholarly research in political science concerns itself with assessments of the *electoral* connection between citizens and policy-makers, and nearly all of the empirical work approaches the topic from the side of how voter preferences and priorities are translated into legislative actions. In this book - I instead study how legislator preferences and priorities are communicated to constituents. I center my analyses on how legislators communicate to constituents regarding President Obama. To be sure, the triad connecting 1 executive, 540 legislators, and over 300 million constituents has many interactive considerations, my hope is that by providing a comprehensive examination of how Congresspeople communicate to constituents about Obama will provide empirical and some historical clarity as well as to create opportunities for testable theory generation.

### ***Congressional Communication***

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Maynew's 1974 Congress: The Electoral Connection compellingly argued, and subsequent scholars maintained that there are three basic types of legislator-to-constituent communication strategies: advertising, credit claiming, and position taking. Richard Fenno continued this tradition and argued that each legislator has a *Homestyle* made of varying combinations of the different types of communication tactics (Fenno R. , 1978). In his thoughtful, contemporary and comprehensive research on Senator press releases, Justin Grimmer advanced the field by using automated text analysis to assign numerical precisions' to relative ratios of appropriations based credit claiming versus position taking for members of Congress (Grimmer, 2013). This three-way system is powerful and widely used in the discipline. Before outlining the evidence of an additional style of communication, let us first take a look at what each of the currently used communication strategy terms means in greater detail.

### *Advertising*

All legislators have an incentive to advertise their name. Advertising is, "any effort to disseminate ones name among constituents in such a fashion as to create a favorable image but in messages having little or no issue content." This style of communication is not necessarily exclusive of other styles, but instead *any* communication sent by a legislator to a constituent is some form of self-advertising. What marks pure advertising is the non-controversial, yet positive image a member of Congress seeks to produce for constituent consumption. This is a basic effort to provide citizens with a favorable understanding and awareness of who they are without necessarily touting a particularistic benefit or policy position.

"I attended services in Palco this week to remember Darrell Sutor, a lifelong cattleman who touched the lives of so many during his 95 years."

- Senator Jerry Moran (R-KS) July 25, 2016

When Senator Moran sends a message like the above passage – he is not saying he has done anything for his district, he is not talking about pending legislation, he is not taking a stance on a political issue. He is reminding constituents that he is a person who cares about others, and nothing explicitly further. This is not to imply that he does not hope to garner favorable feelings from constituents, quite the opposite. But it is to say the appeal of "advertising" is not based in any of the formal understandings of the special role of being an elected official. Advertising the least risky way a member can connect to constituents because it serves the positive benefit of marginally increasing their name recognition, or the likelihood that a constituent thinks something about a legislator, but runs little to no risk of alienating voters. While some voters might not care that a Senator attended a funeral of a local personality, very few would use that knowledge in forming a negative opinion.

### *Credit Claiming*

Credit claiming involves the impression that a legislator is pivotal for some particularistic benefit for their district. This is the style when a legislator says something like,

"Senator Collins, a senior member of the Senate Appropriations Committee, secured the remaining funding needed for the construction of an additional Arleigh Burke class destroyer (DDG-51) that will be awarded to Bath Iron Works (BIW)."

-Senator Susan Collins (R-ME) June 3, 2016

This style of communication is very typical of press releases and has been thoroughly analyzed by Justin Grimmer in his previously mentioned research. In a quote like this, Senator Collins is reminding her constituents that she is important for their well being both in terms of her status as a senior member of the Senate Appropriations Committee, and as how she couples her position with her legislative skills as an effective negotiator

Senator Collins is reminding her constituents that she is important for their well being both in terms of her status as a senior member of the Senate Appropriations Committee, and as how she couples her position with her legislative skills as an effective negotiator to bring home money to the state to support a key industry. This style of communication is also relatively non-controversial, as most constituents react favorably to the idea of federal money being allocated to their districts. While there are certainly voters who would prefer fewer taxes and less federal money being spent all together, given that the system currently allocates money to legislators who make the best case, sit on the most influential committees, and have enough political wherewithal to extract such appropriations constituents generally receive this sort of strategy warmly.

### *Position Taking*

When position taking a legislator supports or opposes some sort of policy action or proposal. This can be when a legislator takes or makes known his ideological, personal or partisan stances on an issue. Below is a clear example of position taking:

“I’m a strong believer that states and local communities should decide what’s best for their schools; not faceless bureaucrats in Washington. Late last year we scored a significant legislative victory by getting strong “state authority” provisions I had championed included in the long-overdue replacement to the “No Child Left Behind” education law.”

- Representative Martha Roby (R-AL) July 26, 2016

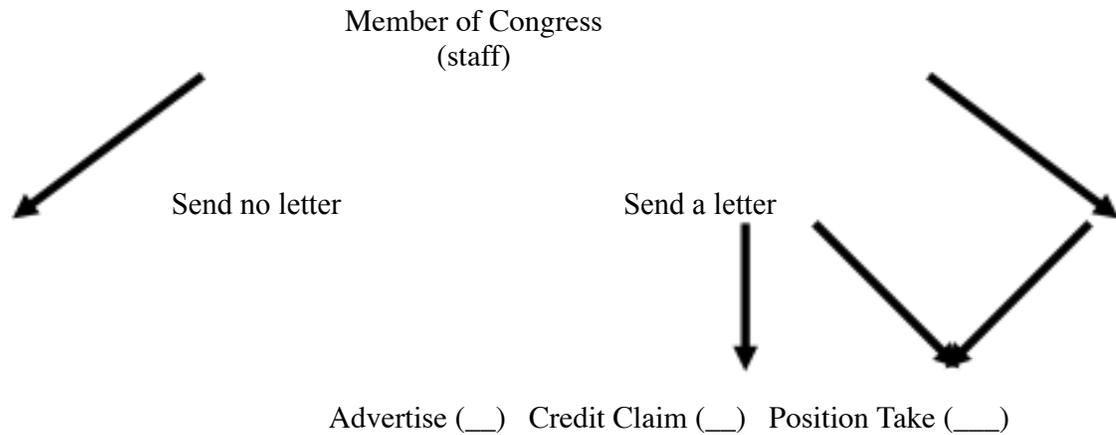
In this example Roby indicates her beliefs regarding the proper role of different levels of government and their influence over education policy. She cites a specific policy that she was able to modify in some way align with her beliefs that local authorities ought to have more say in how schools are run rather than “faceless bureaucrats” in the capitol which wades into credit claiming territory, but still remains rooted in a position taking strategy. Position taking is more *risky* than position taking or advertising because it commits a legislator to a stance that may please some voters, but may alienate others. Some constituents may fear that their local schools would not be as beneficial as federal insights into what sorts of topics and skills schools ought to prioritize in preparing students for a global economy. In the specific instance of Rep. Roby, assuming she desires to be re-elected – which is an underlying assumption throughout this book – and assuming she has some intelligence on the general preferences of her constituents – which members of Congress generally do – she has made the mental calculation that the rewards of staking her position outweigh the potential costs and thus she employed a position taking tactic in her communication.

This sort of mental shorthand or heuristic assessment characterizes the *theory of insults* that I present in the following section. This is less formalized than some of the disciplines best work on legislative proposals, voting outcomes, committee formations, and deliberations because the internal workings of the Congressional offices dedicated to crafting and executing these communication strategies are far less formal in their decision making processes than some of the more systematic institutions upon which the business of legislating rests.

Sending a communication out to constituents is something legislators are under no formal obligation to do. That is, while a budget for creating and disseminating constituent communications is provided to each member of Congress, if and how each member chooses to use their allocation is left up to their discretion. So before considering the implementation of a certain style of communication, a member and their office must first make the prior choice to send out a message at all in the first place. The following figure provides a visual representation of the choice an office must make.

**Figure 1: Decision Set of Member of Congress for Constituent Communications  
Three Set Strategy Options**

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Given that a member of Congress decides to send a communication, they then must determine if they will use one exclusive style within the communication, or if multiple the allocation or share of a communication using each sort of strategy within. This is not to suppose that legislator offices meticulously fine tune or comparing competing percentages of different types of strategies in their communications, but it is to say that once the order to draft a communication is issued, the resultant communication will consist of some balance of the elements above depending on the preferences of a legislators and the staff member that writes the eventual letter. Much of this decision-making happens informally without explicit focus, but there is one underlying condition that should always be satisfied: the benefits of employing a communication strategy or a bundle of strategies for any given communication should outweigh the potential costs in the estimation of the draftee. That is, given the information available to a communication creator, they will only position take in communications if they think doing so will accrue some sort of benefit (votes, good will, public opinion, positive press, meaningful signaling to other decision makers, please donors, credible mental commitment, etc.) than not staking out a position.

Anyone of the strategies can be used purely: 100% advertising, 0% credit claiming, 0% position taking or a swap of a 100 and 0 in the other categories, or a member can mix strategies with some limitations. Advertising is present in any communication in the very basic way that name recognition is a form of advertising and ascribing ones name to any sort of constituent communication at least increases the likelihood that a constituent has some familiarity with a public official. When a member decides to position take they somewhat annul an effort at pure advertising because of the potential to upset some constituents with the position and thus no longer use pure advertising. Credit claiming and advertising can be used together, as can credit claiming and position taking.

Out of all three strategies, advertising is the easiest; simply giving basic information associated with one’s name and office is more straightforward than describing how a legislator is responsible for a specific governmental action or resource allocation, and runs no risk of alienating potential voters in a manner that position taking might.

Mayhew’s contemporary, Morris Fiorina argued for much of the same schema for types of political communication. In one of the best known works on legislator behavior in constituent communications he insists that legislators are far more likely to engage in simple name-based advertising and credit claiming rather than the potentially risky business of position taking.

“Congressmen know that the specific impact of broad national policies on their districts is difficult to see, that effects are hidden, so to speak. They know too that individual congressmen are not held responsible for the collective outcome produced by 525 members of Congress. Thus, in order

their districts is difficult to see, that effects are hidden, so to speak. They know too that individual congressmen are not held responsible for the collective outcome produced by 535 members of Congress. Thus, in order to attain reelection, congressmen focus on things that are both more recognizable in their impact and more credible indicators of the individual congressman's power – federal projects and individual favors for constituents. In order to purchase a steady flow of the latter, congressmen trade away less valuable currency - their views on public policy...

Overall then, programmatic activities are dangerous (controversial) on the one hand, and programmatic accomplishments are difficult to claim credit for, on the other. While less exciting, casework and pork barreling are both safe and profitable. For a reelection-oriented congressman the choice is obvious."

- Fiorina, Congress: Keystone of the Washington Establishment (pp. 68-69), 1977

Fiorina argues from a place of self-interestedness and credibility that legislators are best sticking to advertising because it does not trigger any sort of reflection on the part of constituent as to how pivotal or important their individual legislator actually is. Advertising also runs no risk of alienating voters, and position taking necessarily does. When a legislator poses for photos with hometown veterans, congratulates the high school winner of the Congressional art competition, or tells constituents about the passing of an important member in their community he runs little risk of upsetting anyone, the topics might not be of particular interest to all his readers, but they are at least non-controversial. By nature, credit claiming is subject to more scrutiny, and position taking has the potential to be off-putting to constituents who hold counter or alternative views on a given policy area.

Shortly after the work of the early and mid 1970s on political communication, scholars and political observers began to protest that legislators do other sorts of things in their communications that are not accounted for in the three-way understanding gaining ground in academic circles.

### ***Running against Congress: Insulting Each Other***

Another contemporary of Mayhew and Fiorina, Fenno (1978), noted that when speaking to constituents in public forums, legislators often disparage Congress as an institution in an attempt to portray their own style of governing as better than the rest of his or her colleagues. Fenno does not take on the three characterizations put forward by Mayhew and adhered to by Fiorina, but instead insisted on the importance on recognizing this communicative appeal of bashing Congress as an institution that nearly all members he observed utilized. Subsequent research reaffirms the collective efforts to blame the Congress as an entity while absolving any individual Congressperson of unseemly politicking as the reason Washington D.C. appears so broken to many constituents (Patterson & Magleby, 1992) (Hibbing & Theiss-Morse, 1995) (Polsby & Schickler, 2004).

In 2000, Lipinski made one of the first broad based empirical contributions to the literature on congressional communications by analyzing 100 legislators and their Franked mail. One of his most consistent conclusions is that loads of Congressmembers "run against Congress". This finding was a part of folk knowledge discovered and described earlier, but empirically documented for the first time in his work. Many Congressmembers, especially those in the minority party often portray the Congress as a whole as problematic to policymaking and then attempt to set themselves apart from the crooked insider enterprise.

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Running against congress is a strategy still in use today. Despite Lipinski's finding that members in the minority party are more likely to do that than majority party members, in the 111<sup>th</sup>-114<sup>th</sup> Congresses I find that both parties run against Congress, but much like my findings about who is more likely to reference and insult the president, Congressional Republicans seem to do more intra-congressional insulting than democrats. While not the main focus of the book, a few terms and their relative usage by each party provides a birds eye understanding the 'running against Congress' phenomena in recent congresses.

**Relative shares of terms used when "running against congress" in constituent communications 111<sup>th</sup>-114<sup>th</sup> Congresses**

Term	Total Count	Share from Republican Members	Share from Democratic Members
Congressional Republicans	242	54%	46%
Congressional Democrats	453	94%	6%
The Republican*	2596	58%	42%
The Democrat*	2939	79%	21%

\* denotes terms that could have various endings i.e. The Republican Party, The Republican Conference, The Republicans

When Republicans mention other republicans they usually do so to say something like, Congressional republicans continue to work to delay x (where X is a democratic initiative) or continue to advance y reforms. Whereas when Democrats mention Congressional Republicans they say things like, "Congressional Republicans continue their efforts to dismantle x or to vote against y. The converse is true when the parties are switched. When republicans talk about other republicans in Congress, they do so favorably, and when republicans talk about democrats, they do so to run against Congress – and vice versa.

What is notable here is while the 111<sup>th</sup>-114<sup>th</sup> Congresses were democratically controlled, then split between the parties, Republicans were marked better at getting out messages in opposition to the other party in Congress. Both in terms of raw occurrences of talking about the other party and in terms of the share of positively discussing ones own party or insulting the other party. And in return, Democratic party members do an exceptionally poor job of talking up their own caucus. See for instance the second row in table 1; out of all the 453 explicit references to "Congressional Democrats" just 6% come from members of the Democratic Party offering support or praise for efforts of their coalition. And when the focus is instead "Congressional Republicans" Republicans do a solid job of controlling the brand narrative by accounting for 54% of all uses of that term and 58% all uses of the more broadly used "the republican" term.

While running against Congress is not the central focus of my study [INSERT HOW IT RELATES]

***Another Strategy: Executive Insults***

There is another widely used communication tactic that neither Fiorina, Mayhew, Fenno, nor Lipinski identify. Contemporary legislator-to-constituent communications involve a great deal of inter-branch *insults*. Insults are not credit claiming as they boast of no achievement of the sender, they are not advertising any more than any other style of communication may be considered advertising, they are closer to position taking but not quite the same, as position taking relies some sort of policy action or proposed prescription as the focus. Lastly, insults are not mere instances of running against Congress. The most prevalent sort of insults coming from the official communications from the most recent Congresses relies on a person as a target; that person, more often than not, is President Obama.

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The reason for the omission of executive insults in previous research is likely not through fault of the scholars, but partially through real change in the actors under study. The Congresses of the 1970s and before were different than the more polarized Congresses of today (McCarty, Poole & Rosenthal 2006). We have no easily analyzable, comprehensive textual database or measure of how legislators communicated with constituents from earlier times, but the best researchers of those eras do not report that there were great levels of partisan or ideological taunting, slights, or insults that we so often observe today. This is not at all to suggest members of Congress have not engaged in employing insults against the President, it is to suggest that what used to exist as a notable anomaly has increasingly become a norm. This is also not to suggest that inter-branch conflict is necessarily a normatively bad state of affairs. As our system of checks and balances provides both the legislative and executive branch with law making abilities, some amount of inter-branch animosity is expected and may even be an indicator of democratic health. My suggestion is that the tactic of insulting the executive is more prevalent than previous scholars realized, so much so that the strategy is worthy of identification and analysis.

The suggestion that insults are increasingly prevalent in political discourse is not new, what the discipline lacks is empirical substantiation of this claim and subsequent updates to theories of political communication. In 1993, Eric Uslaner wrote The Decline of Civility in Congress arguing that in the 1950s and 1960s Congress was a much more civil place and that norms of interpersonal civility waned in the 1980s and gave way to whining and shouting into the 1990s.

### **Why would a member of Congress insult the President?**

#### *Reputation Building*

Reputations are not built by actions such as votes alone; they are made in the messages legislators send in e-newsletters, in franked mail, on television interviews, during C-SPAN coverage, and in radio spots. Newt Gingrich used C-SPAN at the start of his career to transform himself from a rookie backbencher in the GOP to a rising conservative star by challenging Democratic leaders in a public manner from the floor of the House (Hagey, 2011).

E-newsletters provide an opportunity to legislators to develop an ideological reputation. In a way scholars have not highlighted for past Presidents, part of that legislator reputation can be about opposition to the President. Before Senator Cruz announced his decision to run for 2016 Republican nomination for President he had this to say in his constituent communications about Obama after the President's November 2014 announcement of his executive order halting the deportation of children brought into the country as a part of undocumented immigrant families.

“He is defiant, and angry at the American People. If he acts by executive diktat, President Obama will not be acting as a president, he will be acting as a monarch”

- Senator Ted Cruz (R-TX)

Cruz was denouncing Obama's tactic of using an executive order to describe the way federal agencies would prioritize and process deportation cases. His choice of insult harkens to the American Revolution painting Obama as King George the III, someone that the “American people” should not stand for. This characterization of Obama as against or apart from the “American people” is a common refrain from republicans over the course of Obama's term. In using this style of insult, Senator Cruz is attempting to build a reputation of working for the “American people” as opposed to how he describes

against or apart from the “American people” is a common refrain from republicans over the course of Obama’s term. In using this style of insult, Senator Cruz is attempting to build a reputation of working for the “American people” as opposed to how he describes Obama’s intentions.

Another instance of this type of insult of President as against the American people came when the Iran Nuclear Deal was considered. While not stating outright that he thought Obama was working against the rest of the people of America, Senator Cotton sent a message to his constituents questioning the motives of Obama’s regarding how much he weighed informing Americans about complicated foreign policy issues versus funding the terroristic activities of another state actor.

“On the administrations decision to make a large heavy water purchase from Iran to help them comply with the terms of the U.S....

...continues to raise the question of whether President Obama is being straight with the American people and how much more this president wishes to fund Iran’s terrorist activities.”

- Senator Tom Cotton (R-AR)

Republican Representative, Tim Huelskamp took the trend a bit further making the argument that Obama was not out just to do harm to the “American people” generally, but that constituents of his State were direct targets of Obama’s budgeting principles,

“Last Tuesday, Obama released his budget, apparently tailor-made to do the most damage to Kansas possible.”

-Representative Tim Huelskamp

These examples are draw from just one line of insults present in Congressional-to-constituent communications. By insulting the executive, legislators create a bogeyman then argue that they will save their constituents from such a figure. In previous eras, this anti-American bogeyman may have been external to the U.S. Government alluded to in terms such as the *terrorists* or the *Communists*. However, during 2009-2016 many in Congress told constituents the threat to the “American people” was internal and personified in President Obama.

#### *Party Brand Development*

The reputation of a legislators party affects both the member’s personal probability of reelection and, in turn affects overall election outcomes that may provide a more favorable governing environment if one part secures legislative majorities (Cox & McCubbins, 2005). Even though congressional legislators are not running directly against President Obama come election time, insulting the Democratic president as emblematic of Democratic priorities and principles serves the ends of Republican members of Congress who need to fend off or defeat Democratic challengers.

A strategy of insulting the figurehead of the opposite party makes sense is especially when members of the Congress are not able to boast of many legislative accomplishments. Empirical research points to the importance of campaigning on effective governing, and legislation passed the Republican majorities following the 2010 elections could not point to many accomplishments they were responsible for. Many of the Republicans who won the 2010 elections campaigned explicitly on anti-Obama rhetoric and promises to obstruct his agenda; they largely kept their promises. For example, between 1789 and 2013, there were 168 filibusters of executive and judicial nominations; half occurred in the Obama era. While this provided follow through on their campaign promises to obstruct, it also meant that there was not much these members could point to when telling their constituents of their positive achievements; this backdrop provides additional justification for why executive insults are a more attractive

their campaign promises to obstruct, it also meant that there was not much these members could point to when telling their constituents of their positive achievements; this backdrop provides additional justification for why executive insults are a more attractive communication strategy.

### *Circumventing Party Structure*

Not every member of Congress is a leader, yet each member of Congress struggles to let constituents know of his own importance. Cox and McCubbins lay out a theory and empirically justify the existence of a cartel system where senior partners of the majority party in Congress are able to best serve the goals of the party if they form a procedural cartel to monopolize the agenda setting power by selectively delegating plum committee roles to select junior members of the party (Cox & McCubbins, 2005). In the Republican party of the 111<sup>th</sup>-116<sup>th</sup> Congresses, there were ideological divisions between establishment senior Republicans and newer “tea party” Republicans that made this task harder for the rank and file party members that serve in leadership roles and control delegation. Because of this, some Tea Party members who were elected with promises of changing how Washington works found themselves frustrated from the start with a realization of how little any individual member of Congress can do and with the types of committee posts they were able to obtain.

When communicating with constituents those members likely feel pressured to explain why things in Washington haven’t changed in the ways they previously promised. One mechanism of explaining a shortfall is to place blame on others, as running against Congress is a commonly observed strategy in the 1990-2000s. However, perhaps because of the recorded nature and easily forwarded medium of email – legislators on both sides of the aisle appear less likely to run against Congress, lest the fear some sort of internal party sanction, and more likely to target the President. The fear of being sanctioned by party elites is especially prominent for junior Tea Party members as such sanctions would further serve to marginalize their ability to change things in Washington. Insulting Obama is a clear and positive alternative because there are little benefits to praising him, and potentially high rewards from denigrating him. Cozying up to Obama in constituent communications does not serve to help a junior Republican’s status within the party, or in the eyes of voters; but insulting the President can be a rallying point for constituents without offending party leaders – so the choice is made clear.

### *Divided Government*

Is this just a symptom of divided government? Maybe. All but two years of Obama’s terms in office were divided, and his entire tenure was filled with sharp attacks from Congressional Republicans. The continued collection and analysis of these sorts of communications and evolving Congress-to-constituent linkages will provide us with a clearer and more comprehensive perspective. Will congressional democrats speak of Donald Trump in this way? This book is one step in the process of deciphering that story.

Divided government does not directly mean political acrimony; instead there are theoretical reasons to believe that divided government could promote cross-party cooperation in order to do the business of governing. Previous research finds that split government control has little to no effect on behavioral indicators of Congressional norms such as amending activity (Mayhew, 1991), and does not necessarily increase legislative-executive conflict (Peterson, 1990).

Despite theoretical arguments, and some empirical research, divided government likely heightens the salience of partisanship, and if the parties are increasingly acrimonious across the aisle within the legislative branch, as analysis of gridlock in the Obama era indicates, a reasonable continuation of the antagonistic relationship between the parties may spill into executive-legislative connections. Increased party salience combined with the noted decreased trust in the intentions and goals of the other side likely reduces the will for either side to compromise with each other.

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### *Audience and Media Considerations*

Scholars have been worried about legislators seeking to gain public favor through public opinion plays rather than policy for sometime now (Bond & Fleisher, 2000) the increasing reliance on insults of as a communication strategy offer some confirmation for these suppositions. Legislators might send messages that include Presidential insults because they perceive the audience of e-newsletters as more extreme than typical constituents, and in turn more amenable to a vitriolic message about someone from the other party. Republicans may be particularly susceptible to such reasoning during this time period. Given the far right threat of losing a primary election to a Tea Party candidate, rank and file Republican members risked losing face with voters, or being labels as weak or someone who backs down to president Obama rather than fighting him. Democrats of the period had their own trepidation about aligning with Obama, as in born out in the forthcoming data, they often say nothing at all about Obama – perhaps hoping to dodge any negative associations voters may hold with the President, and only occasionally offer explicit support of the President.

Media coverage plays a role in the incentive system that encourages mean spirited insults. Instances where members of Congress are respectful in dealing with the President are expected and go unreported. But an uncivil circumstance such as in 2009 when Representative Joe Wilson (R-SC) shouted “You lie!” at the President in the middle of a State of the Union address receive widespread attention. One may expect that this would hurt a Representative as constituent may see this sort of outburst as childish or undignified -imagine something of the sort happening in any workplace meeting- but in politics it seems that citizens are ok with, and may even reward their representatives for such behavior. Wilson subsequently raised 1 million dollars for his re-election campaign, won in 2010 with 53% of the vote, ran unopposed in 2012, and won in 2014 with 63% of the vote, and remains in the Congress in 2016.

In many ways the current online tactics from Congressional Republicans are an extension Newt Gingrich’s use of the media to attack President Bill Clinton, albeit with the more direct media of email. In fact, even before Gingrich’s ascension legislators expressed nervousness that increasing media coverage of the inner workings of Congress would promote the interests of political “show-horses” over legislative “work-horses” (Fenno R. F., 1989). In the rush for media coverage most members are left out, but e-newsletters allow a legislator-driven instant connection to voters not reliant on a TV, web, or radio editor decision-making. This is not to implicate technology as the culprit, but it is to say that technology allows a low cost proliferation of legislator-to-constituents communications. Combined with other forces that incentivize, or at least do not restrain uncivil behavior such as presidential insults, e-newsletters serve to regularize this sort of discourse. In the next chapter I describe what this medium looks like and how it is different from previous communication technologies.

### **What sorts of legislators insult the president?**

As outlined above there are many reasons why a legislator may insult the President, but some members may have greater amounts or more varieties of incentives to insult the president than others. And it is very hard to describe all of these reasons in discrete, measurable ways that lend themselves to clean empiricism. However, there are some general predictions that are found both in literatures on Congressional-Presidential interactions and in the folk wisdom of political observers that influence the expectations I set forth here.

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Legislators must each make the decision that insulting or calling out or airing opposition to the President will be better received by their constituents than either not sending any message at all or sending a neutral or supportive message regarding the president.

### **What about Co-partisans?**

Because insults make more sense to be lobbed from those that do not share a party identification with the President than co-partisans, the role of Democrats in an assessment of President Obama is largely the role of counterpoint that shows the contrast to strategies of Republicans. This is not to say that members of the Democratic Party do not insult the President, they do. This is to say that I have fewer.

### **How is the work presented here supportive of this theory?**

This is the most comprehensive, all encompassing database of legislator to constituent communications corpus ever assembled and made available. While the data starts in 2009, there has never before been a collection of data that includes the universe of one medium of communications to constituents such as this one. But the scope of the data is not what *proves* the theory, but using a variety of assessment techniques one repeat, persistent, and obvious communication style emerges that has been previously given short shrift, the insult.

### ***Plan of the book***

In the following chapter I consider the history of technologies and processes that allow Congress members to send official governmental information and updates to constituents. The privilege of taxpayer funded constituent communications is one of the pillars of the incumbency advantage; every sitting Representative and Senator has the ability to send out mail to his or her constituents provided they providing updates on their actions in Washington.

In the second part of the book I describe *who* in the Congress is most likely to discuss Obama in constituent communications, *what* issues or actions drive the most inter-branch communications, *how* Republicans versus Democrats discuss the President, and *why* some members are more or less likely to insult the President than others.

In the concluding chapters I discuss what this era of presidential insults means for polarization within the electorate and for policymaking in the halls of government. This book is a recording of historical facts, but also provides a necessary contextual component of how words and phrases used in communications can have multiple, blended, or overlooked meanings.

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