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Not Quite a Full House: The Case for Enlarging the House of Representatives

Brian Frederick



For almost a century the United States House of Representatives has consisted of 435 members. This seemingly permanent fixture of American politics often obscures the reality that during the first century of the country's existence the House was increased almost every ten years after its original size of 65 members was established. Increasing the size of the House was once a representational imperative in order to offset the growth in the nation's population. However, after the last increase that occurred in 1911 members concluded that the House could no longer operate efficiently if the size of its membership continued on an upward trajectory. The major consequence of refusing to increase the size of the body is that the average number of citizens each House member represents has risen dramatically in the subsequent decades. While the House has remained constant in size for nearly 100 years the nation's population has grown by more than 200 percent to over three million people. When the results of the next Census are revealed, House members will represent on average more than 700,000 people per district. As a point of comparison, at the time of the nation's founding, the corresponding figure was 30,000 citizens. In light of these developments, political commentators across the ideological spectrum have raised serious questions about whether the House can retain its representative character if the present 435-seat limit remains in place as population growth continue to spiral upward.

In my new book *Congressional Representation and Constituents: the Case for Increasing the Size of the House of Representatives*, I investigate this issue with an unprecedented empirical examination of how the sharp escalation in the average constituency size has influenced the quality of representation its members provide. A careful review of this evidence shows that the representational character of the House has been undermined by the cap that was placed on its membership. Members who represent larger constituencies are on average, less responsive and less accessible to their constituents. Based on this diminished state of repre-

sentation I argue that it is now time for the House to be immediately increased to 675 seats and to undergo decennial increases following the census to accommodate population growth. Implementing this change would lead to better representation in three ways. It would: make it easier for House members to remain in touch with their constituents, improve the policy responsiveness of House members and provide better descriptive representation for historically underrepresented demographic groups in what is an increasingly diverse country. Significantly increasing its size would move closer toward fulfilling the ideal that the U.S. House is truly the people's House.

Why do I support 675 seats as the appropriate size of the House? The original decision to impose a limit of 435 seats was made in an arbitrarily fashion without the consideration of any empirical criteria. However, there is a more systematic method to determine the appropriate size of the House. In most advanced democracies, the lower house of the national legislature approximates the cube root of the nation's population. Comparative legislative analysts have classified this empirical pattern as the cube root law of national assembly size. There is a rationale that undergirds this empirical regularity. All legislative bodies must balance the trade-off of the need to operate efficiently while providing effective representation to the citizens in their districts. Legislators need to communicate with their fellow members and stay in touch with their constituents. The cube root law projects that the optimal assembly size is determined by the number of seats relative to the ratio of citizens per district that will accommodate these competing demands. Legislatures are not designed to expand in a limitless fashion or in direct proportion to the population because to do so would undermine the capacity to legislate effectively. The size of a legislature tends to increase in line with the growth of the population in a country, but at a lower rate. However, if the average number of constituents in a district becomes too large, the legislator will be unable to communicate effectively with constituents.

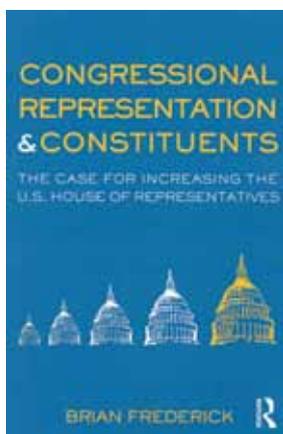
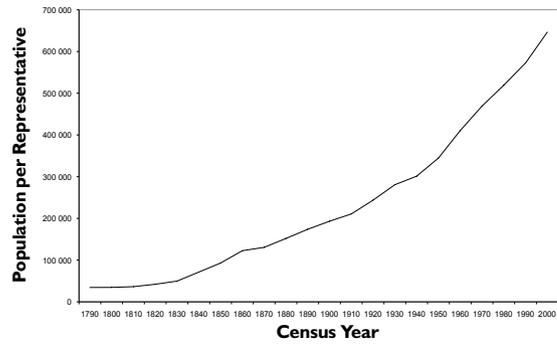


FIGURE I-1: Average Population per Representative for the U.S. House from 1790–2000

During the first century of the nation's history the U.S. House conformed rather well to cube root law of national assembly size.

The cube root law provides the most rational formula for balancing the trade-offs involved in determining the size of any legislative body. Not only would it bring the House into alignment with international legislative norms, it would also help restore some balance on the representative side of the ledger between the competing imperatives of representation and legislative efficiency. The House would be well served to return to the policy of increases every ten years linked to the cube root of the population. Passing such a law would mean that following the 2010 census the House should be increased to approximately 675 members, the projected cube root of the U.S. population in that year.

An ideologically diverse group of advocates calling for an increase in the size of the House, including liberals like U.S. Rep. Alcee Hastings of Florida and conservatives like columnist George Will, have argued that it would make it easier for representatives to stay in touch with their constituents. Although senators from more populous states tend to be less accessible and less popular than senators from less populated states, until recently there was not much evidence to show that such a relationship exists in House districts. However, in my book I demonstrate that House members who represent larger constituencies also confront a similar challenge in trying to remain in touch with the citizens in their district. Looking at survey data I found that as constituency size increases, citizens are less likely to report having contact with their representative and having met their representative in person. The evidence also indicates that citizens are less likely to make an attempt to initiate contact with their representative in larger districts.

Not only is contact between citizens and their representatives undermined by a larger constituency, but so are citizens' perceptions of legislative responsiveness. Citizens living in the most heavily populated congressional districts are less likely to believe their representative would be helpful should the need to contact them arise. The same relationship applies when citizens are questioned about whether their representative does an

adequate job of staying in touch with the people in the district. Moreover, serving additional constituents also increases the probability that the representative will be disapproved of by the people in their districts. Future increases in the ratio of citizens per representative are likely to aggravate the discontent citizens feel toward their elected representatives in the U.S. House.

As predicted by the cube root law of national assembly size, the failure to increase the size of the House to accommodate dramatic population growth has interfered with channels of communication between representatives and their constituents. A continued refusal to adjust the size of the chamber as the population continues to expand will further strain the connection between citizens and their representatives. Returning to the practice of decennial increases in the size of the House tied to the cube root of the nation's population would enable representatives to be more accessible to citizens and would help citizens feel more connected to their representatives.

In addition to increasing constituent access to their representatives, a larger House would facilitate better policy representation. Many scholars have argued that as constituencies become larger the probability that a representative will reflect constituency opinion in the district declines. The research presented in my book documents that this dynamic is present for the U.S. House as well. When I analyzed the voting patterns of House members at various levels of district population size, I found that a larger constituency creates more policy divergence between constituents and their representatives than would otherwise be the case. The presence of a considerable number of additional citizens in the district has the effect of pushing representatives farther away from the views of their constituents. The result is a voting record that tends to gravitate toward the activist base of party supporters in the district and veers farther away from the median voter than would be the case in a smaller constituency. This outcome was forecasted by critics of the 435-seat limit at the time it was established and appears to have come to fruition. Although the available evidence does not indicate that constituency size is the only variable that leads to divergence between the issue positions of constituents and their representatives, it does offer support for the proposition that larger constituencies diminish policy representation.

Increasing the size of the of the House to account for population growth in line with the cube root law of national assembly size is far from the only solution for remedying the lack of responsiveness of House members to their constituents' policy views, but it would certainly make a contribution toward bridging the divide that presently exists. If the average House district population size continues to expand, the prospect for greater divergence between constituency preferences and policy responsiveness will be heightened. Since the

larger the size of a district's population the less likely representatives are to reflect opinions of the majority of their constituents, in smaller, more ideologically cohesive constituencies it will be easier for House members to reflect the policy preferences of the people they represent.

Another significant benefit of enlarging the size of the House is that it would improve descriptive representation. The concept of descriptive representation holds



that the composition of a legislative body ought to reflect the demographic makeup of society. This form of representation matters because members of certain groups may pursue policies that are in the interests of those groups in the policy-making process. Furthermore, it may allow for unarticulated interests to be heard in the deliberative process and may give members of groups, such as women and minorities, who have been systematically excluded from full participation in politics, the chance to demonstrate their ability to participate effectively in the governing process. This country is far more diverse than it was when the 435-seat limit was originally imposed. A House consisting of over two hundred additional members would better accommodate the vast ethnic and racial diversity that currently exists in the United States.

Most House members get elected not by defeating an incumbent but by winning a seat that becomes open either through retirement, resignation, or death. There is a greater likelihood that women will emerge victorious in open-seat races. Women have typically made substantial gains in the first election following reapportionment when more seats are open. Under my proposal, after each census the number of new seats apportioned would rise, creating additional opportunities for women and minorities to run successfully for the House. For African Americans and Latinos, less populated congressional districts would make it easier to create majority-minority districts that would be likely to elect members of these underrepresented groups.

According to survey data presented in my book, women and African Americans are highly supportive of increasing the size of the House of Representatives for this purpose. Doing so could enhance minorities' sense of political trust and efficacy and strengthen the bonds they feel with their elected representatives. The present 435-seat figure impedes the entrance of members of

underrepresented groups into the House. A larger body would open up opportunities for women and minorities to serve, resulting in greater numbers of citizens who feel that they have someone in the House of Representatives to look out for their interests.

Even critics of increasing the size of the House concede that some benefits would accrue from a larger House. They maintain, however, that these benefits are not worth the costs. From their perspective an increase would be too costly, undermine legislative efficiency and diminish the quality of debate in the body. In the book I acknowledge that although many of the critics' concerns are valid, none of them rise to the level that would outweigh the positive impact on representation a larger House would produce. In short, I contend that any additional costs to the treasury would be a fraction of the total federal budget, the legislative process would not become more inefficient as long as the institutional rules are structured properly and that the overall quality of deliberation on legislation would not be reduced.

As someone who studied the Congress closely for many years I am under no illusions that a change of this magnitude is on the horizon in the current political environment. In the

final analysis, a United States House of Representatives consisting of close to 435 members seems likely to remain a permanent fixture of the political system for years to come. Increasing the size of the House may carry tangible benefits for representation, but the odds that it will ever occur in the foreseeable future are slim. Nevertheless, for the U.S. House to genuinely live up to its status as the institution in the federal government closest to the people, it ultimately must be a larger House and continue to grow as the nation's population grows. A failure to do so would be contrary to the representative character this institution is supposed to embody. Even though I concede the prospects for an increase seem bleak at this juncture, that does not mean it should be discounted as policy option that is off the table for serious consideration from national policymakers. The fact that a policy option is not likely to gain any traction does not make it any less worthy of being adopted. Political realities should not be allowed to derail an increase in the size of the House that is so desperately needed to enhance the representativeness of what is supposed to be the people's House.

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