Voting for Glass Houses

BY MICHAEL SCHUDSON AND DANIELLE HAAS

In this column, the authors cull current scholarly writing about journalism for fresh ideas. Suggestions for possible mention are welcome at theresearchreport@cjr.org

IN FEBRUARY 2007, NEWLY ELECTED House Speaker Nancy Pelosi hailed the Internet as an "incredible vehicle for transparency" and declared that she looked forward to hearing how the House could be "as open and accessible to citizens as possible." Three months later, a bipartisan report suggested one way to achieve that: post all legislative information online, including all roll-call votes—ballots cast on the record.

Sounds obvious enough. But while building glass houses of honesty may be an oft-touted goal, it seems that legislators aren't quite ready to dwell in such structures themselves. Neither house of Congress nor any council of our twenty-five largest cities makes an individual legislator's votes—on the floor or in committee—available in a simple, downloadable format. Only ten of the ninety-nine state legislative houses provide such records for votes on the floor. More widely available are roll-call votes by bill—as opposed to by specific lawmaker. Admittedly, this can be useful. But it's rather like publishing school attendance records by day rather than by student. Checking up on your man or woman in Washington via the House or Senate Web site would mean trawling through more than five hundred bills for just one term—the typical number of items that congressional and state legislators deal with during that time.

In recent years, Washington journalists have helped plug this information hole by providing an online roster of roll-call votes by legislator. *Congressional Quarterly*, *National Journal*, and *Gallery Watch* (owned by the publisher of *Roll Call*) each charge for their data, enriching raw roll-call figures with expert judgment. OpenCongress.org, GovTrack.us, and WashingtonPost.org, meanwhile, offer roll-call-by-legislator data for free. We tried it. It's easy. All three sites provide politicians' full voting records, as well as analysis of where the representatives' votes place them in relation to their parties, to political values, or to other members of Congress. *The Washington Post* also offers a list of "key votes," explaining briefly what they mean and why they matter.

But why leave it to reporters? According to new research by J. H. Snider—the president of iSolon.org, a nonprofit aimed at advancing government transparency through new technologies—it's not inertia that holds the government back, nor cost (an unpaid intern could do it), nor lack of demand. It's not even the novelty of the idea: eight years ago, *Wired* magazine called Congress's failure to put voting records on the Web part of "the biggest Congressional scandal of the digital age." Instead, Snider says, it's simply self-interest. Politicians are ultimately more worried about thwarting the mischief that potential rivals could do with the data than they are interested in educating voters.

In his paper, "Would You Ask Turkeys to Mandate Thanksgiving?" published this summer by Harvard's Shorenstein Center on the Press, Politics and Public Policy (where he was a recent fellow), Snider quotes former Iowa representative Jim Leach on that score: "It's in the interests of incumbents to have opaque reporting requirements and to maintain control over how votes are disclosed."

True, readily available roll-call votes could mean easy ammunition for campaign opponents (think of Barack Obama's charge that John "The Maverick" McCain voted with President Bush 90 percent of the time). And roll-call votes are ripe for manipulation because they can appear to be the opposite of what they are—a vote against new anti-smoking laws might be a lawmaker holding out for still-tougher regulations.

And then there's the added risk, Snider tells CJR, that exposed voting information would create "even greater incentives for politicians to structure roll-call votes for PR purposes rather than democratic accountability."

Still, at the end of the day, greater transparency in roll-call voting would only promote accountability. Democracy needs more information, not less, and Snider insists that politicians, not journalists, provide it. By keeping media outlets (not to mention intrepid citizen journalists) needlessly tied up with busywork counting yeas and nays, Congress isn't overtly infringing on freedom of the press, but it is bleeding its time and resources. **CJR**

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