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## ***Where's the Party?***

KEITH KREHBIEL\*

Political parties are prominent in legislative politics and legislative research. Using data from the 99th Congress, this article assesses the degree to which *significant* party behaviour – defined and operationalized as behaviour that is independent of preferences – occurs in two key stages of legislative organization: the formation of standing committees and the appointment of conferees. Four hypotheses are developed and tested. When controlling for preferences and other hypothesized effects, positive and significant party effects are rare. A discussion addresses some criticisms of this unorthodox approach and attempts to reconcile some differences between these and previous findings.

Political parties can assume a variety of roles and responsibilities in society. The premise of this study is that one important legislative function of parties is to govern by passing laws that are different from those that would be passed in the absence of parties. An implication of this premise is that the majority party, while attempting to enact preferred policies, will try to organize the legislature in ways that place its members in strategically advantageous positions. These basic ideas are clearly stated in Chapter 1 of David Rohde's excellent book:

We can speak of the [US] House as partisan and mean that parties (and particularly the majority party) are important influences on the institution's mode of operation and on the decisions of the representatives who serve in it.<sup>1</sup>

Though parties have suffered somewhat of a dry spell within American legislative studies,<sup>2</sup> recent signs point to the majority party's renewed significance in terms of organizing the Congress, influencing its decisions and thus capturing

\* Graduate School of Business, Stanford University. Many colleagues offered valuable criticisms of earlier versions and presentations of this article. While some of them perhaps prefer not to be associated with this research, I absolve them of any liability while gratefully acknowledging their assistance. They are: David Baron, David Brady, Douglas Dion, Thomas Gilligan, Timothy Groseclose, Morris Fiorina, Kevin Grier, Elizabeth Martin, Jeff Milyo, Charles Shipan, Steven Smith, Barry Weingast and Joseph White.

<sup>1</sup> David W. Rohde, *Parties and Leaders in the Postreform House* (Chicago: University of Chicago Press, 1991), p. 2.

<sup>2</sup> Melissa P. Collie, 'New Directions in Congressional Research', *Legislative Studies Section Newsletter*, 10 (1986), 90–2.

scholarly attention.<sup>3</sup> For example, Rohde refers to 'the remarkable resurgence of partisanship in the House, in floor voting and in other areas'<sup>4</sup> while Bach and Smith stress the central role of the speaker and the majority party in determining the procedures under which legislation is considered.<sup>5</sup>

This article joins in this dialogue by addressing three issues. The first issue is conceptual. What is *significant* party behaviour? Different scholars are likely to give different yet plausible answers to this question, just as readers may legitimately take issue with the conceptual approach in this study. A word about its objectives is therefore appropriate. The aim is not definitively to answer the question of what constitutes significant party behaviour. Rather, it is to illustrate the advantages of basing empirical analysis of parties on a clear (even if controversial) conceptual foundation. By providing a definition of significant party behaviour that is amenable to assessing the *comparative* abilities of partisanship and preferences to account for behaviour, this study reaches unique conclusions that may alter the course of future studies on parties in legislatures.

The second issue is methodological. What constitutes clear evidence of significant party behaviour? The answer to this question follows straightforwardly from the definition of significant party behaviour. The claim is not that the standard of evidence employed here is the only conceivable standard – just that it is both closely related to the definition and reasonable.

The third issue is empirical. How significant is party behaviour in the US House during this contemporary and allegedly partisan period of congressional history? Two seemingly partisan stages of decision making are analysed in terms of the definition of, and standards of evidence for, significant party behaviour. First I assess the degree to which significant party behaviour is manifested during the committee assignment phase of legislative organization. Next I extend the analysis to a subsequent and more bill-specific phase of legislative organization: the appointment of legislators to conference committees.

Overall, the findings are at odds with much of the conventional wisdom about parties in legislatures. While parties and party leaders are extremely active in the legislative process, partisanship does not explain much variation

<sup>3</sup> John H. Aldrich, 'Modeling the Party-in-the-Legislature' (Duke University: manuscript, 1988); John H. Aldrich 'An Institutional Theory of a Legislature with Two Parties and a Committee System' (Duke University: manuscript, 1990); Gary W. Cox and Mathew D. McCubbins, *Legislative Leviathan: Party Government in the House* (University of California at San Diego: manuscript, 1991); David W. Rohde, 'Variations in Partisanship in the House of Representatives, 1953–1988: Southern Democrats, Realignment and Agenda Change' (Michigan State University: manuscript, 1988); 'Democratic Party Leadership, Agenda Control and the Resurgence of Partisanship in the House' (Michigan State University: manuscript, 1989); 'Agenda Change and Partisan Resurgence in the House of Representatives' (Michigan State University: manuscript, 1990); and *Parties and Leaders*; Barbara Sinclair, *The Transformation of the US Senate* (Baltimore: Johns Hopkins Press, 1989).

<sup>4</sup> Rohde, 'Agenda Change', p. 33.

<sup>5</sup> Stanley Bach and Steven S. Smith, *Managing Uncertainty in the House of Representatives: Adaptation and Innovation in Special Rules* (Washington, DC: The Brookings Institution, 1989).

in the observed stages of organizing the legislature. These findings suggest that theories of legislative politics with a party component – while perhaps more realistic than their more parsimonious non-partisan counterparts – are not necessarily superior predictors of observable legislative behaviour. Two concluding sections address some common criticisms of this approach and attempt to reconcile some apparent differences between these and previous findings.

## 1. WHAT IS SIGNIFICANT PARTY BEHAVIOUR?

Legislative scholars have written relentlessly that parties are the prominent mechanisms through which legislative business is conducted.<sup>6</sup> Parties play key roles in selecting leaders, making committee assignments, setting the legislative agenda, planning legislative strategies and determining rules and procedures under which legislation is considered. As such, broad assessments about partisan forces in Congress are common. Patterson and Caldeira, for instance, summarize the literature as follows:

Despite the fact that the congressional parties are weak by European standards, research on congressional decision making has repeatedly shown that 'party' remains the chief and most pervasive influence in Congress.<sup>7</sup>

On the surface, such assessments seem unobjectionable. However, it is one thing to proclaim party as the 'chief and most pervasive influence in Congress' with reference to correlates of so-called partisan behaviour, but quite another to establish that party is a significant and independent cause of such behaviour. Although the distinction between correlates and causes is hackneyed, it bears repeating and illustrating within the present context.

A common form of inference pertaining to the significance of parties in politics goes as follows. A phenomenon is important. Party is correlated with it. Therefore, party is important – moreover, by implication, in a causal way. Consider, for example, roll-call voting in legislatures – a field in which party has played prominently in empirical analysis in the form of party voting

<sup>6</sup> David W. Brady, *Congressional Voting in a Partisan Era* (Lawrence: University Press of Kansas, 1973); Charles O. Jones, 'Joseph G. Cannon and Howard W. Smith: An Essay on the Limits of Leadership in the House of Representatives', *Journal of Politics*, 30 (1968), 617–46; Theodore J. Lowi, 'Party, Policy, and Constitution in America' in William Nisbet Chambers and Walter Dean Burnham, eds, *The American Party Systems* (New York: Oxford University Press, 1967) pp. 238–76; Samuel C. Patterson, 'Legislative Leadership and Political Behaviour', *Public Opinion Quarterly*, 27 (1963), 399–410; Robert L. Peabody, 'Party Leadership Change in the United States House of Representatives', *American Political Science Review*, 61 (1967), 675–93; Randall B. Ripley, 'The Party Whip Organization in the US House of Representatives', *American Political Science Review*, 58 (1964), 561–76; and *Party Leaders in the House of Representatives* (Washington, DC: The Brookings Institution, 1967); and Barbara Sinclair, *Majority Leadership in the US House* (Baltimore: Johns Hopkins Press, 1983); and *The Transformation of the US Senate*.

<sup>7</sup> Samuel C. Patterson and Gregory A. Caldeira, 'Party Voting in the United States Congress', *British Journal of Political Science*, 18 (1988), 111–31, p. 111.

scores.<sup>8</sup> If, over a set of votes, the percentage of votes in which a majority of Democrats opposes a majority of Republicans is large, party is said to be important, parties are said to be strong, times are said to be partisan, etc. Likewise, if in a logit or probit estimation of a given roll-call vote, a party dummy variable has a large and significant coefficient, party is said to be important, parties are said to be strong, the vote is said to be partisan, etc.

Such inferences are not necessarily wrong, but they are not necessarily right either. The crucial question has to do with individual legislators' policy preferences. In casting apparently partisan votes, do individual legislators vote with fellow party members *in spite of their disagreement* about the policy in question, or do they vote with fellow party members *because of their agreement* about the policy in question? In the former case, parties as groups are significant in a potentially policy-relevant way. That is, their partisan behaviour may well result in a collective choice that differs from that which would occur in the absence of partisan behaviour. In the latter case, however, parties as groups are surely less policy-relevant in terms of the difference they make relative to a non-partisan baseline. Thus, the apparent explanatory power of the variable, party, may be attributed solely to its being a good measure of preferences.

Figure 1 provides a precise illustration. Suppose the density of ideal points of individual Democrats and Republicans over any given policy is that shown in Figure 1a. Democrats make up 60 per cent of the legislature, and Republicans make up 40 per cent. Consider a vote that pairs policy *x* against policy *y* in which a clean 60–40 party split occurs. The temptation – as well as tendency in the literature – is to infer that, since party members vote cohesively over the policies under consideration, parties are strong in a policy-relevant way. However, a comparably plausible inference is that, since individuals vote perfectly consistently with their preferences, parties are not policy-relevant. In spite of the cleanliness of the data in this example, the data cannot discriminate between a party hypothesis and a preference hypothesis.

In Figure 1b preferences are more heterogeneous within parties. Consequently, some Republicans are more leftist than some Democrats, and some Democrats are more rightist than some Republicans. In this case, the same observed 60–40 division is more telling, for it indicates that some Democrats voted for *x* contrary to their policy preferences (those represented by the shaded

<sup>8</sup> Melissa P. Collie, 'Electoral Patterns and Voting Alignments in the US House, 1886–1986', *Legislative Studies Quarterly*, 14 (1989), 107–28; Melissa P. Collie and David W. Brady, 'The Decline of Partisan Voting Coalitions in the House of Representatives', in Lawrence C. Dodd and Bruce I. Oppenheimer, eds, *Congress Reconsidered*, 3rd edn (Washington, DC: Congressional Quarterly Press, 1985) pp. 272–87; Cox and McCubbins, *Legislative Leviathan*; Patricia A. Hurley and Rick K. Wilson, 'Partisan Voting Patterns in the US Senate, 1977–86', *Legislative Studies Quarterly*, 14 (1989), 225–50; Rohde, *Parties and Leaders*; Barbara Sinclair, 'From Party Voting to Regional Fragmentation, 1933–1956', *American Politics Quarterly*, 6 (1978), 125–46; and David B. Truman, *The Governmental Process* (New York: Alfred A. Knopf, 1951); and *The Congressional Party* (New York: Wiley, 1954).

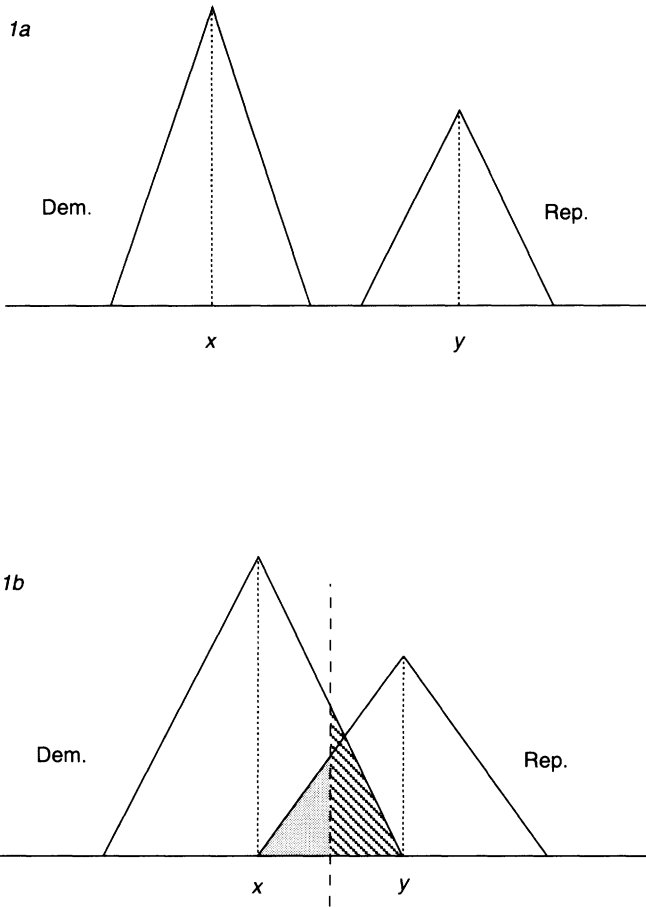


Fig. 1. Illustrations of party voting

area to the right of the midpoint between  $x$  and  $y$ ), and, likewise, some Republicans voted for  $y$  contrary to their policy preferences (the shaded area to the left of the midpoint).<sup>9</sup>

This simple illustration cautions against automatically drawing inferences about party when non-partisan explanations are readily available. In this

<sup>9</sup> For an extreme but exceptionally lucid example of this phenomenon, see Hedrick Smith's discussion of the behaviour of Howard Baker, Strom Thurmond and other Senate Republicans in 1981 when confronted with the necessity, as a new majority of the president's party, of raising the debt ceiling. See Hedrick Smith, *The Power Game* (New York: Random House, 1988), pp. 459–60.

instance, the non-partisan explanation is the most basic sort of preference-based spatial theory: legislators vote for the policy alternative nearest their ideal policies.

If standard party-voting scores cannot define party strength unambiguously, then what can? A uniquely clear and strong definition of significant party behaviour would be: behaviour that is consistent with known party policy objectives but that is *contrary* to personal preferences.<sup>10</sup> Such behaviour takes place, for instance, when voters in the shaded regions in Figure 1b vote for their party's positions even though their personal preferences dictate otherwise. While clear, this strong definition of significant party behaviour is not as empirically tractable as its somewhat weaker analogue, which this study employs. Specifically, significant party behaviour is behaviour that is consistent with known party policy objectives but that is *independent* of personal preferences.

The logic that underlies this definition of significant party behaviour comports well with several aspects of social science. At the most basic level, if parties are empirically significant, then politics should be significantly different with parties from what it is without them. For instance, a partisan legislature should be organized significantly differently from a non-partisan one; its decision-making processes should be different; and its final policy choices should be different. Otherwise, the significance of parties would be difficult or impossible to corroborate or falsify. Similarly, if parties are theoretically significant, then predictions of a theory with parties should differ from predictions of an otherwise identical theory without parties. Otherwise, it would be difficult or impossible to discriminate between competing theories. Finally, by implication, if party is a significant force on something else of political importance – such as committee assignments, choice of procedures or final outcomes – then when the effect of party is estimated along with other hypothesized forces, it should remain significant. Otherwise, party fails to establish itself as an independently significant force, consistent with the definition.

## 2. WHERE MIGHT SIGNIFICANT PARTY BEHAVIOUR BE OBSERVED?

The stages throughout the legislative process at which significant party behaviour might be observed are numerous. Parties may be active in fund-raising, in the electoral process, in organizing legislative activity, in all stages of law making and in oversight and inter-branch relations. Since it is impossible in a single study to look everywhere that such behaviour may be found, it is also impossible to pre-empt the probable objection that I will not have looked in the right place. My modest aim is simply to attempt to observe significant

<sup>10</sup> Party objectives could be defined, for example, as the party's median member's preferred policy in a given unidimensional jurisdiction.

party behaviour in places in which, *a priori*, one would expect it easily to be observed. If, as it turns out, significant party behaviour usually cannot be observed, then others are encouraged to perform additional empirical analyses focusing on supposedly more significant stages of party behaviour. Meanwhile, I shall assess party effects at two stages of the legislative process in the US House of Representatives: assignment of members to standing committees at the start of the Congress and assignment of members to conference committees after legislation passes the House and Senate in different forms.

One reason for these focuses is specific and self-evident. Committees are widely believed to be central to the process of law making in American legislatures, and the processes and outcomes pertaining to committee assignments have been studied extensively.<sup>11</sup> Most, if not all, such studies give us a strong expectation that partisanship will be manifested.

Another reason for these focuses is more general but complementary. In his classic study of Joe Cannon and Howard Smith, Jones makes a potentially important distinction between procedural and substantive majorities.<sup>12</sup> Substantive majorities are coalitions that pass legislation. Procedural majorities are coalitions that determine how the legislature is organized. Matters of legislative organization include leadership selection, choice of the chamber's standing rules, decisions pertaining to committee assignments, procedures for considering specific pieces of legislation and appointment of conferees to resolve bicameral differences. Many, including Jones, have suggested that, while parties may find it difficult to act cohesively on substantive issues which tend to be publicized, it is much easier to win near-unanimous majority party support on procedural matters which tend to be hidden from or not understood by the public. Likewise, Smith's ninth rule of coalition politics – 'make votes politically easy' – and accompanying anecdotes typify the belief that, in a world of inattentive voters, the distinction between procedure and substance is real.<sup>13</sup> If so, then partisanship is especially likely to be influential during collective choices regarding legislative organization.

In summary, at least two factors seem to favour our finding significant party behaviour. First, the analysis is guided by a weak definition of significant party behaviour which requires only that party effects be independent of – not

<sup>11</sup> See, for example, Richard F. Fenno Jr, *The Power of the Purse: Appropriations Politics in Congress* (Boston, Mass.: Little, Brown, 1966); John F. Manley, *The Politics of Finance: The House Committee on Ways and Means* (Boston, Mass.: Little, Brown, 1970); David E. Price, *Who Makes the Laws? Creativity and Power in Senate Committees* (Cambridge: Schenkman, 1972); Steven S. Smith and Christopher J. Deering, *Committees in Congress* (Washington, DC: Congressional Quarterly Press, 1984); Heinz Eulau, 'Committee Selection', in Gerhard Loewenberg, Samuel Patterson and Malcom Jewell, eds, *Handbook of Legislative Research* (Cambridge, Mass.: Harvard University Press, 1985).

<sup>12</sup> Charles O. Jones, 'Joseph G. Cannon and Howard W. Smith: An Essay on the Limits of Leadership in the House of Representatives', *Journal of Politics*, 30 (1968), 617–46.

<sup>13</sup> Smith, *The Power Game*, p. 479.



contrary to – preferences. Secondly, the focus is on collective choices pertaining to legislative organization (procedure) rather than legislative policy (substance), i.e., stages of legislative decision making at which the majority party has relatively free rein to exert its putative powers.<sup>14</sup>

### 3. COMMITTEE ASSIGNMENTS: INADEQUATE EVIDENCE

Almost without exception, seminal works on committee assignments have focused on parties and party leaders as the primary movers and shakers in the process.<sup>15</sup> Since the speakership of Joe Cannon – the ostensible partisan committee stacker *extraordinaire* – leaders of the two major parties begin by striking an informal agreement on party ratios on committees. Thereafter, party leaders, elite committees and party caucuses become the chief units of party decision making. While intra-party committee slates ultimately must be approved by the full House, this final stage is usually regarded as *pro forma*.

Given this description, does it not follow immediately that the committee assignment process is significantly partisan? Perhaps counter to intuition, no, it does not. Specifically, parties or party leaders may be extremely active in making committee assignments, yet the final composition of standing committees may be little or no different from that which would result from a process in which members' preferences alone governed behaviour. Similarly, the apparent strategic advantage of the majority party, *ceteris paribus*, may in fact be non-existent. If so, then a partisan theory of committee assignments could not predict behaviour any better than its non-partisan counterpart.

Previous research on the composition of standing committees sheds some light on the question of whether committee assignments are significantly partisan, but the evidence is only crudely suggestive. For example, two recent studies use jurisdiction-specific interest group ratings as measures of preferences and usually fail to reject the null hypothesis that committee means or medians equal House means or medians.<sup>16</sup> These findings suggest – but cannot establish – that committees are microcosms of the parent chamber, in which case signifi-

<sup>14</sup> This is not to claim that parties do not try to exert their powers on substantive outcomes, too. Nor is it to deny the relationship between procedure and substance. Rather, the argument is of the 'to-the-extent' form: to the extent that a line can be drawn between matters of procedure and matters of substance, the analysis focuses on the side of the line where party effects are more likely to be manifested.

<sup>15</sup> See, for example, Nicholas A. Masters, 'House Committee Assignments', in Leroy N. Riesebach, ed, *The Congressional System: Notes and Readings* (Belmont, Calif.: Wadsworth, 1970); and Kenneth A. Shepsle, *The Giant Jigsaw Puzzle* (Chicago: University of Chicago Press, 1978).

<sup>16</sup> For mean-based tests, see Keith Krehbiel, 'Are Congressional Committees Composed of Preference Outliers?', *American Political Science Review*, 84 (1990), 149–63. For essentially the same conclusions derived using median-based non-parametric tests, see Timothy J. Groseclose, 'Median-Based Tests of Committee Composition' (Stanford University: manuscript, 1992).

cant party effects would seem to be lacking.<sup>17</sup> That is, if significant party behaviour occurs in committee assignment processes, and if preferences are correlated with party, then the two parties' attempts to stack committees – if they occur at all – tend approximately to cancel out one another in the aggregate.<sup>18</sup> As we see next, however, reliance on aggregate statistics can be misleading in the search for significant party effects.

Another well-known fact of committee assignments is that, with few exceptions, the party ratios that leaders negotiate closely approximate the partisan composition of the parent chamber. This fact is illustrated in Table 1, which gives the size of the House's standing committees in the 99th Congress, the number of Democrats on each committee, the expected number of Democrats based on the House's partisan composition and a strict proportionality rule and, finally, the majority-party seat advantage, defined as the difference between the actual and expected numbers of Democrats.<sup>19</sup> Consistent with conventional wisdom, a large majority of committees lie within one seat of proportionality and only four committees have a majority-party advantage of greater than one seat. However, a handful of committees give a slight proportional advantage to the minority party.

What partisan inferences can be drawn from these data on party ratios? Perhaps counter to intuition, none. The reason is that the relationship between party ratios on committees and stacking of committees by the majority party is fundamentally ambiguous at the aggregate level of analysis.<sup>20</sup> Figure 2 clarifies this assertion. For purposes of simplicity, suppose that Democrats have a 2:1 majority in the legislature, that legislators' ideal points over a given committee's unidimensional jurisdiction are uniformly distributed over the [0,100]

<sup>17</sup> The studies are only suggestive since the inability to reject a null hypothesis does not imply truth of the null hypothesis of no difference, rather, it signifies the lack of evidence for the alternative hypothesis of a significant difference. Nor, as Hall and Grofman suggest by their criticism of 'categorical accounts' of committee assignments, do these patterns of findings imply that all committees are alike (see Richard Hall and Bernard Grofman, 'The Committee Assignment Process and the Conditional Nature of Committee Bias', *American Political Science Review*, 84 (1990), 1149–66). Indeed, previous studies report considerable cross-committee variation.

<sup>18</sup> This party-based interpretation of studies that had no party basis is necessarily speculative. For empirical studies of committee composition that include party breakdowns, see David C. Coker and W. Mark Crain, 'Legislative Committees as Loyalty-Generating Institutions' (George Mason University: manuscript, 1990); Cox and McCubbins, *Legislative Leviathan*; Groseclose, 'Median-Based Tests', and Randall Strahan and R. Kent Weaver, 'Subcommittee Government and the House Ways and Means Committee' (Emory University: manuscript, 1989).

<sup>19</sup> The present study focuses exclusively on the 99th Congress (1985–86). There are no apparent reasons for believing that this Congress is atypical and some evidence that it is typical. (See Katherine A. Hinckley, 'Party Ratios on Congressional Committees and Subcommittees, 80th–99th Congresses' (University of Akron: manuscript, 1986) for findings on party ratios and Krehbiel, 'Preference Outliers', for evidence of committee composition in other congresses.) None the less, as always, replication and generalization would be desirable.

<sup>20</sup> The terms 'majority-party committee stacking' in this context refers to over-representation of majority-party policy positions. As the following examples indicate, it is not necessary to settle on any single definition of over-representation, however chamber-mean or chamber-median based definitions are intuitive and computationally convenient.

TABLE 1 *Democratic Seat Advantage in Standing Committees, 99th Congress*

Committee	Size	Actual number of Democrats	Expected number of Democrats	Democratic seat advantage
Agriculture	43	26	25.00	0.99
Appropriations	59	36	34.32	1.69
Armed Services	47	27	27.34	-0.34
Banking, Finance and Urban Affairs	47	28	27.34	0.66
Budget	33	20	19.19	0.81
District of Columbia	11	7	6.40	0.60
Education and Labor	33	19	19.19	-0.19
Energy and Commerce	43	25	25.01	-0.01
Foreign Affairs	42	25	24.42	0.57
Government Operations	39	23	22.68	0.32
House Administration	19	12	11.05	0.95
Interior	37	22	21.52	0.48
Judiciary	36	22	20.94	1.06
Merchant Marine and Fisheries	42	25	24.43	0.57
Post Office and Civil Service	21	13	12.21	0.79
Public Works and Transportations	48	27	27.92	-0.92
Rules	13	9	7.56	1.44
Science and Technology	42	25	24.43	0.57
Small Business	43	25	25.01	-0.01
Standards of Official Conduct	12	6	6.98	-0.98
Veterans' Affairs	35	21	20.36	0.64
Ways and Means	37	24	21.52	2.48

interval, and that Republicans' ideal points range over  $[0, 33\frac{1}{3}]$  while Democrats' ideal points range over  $[33\frac{1}{3}, 100]$ .

Figure 2a shows that equality of party ratios in committee and in the chamber is not convincing evidence of the absence of committee stacking. Democratic and Republican leaders can negotiate so-called fair ratios, but such ratios do not guarantee representative committees. While Republicans fill their allotted slots with average or median Republicans with ideal points of  $16\frac{2}{3}$ , Democrats can effectively bias the committee with extremists whose ideal points lie at 100. The consequence is a preference-outlying committee by either a median-based or mean-based criterion. The committee median is 100, while the committee mean is  $\frac{1}{3}(16\frac{2}{3}) + \frac{2}{3}(100) \cong 72$ . Each of these is significantly different from the comparable chamber statistic of 50.

Figure 2b shows that inequality of party ratios in committee and in the chamber is not convincing evidence of committee stacking. Democrats may play hard-ball with Republicans during the ratio-negotiating phase and demand a so-called unfair 3:1 ratio of committee slots, but this does not guarantee unrepresentative committees. Republicans can fill their slots with like-minded extremists (0s), while Democrats can adopt a strategy of diversity and appoint

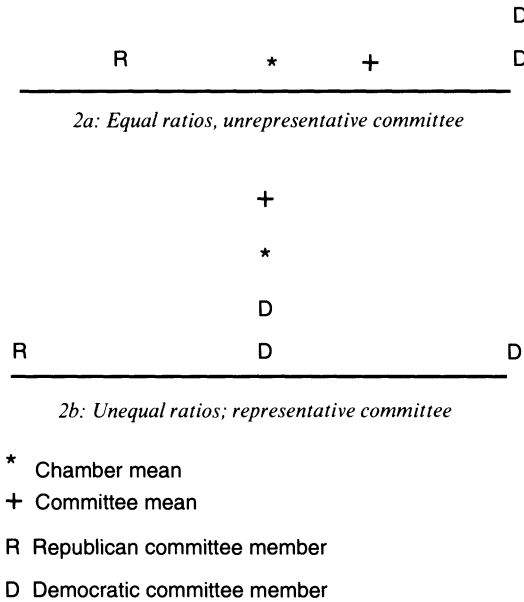


Fig. 2. Party ratios and representativeness of committees in a 2:1 Democrat:Republican legislature

one-third extremists (100s) and two-thirds chamber-median voters (50s). The resulting composition of the committee is perfectly representative of the parent chamber by either a mean or median criterion.

The general point of this discussion is that – contrary to casual intuition – we cannot rely on previous empirical observations to test for significant party behaviour during the committee assignment process. A high level of party activity is not tantamount to partisan committee assignments. Nor can we infer anything about significant party behaviour from partisan ratios on committees. Due to the inadequacy of previous findings to address present concerns, the tests that follow are based on individual-level analysis rather than aggregate statistics. Consistent with the definition of significant party behaviour, the analysis attempts to separate preference effects from party effects. The focal issue is whether, at the individual level, majority-party status is in fact a strategic asset, as one would expect in an era of partisan resurgence within the Congress.

#### 4. COMMITTEE ASSIGNMENTS: NEW EVIDENCE

The definition of significant party behaviour is useful in conducting tests of three hypotheses. In each case, the null hypothesis is that each legislator has an equal probability of being a member of a given committee. The three alternative hypotheses are:

- Hypothesis 1: Majority-Party Stacking. Independent of preferences, majority-party status will increase a legislator's probability of obtaining a given committee seat.
- Hypothesis 2: Non-Partisan High Demanders. Independent of party, high-demand preferences will increase a legislator's probability of obtaining a given committee seat.<sup>21</sup>
- Hypotheses 3: Partisan Counter-Stacking. Majority and minority parties will respond to extreme preferences in opposite ways, with one party rewarding high demanders while the other rewards low demanders.

Elaboration of these hypotheses is most intuitive with reference to Table 2 which is to be viewed only as an illustrative device. For reasons given below, the actual test does not employ this  $2 \times 2$  construction.

TABLE 2 *Illustrations of Hypotheses 1–3*

<i>(a) Probabilities</i>			<i>(b) Majority-party stacking</i>		
	Low demander	High demander		Low demander	High demander
Republican	$p_1$	$p_2$	Republican	0.10	0.10
Democrat	$p_3$	$p_4$	Democrat	0.15	0.15
<i>(c) Non-partisan high-demanders</i>			<i>(d) Partisan counter-stacking</i>		
	Low demander	High demander		Low demander	High demander
Republican	0.05	0.15	Republican	0.15	0.05
Democrat	0.05	0.15	Democrat	0.05	0.15

Suppose that within each party and for any given committee's jurisdiction, different members have different preferences. Suppose further that any given member is either a low demander or a high demander. For example, we might focus on the Agriculture Committee, in which case a high demander favours high levels of government subsidies for crops while a low demander favours low or no such subsidies.<sup>22</sup> Next consider a  $2 \times 2$  table whose entries are probabilities that a member of a given party  $\times$  preference type obtains a seat on the committee of interest. Call these  $p_1$ ,  $p_2$ ,  $p_3$  and  $p_4$  as shown in Table 2a. Now reconsider the three hypotheses.

<sup>21</sup> The term 'high demander' is always defined and measured with reference to a given committee and, more specifically, an issue or political 'commodity' within the committee's jurisdiction. See the appendix for examples and details.

<sup>22</sup> Jurisdictionally relevant interest-group ratings of legislators are used as measures of preferences, although constituency characteristics could also be used for some committees as in, for example, Hall and Grofman, 'The Committee Assignment Process'. See the appendix to this article for a brief discussion of this and related issues.

*Majority Party Stacking*

If the Democratic party systematically stacks a committee to the benefit of Democrats independent of their preferences, then we would expect to see the following ordering of probabilities, as illustrated in Table 2b:

$$p_4 \cong p_3 > p_1, p_2$$

That is, independent of its members' preferences, the majority party would make sure to obtain more seats for more of its members than the minority party obtains for its members.

*Non-Partisan High Demanders*

If, as in the standard non-partisan preference-outlier theory, both parties cater to high demanders but there is no significant party behaviour, then the expected probabilities are as shown below and illustrated in Table 2c:

$$p_2 \cong p_4 > p_1 \cong p_3$$

Here, parties are not institutions of policy-based competition in which, due to its numerical advantage, the majority party wins out. Instead, parties operate as like-minded co-conspirators in the pursuit of high levels of governmental services for their members. Thus, high demanders have an advantage independent of party.

*Partisan Counter-Stacking*

Hypotheses 1 and 2 do not capture the possibility that party-based *and* preference-based outlying tendencies may be operable but may operate in opposite ways within different parties. If this were the manner in which parties affect the committee assignment process, then we should see the pattern of probabilities shown below and illustrated in Table 2d:

$$p_1 > p_2 \text{ and } p_4 > p_3$$

While a test of the form outlined in Table 2 would be conceptually straightforward, such an approach has two drawbacks that require slight adjustments – adjustments that are nevertheless consistent with the definition of significant party behaviour. First, because party and preferences are strongly correlated, the sample sizes in the off diagonals of Table 2 are often too small to make confident statements about the significance of differences in probabilities.<sup>23</sup> Secondly, the dichotomous definition of high and low demanders entails not only choosing an arbitrary cutpoint (e.g., 50, the mean or the median), but also, in effect, discarding meaningful data. For instance, if 50 is the arbitrary cutpoint, then the  $2 \times 2$  test outlined above would treat a member with an

<sup>23</sup> For example, using the chamber median as the cutpoint between low and high demanders according to NFU ratings, the resulting denominators on which  $p_2$  and  $p_3$  are based are only 2 and 42, respectively.

interest-group rating of 100 as no different from a member with a rating of 51, while it would treat a member with a rating of 51 as different from a member with a rating of 49. These problems are solved by moving to a probit framework in which there is no need arbitrarily to dichotomize measures of preferences. Instead, conventional 0–100 ratings are used in the estimation of three probit coefficients –  $\beta_1$ ,  $\beta_2$  and  $\beta_3$  – that parallel hypotheses 1, 2 and 3. For each of eight committee-rating pairs, the following equation is estimated:<sup>24</sup>

$$\Pr(\text{COMMITTEE} = 1) = \Phi(\alpha + \beta_1\text{PARTY} + \beta_2\text{PREFERENCE} + \beta_3\text{PARTY} \times \text{PREFERENCE}) \quad (1)$$

where  $\alpha$  is a constant term, COMMITTEE is a dummy variable denoting committee membership, PARTY is a dummy variable for majority party status (1 if Democrat; 0 otherwise), PREFERENCE is a jurisdictionally relevant interest group rating and  $\Phi(\cdot)$  is the standard normal cumulative distribution function.<sup>25</sup> In several instances the estimated effect of the interaction term,  $\text{PARTY} \times \text{PREFERENCE}$ , is insignificant. To obtain a better specification, I also estimate:

$$\Pr(\text{COMMITTEE} = 1) = \Phi(\alpha + \beta_1\text{PARTY} + \beta_2\text{PREFERENCE}). \quad (2)$$

Maximum likelihood estimates for any committee-rating pair, then, allow us to make the following inferences with respect to the three hypotheses. If  $\beta_1$  is significantly greater than zero, the hypothesis of majority-party stacking receives preliminary support because majority-party status is a net plus, independent of preferences. If  $\beta_2$  is significantly greater than zero, then the hypothesis of non-partisan high demanders receives preliminary support because high-demand preferences are a net plus independent of party. Finally, if  $\beta_3$  is significantly different from zero, then the hypothesis of partisan counter-stacking receives preliminary support because, independent of the direct party and preference effects, preferences have unique effects across parties. The reason for the ‘preliminary’ qualifier is that for specifications with the interaction term,  $\text{PARTY} \times \text{PREFERENCE}$ , the *total* effect of a variable (e.g., PARTY) – both

<sup>24</sup> The data and committee-rating pairs are the same as those used in Krehbiel, ‘Preference Outliers’.

<sup>25</sup> This specification is simple in comparison, say, to the analysis in Shepsle’s *Giant Jigsaw Puzzle*. Although both analyses use individual-level data, their substantive aims are quite different. Shepsle was mainly concerned in self-selection and therefore compared (among other things) freshmen requests or non-freshmen transfer requests with intra-party assignments (Democrats only). I am more concerned with overall partisan effects than with intra-party individual decision making. As such, the econometric specification focuses on overall committee membership at a given time rather than first-time assignments. These approaches are not radically different from, or inconsistent with, one another. Indeed, this equation might be viewed as a reduced-form (albeit bipartisan) version of Shepsle’s.

direct ( $\beta_1$ ) and indirect ( $\beta_3$ ) – should be evaluated prior to interpreting the coefficients. Examples are given as appropriate.<sup>26</sup>

The findings are summarized in Table 3 and reported fully in the appendix. In six of the eight committee-rating pairs, statistically significant probit coefficients were obtained in at least one of the two specifications.<sup>27</sup> The committees for which there is no support for any of the hypotheses are Energy and Commerce (based on Chamber of Commerce ratings) and Public Works (based on the League of Conservation Voters' ratings). In the case of Energy and Commerce, the jurisdiction of the committee is sufficiently broad and diverse that the rating may not be tapping the relevant preferences. While, regrettably, a better measure is not readily available, few have alleged the committee to be unrepresentative of the House anyway. The finding for Public Works is perhaps more surprising, since this is an infamous pork-barrel committee in which we would expect to see significant preference effects, if nothing else. On the other hand, this measure, too, can be questioned, and, in any event, the absence of significant party effects is consistent with at least one description of the committee as bipartisan.<sup>28</sup>

The remaining discussion focuses on the six committee-rating pairs for which some probit coefficients are significant.

#### 4.1. Majority-Party Stacking

Remarkably, of the six committees for which significant results are obtained only two have significant positive party coefficients in one or both equations – Agriculture and Armed Services. Furthermore, closer inspection of the estimates for these committees leads to some substantively significant qualifications.

For the Agriculture Committee, the coefficient for PREFERENCE  $\times$  PARTY is *negative* and significant, indicating that, holding constant the direct effects of PARTY and PREFERENCE (NFU (National Farmers' Union) ratings here), high-demand Democrats are *less* likely than low-demand Democrats to be assigned to the committee. The question is whether, when all of these sometimes opposing effects are taken into account, majority-party status is a net plus. Table 4a shows that it is not. The cell entries are the probabilities of obtaining an Agriculture Committee seat based on the estimates of Equation 1 for each of six

<sup>26</sup> Equation (1) is an econometric equivalent of  $\Pr(\text{COMMITTEE} = 1) = \Phi(\gamma_1 \text{DEM} + \gamma_2 \text{DEM} \times \text{PREFERENCE} + \gamma_3 \text{REP} + \gamma_4 \text{REP} \times \text{PREFERENCE})$ , where the party dummy variables have the obvious definitions. While this equation is perhaps more intuitive for comparing parties, the  $\beta$  coefficients in Equation 1 are somewhat easier to interpret because they parallel the three substantive hypotheses and highlight the present majority-party focus.

<sup>27</sup> A critical  $t$  of 1.65 is used, indicating significance at the 0.05 level in a one-tailed test. See the appendix for the complete estimates, including the  $t$ -statistics which, of course, enable applications of whatever standard of significance is desired.

<sup>28</sup> James T. Murphy, 'Political Parties and the Porkbarrel: Party Conflict and Cooperation in House Public Works Committee Decision Making', *American Political Science Review*, 68 (1974), 169–85.



TABLE 3      *Summary of Probit Estimates of the Effects of Party and Preferences on Committee Assignments*

Committee	Rating	Equation	Party $\beta_1$	Preference $\beta_2$	Party $\times$ Preference $\beta_3$
Agriculture	NFU	1	+	+	-
		2	-	+	
Armed Services	ASC	1	+	+	-
		2	+	+	
Education and Labor	COPE	1	-	+	+
		2	-	+	
Education and Labor	NEA	1	-	+	-
		2	-	+	
Energy and Commerce	CCUS	1	+	+	-
		2	+	+	
Foreign Affairs	ASC	1	+	-	+
		2	-	-	
Interior	LCV	1	-	-	+
		2	+	-	
Public Works	LCV	1	+	-	-
		2	+	-	

\* Significant at the 0.05 level or better. See also Table A in the appendix.

types of legislators: Republicans or Democrats who are low, medium or high demanders.<sup>29</sup> Only for low demanders does majority-party status confer an advantage. So while  $\beta_1$  is positive in Equation 1, majority-party status is not a net plus across-the-board, and the support for Hypothesis 1 is weak.<sup>30</sup>

The results for Armed Services are none too supportive of the majority-party stacking hypothesis for a different reason. Since the estimate of  $\beta_3$  is insignificant for Armed Services, the interaction effect does not complicate the inference as with Agriculture. However, even when interpreting the estimates in Equation 2, the positive and significant net effect of PARTY given by  $\beta_1$  should be considered alongside the end result of Armed Services appointments. The end result is a committee whose overall composition is *very* significantly more pro-defence

<sup>29</sup> Let  $\bar{x}$  denote the mean NFU rating,  $s_x$  its standard deviation, and  $\hat{\beta}_i$  the estimates reported in the appendix. Then the cell entries are calculated as follows: low-demand Republican,  $\Phi(\hat{a} + \hat{\beta}_2(\bar{x} - s_x))$ ; medium-demand Republican,  $\Phi(\hat{a} + \hat{\beta}_2\bar{x})$ ; high-demand Republican,  $\Phi(\hat{a} + \hat{\beta}_2(\bar{x} + s_x))$ ; low-demand Democrat,  $\Phi(\hat{a} + \hat{\beta}_1 + \hat{\beta}_2(\bar{x} - s_x) + \hat{\beta}_3(\bar{x} - s_x))$ ; medium-demand Democrat,  $\Phi(\hat{a} + \hat{\beta}_1 + \hat{\beta}_2\bar{x} + \hat{\beta}_3\bar{x})$ ; high-demand Democrat,  $\Phi(\hat{a} + \hat{\beta}_1 + \hat{\beta}_2(\bar{x} + s_x) + \hat{\beta}_3(\bar{x} + s_x))$ .

<sup>30</sup> Furthermore, the PARTY coefficient in Equation 2 is *negative* and significant. A likelihood ratio test, however, suggests that Equation 2 is not as good a fit as Equation 1 for this committee-rating pair.

TABLE 4 *Instances of Partisan Counter-Stacking*

	<i>(a) Agriculture Committee</i>		
	Low demander	Medium demander	High demander
Republican	0.06	0.31	0.70
Democrat	0.13	0.11	0.09

	<i>(b) Education and Labor Committee</i>		
	Low demander	Medium demander	High demander
Republican	0.08	0.09	0.10
Democrat	0.00	0.02	0.09

	<i>(c) Interior Committee</i>		
	Low demander	Medium demander	High demander
Republican	0.08	0.01	0.00
Democrat	0.02	0.05	0.10

than the average Democrat and average House member. In other words, notwithstanding the significance of party according to the present definition, the anti-party preference effect ( $\beta_2$ ) swamps the preference-independent part effect ( $\beta_1$ ). Consistent with this probit result, the Armed Services Committee has indeed been harshly criticized as extremist, prompting various attempts – some successful – to oust its ‘too conservative’ committee chairmen.

In summary, the support for Hypothesis 1 is meagre.

#### 4.2. Non-Partisan High Demanders

When party effects are held constant, the effect of high-demand preferences on committee assignments appears to be quite different from that suggested in two recent studies of preference outliers. Again excluding the Energy and Commerce and Public Works Committees, positive and significant high-demand effects are found in at least four of six committees. Other things equal, high-demand preferences improve one's chances of obtaining a seat on Education and Labor (true for both NEA (National Education Association) and COPE (Committee on Political Education) ratings), Agriculture and Armed Services. Comparable interpretations may be offered for the other two committees. On Foreign Affairs, anti-defence preferences are associated with assignment; on Interior, anti-conservation preferences have the same effect.<sup>31</sup>

While high-demand effects exist, it should be stressed that these preference effects occur when party effects are held constant. As previous studies have shown, when party effects are not held constant and the overall composition

<sup>31</sup> While these are instances in which, *a priori*, it is not clear what a high demander is, the appendix offers guidelines that allow the reader to choose his or her preferred interpretation.

of the committee is considered, the individual-level high-demand effect tends to vanish. That is, committees, for the most part, seem not to be composed of preference outliers.<sup>32</sup> This seemingly paradoxical result can be explained as follows. While high demanders within the Democratic party and high demanders within the Republican party both have a greater than average probability of being assigned to the committee, a typical member of the high-demand party does not have a greater chance of being assigned than a typical member of the low-demand party. Thus, a plausible interpretation is that, while behavioural practices such as proportional party membership on committees allows some 'accommodation' to occur within parties,<sup>33</sup> such accommodation does not usually permit committee composition to become significantly unrepresentative of the House at large.

#### 4.3. *Partisan Counter-Stacking*

Support for the hypothesis of partisan counter-stacking is confined to three committees: Agriculture, Education and Labor (on labour issues only) and Interior. The case of Agriculture was discussed and quantified above in Table 4a, in which the probabilities indicate that the Republican tendency to give high demanders special treatment is much stronger than the opposite, Democratic tendency to give low demanders a probabilistic advantage. The COPE-based Education and Labor estimates also show parties working somewhat at cross purposes. However, when quantified in Table 4b, the differences in probabilities across preference types are not as large as with Agriculture or Interior. Finally, Interior offers the cleanest support for Hypothesis 3. As shown in Table 4c, pro-conservation preferences work to the detriment of Republicans while they work to the advantage of Democrats. Still, here too, when all is said and done, the average (or median) member of this committee according to LCV (League of Conservation Voters) ratings is not much different from the average (or median) member in the House.<sup>34</sup>

In conclusion, while there are some interesting individual-level PARTY, PREFERENCE and PARTY  $\times$  PREFERENCE effects, rarely are these significant in terms of the final, overall committee composition. Consistent with previous studies, the Armed Services Committee (and possibly Agriculture) is exceptional. And, to reiterate, effects of PARTY are either insignificant (two instances), opposite

<sup>32</sup> According to Krehbiel in 'Preference Outliers' and Groseclose in 'Median-Based Tests', only Armed Services is a preference outlier. Hall and Grofman ('The Committee Assignment Process') would probably claim that Agriculture is too (which it nearly was in Krehbiel's analysis but not in Groseclose's), though their analysis pertained only to the Senate Agriculture Committee.

<sup>33</sup> Shepsle, *Giant Jigsaw Puzzle*.

<sup>34</sup> Committee and chamber means are 51.9 and 52.4 respectively; medians are 53 and 50, respectively.

to those expected by Hypothesis 1 (four instances) or associated with major qualifications (two instances).<sup>35</sup>

##### 5. APPOINTMENT OF CONFEREES

As stipulated in House of Representatives' Rule X Clause 6(f), conferees are appointed by the Speaker of the House. As a matter of practice, the Speaker consults with committee chairmen when drawing up slates of conferees. Although Rule X encourages the Speaker to 'appoint members who generally supported the House position as determined by the Speaker', House precedents are such that the Speaker's choice cannot be challenged. These procedural facts – plus the widely shared belief that conference negotiations are often the crucial final phases of the legislative process – make the appointment of conferees another ripe opportunity for uncovering evidence of significant party behaviour.<sup>36</sup>

Specifically, if conference committees and parties are both sources of power,

<sup>35</sup> None of the committees analysed were 'exclusive' as defined by the House because it is difficult or impossible to find satisfactory jurisdiction-specific ratings for Appropriations, Budget, Rules and Ways and Means. As a less satisfactory substitute, I nevertheless estimated the same equations for these committees using ADA ratings. While ADA ratings are very broad in terms of the votes that figure into their calculation, they tend to be correlated strongly with other measures used above. As such, the findings were stunning in their lack of support for all hypotheses. In the eight equations estimated – two for each committee – not a single coefficient was significant (except for the constant term).

<sup>36</sup> On the importance of conference committees in the legislative process, see Fenno, *The Power of the Purse*; Ada C. McCown, *The Congressional Conference Committee* (New York: Columbia University Press, 1927); Lawrence D. Longley and Walter J. Oleszek, *Bicameral Politics: Conference Committees in Congress* (New Haven, Conn.: Yale University Press, 1989); Steven S. Smith, *Call to Order: Floor Politics in the House and Senate* (Washington, DC: The Brookings Institution, 1989); Gilbert Y. Steiner, *The Congressional Conference Committee* (Urbana: University of Illinois Press, 1951); Gerald S. Strom and Barry S. Rundquist, 'A Revised Theory of Winning in House-Senate Conferences', *American Political Science Review*, 71 (1977), 448–53; and David J. Vogler, *The Third House: Conference Committees in the United States Congress* (Evanston, Ill.: Northwestern University Press, 1971). Recent formal theories, too, adopt this perspective by identifying conference committees as bastions of committee power, and as opportunities to pursue partisan advantage, given the speaker's unchallengeable right to appoint conferees. See, respectively, Kenneth A. Shepsle and Barry R. Weingast, 'The Institutional Foundations of Committee Power', *American Political Science Review*, 81 (1987), 85–104; and Jonathan Nagler, 'Strategic Implications of Conference Selection in the House of Representatives', *American Politics Quarterly*, 17 (1989), 54–79. The relationship between this literature and party effects on conferee selection is less clear, however. For example, in a recent review of Longley and Oleszek's book, *Bicameral Politics*, Patterson writes: 'Longley and Oleszek's heavy reliance on the extant literature about Congress sometimes leads them astray. This appears strikingly in their assertions about the weakening of party leadership in Congress, especially the House. In contrast to the authors' claims, I believe careful research would show that House leaders carry much more influence in conference outcomes in the 1980s than did Speaker Rayburn in the 1950s ... At a minimum, their argument points to the need for much more substantial research on the influences of party and committee leaders on conference decision making ... Today congressional conference committees are open for systematic analysis ... It is up to other scholars to take up these cudgels' (*American Political Science Review*, 84 (1990), 661–3).

then evidence of significant party behaviour should be attainable through support of this final hypothesis.

- Hypothesis 4: Majority-Party Conference Stacking. Holding preferences and other influences constant, majority-party status will increase a legislator's probability of being assigned to conference.

The tests of Hypothesis 4 parallel those for Hypotheses 1–3 above. The only difference is that additional independent variables are included which different theoretical approaches to the study of legislative organization identify as potentially important factors at the post-floor stage. Specifically, distributive theories suggest that conference committees are dominated by bicameral preference-outlying co-conspirators who exploit restrictive conference procedures to reap disproportionate policy benefits.<sup>37</sup> In contrast, theories based on games with incomplete information suggest that expertise plays a role in bicameral negotiations and that, controlling for expertise, preference outliers should *not* have an advantage in going to conference.<sup>38</sup> Although the focus here is not on the predictions of distributive or informational theories, inclusion of related variables results in a more completely specified econometric model on which to base inferences about significant party behaviour. As above, the substantive focus is on whether partisanship has any bearing above and beyond hypothesized distributive and informational effects.

To estimate party effects in the appointment of conferees, probit analysis is conducted for five substantively different sets of singly referred bills that went to conference in the 99th Congress.<sup>39</sup> The dependent variable is a dummy variable, *CONFeree*, whose value is 1 if the legislator was appointed to conference and 0 otherwise. The independent variables fall into three classes. Party effects are again estimated by a *PARTY* dummy variable for majority party status, plus a *PARTY* × *COMMITTEE* dummy variable to allow for committee-specific party effects. Information or specialization effects are estimated by three measures: whether the member was on the *COMMITTEE* that had jurisdiction over the bill, the legislator's *COMMITTEE SENIORITY* (0 if not on the focal committee) and the legislator's *HOUSE SENIORITY*. The presumption is that committee membership and seniority are measures of policy-specific expertise, while House seniority is a measure of general legislative expertise. Preference effects, as in the committee assignment analysis, are measured by jurisdiction-specific interest group ratings, and those ratings interacted with committee membership. The reason for testing for interactions between ratings and committee membership is that preference effects may be committee-specific. For instance, prefer-

<sup>37</sup> Shepsle and Weingast, 'Institutional Foundations'.

<sup>38</sup> Keith Krehbiel, *Information and Legislative Organization* (Ann Arbor: University of Michigan Press, 1991).

<sup>39</sup> Lists of the bills can be found in Krehbiel, *Information and Legislative Organization*, pp. 225–8.

ence outliers on the committee with jurisdiction may have an upper hand in going to conference while outliers not on the committee may not.<sup>40</sup>

The data are assembled so that for each bill there are 434 observations (435 minus the Speaker). Different policy areas have different numbers of bills, so the sample sizes vary across equations. Table 5 presents the results. Informational effects – as measured by COMMITTEE membership, COMMITTEE SENIORITY and HOUSE SENIORITY – are always jointly if not individually significant. Preference effects run counter to distributive-theoretic expectations that outliers will have an advantage in representing the House in conference. For defence bills, the net HIGH-DEMAND effect for committee members turns out to be approximately zero, because the positive interactive HIGH-DEMAND $\times$ COMMITTEE effect is offset by the negative direct HIGH-DEMAND effect. For foreign policy, agriculture and education bills, the significant OUTLIER effects are all negative. For labour bills, these are zero for non-committee members but positive for committee members.<sup>41</sup>

Once these demonstrably significant non-partisan influences are measured and estimated, the remaining question is whether majority party status – the PARTY variable in the equation – has any explanatory power. Table 5 resolves the issue quite clearly. As shown in the box, strong and positive party effects simply do not exist in any of the five policy domains. Only for defence legislation is the party effect statistically significant, yet here its sign is negative, indicating that Republicans, not Democrats, are marginal winners in the appointment process. On all remaining sets of legislation, the direct effect of party is negative but insignificant, while the committee-specific party effect varies in sign but never comes close to attaining significance. In short, Hypothesis 4 receives no support whatsoever.

## 6. CRITICISMS OF THE APPROACH

The premise of this study is that one important legislative function of political parties is to govern by passing laws that are different from those that would be passed in the absence of parties. As a means to this end, the majority party in a legislature presumably tries to organize the legislature in ways that enhance its members' influence on legislative outcomes. A conception of significant party behaviour was proposed in which the defining characteristic of significance is that party behaviour is independent of preferences. To assess party behaviour in the US House, party effects were estimated on the assignment

<sup>40</sup> The appendix provides additional information on measures. See Krehbiel, *Information and Legislative Organization*, chap. 6, for a lengthy discussion of distributive and informational hypotheses and findings on postfloor politics, though one that does not consider party effects.

<sup>41</sup> The positive OUTLIER effect cannot be interpreted as support for the hypothesis of gains from trade among high demanders, however. The measure of outliers is the *absolute* deviation in COPE ratings from the House mean – not simply high demand for labour benefits. As such, high and low demanders for pro-labour services have a probabilistic advantage.

TABLE 5 *Party Effects in the Selection of Conferees*

Variables	Policy domains*				
	Defence	Foreign policy	Agri-culture	Education	Labour
Constant	-1.888 (-13.256)	-2.646 (-9.480)	-2.680 (-7.725)	-2.125 (-7.265)	-2.546 (-10.818)
Party	-0.363 (-1.691)	-0.117 (-0.757)	-0.076 (-0.280)	-0.174 (-0.785)	-0.016 (-0.104)
Party × Committee	0.210 (0.706)	0.118 (0.463)	-0.076 (-0.221)	0.117 (0.510)	0.067 (0.286)
Committee	1.157 (4.621)	2.058 (4.655)	2.196 (5.104)	1.953 (4.391)	0.707 (1.848)
Committee Seniority	0.048 (3.726)	0.037 (2.019)	0.005 (0.263)	0.018 (0.725)	0.028 (2.070)
House Seniority	0.011 (1.493)	0.038 (5.017)	0.032 (2.496)	0.037 (3.461)	0.023 (3.013)
High-Demand × Committee	0.350 (2.065)	— —	— —	— —	— —
High-Demand	-0.360 (-3.292)	— —	— —	— —	— —
Preference-Outlier × Committee	— —	-0.775 (-2.051)	-0.361 (-0.956)	0.289 (0.661)	0.864 (2.775)
Preference-Outlier	— —	0.129 (0.565)	-0.274 (-0.948)	-0.584 (-2.026)	-0.0066 (-0.031)
Log Likelihood	-381.55	-256.03	-149.76	-138.02	-307.05
N	2,165	2,170	1,732	1,299	3,031
Percentage Correct	94.365	96.267	96.709	95.612	96.569

\* Ratings used are ASC, ASC, NFU, NEA and COPE, respectively; *t*-statistics in parentheses.

of members to standing committees and on the appointment of members to conference committees. More often than not, such effects were insignificant.

Both the approach and the findings of this study differ from recent empirical research on parties in the Congress and are thus subject to more than the usual number of criticisms. A summary and discussion of four of the most common criticisms clarifies the approach by highlighting its vulnerabilities. Perhaps, too, it will sharpen the focus of future studies of political parties.

The most common criticism of this study is that parties do more, and work in more subtle ways, than the premise and analysis here suggest. First and foremost, parties have roles in society other than governing from within the legislative branch; parties in the electorate and parties as organizations are important, too. This fact was stated at the outset and should be kept in mind

here. Secondly, and more subtly, some party theorists claim that parties are creators of, and thus antecedent to, policy cleavages, policy preferences, intensities of preferences and so on.<sup>42</sup> To the extent that this is a more accurate or complete portrayal of the legislative role of parties than the one offered here, then this empirical analysis may be regarded as misguided because it tends to pit party against preferences as concomitant causal forces. More severely, students in this party-first school of thought may view this study as having stacked the deck against hypotheses about party strength.

While these are legitimate concerns, they are not crippling criticisms for two reasons. First, a premise does not have to be complete or completely accurate to be useful; it has only to contain a non-trivial element of truth. Granted, if it seems patently false that one important legislative function of parties is to govern by passing laws that are different from those that would be passed in the absence of parties, then this study should be rejected out of hand. If, however, this assertion can be entertained as more or less self-evident – even if incomplete – then the study and findings should also be entertained, at least for the time being. Secondly, alternative conceptions of party do not have to be rejected while considering this study and its findings. For instance, I do not dispute claims that parties play roles in the formation of preferences.<sup>43</sup> However, I question whether these claims in their present legislative formulations are amenable to the extracting and testing of predictions. Granted, we can imagine a theory in which legislative parties, in some sense, precede preferences.<sup>44</sup> But exactly what are this theory's refutable implications, and how can we test them? Lacking a clear answer to the question of whether party precedes preference or vice versa, the research strategy here has been relatively agnostic. By placing these two predictors of political behaviour on an econometrically equal footing, the analysis allowed either, neither or both sets of

<sup>42</sup> For an excellent statement of two competing conceptualizations of the role of parties in political systems more broadly, see Robert D. Plotnick and Richard F. Winters, 'Party, Political Liberalism, and Redistribution: An Application to the American States', *American Politics Quarterly*, 18 (1990), 430–58.

<sup>43</sup> When theorizing about preference formation, though, it is essential to draw a sharp distinction between preferences over *policies* (which are the objects of legislative choice, e.g., bills, amendments) and preferences over *outcomes* (which are the consequences of the implementation of policies, for example, the well-being of constituents). When political scientists casually refer to the formation of preferences, they almost invariably (but implicitly) have in mind preferences over policies – not preferences over outcomes. Preferences over outcomes tend to be stable and thus are reasonably taken as given in most formal theories. Preferences over policies are considerably less stable because of their sensitivity to information that decision makers acquire about the relationship between, for instance, an amendment and its consequences. Almost surely, a key role of parties in legislatures is informational in this sense, and, thus, a related branch of game theory can potentially accommodate notions of preference formation over policies. However, a well-developed theory of this form does not yet exist.

<sup>44</sup> Likewise, we can imagine a theory in which preferences precede partisanship. Although this view may have substantial appeal in the electoral arena, its appeal diminishes precipitously with respect to the sorts of intra-legislative behaviour on which this study focuses, since members join the Congress with partisan affiliations.



factors to emerge as significant predictors of the behaviour in question. So, while the analysis indeed rests upon its premise, the premise does not predetermine the results. Any combination of party or preference effects *could* have emerged, but the typical empirical finding is that only preference effects *did* emerge.

A second common criticism focuses on measures and argues that these findings are not so much empirical facts as methodological artefacts. Given the use of roll-call voting indices as measures of preferences (which, indeed, are correlated with partisanship), it is alleged that the real influences of party masquerade in the measures of preferences. If disciplined parties effectively pressure their back-benchers to vote the party line, parties in effect make their members amass roll-call voting indices that are party-tainted. If so, then what are interpreted here as straightforward preference effects instead include significant party effects incognito.

This is a plausible hypothesis, particularly to those who believe that American parties do regularly and effectively pressure their backbenchers to vote the party-line, as in the so-called Westminster model (more on which below). However, as with any plausible hypothesis, it is advisable to inspect it with evidence in addition to assessing it *prima facie*. In the present case, readily available evidence undermines the plausibility of the hypothesis. Specifically, the party incognito hypothesis not only anticipates an indirect party effect through allegedly mismeasured preference variables but also says something about the sign of that effect. For a majority-party effect to be manifested through the preference measures, the sign of the coefficient for the PARTY  $\times$  PREFERENCE variable should be consistent with the central tendencies of the majority party at large, given the interests of the group that produced the rating. With this prediction in mind, we reconsider the right-hand column in Table 3 and discover some interesting results. In exactly half of the equations, the sign of this coefficient does not comport with the party-incognito hypothesis. For example, while Democrats more than Republicans tend to be predisposed to domestic subsidies, the majority-party pro-agriculture preference effect on Agriculture Committee assignments is negative; this implies that Democrats who gravitate away from the party position overall have an upper hand at the margin. Likewise, while Democrats more than Republicans tend to be predisposed to environmental causes, the majority-party pro-environment effect on Public Works assignments is also negative.<sup>45</sup> And while Democrats more than Republicans tend to be predisposed to federal involvement in education, the majority-party pro-education effect on Education and Labor assignments is negative, too. While some of these coefficients are not significantly different from zero, their insignificance plus the overall even split in the wrong-sign/right-sign count must be recognized as evidence that fails to support the party-incognito hypothesis, its plausibility notwithstanding.

A third common criticism pertains to the narrowness of the focus of this

<sup>45</sup> The parallel finding for the Interior Committee is of the expected sign and significant. However, for this committee-rating pair, the direct party effect is significant and of the wrong sign.

study and its correspondingly narrow perspective (or, worse, lack of perspective). By inspecting only two of many facets of legislative organization – standing committee assignments and conference committee appointments – within an already restricted realm of parties in legislatures, this search for strong parties has not been exhaustive. In the words of one well-intentioned critic, I have asked ‘Where’s the party?’, looked in only one House and answered only ‘Not in the attic’.

True, in terms of parties generally, the focus here is narrow and, thus, perspective is needed. However, within the American Congress, committee assignment politics is consistently regarded not only as important but also as one of the most significant duties that party leaders perform. Moreover, the seriousness with which parties perform these duties results in substantial party effort and activity. So, irrespective of whether standing committee assignments and conference committee appointments occupy the attic or the anteroom of House proceedings, the findings of weak party effects illustrate a subtle but potentially far-reaching point. If one observes significant party effort, one should not automatically infer significant party power; if one observes significant party activity, one should not automatically infer significant party behaviour. As such, much can be learned – and remains to be learned – from applying a stronger standard for strong parties than has been applied in prior research.

This gives rise to a fourth and final concern, if not criticism. How general is the approach taken here? Are these findings exclusively American congressional phenomena, or should a stronger standard for strong parties be applied in the study of other legislative bodies as well? First and obviously, the findings pertain directly only to American congressional phenomena since only congressional data were analysed. But, secondly, the approach taken here can and perhaps ought to be applied elsewhere, too. As an illustration, consider the Westminster model, which historically, sporadically and somewhat ambivalently has served as an enviable baseline for American legislative studies – enviable precisely because of the tradition of party discipline in British government that American government tends to lack.<sup>46</sup> Regardless of whether the Westminster model is desirable, it seems to have changed rather dramatically in the 1970s. As reported by Schwartz, defeats of the government in the House of Commons increased in the 1974–78 period by any of several measures: total number of defeats, ratio of defeats per bill, defeats in standing committees, defeats on the floor and others.<sup>47</sup> It is beyond the scope of this study to identify convincingly the causes of these changes. However, the present definition of significant party behaviour and the corresponding attempt to separate preference from party influences does generate some readily verifiable expectations about correlates of the observed changes in so-called party discipline.

<sup>46</sup> E. E. Schattschneider, ‘Toward a More Responsible Two-Party System’, *American Political Science Review*, 44 (1950), Supplement; Leon D. Epstein, ‘What Happened to the British Party Model?’, *American Political Science Review*, 74 (1980), 9–22.

<sup>47</sup> John E. Schwartz, ‘Exploring a New Role in Policy Making: The British House of Commons in the 1970s’, *American Political Science Review*, 74 (1980), 23–37, see especially Tables 1–4.

Specifically, if, as the empirical findings for the American Congress suggest, preferences are the principal exogenous factors in these complex settings while ostensible party strength is better viewed as an artefact of the distribution of preferences, then we would expect in the British case to find increasing heterogeneity of preferences within the governing party during this period of increasingly common defeats of the government's positions. With nuances that will not be reiterated here, this is essentially what Schwartz found in his thorough and data-intensive study. In rebellions during both Labour and Conservative governments, defeats are traced to increasingly ideological wings of the parties. Somewhat more precisely and with reference to Figure 1 here, the origins of the change in the House of Commons seemed to be a combination of new members and new issues which created a situation more like Figure 1b (heterogeneous overlapping parties) than Figure 1a (homogeneous non-overlapping parties). Thus, an interpretation of British politics consistent with this approach, but somewhat different from prevailing interpretations,<sup>48</sup> is that British parties appeared to become weaker in the 1970s, but this appearance has less to do with parties as weakened organizations in terms of sanctions than with the influx of more heterogeneous members and more cross-cutting issues.

Regardless of whether this interpretation sustains more thorough scrutiny, the main point is that a stronger standard for strong parties can be applied to other legislatures as well. In the British case, this means inspecting more carefully the hypothesis that even in the peak periods of the Westminster model legislative parties only appeared to be strong because their members had homogeneous preferences as in Figure 1a. More generally, the question for future research is this: when parties are strong, is it only because definitions of strong parties are weak?

## 7. CONCLUSION

On balance, should we be surprised at these findings and interpretations? Do they seriously undermine conventional beliefs about the importance of parties in legislatures? Or, are they simply legislative analogues to the electoral thesis that 'the party's over' in the United States<sup>49</sup> and perhaps winding down in Great Britain? Different readers will have different reactions to these questions.

<sup>48</sup> Schwartz also occasionally attributes some of these changes to the demise of 'the parliamentary rule' that 'government backbenchers in the Commons would [not] cross-vote to defeat their own government on the floor' (Schwartz, 'Exploring a New Role', p. 33). This demise, however, is more definitional of the phenomenon of interest than it is a cause. The primary cause in the breakdown of the 'rule' (which is actually a regularity in behaviour rather than a genuinely binding constraint on behaviour) was the increasingly heterogeneous preferences that Schwartz identifies elsewhere in his superb study.

<sup>49</sup> David S. Broder, *The Party's Over: The Failure of Politics in America* (New York: Harper & Row, 1971).

I shall conclude by returning to the American scene and considering two contradictory reactions to these questions.

Perhaps the findings are not surprising. They might be straightforward legislative manifestations of forces that have been evident elsewhere – most notably in the electorate – since at least the 1960s. As party ties weaken among voters, congressional candidates are less conspicuously party-affiliated during an ever-present electoral cycle. Their electoral operations become less partisan and hence more ‘personal’.<sup>50</sup> Eventually, electorally grounded non-partisanship invades the legislature. Party leaders in the legislature lose their command over votes on important substantive issues.<sup>51</sup> By extension, it would not be surprising if leaders also cannot command votes on so-called procedural issues or, more generally, on matters of legislative organization.<sup>52</sup> Though much remains to be spelled out in this argument, I have no serious objection to it. It is more sweeping than, but roughly consistent with, my findings and interpretations.

It is not, however, consistent with a second stream of thought that is typical of most recent research on parties in the US Congress. As noted in the introduction, legislative scholars tend to believe that partisan forces are on the *rise* in the contemporary Congress. In this sense, the present findings are puzzling. If the 1980s produced what Rohde calls a ‘remarkable resurgence of partisanship’ in the House, then why is it not reflected in these data from the mid-1980s?

The short answer is this: because of differences across studies in the way significant party behaviour is defined, measured and interpreted. Two paths can be taken to longer answers. One is to initiate a methodologically partisan dialogue about whose definitions, measures and interpretations are superior. The other is to return to the leading study that represents the more orthodox approach, to highlight some methodological differences between that approach and this one, and, more importantly, to stress some substantive similarities between that study and this one. I opt for the latter approach and return to Rohde’s important book.

Rohde’s lucid summary in his final chapter makes it unequivocal that, in the final analysis, his main exogenous variable is preferences. As preferences in constituencies changed,<sup>53</sup> so too did the composition of the House, both

<sup>50</sup> Bruce Cain, John Ferejohn and Morris Fiorina, *The Personal Vote* (Cambridge, Mass.: Harvard University Press, 1987).

<sup>51</sup> Barbara Sinclair, ‘Majority Party Leadership Strategies for Coping with the New House’, *Legislative Studies Quarterly*, 6 (1981), 391–414.

<sup>52</sup> Mayhew adds yet another, inter-branch layer to the argument, concluding that whether or not the presidency and Congress are controlled by opposite parties has little bearing on the number of investigations conducted by Congress, on the ability of Congress to pass major legislation, or on the margins by which such legislation is passed. See David R. Mayhew, *Does It Make a Difference Whether Party Control of the American National Government is Unified or Divided?* (New Haven, Conn.: Yale University Press, 1991).

<sup>53</sup> This, in turn, may have several sources: actual changes in individual voters’ preferences, redrawn district lines, local politics, etc.

within and across parties. Changes of preferences within the House accounted for many institutional changes and, subsequently, behavioural changes. In both instances, Rohde and others have called these changes 'partisan'. Specifically, post-reform congressional politics was shaped by increasingly homogeneous preferences within the Democratic party and increasingly sharp differences in preferences across parties. These changes in the distribution of legislators' preferences made it increasingly likely that votes on issues would be 'partisan' (again, according to Rohde's orthodox definition), as votes on procedures would be.<sup>54</sup> Finally, and compatible with the premise of this study, Rohde concludes that these forces ultimately affected outcomes.

While in an earlier era, it may have been possible for scholars accurately to assert that political parties were of little theoretical importance in explaining political behavior and legislative results in the House, it is certainly not true now. Parties are consequential in shaping members' preferences, the character of the issues on the agenda, the nature of legislative alternatives, and ultimate political outcomes, and they will remain important as long as the underlying forces that created this partisan resurgence persist.<sup>55</sup>

In the face of Rohde's impressive quantities of evidence, it is difficult not to agree with his strong and eloquent conclusion. Notice, however, the striking resemblance between his professed cause of increasing partisanship and my Figure 1. Increasing homogeneity of majority-party preferences and increasingly sharp differences across parties are precisely what make Figure 1a different from Figure 1b. And Figure 1a – towards which the contemporary Congress has evidently progressed – is precisely the configuration of preferences that makes it impossible to discriminate between a simple and parsimonious preference-based theory and a more complex and elaborate preference-and-party theory. In short, Rohde chooses to label as partisanship that which could just as easily (albeit more awkwardly) be labelled preferenceship.

That I prefer to discard Rohde's labelling convention as misleading is, in the final analysis, subjective and relatively unimportant. For better or for worse, his approach – not mine – is conventional. The more objective and relatively important lesson is that whatever labels we adopt, we must know precisely what the labels mean. An accurate understanding of parties in legislatures rests crucially on two things: a definition of partisanship that is explicit about its relationship (if any) to preferences and empirical analysis that is tightly linked to such a definition. Whenever these issues are not confronted, we run a considerable risk of labelling as partisanship that which is merely the expression of preferences – an inclination that seems not to be an exclusively American or congressional phenomenon. Likewise, we run a risk of misrepresenting, if not overstating, the significance of parties as organizations of governing.

<sup>54</sup> Rohde, *Parties and Leaders*; Smith and Bach, *Managing Uncertainty*.

<sup>55</sup> Rohde, *Parties and Leaders*, p. 192.

## APPENDIX: MEASURES AND RELATED ISSUES

The following interest groups' ratings of legislators were used as measures of legislators' preferences.<sup>56</sup>

- American Security Council (ASC)
- National Farmers Union (NFU)
- Committee on Political Education (COPE)
- National Education Association (NEA)
- Chamber of Commerce of the United States (CCUS)
- League of Conservation Voters (LCV)

The use of measures such as these has been common in legislative studies for some time. Recently, however, some scholars have begun to question it. Although it is beyond the scope of the present study to resolve such issues, this appendix highlights them, clarifies the approach taken in this study, lists the measures and their operational definitions in the probit analyses on conferee selection and presents the complete results for the probit analyses on committee assignments.

The main concerns regarding interest group ratings fall into four categories: implicit behavioural assumptions, the consequences of deference, pairing ratings with committees and differentiating high versus low demanders.

*Implicit Behavioural Assumptions*

No matter what measures of preferences are used, an implicit behavioural hypothesis accompanies their use. For example, if constituency characteristics were to be used as measures of preferences, then there must be an implicit theory about the relationship between each constituency attribute and legislators' utility functions (rationalized, for instance, in terms of a non-partisan electoral connection theory – non-partisan, necessarily, because constituency characteristics are not party specific).<sup>57</sup> In the case of interest group ratings, the implicit theory is that the roll-call votes that a group chooses for rating purposes are ones on which legislators vote sincerely. One of several justifications for this assumption is that because interest groups have incentives to discriminate correctly between friends and enemies, they will select roll calls on which legislators can be expected to reveal their preferences truthfully.<sup>58</sup>

*Deference*

On a closely related matter, Hall and Grofman have asserted that interest-group ratings are inferior measures of preferences because deference to committees and/or cross-committee logrolling imply that votes – and thus voting indices – do not capture differences in preferences.<sup>59</sup> Three responses are important, though necessarily brief. First, is there convincing empirical evidence that contemporary legislators are deferential to standing committees? Secondly, even if so, an *explicit* model of deference is needed

<sup>56</sup> The data are the same as those used Krehbiel, 'Preference Outliers', and were obtained from Legi-Slate, a subsidiary of the *Washington Post*. Some of these measures differ mildly from those available elsewhere for two reasons. First, Legi-Slate does not count absences as 'incorrect' votes as do some, but not all, interest groups. Second, in instances in which the separate ratings are available for two sessions within the same Congress, ratings were averaged across the sessions.

<sup>57</sup> For an example of a more formal statement of the underlying model in constituency characteristic-based measures of preferences, see Keith Krehbiel, 'Constituency Characteristics and Legislative Preferences', *Public Choice* (forthcoming, 1993).

<sup>58</sup> For a more detailed defence, see Krehbiel, 'Preference Outliers'.

<sup>59</sup> Hall and Grofman, 'The Committee Assignment Process'.

to establish the logical soundness of the argument, that is, that the consequent (failure to capture differences in preferences) indeed follows from the antecedent (deference). Thirdly, at least one such model shows the consequent *not* to follow from the antecedent.<sup>60</sup> At the very least, this issue is unresolved.

### *Committee-Rating Pairings*

Matching interest-group ratings with standing committees, based on the policy interests of the former and the substantive jurisdictions of the latter, is a subjective enterprise. As noted above, the fit is clearly more palatable in some instances (e.g., ASC ratings and Armed Services) than in others (e.g., CCUS ratings and Energy and Commerce or ASC ratings and Foreign Affairs). Inferences must be tempered accordingly. The strategy here has been to adopt the same committee-rating pairings as used elsewhere.<sup>61</sup> Although space constraints preclude a rating-by-rating defence, details about the specific votes on which any given ratings are based are available upon request from the author.

### *High Demanders Versus Low Demanders*

Given a committee-rating pairing, it is not always obvious which legislators should be called high demanders and which should be called low demanders. For example, is a high-demander on the Education and Labor Committee pro-labour, pro-business, pro-education or what? The key to answering the question is to define the issue (or, roughly, the commodity) that is of primary concern to the group that provides the rating. Thus, if the interest group is the National Education Association, the issue is education, and a high demander is one whose voting record suggests a strong pattern of voting in an NEA-endorsed manner; if the interest group is the AFL-CIO (which issues COPE scores), then the issue is labour, and a high demander is pro-labour; and so on. Importantly, this characterization does *not* preclude the possibility that a committee has preference outliers (extremists) on *both* sides of an issue spectrum, as, for instance, Fenno noted for Education and Labor and this analysis, too, supports with respect to labour (see Table 3 and Table 4b).<sup>62</sup> The general point of clarification is that, given an issue spectrum (which must be defined *a priori*), the operational definition of high-demander follows, and is made with reference to that spectrum.

From this conceptual base, the variables used in the probit analyses of committee assignment were defined as described in the main text. The coefficients in Table A are the bases for the summary information in Table 2.

Finally, variables in the probit analyses of conferee selection were defined as follows.

- CONFEREE is coded 1 if the member was a conferee for the bill in question; 0 otherwise. The source was the *Final Calendar the House of Representatives*, 99th Congress.
- PARTY is coded 1 if the member was a Democrat; 0 otherwise. The source was Legi-Slate.
- COMMITTEE is coded 1 if the member was a member of the committee to which the bill was referred; 0 otherwise. (All bills were single referrals.)
- COMMITTEE SENIORITY is the individual's number of years of consecutive service on the committee to which the bill was referred. This variable equals 0 if the member was not on the committee whose bills are analysed.
- HOUSE SENIORITY is the number of years since the member was first elected to the House. The source was Legi-Slate.

<sup>60</sup> Groseclose, 'Median-Based Tests'; Keith Krehbiel, 'Deference, Extremism and Interest Group Ratings' (Stanford University: manuscript, 1992).

<sup>61</sup> Krehbiel, 'Preference Outliers'.

<sup>62</sup> Richard F. Fenno Jr, *Congressmen in Committees* (Boston, Mass.: Little, Brown, 1973).

TABLE A *Probit Estimates of the Effects of Party and Preferences on Committee Assignments\**

Committee (rating)	Constant $\alpha$	Party $\beta_1$	Preference $\beta_2$	P $\times$ P $\beta_3$	Log likelihood	Percentage correct
Agriculture (NFU)	-2.462 (-6.642)	1.379 (1.885)	0.034 (3.731)	-0.036 (-3.020)	-131.71	90.07
	-1.788 (-7.687)	-0.683 (-2.096)	0.015 (2.612)		-136.49	90.07
Armed Services (ASC)	-5.259 (-2.624)	3.327 (1.653)	0.043 (2.072)	-0.024 (-1.136)	-124.15	89.14
	-3.068 (-9.516)	1.098 (4.636)	0.020 (6.392)		-125.03	90.30
Educ. and Labor (COPE)	-1.479 (-6.998)	-1.901 (-2.137)	0.002 (0.357)	0.021 (1.780)	-112.70	92.38
	-1.669 (-8.804)	-0.537 (-1.717)	0.009 (2.039)		-114.56	92.38
Educ. and Labor (NEA)	-1.655 (-7.251)	-0.786 (-0.848)	0.007 (1.358)	0.004 (0.362)	-115.01	92.38
	-1.687 (-7.958)	-0.473 (-1.520)	0.008 (1.766)		-115.08	92.38
Energy and Comm. (CCUS)	-2.400 (-3.073)	1.038 (1.268)	0.014 (1.473)	-0.011 (-1.005)	-138.86	90.07
	-1.780 (-4.071)	0.287 (0.979)	0.006 (1.193)		-139.39	90.07
Foreign Affairs (ASC)	-1.189 (-2.311)	0.102 (0.192)	-0.001 (-0.255)	-0.011 (-1.381)	-134.09	90.30
	-0.667 (-2.125)	-0.484 (-1.667)	-0.008 (-2.243)		-135.14	90.30
Interior (LCV)	-0.596 (-1.897)	-1.596 (-2.942)	-0.033 (-2.529)	0.045 (-3.163)	-119.02	91.46
	-1.419 (-7.459)	0.095 (0.397)	-0.000 (-0.032)		-126.25	91.46
Public Works (LCV)	-1.146 (-4.972)	0.438 (1.015)	-0.002 (-0.249)	-0.007 (-0.815)	-149.62	88.92
	-1.026 (-5.796)	0.130 (0.609)	-0.005 (-1.272)		-149.95	88.92

\*  $N = 433$ ;  $t$ -statistics in parentheses.



- The measure of **HIGH-DEMAND** for a legislator is his or her  $z$ -score of the jurisdiction-specific interest-group rating (ASC for defence and foreign policy bills, NFU for agriculture, NEA for education, and COPE for labour). For example, where  $x_i$  is an individual's interest group rating and  $z_i$  is the measure of high-demand,  $z_i = (x_i - \bar{x})/s_x$ .
- The measure of **PREFERENCE-OUTLIER** for a legislator is the absolute value of his or her **HIGH-DEMAND** measure. Thus, this measure allows for the assessment of bipolar outlier effects, not just **HIGH-DEMAND** effects.
- **COMMITTEE  $\times$  HIGH-DEMAND** and **COMMITTEE  $\times$  PREFERENCE-OUTLIER** are calculated in the obvious way and thus equal 0 if the member was not on the committee in question.