

**DIVISION OF THE HUMANITIES AND SOCIAL SCIENCES**  
**CALIFORNIA INSTITUTE OF TECHNOLOGY**

**PASADENA, CALIFORNIA 91125**

**DIFFERENT PREFERENCES, DIFFERENT POLITICS**  
**A DEMAND-AND-STRUCTURE EXPLANATION**

Kenneth Koford  
California Institute of Technology  
University of Delaware



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Kenneth Koford  
California Institute of Technology  
Pasadena, CA 91125  
and  
University of Delaware  
Newark, DE 19716

ABSTRACT

Different types of legislative politics are explained in this paper by the distribution of legislators' demands. Demands are legislators' willingness to pay for victory on a bill, with votes on other issues, effort, or work. Different demand distributions require different institutions and "politics" for the legislators to obtain the results they want.

The types of politics can be largely identified with Lowi's typology of interest-group interaction. Distributive politics combines many individual projects, each with a small intensely favorable minority and a large, slightly opposed majority. Since no one project could pass on its own, compound bills are created that benefit all legislators (Weingast 1979).

Redistributive issues have two large intensely opposed groups. Their politics are conflict, mobilizations of one's partisans, and efforts to obtain the votes of the few indifferents (Schneider 1979).

Regulative politics have two forms. *Simple* regulative issues have small intense groups for and against the bill, and a vast majority of indifferents. Each side appeals to the indifferents, creating a natural arena for vote-trading. *Complex* regulative issues allow the distribution of demand to change as the bill proposal is modified. They often involve novel legislation, whose consequences are not clear. Those dominating the agenda control the nature of the bill to maximize their gains and assure a majority for passage (Shepsle and Weingast 1984). Vote-trading also occurs, since most legislators are indifferent.

## **Different Preferences, Different Politics: A Demand-and-Structure Explanation**

Theodore Lowi's typology of issues and policies is widely agreed to distinguish different forms of legislative politics, but his explanation for the categories has not been fully persuasive. This paper uses demand theory to analyze the different politics described by Lowi. Demand theory can illuminate many questions in legislative politics; it provides cardinal measures of valuation and methods of estimating those values statistically.<sup>1</sup> Different distributions of political demand across legislators cause differences in legislative politics and institutional structure similar to those Lowi observed. Demand theory provides a more general theory of different types of politics and several testable differences from Lowi's typology. Evidence from case studies is analyzed and roll-call voting studies and the implications are compared with those of Lowi's theory. Finally, some improvements of the theory are discussed.

### **1. Lowi's Typology**

Lowi (1964) criticizes interest-group pluralism's claims that the major interests in society will be represented by interest groups, and through bargaining, these interests should come to a compromise. Reviewing Bauer, Pool and Dexter's (1963) study of the politics of foreign trade in the 1950's, Lowi finds that 1) many interests were unrepresented, and 2) an explicit compromise among the parties was never negotiated. Lowi sketches an alternative to the pluralist model that accounts for these facts: legislators respond in different ways when groups put different kinds of pressures on Congress. With political actors maximizing their expected benefits (p. 688), this leads to three major categories of politics: distributive, regulative and redistributive.

- (1) (Distributive) In the short run certain kinds of government decisions can be made without regard to limited resources. Policies of this kind are called "distributive," a term first coined for nineteenth-century land policies, but easily extended to include most contemporary public land and resource policies; rivers and harbors ("pork barrel") programs; defense procurement and R & D; labor, business, and agricultural "clientele" services; and the traditional tariff. Distributive policies...can be...disaggregated and dispensed unit by small unit, each unit more or less in isolation from other units and from any general rule. These are...highly individualized decisions...in which the indulged and the deprived, the loser and the recipient, need never come into direct confrontation. Indeed, in many instances of distributive policy, the deprived cannot as a class be identified...
- (2) Regulatory policies are also specific and individual in their impact, but they are not capable of the almost infinite amount of disaggregation typical of distinctive policies. Although the laws are stated in general terms ("Arrange the transportation system artistically." "Thou shalt not show favoritism in pricing"), the impact of regulatory decisions is clearly one of directly raising costs and/or reducing or expanding the alternatives of private individuals ("Get off the grass!" "Produce kosher if you advertise kosher!"). Regulatory policies are

distinguishable from distributive in that in the short run the regulatory decision involves a direct choice as to who will be indulged and who deprived.

So, while implementation is firm-by-firm and case-by-case, policies cannot be disaggregated to the level of the individual or the single firm (as in distribution), because individual decisions must be made by application of a general rule and therefore become interrelated within the broader standards of law. Decisions cumulate among all individuals affected by the law in roughly the same way. Since the most stable lines of perceived common impact are the basic sectors of the economy, regulatory decisions are cumulative largely along sectoral lines...

- (3) Redistributive policies are like regulatory policies in the sense that relations among broad categories of private individuals are involved and, hence, individual decisions must be interrelated. But...the categories of impact are much broader, approaching social classes. They are, crudely speaking, haves and have-nots, bigness and smallness, bourgeoisie and proletariat. The fact that our income tax is in reality only mildly redistributive does not alter the stakes involved in income tax policies. The same goes for our various "welfare state" programs...The nature of a redistributive issue is not determined by...how redistributive a policy is going to be. Expectations about what it can be, what it threatens to be, are determinative. (Lowi, 1964, pp. 690-691).

These politics can be placed in a demand framework, beginning with particular distributions of demand and adding institutions that work well for those demands. The theory then adds a "new institutionalist" claim that legislatures develop structures that help them maximize aggregate demand, or surplus, to the legislators.

These different types of politics suggest elements of a theory of comparative legislative institutions. For the paper finds the most efficient institutional structure for each distribution of legislator preferences, and predicts that that structure will be chosen.

(1) Distributive politics provide nearly pure private benefits, with "a large number of small, intensely organized interests" in "a politics of every man for himself." Private gains are possible, and the private interests try to obtain those gains, but costs are not considered:

When a billion-dollar issue can be disaggregated into many millions of nickel-dime items and each item can be dealt with without regard to the others,...political relationships approximate..."mutual noninterference"--a mutuality under which it is proper for each to seek duties (indulgences) for himself but improper and unfair to oppose duties (indulgences) sought by others. (1964 p. 693)

This is like Buchanan and Tullock's (1962) "roads" case of intense demands for individual projects that are achieved by logrolling, with small widely spread losses that are ignored. Such distributive politics are modeled in Weingast (1979), Shepsle and Weingast (1981) and Weingast,

Shepsle and Johnsen (1981); they show why a universalism rule dominates a minimum winning coalition for these special-interest projects. They also show that a limit to distributive expenditures is desirable,<sup>2</sup> but they cannot explain what that limit will be (Weingast, Shepsle and Johnsen 1981, pp. 658-659).<sup>3</sup>

(2) Regulative politics involves issues that are related to each other and that partly conflict:

. . . there is no way for regulatory policies to be disaggregated into a very large number of unrelated items. Because individual regulatory decisions involve direct confrontations of indulged and deprived, the typical political coalition is born of conflict and compromise among tangential interests that usually involve a total sector of the economy. (p. 695)

It involves "a multiplicity of groups organized around tangential relations." Regulatory issues are usually not zero-sum since they usually result in creative compromise. The alternatives are related in a complex way, unlike distributive issues. As "the coalitions will shift as the interests change or as conflicts of interest emerge," regulative politics are less stable than distributive politics (p. 697). Lowi claims that Congressional committees find regulative issues hard to handle because of this instability, so the issues are transferred to independent agencies.

(3) Redistributive issues are the least amenable to compromise: most people are involved on one side or the other, and conflict involves 'peak' organizations: those that represent business or labor as a whole.

In redistribution there will never be more than two sides and the sides are clear, stable, and consistent. Negotiation is possible, but only for the purpose of strengthening or softening the impact of redistribution. And there is probably one elite for each side. (p. 699)

Redistribution involves just one issue with two opposed sides, and approaches a zero-sum game. (Since compromise is mentioned, compromise may have mutual benefits.) And everyone favors one side or the other.

Types of politics differ so greatly, Lowi (1970) says, because the nature of coercion varies, as shown in Table 1.

Table 1 - Types of Coercion and Types of Policy

		Coercion Works Through:	
		Individual Conduct	Environment of Conduct
Likelihood of Coercion:	Removed	Distributive	Constitutive
	Immediate	Regulative	Redistributive

Coercion working through individual conduct vs. the environment of conduct implies private vs. public goods (Olson 1965). Likely vs. unlikely coercion suggests that in the former case some legislators lose, but in the latter none loses. That implies both benefits and cost in the former case, but only benefits in the latter. Table 2 puts Lowi's categories in these terms.<sup>4</sup>

Table 2 - Types of Good and Types of Policy

	Distribution of Benefits and Costs:	
	Private	Public
Benefits only	Distributive	Constitutive
Benefits and Costs	Regulative	Redistributive

Lowi's (and Salisbury's) constitutive category is similar to Samuelsonian "pure public goods": everyone gains equally from such bills. They would not be controversial, and so would not appear in roll-call analysis or in controversial debate. However, in Weingast's theory, distributive bills are made by combining many distributive issues so that every legislator benefits. Thus, distributive issues combined into bills might be constitutive.<sup>5</sup>

Schneider (1979, p. 33) points out in critiquing Lowi that legislators' *perception* of bills determines their type, not the actual material gains and losses. Thus, if all bills were seen in the context of a great battle between the haves and have-nots, all bills would be redistributive. We follow Schneider in using the distribution of legislators' *perceived* benefits and costs.

### 1a. Committees and Agendas

We now consider the most appropriate institutional structure for each type of issue. We concentrate on committee agenda control models. If committees write bills favoring their own preferences, the amount of floor amendment is a positive function of the difference in preferences between the committee and the full membership. Uncontrolled committees will write bills to maximize their net surplus, subject to the constraint that the bill can pass the full legislature (Shepsle and Weingast 1984).<sup>6</sup> When the committee's preferred bill is very close to what will pass the

legislature, amendment costs should keep the number of changes low. But as the committee's preferred bill diverges from what will pass the full legislature, the committee will rationally accept an increased risk of amendment by proposing a bill further from what it knows will pass.

The committee agenda-control theory (Shepsle and Weingast 1981, 1984 and Denzau and Mackay 1983) gives a committee just one tool: to design a bill that a majority of legislators prefer to the status quo. However, since leaders and legislators vote-trade across issues, committees have another tool. Party leaders can vote-trade to pass bills that provide a net positive benefit to the party members, when only a minority of legislators favor passage.<sup>7</sup> (This occurs when proponents have more intense preferences about the bill than do opponents.) Similarly, leaders vote-trade to defeat bills with a net harm to the party members, despite a majority of votes in favor (Koford 1982). In vote-trading, legislators promise voting support in exchange for leaders' promises to pass or defeat bills. Leaders' "persuasion" or appeals to party loyalty are equivalent to vote-trading, as they imply a quid pro quo.

In some policy arenas, committees find that leadership "persuasion" and vote-trading are important; that implies modification of the pure committee agenda-control model. Also, committees actually control the agenda along with party leaders. In the House of Representatives, the Rules Committee determines agenda control, and completely closed rules are unusual. In the Senate, the agenda is never closed (without unanimous consent). So to obtain a desirable agenda committees need support from the floor leadership and the members as a whole, which presumably comes only when the committee takes their preferences into account.

For a distributive bill, there should be no costs to distributing the various benefits desired: no groups oppose passage of benefits for themselves. There is no immediate reason for the committee leader to oppose amendments if they are strongly desired, since resources are not strictly constrained. Nevertheless, since the overall budget is limited, not all amendments can be accepted.

Substantial groups are opposed to regulative and redistributive bills. Intense opponents will try to amend such bills over the committee's objections, and should succeed sometimes.

Lowi's data, shown in Table 3, support these assertions: distributive bills are amended, but *never* over the objections of the sponsor. Powerful hostile coalitions aren't evident on these bills. However, on redistributive and regulative bills, many amendments are proposed and a fair share are passed over the sponsor's objections.

The agenda control model has several weaknesses. First, amendments are usually proposed when they might pass - roughly half of each category's amendments pass - so we do not know the intrinsic demand for amendments, but the equilibrium of demand for amendments by members and supply of acceptances by committee leaders and the floor. The cost of proposing amendments must be compared with the demand for, or value of, amendments. Second, committees err in perceiving the legislature's preferences, and that difficulty of determining member preferences surely varies across policies: committees should err in determining preferences more on redistributive and regulative bills, so these bills will change more often. (Distributive bills are quite similar from year to year.)<sup>8</sup> A theory of regulative issue demands that lets such questions be examined is developed in Section 2.

While both theory and the Table 3 data imply that distributive politics largely occur in committee, this can occur in two ways. (1) All members interested in the issues are on the

committee and all benefit from the decision. (2) Since all legislators are interested in the outcome and any committee would be biased to favor its members', the leadership chooses a representative committee under its control to distribute the gains fairly.<sup>9</sup>

However, on regulative and redistributive issues, these distributions of preferences do not occur. Instead, redistributive politics has coherent voting blocs, while regulative issues have little coherence, suggesting that members vote on such bills according to individual or constituency tastes. (See Table 4, from Lowi 1964). Party or ideology preference is strongest for redistributive issues, but it seems very weak on regulative issues.<sup>10</sup> With these distributions of preferences, it is hard to establish committees that would benefit the legislators as a whole.

This section has outlined a theory to explain different types of policy, based on the distribution of benefits and costs on issue and on institutional structure. The next section develops the theory in detail.

## 2. A Demand Model: Public/Private and Separable/Non-Separable Goods

To legislators, bills provide benefits and costs similar to economic goods and bads. Bills are largely public, not private, goods. Bills and issues can diverge from a private good in two important ways: the public vs. private dimension, how similarly members are affected by a bill; and separability, the extent to which one issue is linked to other issues.<sup>11</sup>

The first principle is shown in Figure 1. Legislators have a demand for passage or defeat of each bill. Indexing the legislators by  $i = 1, \dots, I$ , each legislator's demand is  $D_i$ .  $D_i$  can be positive or negative, as shown in Figure 1; negative  $D_i$  show a demand for defeat of the bill. The  $D_i$  are cardinal measures of intensity of demand; they represent how much a legislator would be willing to use his limited resources of time, energy and political power to achieve the desired result. That is, the cardinal measure shows *how much* of a good or bad the bill is to each legislator. These cardinal numbers could also be interpreted as the gains and losses of political support in Fiorina (1974) for single-minded seekers of re-election. Or they may indicate the distance of a policy from the legislator's preferred policy. Two members might *feel* equally strongly about a bill, but one with greater resources would have greater demand. (Legislator demand is described at greater length in Koford 1982) The  $D_i$  can thus be compared across legislators.<sup>12</sup>

Figure 1 lines up the legislators in declining order of  $D_i$ , creating a demand curve. The area under the demand curve but above the zero axis, is the legislator surplus from passage,  $S_p$ . The area below the zero axis but above the demand curve is the legislator surplus from defeat of the bill,  $S_d$ . If  $S_p > S_d$ , the legislators as a whole gain from passage, while if  $S_p < S_d$ , they gain as a whole from the bill's defeat. Following Fenno (1973), Weingast (1979), Koford (1987), Shepsle and Weingast (1984), a legislature is thought to develop institutions that help the members get what they want. Thus there is a presumption that the legislature will pass bills with  $S_p > S_d$  and defeat bills with  $S_d > S_p$ . We now look at the nature of the *issues* underlying each type of politics; how the issues are aggregated into bills is considered later in the analysis of structure.

Distributive issues are separable: they are not connected by a production function or by legislator tastes to any other issue. A few legislators gain greatly from the passage of a bill on a

given issue; the remaining legislators are essentially indifferent, as shown in Figure 1a.

Redistributive issues are also separable from other issues. However, most legislators have high demands, with a considerable number of legislators on each side. This situation is shown in Figure 1b.

Regulative issues are more complex. Only a minority of legislators typically are interested; most are indifferent. And there are two opposing sides: one side gains, and one loses by a bill on the issue, as shown in Figure 1c. However, regulatory issues are generally non-separable: several issues are related, with trade-offs possible across the issues.<sup>13</sup> For example, rules regulating overall railroad profits necessarily affect special rules affecting coal shipments, and other special rules affecting shipments of coal for export. Often, the several sides redefine the issues, considering several facets of the bill, or bringing up new facets, until an arrangement is worked out that benefits most interests. Usually the "compromise" gives each side an advantage on the specific issues it cares about most.

Thus, several issues must be modeled in regulative politics. This is done for two issues with the three dimensions shown in Figure 2. The horizontal axes represent two related issues,  $X_1$  and  $X_2$ . The vertical axis shows the height of demand,  $D_j$ , at each point. ( $j$  indexes different bills,  $J = 1, \dots, j, \dots, J$ ). Each  $X_i$  dimension shows amounts of a particular good.  $X_1$  might represent the range of prices within which railroads had freedom to choose (a major concern of the Staggers Act of 1980).  $X_2$  could be restraints on railroads with monopoly power (largely relevant to coal shippers). For each  $X_1, X_2$  combination there is a distribution of preferences like that shown in Figure 1c. The height of demand,  $D_j = S_p - S_d$ , is the net demand at a particular point in  $X_1, X_2$  space. It emphasizes the goal of finding a bill that satisfies legislators as fully as possible.<sup>14</sup>

The underlying distribution of demand can be found for each  $X_1, X_2$  combination. It is the task of legislative leaders (and legislative entrepreneurs) to estimate the demand distribution for  $X_1, X_2$  points that the legislature has not considered. A leader might consider the effect of increasing the amount of  $X_1$  from  $X_1, X_2$  (in Figure 2), which we may call point  $A_0$ . Five possible alternatives are  $A_1, A_2, A_3, A_4, A_5$ . The hypothetical distributions are shown in Figure 3, where  $D_j$  in Figure 2 is consistent with the distributions in Figure 3. A leader concerned solely with passing the bill would choose  $A_3$ ; a leader concerned with maximizing gains to the winning groups would choose  $A_2$ . (The distributions are drawn so that  $S_{p2}$  is the largest  $S_{pj}$  and  $D_3$  is the largest  $D_j$  for these alternatives.)

Leaders and entrepreneurs must also consider whether there are other dimensions,  $X_3, X_4, \dots, X_n$ , that are relevant. The leader and the relevant subcommittee must be expert in finding dimensions and particular points in the multidimensional space for which  $D_j > 0$ . This is the more complex form of "regulative politics."

## 2a. Issues, Bills, and Structure

We now examine how bills can be most efficiently developed for each issue type, given three elements of legislative structure.

- (1) Majority rule. For a bill to pass, a majority of the legislators must vote for it.
- (2) Transactions costs. Explicit vote-trades are costly to arrange and enforce. Implicit vote trades (logrolling), that combine several issues in one bill, are least costly when done in a small

group (subcommittee, committee), on issues with demands that are independent. As more legislators are concerned and as issues become more interrelated, transactions costs rise.

(3) Organization. Leaders organize and represent interests. Each demand group is represented by an organized interest, which can be a party and its elected leader, a self-selected leader (entrepreneur), a committee head, or an external interest group (Strom and Rundquist 1978). (Since organization is costly, some demands do not get represented and so are not observed (Lowi 1964.))

The legislature is assumed to adopt a structure that serves its goals. *Demands do not cycle*, although there can be cycles in majority preferences.<sup>15</sup> Thus a structure must be found that constrains voting cycles and assures that legislative leaders and entrepreneurs find the highest-demand bills and pass them with the lowest possible transaction costs. That may be done as follows:

a. *Distributive issues.* Since no simple distributive issue can pass independently, many of them must be combined. These issues continually recur across all districts so an efficient long-term solution is the rule of universalism, allowing each legislator equal distributive benefits (Weingast 1979, Weingast, Shepsle and Johnsen 1981). (For most distributive issues, not all legislators actually benefit at once: not all districts have new water or military construction projects. But all legislators can expect to have such projects sometime. The committee should assure that high demand projects are chosen, and that these are spread widely across districts.) To minimize transaction costs, a specialized committee determines the optimal package. The legislature as a whole must set a limit to total resources for distributive bills, since proponents of individual projects would favor excessive spending. Presumably, it decides the amount of resources that maximizes net political benefits (demand), which means approving projects with net political benefits; in terms of Figure 1a, all projects with  $S_p > S_d$ . (No model yet describes the institutions that would assure an optimal outcome for these choices.)<sup>16</sup>

Figure 4 shows three distributive bills,  $Y_1, Y_2, Y_3$ , with total spending increasing from  $Y_1$  to  $Y_3$ , so that  $Y_2$  adds some projects to  $Y_1$ , and  $Y_3$  adds some projects to  $Y_2$ . As in Figure 3, demand, or  $D_i$ , of each member for the three bills is shown in declining order from left to right. The bills are constitutive, as everyone gains from passage. The only question is which should pass, and the best rule is the bill with the highest total  $D_j$ ,  $Y_2$ . (While  $Y_3$  has the greatest amount of spending, it has lower total demand than  $Y_2$ , indicating that the additional projects have political costs greater than their benefits. Also note that  $Y_3$  provides a more equal distribution of benefits to the legislators than  $Y_2$ ; but total net demand is less.)

b. *Regulative Issues.* If all of those interested in a particular issue can be represented on a committee, the legislature can let the committee write the optimal bill. If a committee majority tries to pass a less desirable bill, the victimized minority should be able to point out the possibility of a more desirable bill. When a committee represents other members, as with the agriculture committee, bargaining between the committee representatives of these interests and the other interested legislators should occur. Bill passage involves persuading the many indifferents to vote for the bill, often by vote-trading or appeals to "party loyalty". These appeals should fail if a higher benefit bill is available, but was not proposed.

When most legislators are interested in a regulative issue, a committee that will represent the full membership is needed. (No simple rule to "distribute" benefits is known). A reasonable

solution is a committee controlled (or limited) by the party leadership. In the House of Representatives Ways and Means, Appropriations (prior to the 1970s), Rules, and Budget have acted in this manner. The Congress' geographic distribution rules for committee seats also may help assure a representative committee. When no single committee exists, as with energy issues, or formerly with budget issues, transactions costs can easily be too high to adopt any bill.

*c. Redistributive issues.* In their simplest form, these are all- or-nothing issues that everyone cares strongly about, with similar numbers on each side. In recent decades, several issues have fit this pattern: civil rights, the Vietnam war, labor unions, abortion, and school prayer. The largest redistributive issue, the economic role of government, does not fit so well, as bills on this question can be modified in many ways. And while most legislators are highly interested in this issue, the ideological extremes are much more concerned about it than those near the center, as shown in Figure 5.

In theory, pure redistributive issues are handled simply: they are brought to the floor and voted up or down.<sup>17</sup> Mixed redistributive issues must generally be modified numerous times to assure that they have a high chance of passage, making them partly regulative in this respect. With all legislators concerned with the bill, changes tend to be complicated and controversial. Negotiations must bring in representatives of all major legislative groups, and are generally controlled by the main legislative leaders or by the executive. Unlike regulative issues, there are not enough indifferents to make extensive vote-trading worthwhile.

### 3. Empirical Evidence

This section first applies the demand/structure approach, and then contrasts its classification with Lowi's. Two contrasts are that an issue's classification can change over time, e.g., regulative to redistributive, and left-right "ideological" conflicts are categorized as redistributive, regardless of the specific point at issue. Finally, I suggest a way of statistically estimating the relevant demands.

The 17 cases in Lowi (1972) are given in Table 5, where they are divided into distributive, regulative, and redistributive politics. For each bill, we must visualize the distribution of demand intensity across legislators. The four distributive cases all combine many issues that benefit particular interests and harm no one except consumers (the tariff) and the taxpayers. The six regulative cases have two definite sides, and the FDA, Rent Control and Robinson-Patman bills are evidently complex battles between small special interests. But the AAA bill seems distributive, benefitting farmers at the expense of the (indifferent) public. The two labor bills seem to have involved most legislators intensely on one side or the other and so been redistributive; any regulative element comes from non-separability: there was intense bargaining to determine what specific restrictions on labor unions would hurt pro-unionists least and satisfy anti-unionists most. Considering the ideological fire in the Taft-Hartley and Landrum-Griffen battles, it is surprising that Lowi does not see them as ideological and redistributive. (Lowi classifies bills involving regulation as regulative, but they are often redistributive in a demand sense. That is a major difference in the two classifications.) Finally, the redistributive issues all involve ideology. The two farm issues would be distributive if only farmers' interests were considered. But as Schneider argues, the issue is what the participants think it is. And farm bills were then seen in large part as a referendum on the

role of government in the economy.

The first four columns of Table 5 identify pressure groups outside Congress, and the last three identify how Congress handled each bill. (The role of outside lobby groups varied within each case, suggesting that the outside lobby groups did not determine the nature of the issue. Perhaps they enforce the "public goods" element in bills, keeping legislators from shirking (Olson 1965.)) Committees were most decisive for distributive bills, and in no case was the bill altered significantly on the floor--the demand model implies. Regulative bills were determined both on the floor and in committee. Redistributive bills were determined at the floor level or by the executive, as our structural theory implies.

Distributive bills are consistent with the model. They are passed in committee by logrolling, and are not defeated or amended on the floor, so no powerful blocs oppose them. On these bills the committee itself did not include all of the interested parties: the committee either dealt with other groups, or the leadership controlled the committee in order to assure that interested parties were properly taken care of (Fenno 1966). The 1970s rules and attitude changes imply less organization, so that small groups have more power (Dodd and Oppenheimer 1981). But for a distributive bill to pass it must benefit virtually all members. So Weingast's (1979) model seems accurate.<sup>18</sup>

Regulative bills are amended both in committee and on the floor, in a process of 'bargaining' according to Lowi. Bargaining implies negotiations with several sides. So on these bills there are two (or more) sides who have something to gain from negotiation. They are not all represented in the committees in proportion to floor strength; otherwise, floor amendments would fail. These many amendments on the floor are contrary to the agenda control model (Shepsle and Weingast 1984), where the committee chooses a bill that will win. So the agenda control model as currently structured does not explain regulative politics. Finally, the Landrum-Griffen labor bill, which Lowi considers regulative but I classify redistributive, was largely decided on the floor, as a redistributive bill should be.

Redistributive bills can be proposed by committees controlled by particular interests, but evidently the pressure for passage comes from the floor or the President. Floor outcomes vary: on three bills there was contention, as the model implies; one (Employment Act of '46) had some compromise, and one was passed without much disagreement. However, on the Farm Security Administration, Farmers Home Administration, and Social Security Acts, the executive played the major role. A theory of executive power is needed to explain these bills.

Several other authors have issues that we can classify. Mayhew (1966) studied farm, urban, labor, and western issues. They can be categorized as

	Lowi	Demand Intensity
Distributive:	Western, Urban	Western, Farm, Urban
Regulative:	Labor, Farm	
Redistributive:		Labor

This example shows how demand can be found without detailed data on legislators' preferences. Demand intensity was estimated as follows: Western, Farm and Urban issues all involved a large benefit to a minority of the legislators; other legislators lose only by the required taxes, although some Republicans ideologically opposed government intervention in farming. Labor issues involved the whole country: the heavily unionized parts of the country largely favored strong labor laws (with few intense anti-union exceptions), and the less-unionized parts of the country strongly opposed these laws. Lowi's categories come from the nature of the bill: western and urban bills spend money on many small local projects; labor and farm bills regulate major sectors of the economy.

Mayhew provides evidence to evaluate these categories. He finds that farm and western bills passed easily, with the decisions being made in the Agriculture and Interior committees. Urban bills were moderately successful, and were logrolled with farm and western bills to pass. They appear to be handled as distributive issues. Labor bills were the most controversial and ideological, and the least successful (p. 167). Compromise did not occur, and issues went to the floor and were settled on a contentious fashion. Thus, labor issues were redistributive.<sup>19</sup>

Fenno (1973) examines variation in politics across six committees. Interior in the 1960's was distributive (p. 5), with western representatives extremely concerned and others uninterested. The committee should therefore pass bills that maximized benefits to westerners subject to successful passage. The committee was highly successful, being defeated on only three bills in 1957 - 1966 (pp. 259-261). This outcome is consistent with both models.<sup>20</sup>

Post Office and Foreign Affairs were distributive committees then. The postal unions influenced a number of congressmen and faced weak opposition from the majority. A few congressmen were highly supportive of foreign aid, while most were indifferent or mildly opposed. In both cases, the committees reported bills that were cut down on the floor; but that was expected and was considered "play-acting" for the public. Sponsors could show that they tried to pass large appropriations, while opponents could show that they "cut the bill down to size." Thus these amendments do not imply committee failure.

Education and Labor, in Fenno (1973), did not compromise, but acted in a redistributive manner. Its bills caused ideological battles on the floor and the bills usually failed.

Finally, Appropriations and Ways and Means handled questions of broad interest. In this era they tried to represent the dominant will and generally succeeded. Appropriations bills are largely bundles of distributive issues, and most amendments add or subtract programs that are of special interest to a few members. Most of the tax and tariff issues of Ways and Means were distributive. Tax bills can allow a large number of special-interest loopholes, which are individually distributive. And the final bills seem to be "fair" combinations of benefits to many individual interests and so also basically distributive. Fenno found these committees engaging in much internal logrolling and then passing their bills largely intact, in a distributive politics manner. However, tax policy has become strongly redistributive in the 1980's, involving the ideological issue of the size and role of government. This points out the contrast between the Lowi and demand approaches. When demand intensities change, we redefine the issue as redistributive, contrary to Lowi's approach.

Two recent studies of regulation classified politics in Lowi's framework. Kingdon (1984) found that transportation and health issues were continually redefined in the hope of developing a

politically viable compromise. The issues were clearly regulative: small groups pro and con, and most people indifferent. However, national health insurance was an anomaly for Lowi's framework: it is "regulation" but clearly had redistributive demands: the rich vs. the working class. Nadel (1983, p. 241), in examining recent "economic regulation" bills, points out that their "most common" politics is really "client politics," which we categorize as distributive. But most social regulation appeared to be redistributive and ideological. Thus, "regulation" often has actually distributive or redistributive politics.

This examination shows how the demand framework can categorize issues in committee and on the floor. As demand distributions and intensities change, the model indicates the change in politics, in contrast to Lowi's categorization. Thus, environmentalists drastically changed Interior's concerns and politics although the bills were still about dams. And the growth of ideological opposition to big government led to a strong redistributive element in budget and tax decisions in the 1980s (Ellwood 1983, 1985). In fact, Schick (1983) explains that budgetary politics have changed from distributive to redistributive as legislators' views of the issue changed. A consensus to divide up benefits evenly was replaced with a struggle over the purpose of government. Thus, Schick implicitly uses our demand categories. Similarly, Sinclair (1985) finds that particular issues change to and from ideological/redistributive with the oil crises, while urban spending went in the opposite direction in the 1960's as it became a consensus policy. Issues do not remain in a particular category; when demand distributions change, so do the relevant politics.

Some authors (Schneider 1979, 1984, Poole, 1981) claim that politics has one left-right dimension that determines most roll-call voting. Their claim is made most strongly for economic redistribution, while social issues and civil liberties might be redistributive on cleavages diverging from the economic dimension. Regulative bills should diverge strongly from the left-right dimension. Poole and Rosenthal (1985) report such results:

The liberal-conservative dimension generally does poorly on those pork barrel, regional, and special interest issues that will always lie outside of any low-dimensional spatial model. These include tobacco subsidies, solar power in California, the Tombigbee waterway, pay for members of Congress and the federal Civil Service, Amtrak service, D.C. airports, Mt. St. Helens relief, etc. (p. 373)

Demand distributions can be estimated statistically from roll-call studies and categorized, providing a formal check on the informal analysis. Roll-call studies that give legislators' locations on a dimension can give demand distributions, with two assumptions. If we assume identical quadratic loss functions and equal power for all legislators, the locations imply demands. (Quadratic loss with distance is used in Enelow and Hinich (1984) and Ladha (1984).) Thus, a view of Congress' aggregate demand distribution follows directly from Poole and Rosenthal's (1985b, Table 6, 1979) locational estimates; it is shown in Figure 6. The demands are for a small change to the "left" from a status quo point at the median legislator.<sup>21</sup> This measure of aggregate roll-call demands gives a distribution that appears closest to the regulative distribution. It would be possible to test whether different "types" of bills have the distributions the theory proposes.

#### 4. Extensions of the Theory

The evidence is not fully consistent with the demand model. The distribution of preferences and the separability of bills are hard to determine. Thus, improvement of the theory is desirable.

Laws are fashioned by a process of innovation, with much uncertainty, search, and bargaining. The model could include leaders' probability estimates of legislators' demands. Subcommittee and committee leaders might have less information, and thus wider probability estimates about overall preferences than the floor leader, but better information about the nature of the bill (Gilligan and Krehbiel 1987).

Two "arenas of power" could be modeled: a committee with intense advocates, which structures and proposes bills, and a legislature which amends and disposes. For committees, ultimate control maybe determined by party leaders; they often control committee membership and can affect the success of bills. Similarly, leadership decisions and hence aggregate demands of each party are important at the floor level; committees cannot just "count noses" on the floor.

Passive floor behavior has been assumed so that there is only one active "agent," the committee majority. That could occur if floor leaders defeat bills with  $D_j < 0$ , or favor the "known" alternative with highest  $D_j$ . Thus, floor leaders can be assumed fairly ignorant of specific bills: while the committee knows demands exactly, leaders reject bills only if the benefits to a proposed bill are a finite amount less than the best possible bill.<sup>22</sup>

In any case, the demand intensity approach has advantages in modeling politics within a complex structure. Its categories are natural economic categories: the distribution of demand and the ratio of losers to gainers; gains from change in the characteristics of the bill and gains from trade-offs among similar bills. And the demand typology fits the data as well as does Lowi's typology.

The demand typology also implies differences in the ability of exchange models (Coleman 1966, Haefele 1971, Koford 1982) to explain legislatures. In those models, legislators obtain generalized power by trading, and that gives them the demand for bills. Aggregate demand determines which bills pass and which fail. Exchange models have previously assumed that trading occurs on every bill. But this demand analysis suggests a more limited role for exchange.

It appears that

1) Distributive bills fit the exchange model best as they provide private benefits and there are no collective opposed interests to consider.

2) Regulative bills also fit fairly well, particularly the careful bargaining to maximize aggregate benefits. (However, the uncertainty of innovation is described poorly by any static model.)

3) Redistributive bills fit the exchange model poorly. These bills do not provide much variation in intensity of preferences; exchange is thus very costly, which suggests that conflict replaces exchange.

Several final questions may be asked. How much is the form of politics affected by the desire to impress constituents or lobbyists (Denzau, Riker and Shepsle 1985), as opposed to passing or defeating bills? The assumption has been that the legislator's only goal is to legislate, but legislators may want to produce dramatic political theater.

What legislative structure is really most efficient for its demand distribution? We need an analysis that evaluates all institutional structures to come to any positive conclusions.

Finally, the influence of the executive and of lobbyists should be modeled explicitly. They are important actors (e.g. in Lowi's cases) but are in the model only as they influence the distribution of preferences.<sup>23</sup>

Table 3

Variation in Congressional Floor  
Amendments Across Issues

	(1) Average Number of Amendments Proposed per Bill	(2) Percent of Amendments Passed	(3) Percent Significant Amendments Passed over Objections of Sponsoring Committee
Distributive Bills, N=22	5.8	41.8	0
Redistributive Bills, N=25	9.1	62.4	24
Regulative Bills, N=15	12.8	48.9	67

Includes all bills, 87th Congress, 1st Session, plus 13 major bills.

Source: Lowi (1970), Table 3

Table 4

Legislator Consistency Across Issue Types  
81st–88th Congress

Average Rank–Order Correlations (Q) Across Vote Categories

	Regulative	Redistributive
Republicans	.13	.39
Democrats	.09	.41

Source: Lowi (1970)

Table 5

## Lowi's Summary of Case Studies

	Primary Units	Relationships Among	Stability Among	Lobby Role	Committee Role	Floor Role	Executive Role
<u>Distributive</u>							
Rivers-Harbors '50	single	logrolling	highest	very high	determinative	consensual	supplicative
Airports Aid '58-'59	single	logrolling	very high	high	determinative	consensual	supplicative
ARA	single	logrolling	highest	high	creative	consensual	supplicative
Tariff, '50's	single	logrolling	highest	low	creative	contentious	supplicative
<u>Regulative</u>							
FDA, '38	tr. assn.	bargaining	high	low	creative	very creative	supplicative
Rent Control '50	tr. assn.	bargaining	low	low	creative	creative	supplicative
Robinson-Patman	tr. assn.	bargaining	low	very high	creative	not asc.	passive
AAA '38	tr. assn.	bargaining	low	very high	creative	creative	coordinative
Taft-Hartley	tr. assn.	bargaining	moderate <sup>1</sup>				passive (stalemated)
Landrum-Griffin	tr. assn.	bargaining	low	high	conduit	very creative	coordinative & supplicative
<u>Redistributive</u>							
Farm Security Administration	(Bu. only)	Ideol.	high	very high	none	none	legislative
Farmers Home Administration	(Bu. only)	Ideol.	very high	high	lobbyist	not ascertained	legislative
Social Security '35	Peaks	Ideol.	very high	moderate	conduit	consensual	legislative <sup>3</sup>
Federal Aid to Education	Peaks	Ideol.	very high	high	lobbyist	contentious	inactive <sup>3</sup>
Employment Act '46	Peaks	Ideol.	very high	moderate	very low	very creative	legislative
Excess Profits	2	Ideol.	very high	moderate	lobbyist	contentious	supplicative
Internal Revenue '54 (exemption & rates)	Peaks	Ideol.	high	moderate	low-creative <sup>4</sup>	contentious	legislative

Lobby role: Very high if prominent and creative in legislature, executive, and grass roots; high if prominent and creative at any point; moderate if only prominent; and low if no evidence of anything.

Committee role: Conduit, lobbyist, creative, determinative, in that rough order of importance.

Floor role: consensual, contentious (if a lot of debate but little alteration of the bill), creative (if evidence of alteration).

Executive role: passive, coordinative, supplicative, legislative in that order.

<sup>1</sup> Pro's high, anti's low.

<sup>2</sup> No mention is made of any groups or associations. The "business community" is termed "unanimous" and "concerted" but not managed.

<sup>3</sup> Failed of passage. As a general rule, if executive activity is low on a redistributive activity, the bill is probably doomed. This is not true of the other two types.

<sup>4</sup> Joint Committee on Internal Revenue Taxation very creative--especially its staff; but it is not a legislative committee. The Ways and Means Committee and Finance Committee were much less creative, much more ratifiers of accords reached between JCIRT and Treasury lawyers.

Table 6  
Amendments to Appropriations Bills

Department	Amendments Proposed			Amendments Passed		
	Number	Increase	Decrease	Number	Increase	Decrease
Public Works	159	143	16	23	22	1
Interior	96	61	35	40	22	18
Agriculture	73	37	36	25	17	8
State	53	6	47	10	0	10
H.E.W.	52	32	20	19	11	8
Labor	36	20	16	13	3	10
Commerce	30	25	5	10	8	2
Treasury	20	6	14	15	4	11
Justice	8	3	5	3	1	2
Other	20	7	13	5	3	2
<b>TOTAL</b>	<b>547</b>	<b>340</b>	<b>207</b>	<b>163</b>	<b>91</b>	<b>72</b>

NOTE: Amendments that covered several departments at once and could not be allocated to one department were left in the residual category "Other."

Source: Fenno (1966, p. 458) and Ferejohn (1974, p. 99).

Figure 1

Demand Distribution for Different Issues

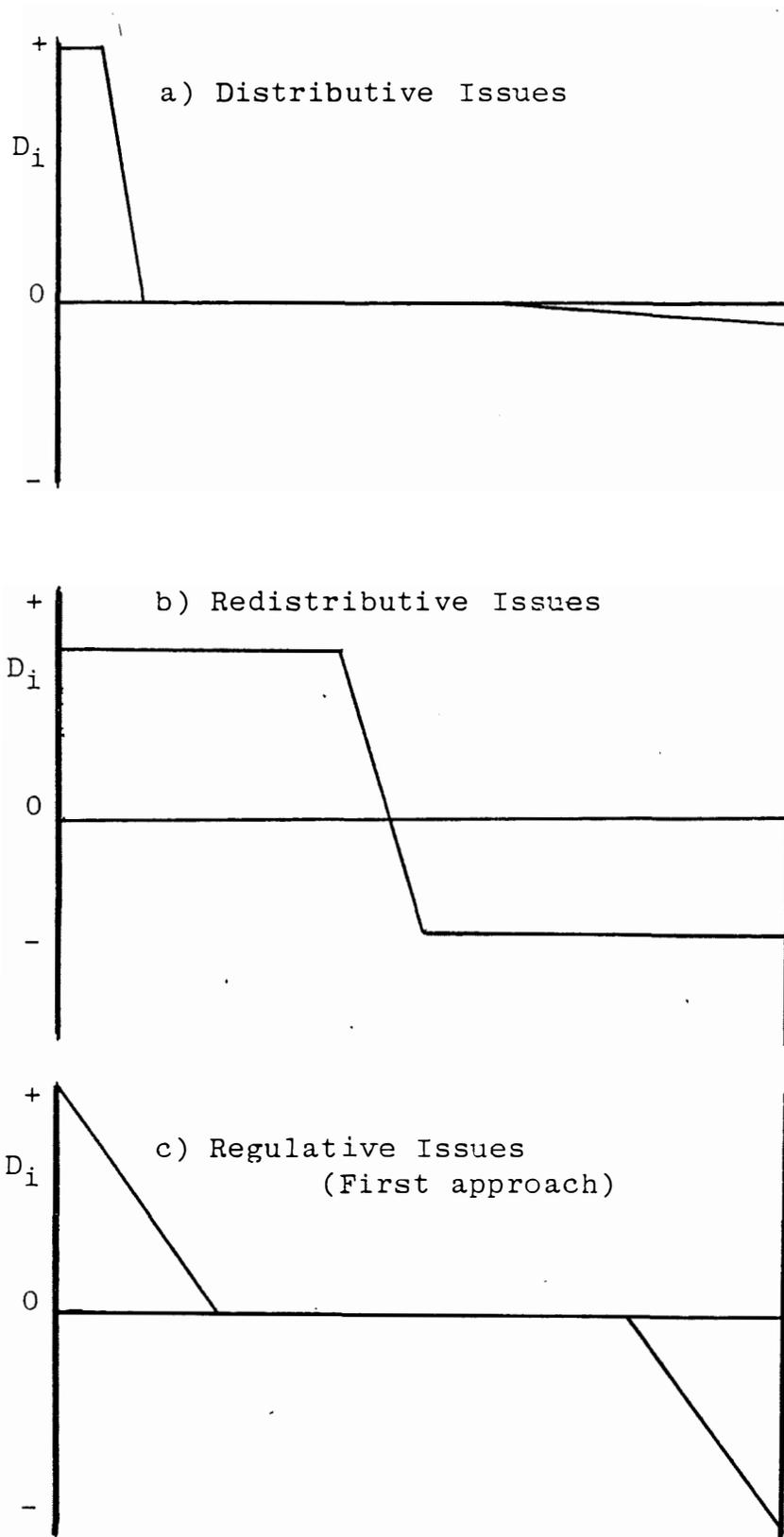


Figure 2

Demand In Two Dimensions

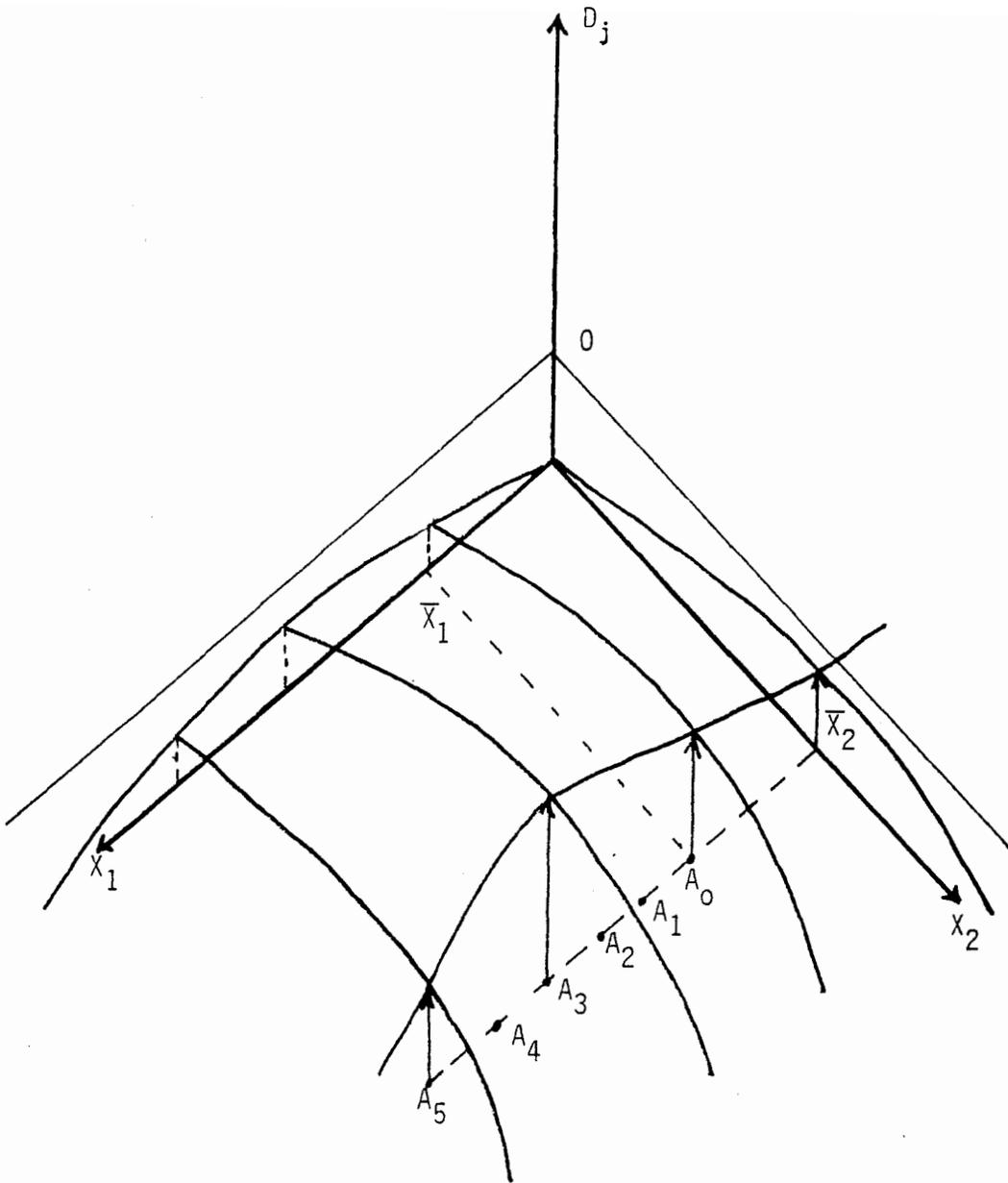
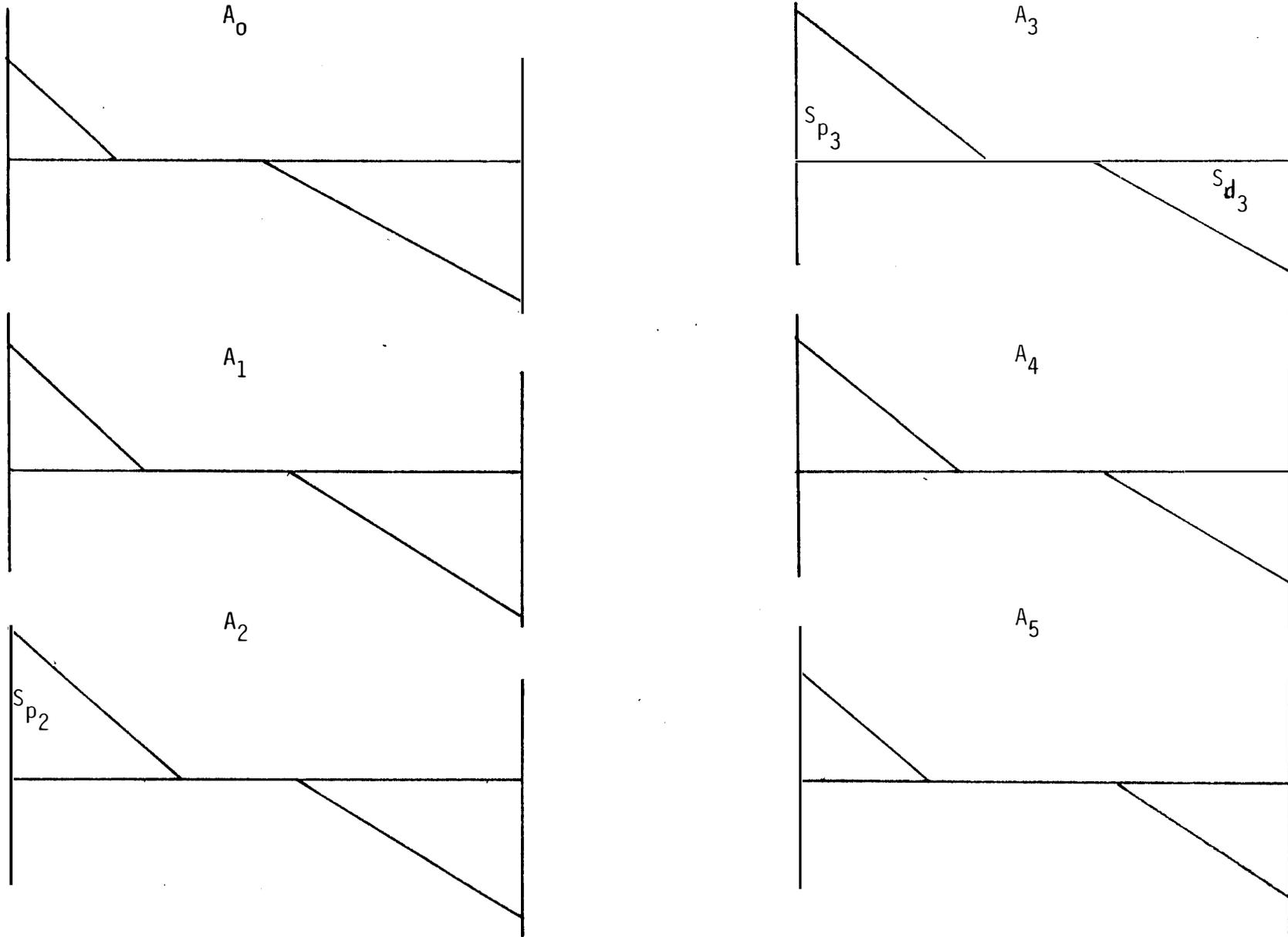


Figure 3

Alternative Regulative Bills:  $A_0 - A_5$



NOTE:  $S_{p2}$  is the largest  $S_{p_i}$ , but  $D_3$  is the largest  $D_j$

Figure 4

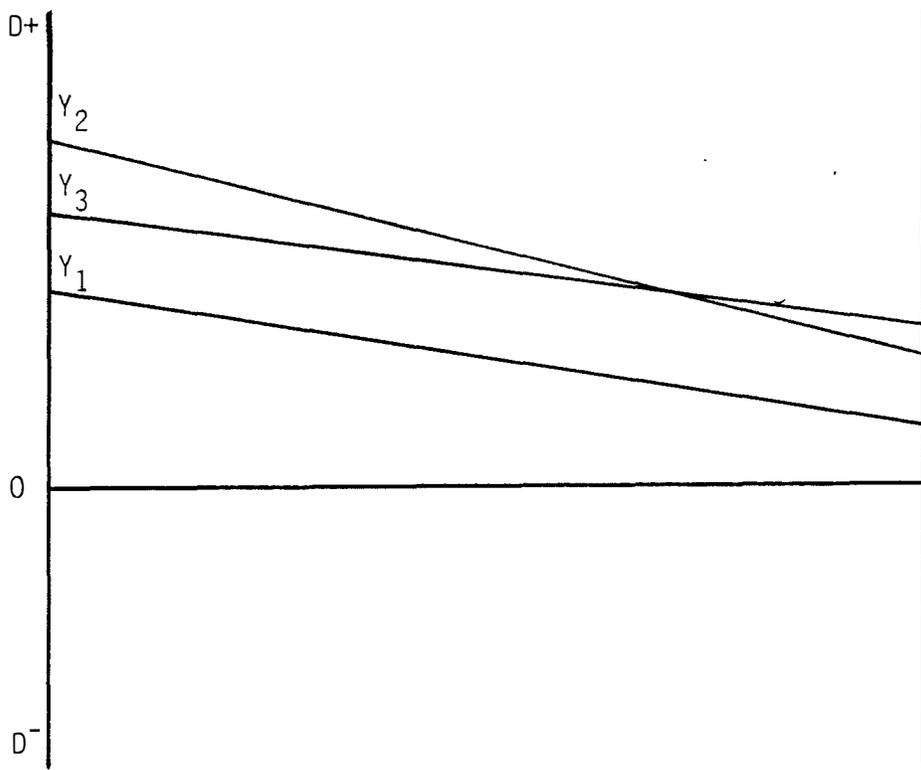


Figure 5

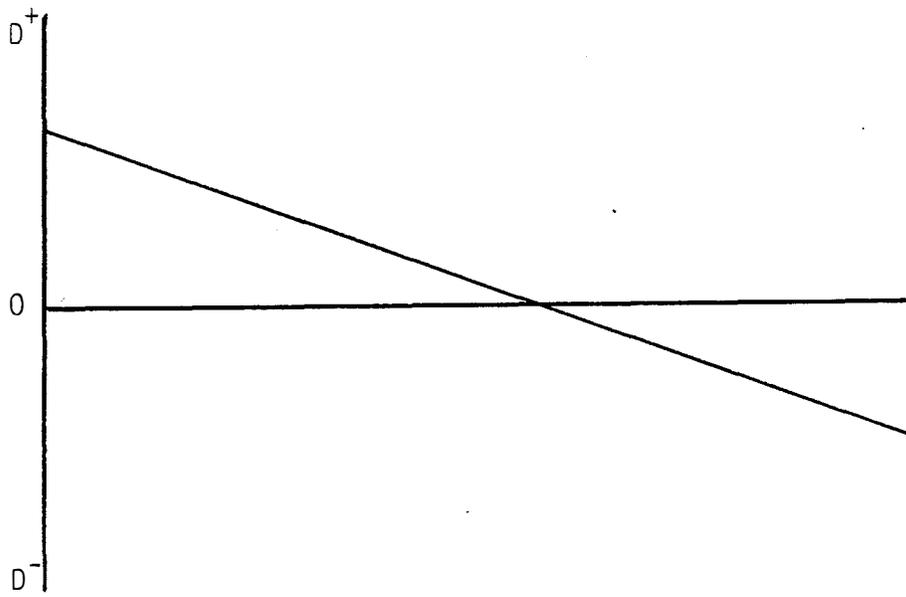
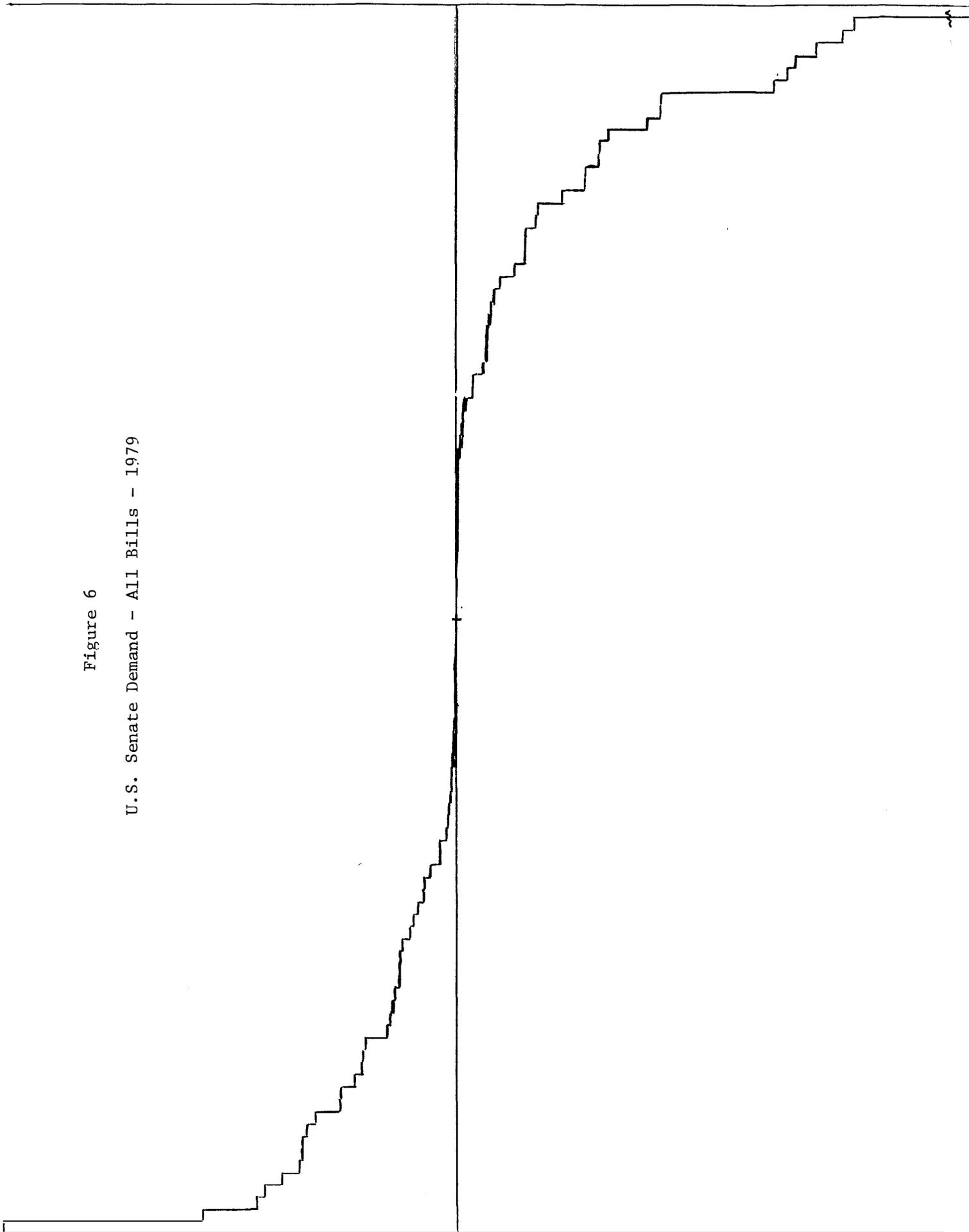


Figure 6

U.S. Senate Demand - All Bills - 1979



## Footnotes

\*Randy Calvert, Keith Krehbiel, Jerry Schneider, John Wright and an unknown referee gave helpful comments. An earlier version was presented at the 1985 meeting of the Midwest Political Science Association.

1. Legislative examples include the demand for regulation (Stigler 1971, Weingast and Moran 1983), demand for votes (Fiorina 1974), the demand for roll-call votes by constituencies and PACs (Kau, Keenen, and Rubin 1982, Kalt and Zupan 1984.)
2. Weingast, Shepsle and Johnsen (1981) suggest that the explanation of limits upon distributive expenditure lies in a committee (Appropriations or Budget) that acts as an agent for the legislature in maintaining the desired level of spending. But the authorizing committees are, in their model, also acting as agents of the legislature, so their model is incomplete. If the committees are all agents of the legislature as a whole, it is not clear why the Budget and Appropriations committees would need to restrain the authorizing committees.
3. Weingast, Shepsle and Johnsen (1982, pp. 660-662) allow for external effects but it is not clear that their essentially distributive model describes well issues in which external effects are crucial.
4. Wilson (1974) proposes a similar theory of distribution of benefits and costs to explain regulatory politics.
5. If legislators disagree on the size of government, distributive issues become partly redistributive: everyone would want the bills to pass, but some would want the overall size to be smaller and so might vote nay.
6. Niskanen (1971) also makes this assumption.
7. See Koford (1982), and Hayes (1981), which develops a theory in which the "distribution of benefits and costs" determines the nature of political activity, an approach complementary to that taken here.
8. Cook (1985) finds that committees are much better at anticipating their workload on authorization (i.e., distributive) bills than on other matters.
9. Fenno (1973). However in Shepsle (1978), legislators seem able to choose their committees, and so would not necessarily favor the general interest. Perhaps the regional and partisan quotas on who can join committees force preferences close to the general interest. Leaders may choose people who favor the general interest for the elite committees, but that is not indicated by Shepsle's data.

10. This result appears to contradict the claim that voting in Congress is largely on a single ideological dimension (Schneider 1979, 1987, Poole 1981). Their tests for differences in ideological coherence across issue areas were on different dimensions than those explored here, however. Only agriculture, which seems mostly regulative, fits one of our categories and for it ideological voting seems least important.
11. Uslaner (forthcoming) emphasizes that the interrelatedness of different parts of energy policy turns its politics into a complex, confusing mess. Everything depends on everything else, leading to a breakdown in the traditional committee-specialist method of writing and passing bills.
12. By combining actual valuation and willingness to act, I neglect the public goods problem (Olson 1965): Why don't these legislators shirk? Empirically, legislators do not seem to shirk much; if they value a bill highly and some effort is needed to pass it, they exert that effort. And there are good theoretical reasons for legislators not to shirk. First, their true valuations are not a secret: their constituencies and campaign promises, and their personal preferences, are known. Second, party leaders and outside lobbying groups can impose selective incentives upon legislators to assume that they act in accord with their demand (Koford 1987, Weingast and Marshall 1984).
13. The theory of regulation, e.g. Peltzman (1976), emphasizes this multiplicity of interests and the possibility of tradeoffs among them.
14. Koford (1986) examines rules for aggregating legislator preferences. Both numbers and intensity matter, and can be weighted in many ways. The simplest rule, in which demands are summed (as in economics), is used here.
15. These demands are, of course, partial-equilibrium demands, meaning any one bill is "small" compared to the aggregate of all bills.
16. For some efforts to analyze aggregate constraints on committee decisions, see Ferejohn and Krehbiel (1985).
17. Sometimes legislators could prevent a bill from reaching the floor or being voted on by disruptive tactics or filibusters.
18. If the Weingast (1979) model is applied strictly to norms of universalism, we would expect bills to pass even if they did not benefit most or all members, so long as all members benefitted from the passage of all distributive bills.

19. Fenno (1973) found similar ideological posturing on labor issues, and Schneider (1979) found labor issues considered very ideological by members of Congress.
20. This high success rate contrasts with the much lower success of the Interior Subcommittee of Appropriations (Ferejohn 1974; see Table 6) -- which had the most amended set of appropriations bills (40, of which 22 were increases and 18 were decreases.) The subcommittee members were chosen from outside the relevant interest group, so amendments increasing spending might be expected, but it is hard to explain the decreases.
21. The positions are first adjusted for their distance from the central point,  $-.044$ ; the distances are then squared. A linear loss function would emphasize the extreme demands less, but the distribution would still not look redistributive.
22. See Smith and Deering (1984, Chapter 8), and Sinclair (1983) for discussions of committee-floor leader relations supporting this view.
23. Huitt (1969) shows the beginning of this "outsider" role that now appears to dominate Congress (Fiorina 1977).

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