The second edition of *Legislative Leviathan* provides an incisive new look at the inner workings of the House of Representatives in the post–World War II era. Reevaluating the role of parties and committees, Gary Cox and Mathew McCubbins view parties in the House – especially majority parties – as a species of “legislative cartel.” These cartels seize the power, theoretically resident in the House, to make rules governing the structure and process of legislation. Possession of this rule-making power leads to two main consequences. First, the legislative process in general, and the committee system in particular, is stacked in favor of majority party interests. Second, because the majority party has all the structural advantages, the key players in most legislative deals are members of that party and the majority party’s central agreements are facilitated by cartel rules and policed by the cartel’s leadership.

The first edition of this book had significant influence on the study of American politics and is essential reading for students of Congress, the presidency, and the political party system.


Legislative Leviathan

Party Government in the House
Second Edition

GARY W. COX AND MATHEW D. McCUBBINS

University of California, San Diego
Contents

List of Figures  ix
List of Tables  xi
Acknowledgments  xv

Introduction  1
  1. The Weakness of Parties  2
  2. Committee Government  9
  3. An Outline of the Book  13

PART ONE. THE AUTONOMY AND DISTINCTIVENESS OF COMMITTEES  15
  1. Self-Selection and the Subgovernment Thesis  17
     1. Self-Selection  19
     2. Constituency Interests and Assignment Requests  21
     3. Accommodation of Assignment Requests  25
     4. Accommodation of Transfer Requests  32
     5. The Routinization of the Assignment Process  37
     7. Whither Assignment Routines? The Republican Revolution  40
     8. Summary  41
  2. The Seniority System in Congress  43
     1. Seniority in the Rayburn House: The Standard View  44
     2. Reconsidering the Standard View  45
     3. The Empirical Evidence  47
     4. Interpreting the Evidence: Postwar Democratic Rule  52
     5. Interpreting the Evidence: The Republican Revolution  55
     6. Conclusion  56
  3. Subgovernments and the Representativeness of Committees  58
     1. The Previous Literature  59
     2. Data and Methodology  65
3. Results 68
4. The Representativeness Thesis 72
5. Conclusion 74

PART TWO. A THEORY OF ORGANIZATION 77
4. Institutions as Solutions to Collective Dilemmas 79
1. Collective Dilemmas 80
2. Central Authority: The Basics 84
3. Why Central Authority Is Sometimes Necessary 87
4. Multiperiod Considerations 92
5. Problems with Central Authority 94
6. Conclusion 97

5. A Theory of Legislative Parties 99
1. The Reelection Goal 100
2. Reelection Maximizers and Electoral Inefficiencies 112
3. Party Leadership 115
4. Some Criticisms of Our Theory and Our Rejoinder 123
5. Conclusion 124

PART THREE. PARTIES AS FLOOR-VOTING COALITIONS 127
6. On the Decline of Party Voting in Congress 129
1. Party Voting: Trends Since 1980 130
2. Party Voting: Trends from 1910 to the 1970s 131
3. Party Agendas and Party Leadership Votes 135
4. Conclusion 146

PART FOUR. PARTIES AS PROCEDURAL COALITIONS: COMMITTEE APPOINTMENTS 149
7. Party Loyalty and Committee Assignments 153
1. Assignments to Control Committees 154
2. Party Loyalty and Transfers to House Committees 155
3. Loyalty, the Republican Revolution, and the Great Purge of 1995 170
4. Assignment Success of Freshmen 171
5. Conclusion 174

8. Contingents and Parties 176
1. A Model of Partisan Selection 177
2. Which Committees’ Contingents Will Be Representative? 178
3. Results 188
4. Conclusion 208
Contents vii

PART FIVE. PARTIES AS PROCEDURAL COALITIONS: THE SCHEDULING POWER 211

9. The Majority Party and the Legislative Agenda 213
   1. The Speaker’s Collective Scheduling Problem 215
   2. Limits on the Scheduling Power 217
   3. Committee Agendas and the Speaker 221
   4. Intercommittee Logrolls 227
   5. Coalitional Stability 230
   6. Critiques and Rejoinders 232
   7. Conclusion 233

10. Controlling the Legislative Agenda 235
    1. The Majority Party and the Committee System 236
    2. The Consequences of Structural Power: The Legislative Agenda 241
    3. The Consequences of Structural Power: Public Policy 250
    4. Comments on the Postwar House 251
    Conclusion 255

Appendix 1. Uncompensated Seniority Violations, Eightieth through Hundredth Congresses 259
Appendix 2. A Model of the Speaker’s Scheduling Preferences 263
Appendix 3. Unchallengeable and Challengeable Vetoes 267
Appendix 4. The Scheduling Power 269
Bibliography 275
Author Index 295
Subject Index 299
List of Figures

3.1. ASC Ratings, Ninety-seventh Congress       page 62
3.2. ADA Ratings, Ninety-seventh Congress       63
3.3. AFL-CIO COPE Ratings, Ninetieth Congress    65
4.1. A Standardization Game                      82
4.2. A Prisoner’s Dilemma                        83
6.1. Average Leadership Support Scores on the Democratic Party Agenda, Seventy-third to Hundredth Congresses 139
6.2. Average Leadership Support Scores on the Republican Party Agenda, Seventy-third to Hundredth Congresses 140
6.3. Average Democratic Leadership Support Scores on Party Leadership Votes, Seventy-third to Hundredth Congresses 142
6.4. Average Republican Leadership Support Scores on Party Leadership Votes, Seventy-third to Hundredth Congresses 143
6.5. Average Leadership Support Scores on Party Leadership Votes, Northern and Southern Democrats, Seventy-third to Hundredth Congresses 144
10.1. Committee Leadership Support Scores, by Committee 246
10.2. Committee Leadership Support Scores, by Committee 247
10.3. Dissent from Committee Reports, by Party 253
List of Tables

1.1. Assignments and Requests of Democratic Freshmen, Eightieth to Hundredth Congresses  page 26
1.2. Assignments of Republican Freshmen, Eightieth to Hundredth Congresses  28
1.3. Assignment Success of Democratic Freshmen, Eighty-sixth to Ninetieth and Ninety-second to Ninety-seventh Congresses  30
1.4. Success of Democrats Requesting Transfer, Eighty-sixth to Ninetieth and Ninety-second to Ninety-seventh Congresses  33
1.5. Success of Democrats Requesting Transfer, by Committee Requested  34
1.6. Recruitment Patterns in Democratic Committee Transfers, Eighty-sixth to Ninetieth and Ninety-second to Ninety-seventh Congresses  35
1.7. Democratic Requests and Vacancies, Eighty-sixth to Ninety-seventh Congresses  37
1.8. Accommodation of Committee Requests of Democratic Freshmen Entering the Eighty-sixth to Ninetieth and Ninety-second to Ninety-seventh Congresses  38
2.1. Seniority Violations in the Eightieth to Hundredth Congresses  52
3.1. Geographical Unrepresentativeness on Committees in the House  61
3.2. Ideological Representativeness on Committees in the House  66
3.3. Summary of Difference-of-Means Tests on ADA Scores for House Committees, Eighty-sixth to Ninety-seventh Congresses  69
List of Tables

3.4. Summary of Difference-of-Means Tests on ACA Scores for House Committees, Eighty-sixth to Ninety-seventh Congresses 71
3.5. Summary of Difference-of-Means Tests on Conservative Coalition Scores for House Committees, Eighty-sixth to Ninety-seventh Congresses 72
5.1. Partisan Differences in Interelection Vote Swings, 1948–2004 105
5.2. Partisan Swings and Incumbent Candidates’ Probabilities of Victory 107
5.3. Northern Democratic Swings, Southern Democratic Victories, and Vice Versa 110
6.1. The Size of the Party Agendas, Seventy-third to Hundredth Congresses 138
7.1. Party Loyalty and Democratic Committee Transfers, Eightieth to Hundredth Congresses 162
7.2. Party Loyalty and Republican Committee Transfers, Eightieth to Hundredth Congresses 163
7.3. Democratic Transfers and Requests, Eighty-sixth to Ninetieth and Ninety-second to Ninety-seventh Congresses 166
7.4. Multinomial Analysis of Democratic Transfers and Requests, Eighty-sixth to Ninetieth and Ninety-second to Ninety-seventh Congresses 170
7.5. Loyalty and First-Choice Assignments 172
8.1. Classification of Committees by Type of Externality 186
8.2. Summary of Difference-of-Means Tests on ADA Ratings Between Democratic Committee Contingents and the Party, Eighty-seventh to Ninety-seventh Congresses 190
8.3. Summary of Difference-of-Means Tests on ADA Ratings Between Republican Committee Contingents and the Party, Eighty-seventh to Ninety-seventh Congresses 192
8.4. Summary of Wilcoxon Difference-of-Medians Tests on NOMINATE Ratings Between Democratic Committee Contingents and the Party, Eightieth to Hundredth Congresses 194
8.5. Summary of Wilcoxon Difference-of-Medians Tests on NOMINATE Ratings Between Republican Committee Contingents and the Party, Eightieth to Hundredth Congresses 195
### List of Tables

8.6. Summary of Quintile-Based Chi-Squares on NOMINATE Ratings for Democratic Committee Contingents, Eightieth to Hundredth Congresses 198  
8.7. Summary of Quintile-Based Chi-Squares on NOMINATE Ratings for Republican Committee Contingents, Eightieth to Hundredth Congresses 199  
8.8. Mean Absolute Difference in Percentage Voting Yes Between Committee and Noncommittee Democrats, Selected Congresses 204  
8.9. Democratic Realignment of Control Committees, Eightieth to Hundredth Congresses 207  
8.10. Republican Realignment of Control Committees, Eightieth to Hundredth Congresses 208  
10.1. Average Committee Support Scores, by Party 248  
A3.1. Spatial Equilibria Under Alternative Veto Specifications 268
Acknowledgments

We thank the following people for their valuable and insightful, if not always heeded, comments: Joel Aberbach, Josh Cohen, Joe Cooper, Vince Crawford, John Ferejohn, Morris Fiorina, Gary Jacobson, Sam Kernell, Rod Kiewiet, Keith Krehbiel, Skip Lupia, Roger Noll, Bruce Oppenheimer, Nelson Polsby, Keith Poole, David Rohde, Francis Rosenbluth, Tom Schwartz, Ken Shepsle, Steve Smith, and Barry Weingast. We thank William Heller, Jonathan Katz, Diane Lin, Sharyn O’Halloran, Brian Sala, Cheryl Boudreau, Ellen Moule, Adriana Prata, Alexandra Shankster, and Nick Weller for their invaluable assistance. We thank Gary Jacobson, Rod Kiewiet, Garrison Nelson, Keith Poole, and Howard Rosenthal for sharing their data with us. We acknowledge the support of NSF (grants # SES-8811022 and # SES-9022882) and UCSD. Finally, we thank our wives for their patience, love, and support, and our children – Dylan Cox, Colin McCubbins, and Kenny McCubbins – for their reasonably regular sleep habits, generally sweet dispositions, and consistently low bounce-weights.
Legislative Leviathan

*Party Government in the House*

*Second Edition*