

Committee Assignments as Side Payments: The Interplay of Leadership and Committee
Development in the Era of Good Feelings

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We explore the behavior and reform of the House committee system between the 15th and 17th Congresses, a period of legislative chaos. In examining how the House dealt with the Missouri controversy in the 15th and 16th Congresses, we illustrate how select committees created to assist in drafting legislation could be virtually powerless to influence the agenda in their domains. Our second case, of army retrenchment in the 16th Congress, illustrates how select committees *could* influence policy outcomes during this era, if they possessed gate keeping powers. Our last section examines the passage of committee reforms in the 17th Congress, arguing that the reforms were a response, at least in part, to the underlying legislative chaos illustrated in our two cases.

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The American Congress develops in fits and starts. Modern students of Congress are accustomed to using the most convulsive fits as boundaries in periodizing congressional history. For instance, scholars of the contemporary Congress have established a divide in the early 1970s, designating the prior period “pre-reform” (or “textbook”, see Shepsle 1989) and the subsequent period “post-reform.”

The decade spanning 1812 to 1822 represents the first of these organizational divides, demarcating the transition from one institutional equilibrium to another. The earlier period betrayed a "Jeffersonian" (Cooper 1970) sensibility, in which the floor held firm rein on the activities of its committees. The period that followed saw greater autonomy granted committees as initiators of legislation and, it is arguable, erected the superstructure on which Congress's authority and autonomy have rested ever since.

Because this transitional decade is so pivotal for the subsequent history of Congress, a literature has developed to examine the conditions that motivated it. Examinations of the House's institutional development have tended to emphasize Henry Clay's use of standing committees as a currency to bolster his political hold on that chamber in the face of a fraying majority coalition (Cooper 1970, pp. 64–67; Young 1966, pp. 131–34; Gamm and Shepsle 1989; Strahan, et al, 1997). Writing together and separately, we have launched upon a line of inquiry aimed at a more thorough accounting of the transition that led to standing committee ascendancy in the House (Jenkins 1998; Jenkins and Stewart 1997). The purpose of this paper is to extend that line of

inquiry, focusing on the use of the House standing and select committees from the fifteenth to the eighteenth Congresses.

What we wish to understand ultimately is why the 17th House (1821–23) made two significant changes to its committee organization—why it elevated three hitherto select committees (Foreign Affairs, Military Affairs, and Naval Affairs) to standing committee status, and why it codified a bill referral algorithm that favored standing committees over selects. With these rules changes, the transition to a standing-committee directed legislative process was nearly complete.³

We say we *ultimately* wish to understand why the 17th House made these rules changes because the motivations behind them remain opaque to us, as they have to other scholars. As important as these changes were to the future of the House as a competent legislative body, we have been unable to uncover any direct evidence about what the proponents of these rules changes wished to achieve. Furthermore, there is no direct, testimonial evidence about the assumptions that congressional leaders and the rank-and-file made about the power of committees at the point of making these changes.⁴ Therefore, before reaching too far into institutional speculation, we considered it prudent to examine the institutional roles that committees played in the House on the eve of the expansion of their prerogatives.

3. Sixty-seven percent of the House served on a standing committee in the 16th Congress, compared to 73 percent in the 18th Congress (Stewart, Canon, Flemming, and Kroeger 1995, Table 9). Membership on a standing committee did not become universal in the House until the 23rd Congress (1833–35), so the reforms we refer to here did not quite complete the transition to the dominance of the standing committee system.

4. Cooper's (1970) masterful study of the early House committee system remains the authoritative treatment of the subject. Cooper's account of how the committee system was used and evolved relies almost entirely on the official record, which is virtually devoid of any systematic discussion of how legislative leaders understood the committee system to operate.

Modern students of legislative politics identify two important parliamentary powers that allow committees to affect the types of policy outcomes that are produced. These powers are *gate keeping* and *agenda-setting*. Gate keeping refers to the right of committees to decide whether policy changes within their jurisdiction are considered by the full legislature. Agenda-setting is the right of committees to maintain a privileged position on the floor, such as the ability to decide *which* alternatives to committee-sponsored bills may be considered. To this point, there has been no evidence to suggest that select committees (or standing committees, for that matter) possessed any agenda-setting powers during this era. Beginning in the early 1810s, however, standing committees and the select committees on the president's annual message (which evolved into the Foreign Affairs, Military Affairs, and Naval Affairs committees, among others) were implicitly given gate keeping powers—the right to report back by bill to the floor—which provided them with the ability to affect policy outcomes within their jurisdictions (see Cooper 1970, 1988; Cooper and Young 1989). At the same time, most other select committees were kept on a short leash, created to consider particular narrow matters with *instructions* to report back. Still, how much latitude committees exercised *de facto* to influence policy outcomes remains an open question. This paper offers one initial step in trying to find an answer.

Similarly, a stylized fact of committee life is that they can be "stacked" by Speakers so that, relying on things like gate keeping and agenda-setting power, policy change can be shaded in one way or the other. The Ways and Means Committee of the textbook era was said to be stacked with "responsible" members in order to keep Treasury-raiding tax bills off the House floor (Shepsle 1989). Closer to the era covered in this paper, historians have often intimated that the War of 1812 was made possible largely because Speaker Clay stacked the Foreign Affairs

committee with War Hawks (Remini 1991). Were Speakers actually able to stack select committees in the 1810s and 1820s? When committees were stacked, how successful were they in controlling how policy change unfolded?

Most of this paper focuses on two cases that explore the roles committees played in the legislative process around 1820. These two cases provide very different pictures of “committee power” during the era. The first case we examine is House consideration of the Missouri statehood controversy, which stretched from the second session of the 15th Congress to the second session of the 16th Congress. In these Congresses slavery was *the* polarizing issue. Select committees appointed to consider legislation pertaining to Missouri's statehood were typically constituted with pro-slavery majorities. Lacking a "closed rule" to protect the legislation they reported back to the House, however, these committees possessed little independent power, except when adjournment loomed. The second case we examine is House consideration of Army retrenchment in the second session of the 16th Congress. Here, the committee responsible for crafting the given legislation (Military Affairs) possessed gate keeping powers. We find that the transition from one Speaker to another was accompanied by a shift in the policy preferences of appointees to the Military Affairs. A new pro-retrenchment majority replaced the old pro-army majority from the prior session and opened the legislative gates to allow the army to be cut by 40 percent. Unlike the Missouri case, the army retrenchment case illustrates how the committee system could be used to achieve policy outcomes favored by a Speaker.

We conclude this paper by examining passage of the rules change in the 17th Congress to which the Missouri and army retrenchment episodes were a prelude. While the Missouri and army retrenchment cases illustrate quite different uses of the committee system in lawmaking, both

cases unfolded in a shared grand political context. That context had three material components: (1) legislative chaos engendered by a shift in voting allegiances associated with the Era of Good Feeling, (2) instability in presidential politics as partisan loyalties frayed and national alliances were personalized, and (3) two consecutive multi-ballot fights over who would be the House Speaker. At this point we are unable to provide a direct tie between Missouri and army retrenchment, on the one hand, and rules changes, on the other. However, by ending this paper with a brief examination of the 17th Congress rules change, we conclude with a speculation that seems to make the most sense, given our examination of the historical record: That the committee system was strengthened in the 17th Congress precisely because the utility of the existing committee system in resolving policy disputes had proven to be so variable in the immediate past.

The remainder of the paper is organized as follows. Section I discusses the effects that the Missouri question had on voting alignments in Congress, beginning with the 15th Congress. We use this case primarily to illustrate the institutionally-weak position of select committees at that time. Section II discusses House consideration of Army retrenchment in the 16th Congress. Here, conflict cut across section and mapped onto the factionalism emerging in anticipation of the 1824 election. In contrast with the institutionally-weak position of *ad hoc* select committees, this case demonstrates that another class of select committees not only possessed rights normally ascribed to standing committees (i.e., gate keeping powers), but that the committees could use them strategically. Section III focuses on the 17th Congress and our speculation that the rules changes arose because of fears that the tensions demonstrated in the preceding Congress spelled potential chaos, should extraordinary measures not be taken. We conclude in Section IV.

I. The Missouri Question and the Rise of Regional Issue Cleavages

On February 13, 1819, less than a month before the expiration of the 15th Congress, a bill reached the House floor providing for the admission of Missouri to the Union. During its consideration, James Tallmadge, a rookie and lame duck congressman from New York, moved an amendment to prohibit the further introduction of slaves into the territory and to free those born in the territory upon their twenty-fifth birthday. When Tallmadge made his motion, few apparently realized that before the month was out the old organization of national politics, which took much of its structure from how elites thought America should respond in the face of the Napoleonic wars, would be replaced with a new fundamental cleavage, organized regionally and taking most of its energy from the slavery issue.

Tallmadge's motion shifted the primary axis of political conflict in Congress so that it became regional, leaving a second dimension that split North and South along questions of internal improvements and the tariff. Probably more consequential for congressional politics was this: While the House was regionally polarized, the voting alignment was potent almost exclusively on the issues of slavery and territorial expansion. Beyond slavery, voting coalitions were often fluid and unpredictable.

This transition in voting blocs and regional alignments is easily illustrated using Poole and Rosenthal's (1997) D-NOMINATE scores. Table 1 reports the results of regressing first dimensional D-NOMINATE scores on regional and party dummies. Prior to the 15th Congress, the primary voting division was between Republicans and Federalists, with both parties having

southern and northern wings.⁵ Thus, region itself did not explain the principal ideological division in Congress. However, voting patterns changed drastically in the 15th Congress, with southern representatives moving as a whole to occupy the "left" of the issue space, with the north on the right. This change is described in Table 1 by the surge in the two regional dummies in the 15th Congress and the deflation of the party dummy.⁶ In addition, the proportion of the variance in the D-NOMINATE scores explained by the regional dummies alone shoots up in the 15th Congress and stays high for the next two Congresses, before beginning a gradual decline in the 18th.

The polarization of the House around slavery and statehood continued through the 15th and 16th Congresses. Fifteen of 105 roll call votes in the 15th Congress were about either slavery or Missouri, while 44 of 147 roll call votes in the 16th Congress concerned one of these two issues. What is interesting is that in the 17th Congress, once Missouri was ostensibly behind Congress and no roll calls were held on statehood and only two were held on slavery, the north-south divide held. Likewise for the 18th. From the 19th Congress onward, however, economic issues gradually re-emerged as the principal coalitional dividing line in the House.⁷

5. Table 2, which repeats this analysis for the 2nd dimension, indicates that much of the second dimension was structured regionally.

6. Poole and Rosenthal (1997, p. 72) report that the Congress-to-Congress correlation in first dimensional D-NOMINATE scores was .18 for members in both the 14th and 15th Congresses. This compares with a correlation of .93 between the 13th and 14th Congresses and .88 between the 15th and 16th Congresses.

7. Weingast (1991) argues that the eclipsing of slavery by economic divisions was not due to slavery going away as an issue, but rather the operation of the "balance rule" and other institutionalized features that were developed during the Missouri controversy to subdue regional animosities. That is, it wasn't so much that the north and south started seeing eye-to-eye on slavery, it was just that anti-slavery forces recognized that the balance rule made regionally-drawn political battles futile, and so they just redirected fire. Evidence in favor of Weingast's assertion is contained in Tables 1 and 2. The regional divide that emerged in the 21st Congress was along the second dimension, which primarily structured voting about public works questions.

Another way to view this shift toward a regional voting alignment in the 15th Congress is simply to document how returning House members shifted in the issue space uncovered by D-NOMINATE scores. In Table 3 we have reported the results of regressing a member's first dimensional D-NOMINATE score on the lagged values of the first and second dimensional scores. (Of course, this is only for members who are in two consecutive Houses.) Up to the 14th Congress, the "left-right" ordering of individual members is fairly stable. Beginning with the 15th Congress and lasting until the 18th, there is a shifting of the issue space, such that House members who had positive scores on the second dimension move to the "right," while those with negative second dimension scores move to the "left" on the first dimension.

The total shift in the space is illustrated in Figure 1, which simply graphs the starting and ending D-NOMINATE scores (both dimensions) for House members who served in both the 14th and 17th Congresses. While there is some variation in how individuals moved around the space, the predominant movement among those who started in the bottom half of the figure is to the right and the predominant movement in the top half is to the left.

Echoing Poole and Rosenthal's discussion of this period (1997, pp. 93–95), the substantive changes wrought through this ideological shifting were these: The former Federalist-Republican divide, which had been structured largely by foreign policy concerns, gave way after 1815 because the problem underlying those concerns (i.e., the Napoleonic Wars) vanished. The way that slavery was interjected into congressional politics right as the foreign scene was changing made regional issues, and particularly slavery, dominate Capitol Hill for the immediate Congresses. Issues that had been active from the past to structure politics secondarily—like public works, pensions, and the tariff—continued to be secondary, though not trivial. Consequently, for the

period covered by this paper, whenever the voting agenda moved away from slavery or "American System" votes, the House found itself in a position where long-term political commitments provided little to structure legislative deliberations. This was a time of "spatial collapse," when most roll-call votes were poorly explained by the spatial model that otherwise does an excellent job of reconstructing roll-call voting patterns throughout American history.

The admission of Missouri: The 15th Congress ends and the 16th Congress begins

Even though the interjection of slavery into congressional debate brought national politics to a high boil and upset established ideological coalitions, the House as an organization did not disintegrate immediately. Even though debate quickly grew sharp and divisive, proceedings on the Missouri statehood bill were expeditious in the House. Both sections of Tallmadge's amendment (prohibiting the importation of new slaves and the emancipation of existing slaves at age 25) passed the House, 87 to 76 and 82 to 78, and the bill was sent to the Senate in less than a week (Spann 1957, pp. 169–95). The bill failed when the conference report, which omitted the Tallmadge amendment, was rejected by the House (*House Journal*, 15-2, pp. 335–39; *Annals*, 15-2, pp. 1436–38).⁸

Thus, upon the opening of the 16th Congress, the Missouri question (and the new question of admitting Maine as a free state to balance) hung over the Congress. When the House organized itself at the start of the 16th Congress, appointing the standing committees and typical select committees, it also created two new selects, one to bring in a bill admitting Missouri, the

8. Once the debate over Missouri ended, the House took up the bill to establish a Territory of Arkansas out of the residual of the Missouri Territory not slated for statehood. Here, John Taylor moved the inclusion of the "Tallmadge Amendment" to the Arkansas bill, and the House was off to debate the issue of slavery again. Eventually the Arkansas Territory bill was signed into law without having any slavery restrictions attached.

other for Maine (*House Journal*, 16-1, pp. 18–19). The next day the Missouri bill was reported back almost immediately with no mention of slavery, and the furor began again. John W. Taylor, an MC from New York who had spoken in favor of the Tallmadge amendment the previous Congress, moved that the Missouri bill be tabled and that a select committee on the issue of slavery in the territories be appointed (*House Journal*, 16-1, p. 44; *Annals*, 16-1, pp. 732, 734–35). The Select Committee on Slavery in the Territories was unable to reach an agreement on whether or how slavery should be restricted in the territories, prompting Taylor to ask for the committee to be discharged on December 28, 1819 (*House Journal*, 16-1, p. 82; *Annals*, 16-2, pp. 801–04).

As Missouri and the slavery issue were being debated, the Select Committee on the Admission of Maine was grinding along, finishing its work on December 21 (*House Journal*, 16-1, p. 60). Although the House eventually passed the Maine bill two weeks later, Clay connected the admission of Maine and Missouri together in the debate that ensued (*Annals*, 16-1, p. 841).

With Maine out of the way for the moment, the House returned to the issue of Missouri and slavery. The House was in the midst of debate when the Maine bill, having been amended to admit Missouri as well, arrived from the Senate on February 19, 1820. The House took up the Senate bill, amended it to de-link Missouri and Maine, and then returned to work on the House Missouri bill again. When word reached the Senate of the House's action, the upper chamber asked for a conference committee, which was granted (*Annals*, 16-1, p. 1558). Still, deliberation on the Missouri bill continued in the House, even though a conference committee was working on a bill to admit both Maine and Missouri. Thus, for a short while, statehood politics had literally

become a three-ring circus, with separate statehood bills for Missouri and Maine still being debated in the House and Senate and a conference committee trying to arrive at a compromise.

By early March, the House had passed a bill admitting Missouri with a prohibition of slavery west of the Mississippi (this prohibition was termed the "Taylor amendment"), the Senate had passed a bill admitting Missouri with a prohibition of slavery north of the 36° 30' parallel, excepting Missouri (this form of the prohibition was labeled the "Thomas amendment"), and the conference committee submitted a report that was essentially the Senate position on both slavery and the Maine-Missouri linkage (*Annals*, 16-1, pp. 430, 472, 1572–73, 1576). In the end, enough erstwhile restrictionists in the House had changed their votes to side with the Senate, so that on March 3 the Missouri compromise, admitting Missouri and Maine and restricting slavery above the 36° 30' parallel (excepting Missouri), was passed and sent to President Monroe for his signature. All that was left for Missouri to write a constitution and report back to Congress.

What is the significance of the first Missouri compromise for our understanding of institutional development during this time? First, the story illustrates just how complicated legislative consideration could become on a hot issue: At one time, three formal procedures were moving ahead in parallel, each producing slightly different solutions, not all of them "compromises." Second, institutional practices had not advanced to the point where committees (or anyone else) could easily act as a gatekeeper or agenda-setter. The issue so engrossed all House members that committees were held on a short leash.

Consider the outline of the formal path the Missouri question had to follow. We can identify at least six formal legislative paths that were traversed on the Missouri question in the 15th and 16th Congresses:

15th Congress

- (1) Select committee, which reported simple bills to admit Missouri and to create the Arkansas territory.
- (2) Floor consideration of the Missouri bill, where the select committee is rolled through the addition of the Tallmadge amendment; the Senate strips the Tallmadge amendment from the bill; the House rejects the Senate bill and bargaining between the two chambers fails before Congress adjourns.
- (3) Floor consideration of the Arkansas Territory bill, where the select committee beats back the addition of the Tallmadge amendment.

16th Congress

- (4) Select committee on Missouri, which reports a simple bill to admit Missouri; bill consideration postponed, under motion of Taylor, so that a select committee could hammer out a compromise on slavery in the territories; after select committee deadlocks (see (6) below), House returns to debate Missouri bill; Taylor amendment (no slavery west of the Mississippi) attached to bill by the House; Senate replaces Taylor with Thomas amendment (no slavery north of 36° 30'); single Missouri bill dies.
- (5) Select committee on Maine, which reports a simple bill to admit Maine; tie to Missouri suggested in House debate; House passes Maine admission bill, but Senate combines Maine and Missouri in its proceedings; Maine and Missouri separated when the bill is delivered to the House; Senate requests conference committee, which is appointed; conference committee replaces Taylor with Thomas amendment; House and Senate pass conference report and bill is signed by Monroe.
- (6) Select committee on slavery in the territories, which deadlocks between Taylor and Thomas amendments; committee discharged after deadlock revealed.

Note that committees were appointed four times in this story, and never did a *select* committee control the agenda. Both the changes to these committees and the scrutiny given their efforts were tightly drawn. When a floor majority wanted to add slavery restrictions to bills, they were added, even when committees reported bills removing them. The only committee that played an agenda-setting role was the final conference committee on the Maine-Missouri bill, which accepted the Senate's less encompassing slavery restriction, and then presented it to the House as a *fait accompli* on the penultimate day of the first session.

The failure of the select committees to control the agenda is made all the more clear when we see that Speaker Clay stacked them all with pro-slavery majorities. Figure 2 illustrates the array of preferences represented on these committees, using the first dimension of the D-NOMINATE scores to indicate members' preferences for slavery restrictions. Positive values are pro-restriction, negative values are anti-restriction. Aside from the Maine committee, each of the others was dominated by pro-slavery forces. And each time one of the committees reported a bill without a slavery restriction, the floor rolled it by adding the strongest versions of slavery restriction then under consideration. The only committee that could use a pro-slavery bias to its advantage was the conference committee, which used its privileged parliamentary position to get the restriction most palatable to southerners passed into law. (Presumably the pivotal restrictionist preferred a weak form of slavery restrictions to protracted debate over Missouri.)

The final point of our summary is more personalistic: The Missouri controversy in the 2nd session of the 15th Congress and first session of the 16th heightened the visibility of John W. Taylor as a dogged legislative leader, particularly a leader among slavery restrictionists. It may be this simple fact that was most important for developments to come.

Missouri continues and Clay abdicates: The second session of the 16th Congress

After the completion of the first session of the 16th House, Clay resigned from the speakership, unable to maintain this position because of financial problems brought on by the Panic of 1819 (Peterson 1987, pp. 66–68; cf. Adams 1875, vol. V, p. 59). It appears that Clay favored John W. Taylor as a successor, figuring that the Missouri question was behind the House and that

Taylor was the most able House leader on the issue of the protective tariff—which interested Clay more (Ravenal 1901, pp. 208–209; Spann 1957, p. 224).

The battle to replace Clay rapidly became structured along regional lines, however. Taylor emerged as the predominant northern candidate, but support was sufficiently split among others that repeated balloting proved inconclusive. Eventually, after two days and 22 ballots, Taylor was elected Speaker by a margin of one vote. Critical to Taylor's election was support from the “Bucktail” (anti-Clinton) faction from his home state, which had been a major source of northern opposition to Taylor in the early balloting, but which eventually swung to Taylor after he pledged to Bucktail supporters his neutrality in New York politics (*Annals* 16-2, pp. 434–38; Spann 1960, p. 384; Leintz 1978, pp. 69–71).⁹

Although Taylor's own desire was to be less active in chamber politics than Clay, Taylor had no choice but to enter House politics actively. On the second day of the session, the House received the Missouri constitution, which included a provision excluding freed blacks from entering the new state. The Missouri constitution rekindled debates that many had thought had been put to rest only a few months before. The presidential election of 1820 only stoked the flames higher: With the Missouri constitution the center of congressional debate, a constitutional crisis was nearly created over the question of whether Missouri's electoral votes should be counted (Peterson 1987, p. 64)

9. Taylor had the support of the dominant faction in New York state politics, the Clintonians, from the outset of the balloting. The minority faction, the Bucktails, withheld their support, instead voting for William Lowndes of South Carolina. After the first day of balloting, Taylor met with five Bucktails — Nathaniel Pitcher, Caleb Tompkins, P.H. Wendover, Aaron Hackley, and Robert Clark — and convinced them to vote for him; these five votes were instrumental to Taylor's success (Spann 1960, p. 384). All five MCs would receive standing committee assignments in the 2nd session (Pitcher to Private Land Claims, Tompkins to Post Office and Post Roads, Wendover to Commerce, Hackley to Claims, and Clark to Elections), while only Tompkins held an assignment in the previous session.

Preoccupation with the Missouri constitution ground virtually all other lawmaking to a halt. Immediately upon receiving the Missouri Constitution, Taylor appointed a three-person committee to examine it and report to the House. Consisting of two moderate slavery expansionists (William Lowndes of South Carolina and Samuel Smith of Maryland) and one moderate restrictionist (John Sergeant of Pennsylvania), the committee split on the propriety of restricting the movement of free Blacks into Missouri (*Annals*, 16-2, p. 440). The report back was only a prelude to a three-month debate.

As the debate stretched into January and toward February, patience began to wear thin. Clay, who had been absent from the House all this session, returned in late January and was immediately drawn into efforts to extricate the House from endless debate (Brown 1926, pp. 35–43, 65; Peterson 1987, pp. 62–66). Adopting a similar tack to the one he had attempted as Speaker, Clay moved that the resolution admitting Missouri be referred to a select committee. The House complied and Taylor proceeded to appoint 13 representatives to the committee, selecting from a list that Clay had prepared (Spann 1957, p. 241). Unlike earlier committees on Missouri, this one was a surprisingly faithful mirror image of the entire House. This is illustrated in Figure 3, which compares the first dimensional D-NOMINATE scores of the committee with the entire House.¹⁰

The relationship between Clay's committee and the floor was similar to past efforts. The committee recommended the acceptance of the Missouri constitution, on the condition that the

10. Not shown in Figure 3 are second dimension D-NOMINATE scores. Clay's hand-picked committee was heavily laden with members who supported the protective tariff and internal improvements, Clay's two pet issues. While the American System was not directly at issue with Missouri, it is telling that Clay's attempt to foster a compromise on Missouri led him to reach out to fellow protectionists from both regions.

Missouri legislature pledge "by solemn public act ... never to pass any law preventing any description of persons from coming to or settling in said State, who are or hereafter may become citizens of any State of this Union" (*Annals*, 16-2, p. 1080). However, the restrictionists on the committee were all indisposed toward the proviso, favoring instead a rejection of the Missouri constitution altogether. This proviso was interpreted by northern restrictionists as a victory for the south, and it was defeated by a close vote, 82 to 88 (*Annals*, 16-2, p. 1146).

The session dragged on with no resolution to whether Missouri "was a river, an Indian tribe, a territory, or a state" (Spann 1957, p. 240). Finally, Clay moved again to appoint a committee on the Missouri question, this time as a joint committee with the Senate. The house acceded to this request, with the House members this time selected by ballot (Spann 1957, p. 244). The pattern of the ballot suggests that the slavery expansionists were more united in their preferences for joint committee members than restrictionists, since the ranking of the committee (which was based on number of ballots received) tended to have expansionists on the top and restrictionists on the bottom (*Annals*, 16-2, pp. 1219–20).¹¹ However, the overall membership of the committee closely mirrored that of the House. Again, the committee recommended the admission of Missouri under essentially the same conditions that the House had rejected before. This time, under the pressure of adjournment, the bill passed, 87–81 (*Annals*, 16-2, p. 1239).¹²

11. The first 12 elected to the committee had an average first dimension D-NOMINATE score of -0.207, compared to the next 11 whose average was 0.216. ($t=4.74$).

12. We disagree with the interpretation of Spann (1957) as to how the second Missouri compromise was passed in the House. According to Spann, the Missouri resolution passed the second time because "the House was now ready to vote for almost anything and ... rushed it through..." (p. 245). In fact, the two votes on Missouri's constitution were virtually identical. The only material difference the second time was the defection of 4 nay votes to yea and the addition of 5 former abstentions to yea. (The abstention the second time was a wash between supporters and opponents of the first vote.) Among the defectors were three otherwise restrictionist Pennsylvanians—Rogers, Moore, and Udree—who were pivotal in the sense that had they not defected, the vote would have been tied and presumably Taylor would have voted nay. We do agree with Spann that the fact that the Congress was about to

II. Army Retrenchment: A Cross-Cutting Issue

In addition to the deadlock over the Missouri issue, the 16th Congress also found itself embroiled in debate about how to respond to the exigencies caused by the Panic of 1819. The depression that followed the Panic led to a 40 percent decline in government revenues, forcing Congress, in an era before deficit spending, either to raise taxes or to cut spending (Dewey 1934, p. 164; White 1951, p. 121). Raising taxes to mount a war against England had been impossible; doing so during a financial panic would be no easier. Thus, Treasury Secretary William H. Crawford identified the Army as a prime source for reductions.

Despite their widespread appeal, these proposed military cuts were also connected to political maneuvering within various Jeffersonian factions. Crawford publicly supported the cuts for fiscal purposes, but privately supported them as a way to weaken his presidential rival, War Secretary Calhoun (Risjord 1965, p. 194; Peterson 1987, pp. 92–93). The Crawfordites took to the floor at the outset of the session to protest the dangers associated with a large standing army and to advance the virtues of the state militias. They claimed that a standing army threatened the liberties of the people, while militias were as effective and efficient without the dangers, being made up of “the great body of the American people.”¹³ After much debate, the House considered legislation reported by the Military Affairs select committee that would cut the size of the standing army by 40 percent (from 10,000 to 6,000 soldiers, both officers and enlisted men) and

adjourn changed the strategic environment, but it is not clear that one side was necessarily advantaged over the other by the fact of eminent adjournment.

13. The debate against a standing army was launched by Thomas Cobb of Georgia in January, 1821. His anti-army, pro-militia arguments were reiterated over the next month by Lewis Williams and Charles Fisher of North Carolina, Newton Cannon of Tennessee, Felix Walker and Hutchins Gordon Burton of North Carolina, and John Floyd of Virginia. (See *Annals* 16-2, pp. 715–34, 767–94, 810–21, 823–41, 865–72, 891–901, 925–30.)

slash appropriations for military fortifications by nearly 75 percent (from \$800,000 to \$202,000).¹⁴ Speaker Taylor supported the proposed military reductions (Spann 1960, pp. 389–90), and the legislation was passed by a vote of 109–48 and eventually signed into law.¹⁵

Calhoun was infuriated by these cuts within his department. Earlier in the session, he had spent much time and energy devising a way to keep the army reasonably intact, while trimming expenses to meet a tighter budget. He finally submitted a proposal that would reduce the number of enlisted men by one third, while retaining all of the experienced officers (Hemphill 1971, vol. V, pp. 480–90).¹⁶ Thomas Cobb, a Crawford supporter from Georgia and a vociferous opponent of a large standing army, called Calhoun’s proposal “the ablest, most ingenious, and, upon the whole, the best defense of a standing army I have seen in print, even though it did not go far enough in reducing the size of the military establishment” (*Annals*, 16-2, p. 728). Despite such accolades, the House rejected Calhoun’s proposal, which was embodied in a substitute bill (*Annals*, 16-2, pp. 798, 901), and adopted instead the plan espoused by Military Affairs.

Calhoun viewed this defeat as a case of Crawford treachery, and blamed Taylor for its occurrence. Calhoun accused Taylor of being a tool of Crawford, by appointing opponents of the

14. In addition to the cutbacks, strict guidelines for the application of fortification appropriations were stipulated in the law. An allotment was specified for six forts only, so Calhoun could not apply any of the appropriations elsewhere. This was problematic for Calhoun, as he designed his system of forts to be an integrated, mutually supportive group of defense installations (Hemphill 1971, vol V, pp. xxix–xxx).

15. *Annals*, 16-2, pp. 936-37. Specific reductions in the officer corp were expressly stated in the law. One stipulation called for the number of top-ranking officers to be reduced from two to one. Whether intentionally or unintentionally designed by Crawford and his minions, this stipulation effectively meant that Major General Andrew Jackson, who was second in command, would have to be released. To soften the blow to Jackson and to avoid further embarrassment to the administration, Monroe decided to appoint Jackson to the Governorship of Florida, a position he would use to launch his run for the presidency in 1824 (Hemphill 1971, vol VI, pp. ix–x; Niven 1988, pp. 91–92).

16. Calhoun supporter Eldred Simkins of South Carolina made a motion to strike out the section of the bill that reduced the standing army by 40 percent, but the motion failed (*Annals*, 16-2, pp. 865, 890).

War Department to the Military Affairs select committee (Adams 1875, vol. V, pp. 314–15, 428; Spann, 1960, p. 390). While Taylor asserted that he simply maintained the same committee assignments that Clay had made in the previous session (Adams 1875, vol. V, pp. 438–39), he in fact made several new appointments. Three of the seven members that he appointed to Military Affairs in the second session of the 16th House were his own appointees (House *Journal*, 16-1, pp. 20-21; 16-2, p. 18; Canon and Stewart 1996, 16th Cong., pp. 1, 5).

Did Taylor stack Military Affairs with Crawford partisans, as Calhoun contended? Rather than depend on historical anecdotes to assess partisanship,¹⁷ we employ common-space W-NOMINATE scores developed by Poole (1998) to examine Taylor’s appointees and identify their spatial proximities to Calhoun and Crawford.¹⁸ We will consider an MC either to be a Crawford

17. Quotes abound among the principals in the army debate that are consistent with the Crawford vs. Calhoun view. For instance, Samuel Smith, chairman of the Ways and Means Committee, believed “several members of the House . . . had allowed their enthusiasm for crucifying Calhoun to get the best of their judgment” (Pancake 1972) and that “friends of reduction . . . rally around a bill, right or wrong, good or bad” (*Annals* 16-2, p. 903). John Quincy Adams, the Secretary of State, echoed this general theme: “Crawford has been a worm preying upon the vitals of the Administration within its own body . . . all the attacks against the War Department during this Congress have been stimulated by him and promoted by his partisans” (Adams 1875, vol. V, 315).

18. We use Poole’s common-space estimates (W-NOMINATE) here because we are interested in assessing spatial proximity of Military Affairs Committee members to two administration politicians—Crawford and Calhoun—who did not have voting records in the 16th Congress, but who had congressional careers. Under the assumption that MCs exhibit ideological consistency throughout their congressional careers, including changes from one chamber to the other, Poole’s (1998) common-space estimation procedure creates a single set of ideal-point coordinates for each MC, incorporating his *entire* Congressional career in the calculation. Keith Poole was extremely generous in providing us with W-NOMINATE scores for this time period.

Technically, the procedure involves pooling the scores of members who served a threshold number of congresses (with service in the House or the Senate, but preferably in both) during a given time interval to form an unbalanced panel. This panel is then used to estimate the best-fitting *average* coordinates for the other individual MCs over the time span. See (Poole 1998) for more details on the estimation procedure.

In using this procedure, we note that with partisan coalitions in flux, this is one time in American history when the “unchanged lifetime ideology” assumption is open to serious question. We take refuge in the knowledge that to the degree that the assumption of unchanged average lifetime ideology is violated, that introduces measurement error into the estimates, which should tend to bias our statistical findings toward accepting the null. Because we can reject the null of this analysis, we have some confidence in the use of the W-NOMINATE scores in this particular case and for this particular application.

More substantively, our own exploration of *D-NOMINATE* scores during this period has led us to conclude that that bulk of the shift in the issue space from the 14th to 17th Congresses occurred along the first

supporter or a Calhoun supporter based on measures of Euclidean distance: if an MC is closer spatially to Crawford than to Calhoun, we will presume him to be a Crawford supporter, and vice versa.

Figure 4 shows ideal-point estimates for Calhoun and Crawford, as well as for Clay's and Taylor's appointees to the Military Affairs select committee. (The left-hand panel shows Clay's appointments, while the right-hand panel shows Taylor's appointments.) Clay's Military Affairs Committee had a slight pro-Calhoun majority, which Taylor undid. Each of Taylor's three "non-Clay" appointees (Hutchins Gordon Burton of North Carolina, Robert Moore of Pennsylvania, and John Russ of Connecticut) is closer to Crawford than to Calhoun, indicating that each was more ideologically similar to Crawford and the Radicals than to Calhoun and the War Department. In addition, two of the three committee members whom Taylor replaced (Henry Brush of Ohio and Samuel Ringgold of Maryland) are closer spatially to Calhoun than to Crawford.

Evaluating the entire Military Affairs committee under Taylor, five of the seven members (including the chairman, Alexander Smyth of Virginia) are more closely aligned with Crawford than with Calhoun, compared to a 4–3 Calhoun advantage under Clay. Thus, a spatial analysis suggests that (1) Taylor replaced supporters of Calhoun and the standing army with supporters of Crawford and state militias and (2) a majority of committee members preferred the Radicals'

dimension. Estimated locations along the *second* dimension at the individual level are actually more stable during this period than at other times. Because the substance of the second dimension during this period seems to fluctuate between tariffs and public works, we are tempted to call it the "American System" dimension, since these are two of the pillars of Clay's political-economic plans.

position to Calhoun's. By stacking Military Affairs with Crawford supporters, Taylor provided Crawford and the Radicals with an opportunity to set the agenda on military retrenchment.

Further evidence that the retrenchment of the Army was decided along an agenda set by the Military Affairs committee is found in explaining the vote on final passage of the bill in terms of the W-NOMINATE scores. Table 4 reports the results of this analysis. The dotted line on Figure 4 graphs out the estimated "cut line"—i.e., the line separating members predicted to vote yea from those predicted to vote nay—of this vote in terms of W-NOMINATE scores. Note, first, that the vote tended to divide mostly along the second dimension, which is the dimension on which Crawford and Calhoun supporters were distinguished. Second, note that the side that prevailed is the pro-Crawford side, which is the direction in which the committee had been stacked. Had Taylor not altered the composition of the Military Affairs Committee, it is unlikely the committee would have opened the gates for legislation so despised by Calhoun. Therefore, unlike matters relating to Missouri, army retrenchment politics was characterized by committee agenda leadership that was arguably at the behest of the Speaker.¹⁹

Thus, while there may or may not have been a public outcry for reductions in the War Department's budget, there were clearly sectarian maneuvers afoot within the committee system during the 16th House. The Crawford-dominated Military Affairs select committee used its influence to scuttle the administration, specifically Calhoun's position. It is also clear that Taylor,

19. We are not troubled by the fact that the Missouri story is one of successive committees being rolled while the Army appropriations story is one of a committee apparently able to set the agenda without being rolled. Note one important feature that distinguishes the two cases: The select committees in the Missouri story were deputed to report back, whereas the Military Affairs select committee had general "leave to report by bill or otherwise" (*Annals*, 16-2, p. 441). Hence, the rules governing their behavior were fundamentally different.

thorough his appointments (both his own choices and the holdovers from Clay's reign), made a significant contribution toward Crawford's success, whether *de facto* or *de jure*.

Taylor's behavior on these two important issues—slavery and Army retrenchment—set the stage for the battle in the next Congress over its organization. In the case of slavery, Taylor, while remarkably evenhanded for a northerner, was not exceptionally effective in reconciling north and south. If the continuing Missouri debate showed anything, it was the deepening political gulf between the two. At best, Taylor was regarded like any other northerner by southern representatives, and thus unreliable.

However, if it had simply been a question of his stance on slavery and his sincerity as a reconciler, Taylor's continued tenure as Speaker would not have been seriously jeopardized—the North, after all, had a majority of the seats on Congress. Taylor's stance on the second dimension, therefore, may have been crucial. He had stacked the Military Affairs committee in favor of one emerging presidential faction over the other. Having sided (implicitly, perhaps) with one potential presidential candidate, Taylor left himself open to attack from other players on the national stage who had presidential ambitions, north and south.

III. The 1821 Speakership Election: Taylor's Fall and Barbour's Rise

In 1821, Taylor's reelection hopes as Speaker were dealt another serious blow when his primary base of support within the North crumbled. His Clintonian faction had traditionally been the majority power in New York state, and Taylor believed their continued support was crucial to his reelection hopes. The Clintonians, however, were routed by the Bucktails in the congressional elections of 1821, and Martin Van Buren, the Bucktail leader and freshman Senator from New

York, was determined to lead his partisans against Taylor's reelection bid, for several reasons. First, Van Buren believed that Taylor had been sympathetic to the Clintonians while Speaker, and he preferred to install someone who would favor the Bucktails (Spann 1960, pp. 391–92; Niven 1983, pp. 104–05). Second, Van Buren intended to rebuild the old intersectional Jeffersonian party of the pre-Era of Good Feelings period—principally, a New York-Virginia alliance—in order to set and control the national political agenda into perpetuity (Nichols 1967, p. 264; Cole 1984, p. 104; Greenstone 1993, p. 155).

Van Buren planned to begin his party-building efforts around the speakership election of 1821, which he believed would have powerful implications for the presidential election of 1824. Based on Taylor's performance in the 16th House, it was clear that the Speaker could be a major player in the presidential drama, as he was in a position (1) to mobilize the legislative powers of the House behind a favored candidate and (2) to use his appointive powers to harass the remaining candidates. Van Buren planned to use the speakership election and the resulting congressional session as opportunities to rebuild alliances, which he would then use to reestablish the validity of the congressional nominating caucus (Spann 1960, p. 391; Nichols 1967, p. 254; Niven 1983, p. 104).²⁰

Van Buren saw Crawford as the candidate most likely to win in 1824 and eventually emerged to manage Crawford's presidential campaign.²¹ To pave the way for his candidate's

20. With the power of the national party hierarchy waning, the traditional method of selecting a nominee, the party caucus, was viewed increasingly as anachronistic and undemocratic. Hezekiah Niles spent much time and effort in his *Weekly Register* denouncing the caucus system and its nominating procedures (*Niles' Weekly Register* XXII, pp. 135–36; XXIV pp. 131–32; XXV pp. 338–39, 390–91).

21. Crawford's pursuit of the Presidency began during the Congressional Nominating Caucus of 1816, when he finished a close second to James Monroe (Mooney 1974, p. 220–21). After becoming Treasury Secretary, Crawford further paved the way for a presidential bid through the Tenure of Office Act of 1820, a law originated and passed by his partisans that provided him with new appointment and removal powers over collection officials. By

success, Van Buren arrived in Washington and approached Taylor's enemies, Calhoun and Secretary of the Navy, Smith Thompson.²² Calhoun and Thompson were unsure about Van Buren's "political stripes"—it was not yet clear that he was operating for Crawford—but nevertheless were eager to aid in defeating Taylor (Hemphill 1971, vol. VI, p. xvii; Niven 1983, pp. 105–06). While Van Buren was building support against Taylor's candidacy, Taylor was at work rebuilding bridges. He persuaded Secretary of State John Quincy Adams that, given another opportunity, he would be a willing friend to the administration. While not premeditatedly, as Calhoun claimed, Taylor admitted that he made some poor committee appointments (Adams 1875, vol. V, pp. 428–29, 432, 439). Adams took Taylor's apology/offer at face value and believed he would serve the administration well in the next Congress. Unfortunately for Taylor, Adams could not convince President James Monroe to voice his support, as Monroe, instead, "concluded to take no part whatsoever in the election of the Speaker" (Adams 1875, vol. V, p. 436).

Without Monroe's support and unable to draw on a stable of Clintonians as before, Taylor would not be able to muster the support necessary for a quick victory. Under the guidance of Van Buren, and with the approval of Calhoun and Thompson, Caesar Rodney, a first term MC from Delaware, was chosen to oppose Taylor (Niven 1983, p. 107). Despite receiving a large bloc of Northern votes, Rodney could not attract the support of Southern MCs, because he supported the restriction of slavery in Missouri (Munroe 1973, p. 122-23) and because "they

function of this law, Crawford hoped to "build a machine of officeholders that he could ride to the Presidency in 1824" (Munroe 1973, p. 117)

22. Thompson, like Calhoun, blamed Taylor and his appointments to the Naval Affairs select committee for the reductions in his departmental budget (Adams 1875, vol. V, pp. 437–39). During Taylor's reign, the annual allotment for the construction of new ships was cut in half, from \$1,000,000 to \$500,000 (*Annals*, 16-2, p. 1830).

considered him a Clayite” (Adams 1875, vol. V, p. 437). Samuel Smith of Maryland was unable to build any momentum throughout the day, while Louis McLane of Delaware, who voted with the South on the Missouri issue, could not overcome his Federalist background (Munroe 1973, p. 121-23). Thus, the day ended without the election of a majority winner.

That evening, Van Buren met with various state delegations and conferred with Calhoun and Thompson, which led to the selection of Philip P. Barbour of Virginia as his new “white knight” (Niven 1983, pp. 107–08; 1988, pp. 94–95).²³ After five ballots on the second day, Barbour was elected speaker, with 88 out of 172 votes cast (*Annals* 17-1, p. 575; Leintz, 1978, p. 71). Van Buren’s choice of a Southern candidate proved to be decisive only in concert with Calhoun’s and Thompson’s lobbying (Adams 1875, vol. V, p. 451; *Niles’ Weekly Register*, vol. XXI, p. 243). Although Barbour’s allegiance to states’ rights and traditional Jeffersonian maxims was instrumental in capturing Southern support, contemporary press accounts reported that Thompson and Calhoun “finished” the deal: Thompson, in concert with Van Buren, used his influence in New York to draw fifteen votes from Taylor, while Calhoun exercised his connections in Pennsylvania to siphon an additional eighteen votes from the New Yorker (*Niles’ Weekly Register*, vol. XXI, p. 242).²⁴

23. Niven (1988, p. 95) contends that Barbour “may have been Van Buren’s candidate all along.” Boardinghouse data from the first session of the 17th Congress may support this contention. Barbour resided in Brown’s Hotel on Pennsylvania Avenue with five other Virginians and four New York Crawfordites (among others), while a majority of other boardinghouse contingents were geographically homogenous (Goldman and Young 1973, pp. 126-30). This could indicate that Van Buren had selected Barbour in advance of the House balloting, yet he needed to threaten MCs in both the North and South with the possibility of Taylor’s reelection before a majority could be created to support Barbour.

24. Calhoun would come to rue his opposition to Taylor, as Philip Barbour would quickly emerge as a supporter of Crawford. During the course of the 17th Congress, Calhoun would find himself and the War Department assailed and charged with mismanagement and misappropriation of funds. The Crawfordites would not stop with Calhoun, as they did in the 16th Congress, however. In their efforts to raise Crawford’s presidential stock, they would attempt to embarrass the entire Monroe administration and would pay special attention to another presidential

We can supplement this traditional narrative account of the 1821 Speakership battle by using W-NOMINATE scores to illustrate the puzzling nature of the final coalition that emerged to elect Barbour Speaker.²⁵ In Figure 5 we show the overall House distribution of first-dimensional W-NOMINATE scores, the location of all the major Speaker candidates who emerged over the 12 ballots, the spatial location of the “principal outsiders” who had an interest in the outcome of the balloting. (The location of the House median and the Taylor/Barbour cut line will come into play shortly.)

The balloting started with Taylor, Rodney, McLane, and Smith each receiving at least 20 votes (Leintz 1978, p. 71).²⁶ Taylor was alone on the “right” side of the issue space—the part occupied by slavery restrictionists in the previous Congress. The three remaining candidates split the “anyone but Taylor” vote, with two (Smith and McLane) occupying more moderate positions and Rodney occupying a more radical position.

This spatial accounting would lead us to predict that Taylor would win a plurality of the vote, with the other three getting the rest. This is exactly what happened: On the first ballot, Taylor received 60 votes, Rodney, 45, McLane, 29, and Smith, 20. (Seven votes scattered.) McLane eventually dropped out, leaving the last ballot of the day as Taylor, 77 votes, Rodney,

hopeful, John Quincy Adams, the Secretary of State.

25. We use the common-space W-NOMINATE scores in the following analysis for two reasons: (1) they allow us to place the relevant outsiders, like Calhoun and Clay, who did not have a congressional voting record in the 17th Congress but who had congressional careers, within the choice space, and (2) they allow us to place spatially two Speaker candidates, Barbour and Caesar, who did not have sufficient roll call records in the 17th Congress to estimate spatial locations, because one was elected Speaker (Barbour) and the other left the House for the Senate (Rodney).

26. Unfortunately for us, voting for Speaker during this period was via secret ballot. Therefore, we cannot directly corroborate the spatial accounting of these events. However, the events as they unfolded are entirely consistent with this spatial account, and therefore we are confident in it.

59, and Smith, 26. On the first ballot of the second day Barbour had entered the fray, but the anti-Taylor vote was almost evenly split: Taylor received 64 votes to Rodney's 36, Smith's 25, Barbour's 35, and a scattering of 12 votes going to other candidates. It was on the *next* ballot in which Rodney's and Smith's totals began marching steadily downward in favor of Barbour, until Barbour bested Taylor, 88-67, with 17 scattered votes.

The spatial accounting of the Speakership contest leaves a significant puzzle: How could Philip Barbour, the most extreme Radical southerner in the 17th House, defeat John Taylor, who was much closer to the House's ideological center? The historical account, of course, has emphasized non-spatial considerations—the coalition-building that centered around Van Buren. We can use the spatial accounting of the speakership contest to understand the logic of the coalition-building, however. In Figure 5 we have drawn the estimated “cut line” dividing House members according to their proximity to Taylor and Barbour. (The cut line is the dotted line in the figure.) The cut line is significantly to the left of the median, indicating that Taylor should have beat Barbour on a purely ideological vote. The region between the cut line and the median represents the set of House members who had to be convinced to support Barbour despite his Radical ideology. What did Van Buren do to pull off this deal?

Although the historical details of the deal are sketchy, we posit the following explanation: Barbour was given the Speakership, with the understanding that he could not stack the standing committees with his ultra followers. In his effort to construct a new national party, Van Buren, we contend, could not afford to allow Barbour to appoint outlier committees; rather, if collective goals were to be fostered, a heterogeneously distributed, centrist coalition needed to be created. Therefore, we investigate whether committees were or were not representative of the underlying

population by applying two common techniques in the literature, a Wilcoxon difference-in-medians test and an F test for variance (see Krehbiel 1991; Cox and McCubbins 1993).

For each set of tests, we use first dimension D-NOMINATE scores as our unit of analysis.²⁷ First, we apply the Wilcoxon test to compare Barbour-created committee medians to non-committee medians in the first session of the 17th Congress, with the null hypothesis being representative committees. Because we have priors regarding Barbour's location in the space (far to the left), we use a one-tailed test. If committees were composed of Radical extremists like Barbour—i.e., preference outliers on the left side of the spectrum—then committee medians should be significantly smaller than non-committee medians, allowing us to reject the null of representativeness. Second, we use a one-tailed F test to compare the spreads of committees against the spread of the underlying population. If committees were indeed representative, their spreads should reflect the spreads of their non-committee counterparts: committees should be composed of a heterogeneous group of members. If committees were non-representative—composed entirely of one group, like the Radicals—they should appear homogenous relative to the underlying population, i.e., their spreads should be significantly smaller than the spreads of their non-committee counterparts.

Our findings are presented in Table 5, in two separate forms. We test, first, whether committees were representative of the entire House and, second, whether the Republican contingents on committee were representative of the overall Republican contingent in the

27. A more appropriate methodology would be to construct issue-specific ratings for each of the standing committees in question, based on types of policy that fall within their respective jurisdictions. Unfortunately, there were only 95 recorded roll-call votes in the 17th House, making the construction of issue-specific ratings impossible. Therefore, we use D-NOMINATE scores, which provide the best (and only) remaining option.

House.²⁸ With regard to the Wilcoxon results, we find that *none* of the thirteen committees in the House model and only *one* of the thirteen committees in the Republican model were composed of preference outliers: the null hypothesis of representative committees cannot be rejected at the 5 percent level (one-tailed test), except in one case (Judiciary).²⁹ Even stronger results are discovered from the variance-based tests. *None* of the thirteen committees in *either* model have spreads that are significantly less heterogeneous than their non-committee counterparts: the null hypothesis of representative distributions on committees cannot be rejected at the 5 percent level (one-tailed test) in *any* of the cases. Moreover, increasing the level of significance to 10 percent does not result in the null of representativeness (whether medians or spreads) being rejected in any additional cases. Thus, despite the election of a *distinct* ideological outlier to the Speakership, the composition of committees was representative of the preferences and distribution of the underlying population.³⁰

That a deal involving committee composition was constructed around the Speakership election is consistent with developments to come later in the first session, to which we now turn. For the moment, we treat the possibility of a deal to be potentially a critical link in understanding how the standing committee system became further entrenched during the 17th Congress.

28. Coding of Republicans is based on work by Martis (1989). Only 37 Federalists held seats in the 17th House, which provides the difference in the two models. While traditional partisan politics had broken down by this time, candidates still maintained their nominal political labels for electoral purposes. So, while the cohesion of the Jeffersonian Republicans had eroded, members still maintained nominal Republican identities.

29. We limit our discussion to seven-man standing committees here. Similar results are uncovered in an analysis of the eight three-man standing committees (Accounts, Revisal of Unfinished Business, and the six executive Expenditure committees).

30. Looking at committee rosters more closely, we also note that all of the major speaker candidates received an important assignment, including Taylor. The two centrists whom historians note overtly gave up support in favor of Barbour were rewarded with chairmanships: McLane chaired Naval Affairs and Smith chaired Ways and Means. In addition, both Rodney and Taylor were placed on Foreign Affairs.

The Legacy of the 17th House

While Van Buren's maneuvering succeeded in electing a Speaker, his attempts at party building in the 17th Congress hit a stumbling block. Van Buren's fragile institutional equilibrium began to disintegrate with the announcement of three additional presidential aspirants: John Quincy Adams, Henry Clay, and Andrew Jackson. Amid the one-party chaos of the era, Van Buren could not credibly construct barriers to prevent entry into the presidential race. Thus, new House factions developed around the candidacies of Adams, Clay, and Jackson, thereby reducing the size and stability of Crawford's former anti-Calhoun coalition. As such, no enduring, majority coalition existed in the 17th House, as no faction could consistently dominate House business. This sectarian instability would produce institutional "chaos," as the different factions would battle for control of the legislative agenda (Fuller 1909, p. 53).

After the first two months of the first session had been completed, a majority of MCs, from all factions, realized that the squabbling, and the resulting lack of policy outputs generated, could destroy Congress's credibility and, thus, their reputations with their constituents. To promote efficiency, the House would modify its standing rules in an attempt to stymie excessive debate, to limit superfluous amendments, and to expedite business. New standing committees would be created, in an effort to resolve jurisdictional issues, and they would be granted new bill-referral powers to insulate them from external influence. While these institutional changes would not resolve the factional differences, they would help expedite the business of the House.

The Necessity for Institutional Change

On February 5, 1822, Henry Baldwin of Pennsylvania, a Calhoun supporter, submitted the following resolution be added to the standing rules of the House:

Whenever a resolution shall be offered, or a motion made, to refer any subject whatever to a committee, and different committees shall be proposed to which such reference shall be made, the question shall be taken upon the reference to such one of the committees which shall be proposed as is first in the following order or arrangement, that is to say: the Committee of the Whole on the state of the Union; the Committee of the Whole; a standing committee of the House; and between two or more standing committees, the one first proposed; a select committee. (*Annals*, 17-1, p. 911.)

Baldwin's resolution was prompted by factional infighting around the matter of bill reference.

From the outset of the 17th Congress, Crawford's supporters commonly called for the creation of select committees to handle policy issues. On many of these issues, however, it seemed that their subject matter fell under the jurisdictions of one or more of the standing committees already in place. Arguments around the question of reference were waged on a number of issues: revolutionary pensions, lands for education, Indian treaties, and fugitives from labor.³¹

These skirmishes on matters of bill referral finally came to a head on February 2, 1822. A lengthy debate took place around the issue of a grant of land to be used for missionary efforts in the Indian community. Baldwin requested that the issue be referred to the Committee on Public Lands, while John Floyd of Virginia, a Crawford supporter, proposed to amend the motion to refer it instead to the newly-established standing Committee on Indian Affairs (*Annals*, 17-1, pp. 878–90; *Niles Weekly Register*, Feb. 9, 1822, p. 378).³² The House adopted Floyd's amendment,

31. On revolutionary pensions see *Annals*, 17-1, pp. 519, 523-4; lands for education, pp. 537, 710–13, 723–24; Indian treaties, pp. 550–51; and fugitives from labor, p. 557.

32. On the creation of the standing committee on Indian Affairs at the beginning of the 17th Congress, see *Annals*, 17-1, pp. 548, 553.

which perhaps provoked Baldwin to submit the “question of reference” resolution three days later.

On February 6, the House considered Baldwin’s resolution to alter the rules. Hugh Nelson of Virginia made a motion to amend Baldwin’s resolution, to which Baldwin assented, “so as to raise a Select Committee, to revise the standing rules of the House generally” (*Annals*, 17-1, p. 920). Baldwin’s amended resolution was adopted by the House, and Speaker Barbour appointed a seven-member select committee pursuant to the rules: Nelson was appointed chair and was joined by Baldwin, John W. Taylor of New York, Burwell Bassett of Virginia, Lewis Condict of New Jersey, Samuel Smith of Maryland, and Charles Rich of Vermont (*Journal*, 17-1, p. 239; Canon and Stewart 1997, 17th Cong., p. 2). This was a group of highly experienced men, during a time of high turnover in the chamber. The average member of this committee had served 5.4 terms, compared to the House average of 2.2 terms in the 17th Congress (Canon and Stewart, 1997, 17th Cong., p. 2; ICPSR Study Number 7803). Baldwin was the “junior” member, having served only three terms in the House. The committee was balanced as well, representing the commercial (Taylor, Rich, Smith), manufacturing (Condict and Baldwin), and agrarian (Nelson and Bassett) interests of the nation. Two members (Taylor and Smith) had been principal vote-getters in the speakership contest. Ideologically, the committee was not stacked in favor of either Crawford or Calhoun; in fact, a spatial analysis suggests that the committee slightly favored the Adams-Clay-Taylor side of the political spectrum.

The need for a general change in the standing rules centered on the factionalism in the 17th House, which was reinforced by the factionalism of the 16th House. Sectional issues dominated the agenda in the 17th House, resulting in bitter debates and the absence of cohesive

majorities. Overlain on the already chaotic issue politics of Congress was jockeying among the various presidential candidates, as Jackson, Clay, and Adams would all officially announce their candidacies within the year, drawing some of Crawford's "leaners" to their respective camps (McCormick 1982, pp. 133–34; Hemphill 1971, vol VII, p. liii; Mooney 1974, p. 231). No wonder Poole and Rosenthal (1997, p. 52) find that the 17th Congress is the worst-fitting House in American history for their model, one that resembles "spatial chaos."³³

Institutional Change as a Solution to Problems of Social Choice

Within the context of "spatial chaos," the factionally-representative Select Committee on Modifications to the Standing Rules of the House suggested four procedural changes and several structural changes that were adopted by the House. The changes were "intended primarily to lend greater structure and predictability to management of chamber business" (Binder 1997, p. 89; see also Cooper and Young 1989, Bach 1990). The first three procedural changes, proposed and adopted on March 13, 1822, are discussed by Binder (1997, pp. 89–92). These were rules intended to reduce the effectiveness of dilatory tactics and to expedite institutional outcomes: debate on the motion to table was prohibited and limits on other motions were instituted, precedence was given to a motion to strike out the enacting clause of a bill over motions to amend, and a two-thirds vote was required to suspend the rules.

33. The editor of the *Niles Weekly Register* characterized the shifting sands of partisanship this way: "The landmarks of former parties have been broken down The old republican maxim—"principles and not men," has been modelled so as to be understood to mean *men and not principles*. *Niles Weekly Register*, Dec. 15, 1821, p. 242.

A fourth procedural change is more of interest to us: the select committee recommended giving standing committees full rights of bill referral within their jurisdictions, that is, they could report bills to the floor at their own discretion (Cooper 1988, p. 58). The committee also recommended structural changes, suggesting that three new standing committees—Military Affairs, Naval Affairs, and Foreign Affairs—be created, changing the status of three select committees that had been routinely appointed for over a decade.³⁴

These committee changes were among the most significant long-term rules reforms during the early 19th century, since they converted three important select committees into standing committees and codified the property rights that standing committees had over their jurisdictions. Yet, as is the case with all other such rules changes in this era, we have no direct testimony from the principals involved about what was motivating these changes.³⁵ Thus, we must speculate. Our speculation centers on the multifactional chaos that had prompted the creation and constitution of the Rules Committee in the first place.

The two speakership contests that followed Clay's depression-interrupted term as Speaker ushered in a new era of protracted speakership battles. For a member of Congress in 1822, it was quite possible that this state of affairs would be permanent. He would have no reason to believe a new two-party system would evolve to solve the choice problem. From our analysis of committee appointments made by Taylor in the 16th Congress and Barbour in the 17th Congress, it seems

34. *Journal*, 17-1, p. 351. During the House debate, Newton Cannon from Tennessee moved that the Committee on the Militia be added to the standing committee list as well. His motion was opposed by Taylor of New York, Smith of Maryland, and McCoy of Virginia, and was rejected (*Annals*, 17-1, p. 1300).

35. *Niles Weekly Register* (Mar. 16, 1822, p. 47), in reporting on the proceedings to change the rules, noted that the debate took up virtually an entire afternoon, but that "the matters are not of interest enough to our readers to detail...."

clear that the resolution to those contests involved divvying-up committee assignments to desirable committees. Of course, the strategies employed by Taylor and Barbour were different: Taylor used assignments to favor his faction explicitly, while Barbour more carefully placated different factions among the fractious Republicans.

The factional fights that erupted at the beginning of the 17th Congress over whether to refer legislation to select or standing committees had the potential to undermine coalitions that were built around distributing committee assignments during speakership contests. If the carefully-crafted standing committees could be evaded, then they could not serve as a credible commitment mechanism to resolve speakership contests.³⁶ The adoption of procedural rules to protect the jurisdictional claims of standing committees was necessary to stabilize the outcomes of speakership elections.

Consequently, the codification of standing committee prerogatives went hand-in-hand with the conversion of Foreign Affairs, Military Affairs, and Naval Affairs to standing committee status. As standing committees, they would benefit from the assumption in the rules that they would have “first dibs” on legislation within their domains.

Clay’s absence from the House in the 17th Congress was necessary for the elevation of these three committees to standing status, in two ways. First, his absence exposed the practical dangers of factionalism in the House. Second, as Speaker, Clay had jealously guarded foreign, military, and naval affairs as policy domains, creating a virtual State Department for himself in

36. In writing this, we are aware that the structure of the problem facing House members in the early 1820s is identical to that facing coalition governments: It’s not enough to distribute ministerial portfolios to junior coalition partners. It’s also necessary to guarantee that these portfolios come bundled with some sort of legislation initiation powers. This is a line of argument that we will pursue in future research.

hopes of ascending eventually to the presidency. With Clay absent from the House, other institutional imperatives dominated, leaving these select committees fair game for institutional deal-making.

IV. Conclusion

The Era of Good Feelings was particularly unstable period in the House, as factional battles developed in the aftermath of the Missouri Compromise and the run-up to the election of 1824. The account of committee politics we give during this period suggests that the expansion of the standing committee system in the early 1800s was at least partly due to attempts to use the committee system as a vehicle to overcome chaos induced by factional politics. The repeated failures of select committees to bring order to the chaos over Missouri illustrates the fruitlessness of putting important matters into the hands of a select committee on a short leash. In the 16th Congress, with Clay absent, factional politics intervened with the new speaker's use of committee assignments to aid his faction and hurt the competition. In the 17th Congress, with Calhounites smarting over their treatment by Taylor in the 16th and more presidential candidates in the race, distributing benefits within the committee system became the vehicle through which the House finally organized itself. However, the deal that elected Philip Barbour Speaker was vulnerable to continued factional sabotage, leading to a change in the rules that firmed up the ability of factional leaders to use the committee system as a solution to social choice instability.

We concede that much more work needs to be done into the use of the committee system during this period before anyone will be able to conclude definitively what was behind the rules changes of the 17th Congress. Still, as we hope we have made clear, part of the explanation must include an account of the legislative chaos that loomed in the face of shifting partisan alignments.

For students of the modern Congress, this conclusion should be reassuring, since the theoretical underpinnings of the new institutionalism begin with an assertion that the primary value of the committee system in the face of social choice instability is to reduce the dimensionality of any given decision and, therefore, enhance the possibility of policy equilibrium (Shepsle 1979). Hence, there is a real chance that an important theoretical assumption is grounded in fact.

Citations

Abbreviations:

Annals: *Annals of Congress*, followed by Congress, session, and page number.

Journal: *House Journal*, followed by Congress, session, and page number.

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Figure 1. First and second dimension D-NOMINATE scores of House members in the 14th and 17th Congresses. (Each arrow begins at the estimated ideal point for the 14th Congress, with the arrow head terminated at the ideal point for the 17th Congress.)

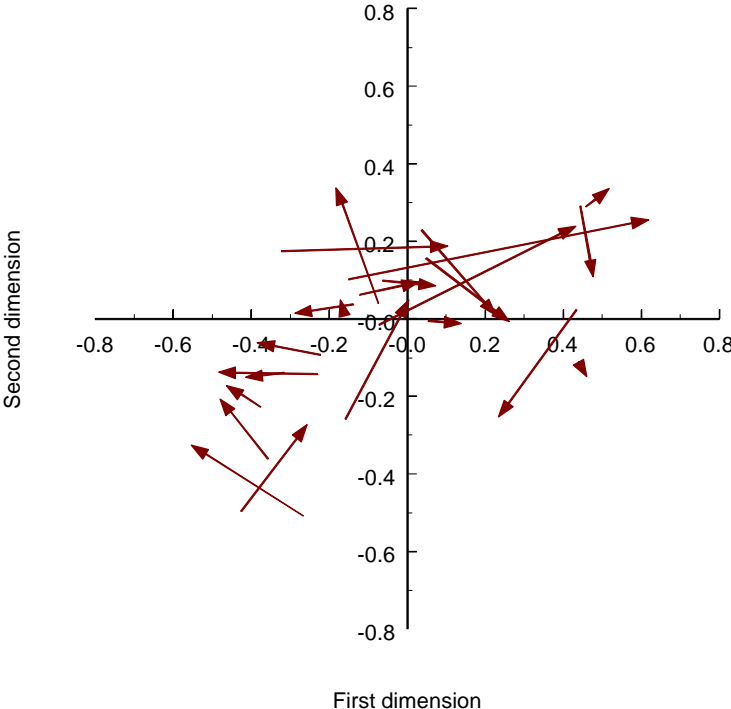


Figure 2. First dimension D-NOMINATE scores among select and conference committees appointed to consider issues related to the Missouri controversy, 16th Congress, 1st session.

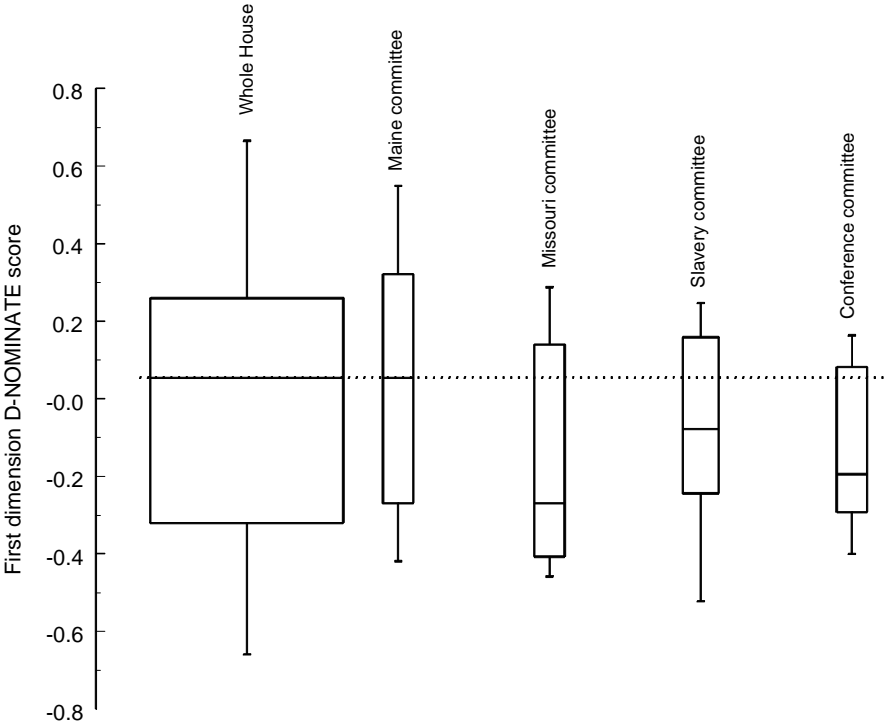


Figure 3. First dimension D-NOMINATE scores of Missouri committee appointed in the second session of the 16th Congress.

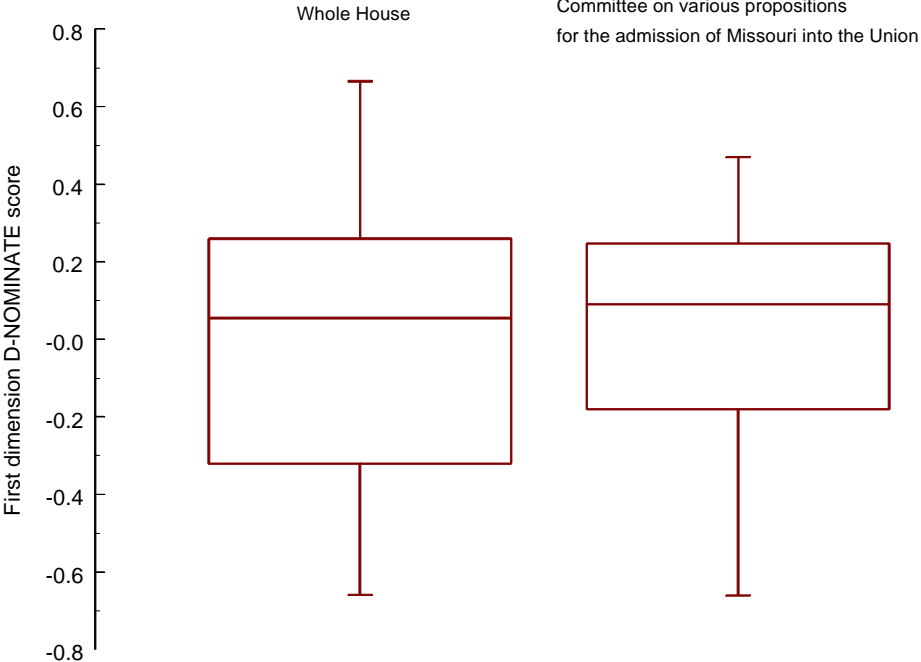
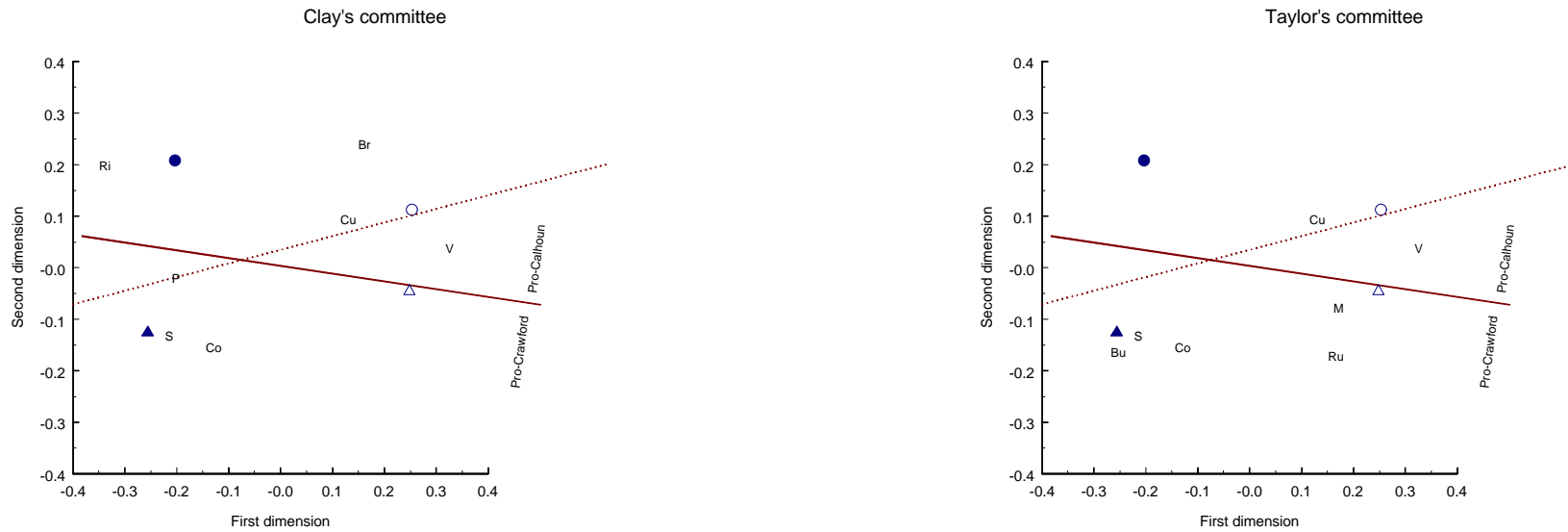


Figure 4. Ideological location of members of Select Committee on Military Affairs, 16th Congress, 2nd session, using Poole W-NOMINATE scores.



Symbols:

Members of Military Affairs Committee:

Alexander Smyth (S); S. Van Rensselaer (V); John Cocke (Co); Joshua Cushman (Cu); Hutchins Burton (Bu); Robert Moore (M); John Russ (Ru); Brush (Br); Ringgold (Ri); Parker (P)

Cabinet members:

John C. Calhoun (Solid circle)
William Crawford (Solid triangle)

Speakers:

Henry Clay (Empty circle)
John W. Taylor (Empty triangle)

NB: The solid line separates House members into two regions, according to proximity to Calhoun and Crawford. The dotted line separates House members into two regions, according to whether they were predicted to support or oppose Army retrenchment (see Table 1 for probit analysis.)

Figure 5. Spatial summary of the 1821 Speakership fight.

Speaker candidate symbols:

B: Philip P. Barbour

T: John W. Taylor

R: Caesar Rodney

M: Louis McLane

S: Samuel Smith

Table 1. Regression of first dimension D-NOMINATE scores on regional and party dummies, 12th–22nd Congress.

Cong.	Intercept	Southern state	Border state	Republican	Adams Republican	Anti-Jackson Republican	N	R ²	R ² with only region dummies
12	0.57 (0.03)	-0.05 (0.03)	-0.09 (0.04)	-0.72 (0.03)	–	–	144	.80	.08
13	0.57 (0.02)	-0.02 (0.02)	-0.02 (0.03)	-0.76 (0.02)	–	–	194	.88	.14
14	0.51 (0.02)	-0.09 (0.03)	-0.13 (0.04)	-0.61 (0.03)	–	–	189	.77	.18
15	0.41 (0.03)	-0.55 (0.03)	-0.51 (0.05)	-0.27 (0.04)	–	–	187	.70	.62
16	0.35 (0.03)	-0.61 (0.03)	-0.49 (0.04)	-0.11 (0.03)	–	–	196	.77	.75
17	0.23 (0.03)	-0.67 (0.03)	-0.37 (0.04)	0.05 (0.04)	–	–	183	.73	.73
18	0.33 (0.06)	-0.63 (0.06)	-0.29 (0.05)	0.08 (0.07)	–	–	149	.46	.59
19	0.04 (0.03)	-0.49 (0.03)	-0.15 (0.04)	–	0.32 (0.03)	–	217	.73	.57
20	-0.04 (0.02)	-0.49 (0.03)	-0.18 (0.04)	–	0.45 (0.03)	–	217	.78	.46
21	-0.03 (0.02)	-0.34 (0.03)	-0.15 (0.04)	–	--	0.49 (0.03)	211	.75	.37
22	-0.13 (0.02)	-0.20 (0.03)	-0.15 (0.03)	–	–	0.58 (0.03)	195	.78	.22

Table 2. Regression of second dimension D-NOMINATE scores on regional and party dummies, 12th–22nd Congresses.

Cong.	Intercept	Southern state	Border state	Republican	Adams Republican	Anti-Jackson Republican	N	R ²	R ² with only region dummies
12	0.04 (0.03)	-0.26 (0.03)	-0.14 (0.05)	0.06 (0.03)			144	.33	.32
13	0.04 (0.02)	-0.23 (0.03)	-0.16 (0.04)	0.10 (0.03)			194	.28	.22
14	0.01 (0.02)	-0.22 (0.03)	-0.13 (0.04)	0.10 (0.03)			189	.26	.20
15	0.02 (0.03)	-0.15 (0.03)	-0.05 (0.04)	0.05 (0.03)			187	.12	.11
16	0.05 (0.03)	-0.14 (0.03)	0.01 (0.04)	-0.00 (0.03)			196	.13	.13
17	0.02 (0.03)	-0.07 (0.03)	0.13 (0.04)	-0.03 (0.03)			183	.13	.13
18	-0.10 (0.05)	0.02 (0.05)	0.31 (0.04)	0.11 (0.06)			149	.28	.25
19	0.03 (0.03)	-0.05 (0.04)	0.31 (0.04)		-0.09 (0.03)		217	.25	.23
20	0.03 (0.02)	0.00 (0.03)	0.26 (0.04)		-0.09 (0.03)		217	.24	.20
21	-0.12 (0.01)	0.28 (0.03)	0.27 (0.03)			0.04 (0.02)	211	.42	.41
22	-0.16 (0.02)	0.39 (0.03)	0.22 (0.03)			0.07 (0.03)	195	.51	.51

Table 3. Temporal stability of D-Nominate scores, 12th–22nd Congresses. (Regression of first dimensional D-Nominate score on lagged values of the first and second dimension.)

Cong	First dimension, $t-1$	Second dimension, $t-1$	Intercept	N	r^2
12	0.96 (0.02)	-0.01 (0.06)	0.02 (0.01)	80	.97
13	0.96 (0.02)	-0.01 (0.06)	0.01 (0.01)	81	.96
14	0.94 (0.02)	0.05 (0.05)	0.01 (0.01)	90	.96
15	0.95 (0.04)	0.21 (0.07)	0.01 (0.01)	59	.92
16	0.95 (0.03)	0.19 (0.05)	0.01 (0.01)	95	.93
17	0.94 (0.04)	0.19 (0.07)	0.02 (0.01)	90	.91
18	0.97 (0.03)	0.15 (0.06)	0.01 (0.01)	100	.92
19	0.96 (0.03)	0.03 (0.05)	0.01 (0.01)	117	.91
20	0.97 (0.02)	-0.07 (0.03)	0.02 (0.01)	127	.94
21	0.96 (0.02)	0.04 (0.05)	0.02 (0.01)	112	.95
22	0.99 (0.02)	0.17 (0.04)	0.00 (0.01)	123	.95

Table 4. Vote to approve cutting the standing army by 40%, from 10,000 to 6,000 soldiers, officers and enlisted men, and slash appropriations for military fortifications by nearly 75% (standard errors in parentheses).

Variable	Coefficient (s.e.)
Constant	0.33 (0.13)
W-NOMINATE first dimension	2.46 (0.78)
W-NOMINATE second dimension	-9.26 (1.45)

Table 5. Testing the representativeness of House committees, 17th Congress.

	House Model		Republican Model	
	p -value $Med_{House}=Med_{Com}$	p -value $\sigma^2_{House}=\sigma^2_{Com}$	p -value $Med_{Rep}=Med_{Com}$	p -value $\sigma^2_{Rep}=\sigma^2_{Com}$
Agriculture	0.18	0.71	0.31	0.71
Claims	0.66	0.65	0.71	0.61
Commerce	0.45	0.41	0.37	0.24
D.C.	0.85	0.43	0.98	0.18
Elections	0.30	0.66	0.34	0.62
Judiciary	0.20	0.65	0.02	0.11
Manufactures	0.27	0.34	0.34	0.29
Post Office	0.59	0.55	0.62	0.51
Private Land Claims	0.57	0.39	0.59	0.44
Public Expenditures	0.68	0.43	0.16	0.42
Public Lands	0.56	0.62	0.45	0.61
Revolutionary Claims	0.19	0.18	0.25	0.15
Ways & Means	0.22	0.60	0.26	0.55

Note: Tests were are conducted using D-NOMINATE scores. All test results are one-tailed. The alternative hypotheses are: $Med_{House} > Med_{Com}$; $\sigma^2_{House} > \sigma^2_{Com}$; $Med_{Rep} > Med_{Com}$; and $\sigma^2_{Rep} > \sigma^2_{Com}$