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ARTICLE

Conclusion: Prospects for Analysing Committees in Comparative Perspective

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ARTICLE HISTORY

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1. Introduction

Many of the issues and debates regarding the analysis of legislative committees are well known and have been excellently summarised recently elsewhere (Martin and Mickler 2019; see also Martin 2014). These issues include: (i) the continuing dominance of theories of congressional committees, as summarised in the introduction, as a starting point for research, even for analyses of those committees which operate within parliamentary systems; (ii) how best to test those theories in non-congressional settings and what methodological issues, if any, arise; (iii) what other theories and approaches are available, and whether they can be more fruitful than congressional theories; and, (iv) what else to study beyond committee assignments. We wish neither to plagiarise nor to re-invent the wheel in this conclusion so, below, we reflect on these issues and the question of how best to analyse committees in comparative perspective, in part by considering the contributions of the articles in this collection.

2. Have Theory, Might Travel

Much of the debate regarding the comparative analysis of committees is focused on the possibility and desirability of applying (modified versions of) the distributional, informational, party cartel and, to a lesser extent, the bicameral-rivalry theories of congressional committees to committees within parliamentary systems. As Martin and Mickler (2019, p. 89) state – and as some of the articles here attest – this debate has died down somewhat recently (although see below for our attempt to blow it back up again). This is because there is increasingly a recognition that congressional theories are now most often used as a starting point for the analysis of parliamentary committees but in a modified form which take into account local circumstances and, in particular, the role of the political parties in assigning membership to committees. Whereas the original formulations of distributional and informational theories took

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for granted that committees were independent of party groups, most studies now treat committee independence and party dominance as dependent variables whose existence must be demonstrated rather than assumed. Indeed, studies based on the US Congress have acknowledged the importance of partisanship for some time, to the point that we might question whether the original formulation of congressional theories are appropriate even for analysing Congress.

Although the inclusion of a partisan dimension is the most important revision of congressional theories, a number of other institutional features that apply in Congress but do not apply elsewhere, have required scholars to adapt or relax some of the starting assumptions. To take one example if we were to apply distributional theory – which asserts in its classic form, among other things, the need for committees to have gatekeeping powers and for members to be self-selecting (Shepsle 1978; Martin 2014, p.355) – to the UK case, we would need to take into account not only the split between the legislative function of committees, undertaken (mainly) by public bill committees, and the scrutiny function, undertaken by select committees, but also the fact that there was change in the system for choosing select committee members in 2010 from one of appointment by party managers to one of election by the whole House of Commons in the case of committee chairs and party caucuses in the case of members. Taking such circumstances into account is, of course, possible and the ‘deviant’ nature of the UK case is well understood (Mattson & Strøm, 1995). However, these local circumstances (and the local circumstances of other cases) do need to be recognised and incorporated into the research design in the first place, otherwise there is the risk of omitting key explanatory variables and/or comparing committee apples and pears.

A number of the papers in this collection further illustrate the need to take care when transferring committee theories beyond their original context. Norton reminds us that in parliamentary systems that lack a separation of executive and legislative functions, the incentives facing committee actors are very different to those described in the congressional theories. Chiru suggests modifications to these theories when applying them to young democracies where many of the assumptions appropriate to more entrenched democracies such as the USA are not plausible. A number of papers, including those here by Nikolenyi and Friedberg and Onate and Ortega, demonstrate that systems in which governing coalitions are frequently formed, or those in which electoral systems besides single member plurality are used, both require substantial revision of the basic assumptions of congressional theories. It may even be the case that some (aspects of) congressional theories can even be dismissed entirely depending on the characteristics of the jurisdiction studied. For example, the distributional theory of committee behaviour may have little or no purchase in the analysis of select committees in the United Kingdom as analysed by both Norton and Gaines, Goodwin, Holden Bates and Sin, as these committees have no direct legislative power and cannot independently affect the distribution of resources. We are inclined to accept Martin and Mickler’s view that using modified versions of extant congressional theories are often useful as a starting point for analysis and that it is possible for these theories to be successfully applied beyond the congressional setting (see, for example, Crombez, Groseclose, and Krehbiel 2006). Nonetheless, the papers in this collection also point to some of the methodological hurdles that must be negotiated in any comparative analysis of committees.

3. Future Directions

In this section we wish to offer some comment on what might be considered as two visions for future committee studies, as presented by Yordanova (2011) on the one hand, and Martin and Mickler (2019) on the other. Yordanova's conclusion, following extensive study of the European Parliament, tends to the view that while a generalisable theory of legislative organisation remains possible, the 'next generation' of studies ought to try to emancipate itself fully from the congressional framework which she regards as too static and insensitive to change in the external environment in which legislatures and by extension, committees must operate. While the European Parliament is perhaps the exemplar case of a legislature subject to frequent change in its form and powers, the more dynamic theory that Yordanova calls for might equally be applied in other jurisdictions, for example, the young democracies discussed by Chiru in this collection. Martin and Mickler are more circumspect on this point, suggesting that the basic congressional framework, with the necessary adaptations made, continues to perform adequately and provide plausible explanations for committee behaviour in a wide range of settings. They urge scholars to think twice before abandoning the congressional framework entirely, and caution against the danger of reinventing the wheel. Instead, Martin and Mickler suggest focusing more on the post-assignment phase of committee activity which remains, in their view and with some honourable exceptions, under-analysed (2019, p.92). Three of the articles in this collection (those by Norton, Nikolenyi and Friedberg, and Gaines, Goodwin, Holden Bates and Sin) take steps in this direction and suggest what might be done in future comparative analysis on these aspects of committee work. Respectively, these papers consider how committees might undertake post-legislative scrutiny, how far committees may provide opportunities for opposition influence over legislation, and how far committee work is able to achieve visibility in the news media. Whether congressional theories are able to serve as the theoretical foundation for answering these questions rather than questions about committee assignment, autonomy, organisation, and legislative and party systems must, at this point, remain an open question.

In relation to this last point, we would like to suggest here some alternative routes that future research on committees might take. Our approach however, is somewhat different to that proposed by Yordanova, who we interpret as essentially calling for new theories to better address the questions that the congressional theories take to be the most significant ones in relation to committee and legislative organisation (albeit with the very considerable revision of the incorporation of a theoretical model capable of understanding and explaining change). Instead, we propose that scholars, particularly those who wish to undertake comparative analysis, might ask different questions about committees to those typically addressed in the extant literature. While Yordanova and Martin and Mickler take different positions regarding the development of theory, what they share is a tendency to treat the formal institutional structure of the polity as the most relevant context for committee behaviour.

An alternative approach would see committees, and legislatures as a whole, as institutions embedded in a much wider set of social structures. On this reading, committees and legislatures can be understood both as condensations of social relations embodying power and resource differentials on the basis of, for example gender, class, and race, and as implicated in the reproduction of those regimes and on the gendered (and/or racialized and/or classed) outcomes of the policy-making process (Chappell & Waylen, 2013; Lovenduski, 2005, 2012). There is, of course, already an excellent body of work

on gender and committees¹ so it is by no means an issue of starting from scratch. Indeed, a case can be made that the relationship between gender and committees is one of the few areas where there is not a ‘paucity’ of data that Martin (2014) bemoans. Instead, it is, firstly, about acknowledging that there is already a branch of legislative and committee analysis that is not principally inspired by congressional frameworks or rational choice institutionalism and, secondly, it is about making gender relations (and relations concerning race, class and other structural inequalities) central to what scholars of legislative committees study; as things to be explained, not just things to help explain.

With regard to the former point, the shortcomings of rational choice both as a theory and in its institutionalist guise have been spelt out clearly elsewhere (see, for example, Archer and Tritter 2000; Bell 2002; Boudon 1998; Green and Shapiro 1996; Hay and Wincott 1998; Mackay, Kenny, and Chappell 2010). It may well be that scholars of committees, even for those who use congressional theories as a starting point for their analyses², may find it more fruitful to operate within other institutionalist frameworks, such as historical institutionalism or feminist institutionalism (see, for example, Bell 2011; Krook and Mackay 2010, although see Driscoll and Krook (2009) for a feminist argument about how rational choice institutionalism can be used to better understand the adoption of candidate gender quotas). These strands of institutionalism are most often underpinned by ontologies that, arguably, are better able to recognise and conceptualise both the complexity of causal pathways within open systems (such as those within which legislatures and committee systems operate) and the powerful particularities of the structural and institutional features of the social and political world (see Archer and Elder-Vass 2012; Elder-Vass 2010; Lawson, Peacock, and Pratten 1996; Luke and Bates 2015).

With regard to the latter point, a number of studies for example have shown that gender forms a powerful influence over committee assignments with male and female legislators consistently found to participate differently and to be assigned to different committees across time and space (see for example, Funk et al. 2017; Murray and Sénac 2018; O’Brien 2012; Pansardi and Vercesi 2017). This presents a serious challenge to theories of allocation based on the traditional congressional framework since any tendency for committee places to be filled on the basis of expertise, loyalty or outlying policy preference seems to be cross-cut by the gendered character of different policy areas. From this perspective committees need not only be studied as ends in themselves, but can also be studied as a means to understanding gender regimes within legislatures and perhaps also wider social structures.

In response, therefore, to Martin and Mickler’s question – whether there is anywhere else to go with committee theories besides a modified version of the congressional approach – we would answer emphatically that there is, but it requires rethinking both what it is scholars hope to achieve through studying and comparing committees in the first place, and how best to achieve that aim.

¹See, for example, Bækgaard and Kjaer 2012; Bolzendahl 2014; Carroll and Reingold 2008; Considine and Deutchman 1994; Darcy 1996; Frisch and Kelly 2004; Funk, Morales, and Taylor-Robinson 2017; Heath, Schwindt-Bayer, and Taylor-Robinson 2005; Murray and Sénac 2018; O’Brien 2012; Pansardi and Vercesi 2017; Rodríguez 2010; Thomas and Welch 1991; Yule 2000. See also Chiru in this volume.

²See Hay (2004) on how rational choice can be used as a heuristic analytical strategy within a post-positivist framework.

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