

# Extension of Remarks



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## A Few Missing Pieces from *The Giant Jigsaw Puzzle*

Keith Krehbiel

Graduate School of Business, Stanford University

*The Giant Jigsaw Puzzle* focuses on an assignment process that Ken Shepsle and a generation of followers summarize as self-selection.<sup>1</sup> Assignment processes are, of course, prevalent outside of politics, too. Consider, for example graduate school admissions. Should these processes, too, be considered ones of self-selection? Maybe so, maybe not. Here is the pro argument. In my generation, the most qualified applicants tended to request (apply to) the most exclusive universities, and indeed many of these received assignments in those prestigious doctoral programs. Shepsle and others would probably call this a form of self-selection. Meanwhile, at another level, less-qualified undergraduates from nonexclusive universities (a.k.a., basketball colleges, e.g., Kansas and North Carolina) calculated that they were ill-equipped for admission to the elite programs, so they tended to request slots in less prestigious universities. Most of these requestors, too, received an assignment in their selected doctoral programs. Examples may include, say, a Jayhawk and a Tarheel transforming into a Yellowjacket. Shepsle and others would probably regard this as a form of self-selection, too (from the perspective of graduate school -- not basketball). The concept of self selection is revisited below, but first it is useful to note one important consequence of this assignment process. Respectable but

less prestigious universities — such as the Rochesters of the world — took risks by admitting applicants who were substantially lacking in one, some, or many of the leading indicators of success. To put it more delicately, graduate students in Rochester were extremely *heterogeneous*. To put it indelicately, they were often strange, too. Building on this observation, I have a related anecdote, some general remarks about the book, and some current data that illustrates the anecdote in the congressional arena.

### Anecdote

In the class ahead of me at Rochester were two students who I'll call Bart and Louis. (Each has since found prosperity outside academia, I am pleased to convey.) Bart was twice as conservative as Ronald Reagan (and proud of it), and Louis was twice as liberal and George McGovern (and proud of it). Each was extroverted, argumentative, loud, and relentlessly obnoxious. It was not enough for Bart and Louis to disagree -- this was a constant. A day was considered a sparring success if and only if the decibel level grew sufficiently high that the economics grad students were driven out of Harkness Hall. (Secretly, of course, the econ students liked this regular excuse for egress.)

<sup>1</sup> Comments delivered at the 2003 meetings of the American Political Science Association, Philadelphia, Pennsylvania.

*Unprecedentedly, I squeezed in a comment prior to Louis's inevitable rebuttal: "I didn't know that's how you pronounced Shepsle." "So? You think he knows how to pronounce Krehbiel?"*

In this setting one day during my first year at Rochester, Bart strutted into our office and proclaimed, "I just read the best book in political science." 'Sure,' I thought, 'and next we hear all about how Richard Nixon was more honest than Abraham Lincoln.' Nevertheless, I took the bait: "OK, what is it?" "Ken Shepsle's *Giant Jigsaw Puzzle*. University of Chicago Press. \$40. Plus taxes. Which are a ripoff especially in New York because of all the Democrats from. . ." Unprecedentedly, I squeezed in a comment prior to Louis's inevitable rebuttal: "I didn't know that's how you pronounced Shepsle." "So? You think he knows how to pronounce Krehbiel?"

Then a truly rare event occurred. Louis gave a nonchalant yet stunning concurring opinion: "That is right. *The Giant Jigsaw Puzzle* is the best book in political science." Its price notwithstanding, many of us acted on these rare confirmatory signals by buying and reading the book. And, indeed, and all of us thought it was tops or very nearly so. (As I recall, our resident philosopher was reluctant to bump *The Republic*, or some really old book, from the top slot.)

### General Remarks

So, what is the takeaway point in this book? With the benefit of hindsight, it is more of a take-off point than a takeaway point. All of the elements of what Mo Fiorina years later dubbed the "Caltech/Wash-U" school of

legislative politics are in the book. The pieces of *The Giant Jigsaw Puzzle* are:

1. Set reelection incentive
2. Constituency induced preferences
3. Self-selection onto standing committees
4. Homogeneous preference outliers on committees
5. Property rights on committees
6. Committee power
7. Policy consequences, summarized as "the interest-advocacy-accommodation syndrome."

In his guidelines distributed to the panel, Sean Kelly provided suggested roles for panelists. My assigned role was to be "provocateur." I will now engage in role play.

Outstanding as the book is, however, a step-by-step evaluation of this picture of the legislative process based on theory and data in the intervening 25 years suggests that there are a few pieces missing from the puzzle.

1. *The reelection incentive*. This piece continues to fit well in this literature and elsewhere. (Although others have argued for an "alternative theory" based on "multiple goals," such a proposal is not really for an alternative theory but rather for an alternate axiomatic base on which theories might be built. Merely to say there are other motives for behavior is not sufficient for debunking more parsimonious and explicit reasoning.)
2. *Constituency induced preferences*. In principle, there is no problem here either. In practice, however, there is somewhat of a problem. Specifications of probit models, such as Shepsle's estimates of the probability of member requests being granted, implicitly assume that the constituency/induced-preference mapping is the same for all members. We know from the Senate that this cannot be true. Members of Congress have a remarkable amount of leeway in the manners in which they construct their reelection

coalitions. Models and methods that do not acknowledge this are more fragile than is often realized.

3. *Self-selection onto standing committees.* The more substantial problems arise as we work through the remainder of the list, which corresponds with working through the legislative process. Some of these problems are conceptual; some are empirical; some are theoretical. Generally, and with the benefit of hindsight and a lot of intervening theoretical and empirical research, my assessment of the Giant Jigsaw Puzzle is that it -- like the Caltech/Wash U school more generally -- is theoretically under-specified and empirically over-stated. Exhibit #1 is self-selection. A careful reading of the self-selection argument reveals that the concept, as spelled out, is either over-stated or oxymoronic. If self-selection is to be taken and interpreted at face value, then everyone should be expected to receive his or her first choice(s) of committee assignments. Of course, they do not, and even adherents to the hypothesis, realizes this. That is why the loophole, "*subject to constraints*," is introduced. But contemplate the concept "self-selection subject to constraints" in the general context of assignment processes. Most if not all graduate students in my generation did not self-select into Rochester's PhD program in the sense of "first choice." We selected that program because it would have us; it was willing to take requesters who were risky prospects, not to mention extreme in one sense or another (e.g., Bart and Louis). Likewise, do my daughters "self-select" to eat vegetables, to take the trash and recycling out, to do their homework, etc. - when such ostensible selection is subject to the constraint that their parents make them? And so on. The point is: the loophole "*self-selection subject to constraints*" corrupts the meaning of self-selection and detracts researchers from the real

issues: *how severe are the constraints and what are their policy consequences?*

4. *Homogeneous preference outliers.* This may be a consequence of self-selection (even of self-selection subject to constraints). But it is not necessarily so. Constrained self-selection may also result in bipolar preference-outliers (e.g., Bart and Louis). Which type predominates is ultimately an empirical question. At one time, it seemed to be a good empirical question, but in retrospect the evidence is mixed and quite method-dependent. It seems safe to say, however, that few researchers outside The Caltech/Wash U school would stipulate that homogeneous, high-demand committees are quite general stylized facts in the U.S. Congress.

5. *Property rights on committees.* Much like the self-selection component of the argument, Shepsle asserts that committee slots are property rights that guarantee (1) that seats granted cannot be taken away and (2) continuous committee service eventually leads to accession to chairmanships, subject to constraint of maintaining undefeated records against challengers and the Grim Reaper. Also like the self-selection piece of the puzzle, this one is either of overstated or self-contradictory. A property right in the law and economics literature is an entitlement protected by property rule. A property rule confers a right to the possessor not to dispose of his or her property except under the terms that the possessor of the right stipulates. Furthermore, if challenged, a property right is subject to *third-party enforcement*. The very essence of procedural choice in Congress, however, is that there is no third-party enforcement. The Constitution says that the *Houses* establish the rules of their proceedings. It does not say that aggrieved members who think their rights are violated may appeal to the courts or any other third-party entity to enforce their property

rights. By this construction, they do not have property rights. At best—and this has varied historically—they have a set of more-or-less stable expectations. What should these be called, if not property rights? One possibility is a set of more-or-less stable expectations.

6 and 7. *Committee power, policy consequences, the interest-advocacy-accommodation syndrome.*

When one gets to the end of a jigsaw puzzle, its pieces fall in place more and more easily. Perhaps too easily. Shepsle does not exactly come right out and say it, but the impressions he wants to leave -- and the citations he receives -- are that there are important policy consequences of the self-selection hypothesis. Like-minded interests (presumably) gravitate to specific committees; committees are

Rick Hall seems to argue that piece 4 (homogeneous high-demanders) is missing: “Given that interestedness characterizes behavior at each stage of a multistage process, does this necessarily imply bias, where bias refers to a maldistribution of the policy positions that players hold? The simple answer is no” (Hall 240).<sup>2</sup> To illustrate the ease with which questionable interpretations of data can break the causal argument from committee assignments to policy bias, consider current data on the House and Senate Judiciary Committees. Lawyers tend to like law, and many of them are accordingly attracted to the jurisdiction of the Judiciary Committees. (Shepsle calls it a “de facto requirement” that a member of the Judiciary Committee have a law degree; today

**Table 1. Homogeneous Occupations and Heterogeneous Preferences  
Judiciary Committees in the 108th Congress**

	Most liberal	ADA JD	Most conservative	ADA JD
House	Tammy Baldwin, Wis.	100 Yes	Spencer Bachus, Ala.	0 Yes
	Sheila Jackson-Lee, Texas	100 Yes	Robert W. Goodlatte, Va.	0 Yes
	Robert Wexler, Fla.	100 Yes	Ric Keller, Fla.	0 Yes
			J. Randy Forbes, Va.	0 Yes
Senate	Edward M. Kennedy, Mass.	100 Yes	Saxby Chambliss, Ga.	0 Yes
	Patrick J. Leahy, Vt.	97.5 Yes	Larry E. Craig, Idaho	2.5 Yes
	Richard Durbin, Ill.	95 Yes	Jon Kyl, Ariz.	2.5 Yes

powerful vis-à-vis the parent body. Equivalently, committee interests advocate biased policies, and the parent body accommodates those interests. These are plausible arguments, but they are critically dependent upon the tenuous self-selection hypothesis and also beyond the data in the book, which consistently reveal that *occupation* rather than *constituency characteristics* are the better predictors. So is there a tight and continuous fit between pieces 3-7 of the puzzle.

The good news is that, verifiably, it is not. The bad news is that what I take to be his intended allegation -- that the correct quotation misrepresents his true position -- is a judgment call. Hall and I disagree on whether Shepsle claims or implies that interest-advocacy-accommodation leads to biased policy outcomes. I say, yes, this is Shepsle's argument and, moreover, he is regularly cited as such. Rick says, no. On the other hand, we agree that, *if* Shepsle was merely talking about Hall's notion of “high-interest outliers” -- as when members are really, really jazzed about their committees' jurisdictions -- then, because we have no theory that relates this kind of outliers to policy outcomes, and Shepsle's book is devoid of direct policy implications. My belief is that Shepsle's belief (and readers' interpretations of his work) is that interest-advocacy-accommodation has identifiable policy consequences, namely, biases in policy.

only 4 of 5 do.) If we interpret occupation as giving rise to interest, interest being expressed in requests, and requests eliciting accommodation, then does a discovered empirical relationship between occupation and accommodation imply homogeneous preference outliers. . . biased policy? At best this is a half-truth: the outlier part survives but homogeneity does not follow as the current Congress's Judiciary data show. Table 1 shows that in the House and Senate alike, the most liberal members of the committee are all lawyers or JDs, and likewise for the most conservative members. More generally, tagging committees such as these as preference outliers *and* pushing the argument through to biased policy requires many more pieces of theory and data than are presently on the table.

### SUMMARY

Great books meet at least one of two criteria. One mark of greatness is that readers with diverse tastes, beliefs, and perspectives appreciate the richness of the work in spite of their different tastes, beliefs, and perspectives. Bart and Louis confirmed the quality of *The Giant Jigsaw Puzzle* 20 years ago. As an outlier of a different sort, I, too, affirm the prevailing assessment. A second standard of greatness is that—missing pieces or not—serious researchers still talk about the work decades later because the work so effectively and provocatively characterized important issues. We are all proof that Shepsle's book meets this criterion as well.