

The Development of the Senate Committee System, 1789–1879

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For decades congressional scholars have noted the relative dearth of research on the United States Senate when compared to the U.S. House. While true in relative terms, it is difficult to describe the modern Senate as an “understudied” institution. In the last decade scholars have examined Senate leadership (Canon 1989; Patterson 1989; Sinclair 1989), committees (Collie and Roberts 1992; Evans 1991; Guliuzza, Reagan, and Barrett 1994; Krehbiel and Rivers 1988; Sinclair 1988), procedural issues and voting (Binder and Smith 1997; Calvert and Fenno 1994; Smith and Flathman 1989), public opinion (Hibbing and Thomas 1990), political careers (Canon 1990) and various issues concerning institutional change (Hibbing 1990).¹ However, research on the institutional development of the Senate is far more limited. There is some work that either touches on Senate committees (Swift 1997; Rothman 1966) or examines a specific historical period or a specific committee (McConachie 1898; Gould 1959, Robinson 1954), but there is no systematic analysis of the evolution of the committee system in the Senate. While historical research on the institutional development of the House is relatively sparse as well, it is far more plentiful than the Senate.

There are many explanations for why the House has received much more attention in the study of how Congress developed and institutionalized. One explanation is the belief that if the

¹These citations only scratch the surface; for example, there is a massive literature on Senate elections that is not mentioned here at all. There is some truth to the claim that the Senate was “understudied” until fairly recently. A search of the JSTOR web site (which has full-text searching for seven leading political science journals) turned up 86 references to articles with “Senate” in the title; 39 of these references were from 1980 to 1998 and 47 were from 1895 to 1979.

Senate is currently the less formal, hierarchical, majoritarian, and rule-bound of the two chambers, it must always have been thus. Another explanation, drawn more closely from the historical record, is that because the early history of the Senate is so dominated by great personalities—Webster, Calhoun, Clay, Sumner, Benton, Douglas, and the like—formal institutions must have played a minimal role in shaping how the Senate did its business in the antebellum period.

Whatever the explanation, the view of the early institutional Senate that has dominated in the mind of many historians and political science—one of a sleepy, personality-driven chamber uninterested in policy making or legislating—does not bear up to careful scrutiny. True, the Senate started slower than the House in establishing a complex internal organization, and it content itself with following the House's lead at the beginning. But even before George Washington had finished his second term, the Senate committee system had become as complex as the House's. It was also slower to begin accumulating standing committees, but once it did, it did so with flourish. Even though (or perhaps because) it was cut off from direct electoral contact with voters, partisanship infected the committee system very early.

In this paper, we provide the first systematic glimpse of how the Senate committee system developed in its first century, from the First Congress through Reconstruction. The evidence we analyze is drawn from a data set we have developed that documents the appointment of all Senate committees, standing and select, through the Legislative Reorganization Act of 1946. For the purposes of this paper we confine ourselves to the first half of the data, which ends in the Fifth Congress (1877–79). Ours is certainly not the first look at the Senate's institutional development (see Swift 1997), or even the first look at the development of its committee system

(see Robinson 1954). However, our analysis is different from past research in its comprehensive sweep of history and reliance on data analysis rather than diaries, newspapers, and debates.

We have two general goals in this paper. First, we use the data we have gathered to sketch a portrait of the committee system during this period, reporting basic contours such as the number and timing of committee appointments, the ebb and flow of party dominance in committee assignments, the life span of committees, member specialization on select committees, and the evolution of a standing committee hierarchy. The second goal is to analyze committee appointment patterns with an eye toward understanding what factors influenced the distribution of power throughout the chamber.

The remainder of our paper is organized as follows. In Section I we discuss the history of the Senate committee system and delineate a set of questions and hypotheses that emerge from a review of the received wisdom. In Section II we describe the data set we have collected and report the basic contours of the Senate Committee system from 1789 to 1879. In Section III we probe a little deeper into the data, exploring the system's relationship to the development of political parties, the sharing of power through committee appointments, and the development of the committee system's hierarchical structure. We conclude in Section IV with suggestions for future research.

I. Conventional Wisdom on the Evolution of the Senate Committee System

The Senate committee system must be understood within the context of the principles that motivated the creation of the Senate during the Founding period: equal representation of the states, insulation from the public, and an elitism that would balance the rough and populist House.

James Madison, in his notes to the Constitutional convention, made clear his concerns about the general public and the popularly controlled House:

Another reflection equally becoming a people on such an occasion, would be that they themselves, as well as a numerous body of Representatives, were liable to err also, from fickleness and passion. A necessary fence against this danger would be to elected a selected number of enlightened citizens, whose limited number, and firmness might seasonably interpose against such impetuous councils. (quoted in Baker 1988, p. 114).

He more forcefully states the case for the check provided by the Senate in *Federalist Paper #62*, “The necessity of a senate is not less indicated by the propensity of all single and numerous assemblies to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions” (Fairfield 1981, p. 184).

On the other hand, Anti-federalists were concerned that the Senate would be *too* removed from the people; Elbridge Gerry said, “A Senate chosen for six years will, in most instances, be an appointment for life, as the influence of such a body over the minds of the people will be coequal to the extensive powers with which they are vested, and they will not only forget, but be forgotten by their constituents—a branch of the Supreme Legislature thus set beyond all responsibility is totally repugnant to every principle of a free government” (quoted in Baker 1988, p. 123).

Both views contain political hyperbole. The House was not filled with rabble-rousers who needed to be restrained by the more august Senate, nor was the institution completely removed from the people. John Dickenson, in his “Letters from Fabius,” strikes a balance between the two, noting the advantages of a relatively stable institution and the importance of popular control:

It is essential to every good government, that there should be some council, permanent enough to get a due knowledge of affairs internal and external; so constituted, that by some deaths or removals, the current of information should not

be impeded or disturbed; and so regulated, as to be responsible to, and controulable by the people (quoted in Baker 1988, p. 116).

These comments foreshadow the role that standing committees would play in providing a stable basis for policy expertise.

From these founding principles several general issues emerged that influenced the evolution of the committee system in the Senate: the role of states and sectional interests, relations between the House and the Senate, the development of legislative expertise through specialization on committees, individualism, and political parties.

The “Great Compromise” is central to the system of checks and balances and important for general issues of representation, but it did not have much impact on the Senate committee system. As a practical matter, it was impossible to provide equal representation of states on committees because this would mean that half of the Senate would serve on each committee. Most of the early select and standing committees had three or five members, but one committee in the first Congress, the select committee on Salaries for the President and Vice President, had senators from each of the eleven states. When standing committees were established in the Senate in 1816, other considerations such as the previous experience and abilities of the senator (Adams 1874, Vol. 1, p. 329), sectionalism (McConachie 1898, p. 267), and party (Adams 1874, Vol. 1, pp. 384-85) were more important than state equality.

Noble Cunningham argued that “lack of talent” could explain the limited number of committee assignments for some members. He cites an article in the *United States Gazette*, that “found a ‘great dearth of talents’ in the House of Representatives, but observed that ‘the Senate is very respectable in point of talents. The Rhode Island and New Jersey senators are miserable

creatures,' he wrote, 'but there is a large portion of talent in that body.'" (Cunningham 1978, p. 248). Neither of the senators from Rhode Island received any assignments in the 9th Congress and the New Jersey senators were toward the bottom of the list. He also notes that those who had the greatest levels of House experience tend to have the most assignments (1978, p. 249), a hypothesis that we systematically examine below.

Robert Byrd describes the importance of sectional interests:

Western senators, for instance, were generally included on the public lands committees. Northern senators were elected to committees on commerce and manufacturing. And senators from the thirteen original colonies often served on the Revolutionary War pensions and claims committees (Byrd 1988, p. 211).

While state equality never dictated committee assignments, it cropped up as an issue from time to time. In one bitter debate on the issue, Senator Hannibal Allen, a Republican from Maine, objected to the partisan, sectional, and state-based biases of the Democratic assignments:

We do not seek responsibility but as representatives of equal States, we have obligations imposed upon us from which we cannot and ought not to shrink. As the representatives of equal States, we are entitled to an equal representation in the organization of this body, and are under obligation to our constituencies to discharge, so far as we may be able, the duties that are incumbent upon us (*Congressional Globe* 35-1, p. 39).

He went on to note that slave states had majorities on 13 of the 22 committees, and 3 of the free states' majorities were on the trivial committees (Enrolled Bills, Engrossed Bills, and Audit and Control the Contingent Expenses of the Senate), thus the committee system was undermining one of the Founding principles of the Senate.

As the quotes from Madison at the beginning of this section make clear, differences between the House and the Senate loomed large in the Framers' institutional design. McConachie summarizes the intended differences in the following manner, "The House was made to stand for

organization, the Senate for individualism; the House for nationality, the Senate for historic Statehood; the House for the American's coming emancipation from physical environment, the Senate for the lingering necessities imposed thereby" (McConachie 1898, p. 261). Despite these differences, the development of the committee system in the House and Senate progressed on very similar tracks, with both chambers relying initially on select committees and the floor and moving quickly, with the House leading the way, to standing committees as the work horses of the institution. McConachie concurs, noting, "The topic of the growth of the Senate's committee system, and the relations of its committees one to another, may be more speedily disposed of because of similarities between histories of the two branches" (McConachie 1898, p. 321). Though McConachie does not fully develop this point, his reference to the career path that led from the House to the Senate provides a possible causal link between the development of committees in the House and Senate, "Though few men have gone as members from the upper to the lower body, a continuous procession of legislators, educated under the strict and intricate government of the House and importing its ideas of procedure, has entered the Senate's doors" (McConachie 1898, pp. 259-60). We explore this important hypothesis more fully below.

Specialization and the development of policy expertise on committees is consistent both with the founders' principle of an elite institution of refined and erudite leaders and with modern theories concerning the informational advantages that such behavior provides to the institution (Krehbiel 1991). Before standing committees were established, it was more difficult for members to specialize because there were literally hundreds of select committees in a given Congress. However, some members did specialize. William Maclay served on many private claims committees, Robert Morris on commerce and shipping, Oliver Ellsworth on judicial matters, and

Morris, Ellsworth, Rufus King, and George Cabot on foreign affairs (Byrd 1988, p. 210). George Haynes points out that five powerful Federalists served on all the select committees concerning treaties and concludes, “Thus, long before there was any standing Committee on Foreign Relations, this small group was accorded almost as much concentration and continuity of responsibility as in later years gave to the committee of that name dominance in the Senate” (Haynes 1938, p. 272). Robert Byrd links the patterns of specialization to the method for selecting committee members (which we describe more fully below):

The reappearance of certain senators on certain types of committees seems logical when we consider that the Senate as a whole elected members of each committee. We may assume that individual senators developed personal reputations for interest and expertise in particular areas that would lead their colleagues to include them on any committee considering a related subject. Other senators developed sufficient political prominence and reliability to encourage the members of the majority party to place them on committees where they would be the most effective. (Byrd 1988, p. 211)

John Quincy Adams made a similar observation, concluding with a rather feeble attempt at modesty, “As our committees are all chosen by ballot, the influence and weight of a member can be very well measures by the number and importance of those upon which he is placed. In this respect I have no excitements of vanity” (1874, Vol. 1, p. 329). Elaine Swift provides evidence of “committee leaders” who served on a disproportionate share of select committees (four to five time as many, on average, as the “rank and file” members), but she sees this as undermining the notion of specialization in the early congresses because they served on so many committees (1997, pp. 138–39). However, when one examines the *types* of committees on which they served, patterns of specialization are evident, especially among some of the committee leaders. While

specialization was by no means a universal norm, early distinctions can be made between “work horses” and those who did not pull their weight.

One important indication of specialization on select committee was the emerged of “semi-standing” select committees that were not disbanded after reporting one their original bill, but would be reappointed to consider related legislation. In 1806 John Quincy Adams attempted to institutionalize this practice, “As the multiplication of committees upon one subject has so manifest a tendency to produce disorder and confusion, I moved to amend the resolution proposed by making the reference to the committee on the New York memorial.” (Adams 1874, Vol. 1, p. 383). His motion was ruled out of order by the president of the Senate, Vice President George Clinton. In his typically biting fashion, Adams ridiculed the decision as “introducing inextricable confusion in the transaction of business.” He went on to deliver this broadside against Clinton:

Mr. Clinton is totally ignorant of all the most common forms of proceeding in Senate, and yet by the rules he is to decide every question of order without debate and without appeal. His judgement is neither quick nor strong: so there is no more dependence upon the correctness of his determinations from his understanding than from his experience . . . In this respect a worse choice than Mr. Clinton could scarcely have been made (1874, Vol. 1, p. 385).

However two months later, Adams reintroduced the motion and the following rule was adopted on March 26, 1806:

Rule 14: All committees shall be appointed by ballot, and a plurality of votes shall make a choice. But when any subject or matter shall have been referred to a select committee, any other subject or matter of a similar nature, may on motion, be referred to such a committee. (Quoted in Robinson, 1954, p. 27).

Robinson cites this occasion as “marking the first step in a tortoise-like advancement of the Senate toward a system of standing committees, for one of the first requirements of a standing

committee is that it have control of a definite division of the labor of the parent body” (Robinson 1954, p. 28). In the second session of the 9th Congress, the committees that reported on the president’s state of the union message were used for other business during the session, rather than immediately being disbanded. Byrd notes, “The select committee on finance, for example which dealt with matters of finances and currency in the president’s message, also handled the two most important issues of that session of Congress, the Tariff of 1816 and the rechartering of the national bank” (Byrd 1988, p. 217).

This tendency toward specialization and the creation of semi-standing select committees runs counter to another important bit of conventional wisdom concerning the early committee system in the Senate: that select committees were “technical aids to the chamber” or the “fingers of the Senate” (Byrd 1988, p. 218). One mechanism for ensuring that the floor’s preferences would be followed by the committee was to only appoint members who were sympathetic to the resolution. As Jefferson’s Manual, compiled when he was the president of the Senate, put it, “the child is not be put to a nurse that cares not for it” (*Jefferson’s Manual*, p. 382). Robinson notes, “It was not the practice of the Senate to give much consideration to the opposition in forming these committees, but when opposition members were elected to the committees they had little to do except offer fruitless protests to the report prepared by the chairman before the committee ever met” (1954, p. 40).

The modern literature focuses considerable attention on the individualism of the Senate, especially when compared to the majoritarian nature of the House (Patterson 1989, Sinclair 1989; Smith and Flathman 1989; Binder and Smith 1997). While these central tendencies can be overblown, there is no doubt that individualism contributed to the slow institutional development

of the Senate, when compared to the House. Even when the Senate embraced standing committees, McConachie claims that the individual senator was still “the real legislative unit” (1898, p. 306). He pointed out that individual senators in the late 19th century had as much power as a committee to place a bill on a calendar and that the “individual or a minority can absolutely overawe the committee” through use of unlimited debate and amendments (1898, p. 309). While it is difficult to conclusively separate individual and collective or institutional sources of power with our data set, we will provide evidence of a firmly established committee system that served as a palliative to individualism, if not a complete cure.

The Founders did not envision the dominant role the parties would take on in national politics by the mid-19th century and they certainly did not anticipate that parties would start to take hold in the very first Congress (Aldrich 1995; Aldrich and Grant 1993). By 1806, John Quincy Adams was complaining that party leaders were stacking committees in the Senate to achieve their policy aims (Adams 1874, Vol. 1, p. 385). As we will demonstrate below, the minority party always had fair representation in the committee system, but between 1835 and 1865 parties started to assert more control. The only systematic study of the evolution of the committee system in the Senate concluded committees had become

the institutional organs by which the political parties gave legislative expression of party policy. The responsibility of committees to the majority party became so closely knit with executive leadership that vigorous dissent was met with punitive action. To the extent that this was true, the Senate’s control of its legislative business was removed from the committees and their chairmen, and placed in the hands of the party chieftains whose powers resulted not from committee chairmanships but from leadership of the party caucus (Robinson 1954, pp. 120–21).

There is some exaggeration in this claim (though note the Clintonesque loophole “to the extent that this was true”), but Henry Clay proved very willing to strip committee chairs of policy jurisdiction if believed they would not support the party’s policy agenda. For example, in 1833 Clay used select committees to remove most bills on financial policy from the Finance Committee and its chair, Daniel Webster. Robinson says, “For all practical purposes Senator Webster was a chairman in name only.” (Robinson 1954, p. 195). The move away from balloting toward party lists of assignments in the 1840s and 1850s further solidified the position of parties.

This brief review of the historical literature reveals fertile ground for systematic examination of important questions about the evolution of the committee system within the system and the broader political system. To what extent did state and sectional interests dominate? Did senators specialize and become policy experts, even before standing committees were established? To what extent did “semi-standing” select committees serve as an important precursor to standing committees, or were select committees simply the “fingers of the Senate,” narrowly confined to do the floor’s bidding? When did parties emerge as a powerful force in the Senate?

II. Senate Committee Membership, 1789–1879

The empirical investigation of the Senate committee system that follows in the next section relies on a data set that we have constructed, building on the previous work by Garrison Nelson. As an introduction to that data set, this section describes the data-gathering technique and sources. The next section discusses the basic contours of the Senate committee system from 1789 to 1879 in statistical terms.²

The data in this paper were drawn from the *Senate Journal*, supplemented by the various compilations of congressional debates that were published during these Congresses (*Annals of Congress*, *Congressional Globe*, and *Congressional Record*). For much of this exercise it was necessary to read page-by-page through the *Senate Journals*, since the indexing of the *Journals* and debates was often so poor and incomplete. The payoff to this strategy is evident in the number of select committees we were able to discover. Although Stubbs (1985) found only one select committee in the Senate before the Fourteenth Congress, we found 2,142. The data set attempts, as well as humanly possible, to record the comings and goings of all committee members, not only those appointed at the beginning of a Congress, but those appointed in the course of a Congress, as well. The result is the documentation of 13,782 standing and 9,548 select committee assignments during this period.

Unlike the House, which had established five standing committees by 1800, the Senate did not establish its first (minor) standing committee until 1807. Still, even most of the House's business flowed through select committees until the 1810s, and thus the House and the Senate

²The first part of the data set ends with the Forty-fifth Congress for the simple reason that the Senate's rules were changed in that Congress so that committees no longer expired at the adjournment of a session, and were from that point forward appointed for an entire Congress.

shared an important feature until 1816: most committee work was done in select committee. At the start of the second session of the Fourteenth Congress, the Senate delayed considering the passage of a customary resolution establishing a series of “select” committees to review elements of the president’s annual message so that *another* resolution could be developed, establishing these as *standing* committees. A few days later, on December 5, 1816, the Senate passed a resolution creating twelve standing committees. Thus, the Senate beat the House by a decade in formally switching over to a standing committee system.

Just like the House (Skladony 1985; Gamm and Shepsle 1989), the Senate’s creation of standing committees in the 1810s was not its first encounter with relatively permanent committees, as noted in the historical review above. Beginning with the second session of the Ninth Congress, the Senate began the practice of responding to important topics in the president’s annual message by appointing standing committees with “leave to report thereon by bill or otherwise.” As tensions mounted between the United States and Great Britain in the first decade of the nineteenth century, select committees appointed to receive presidential recommendations concerning relations with Great Britain and France, regulating the military and naval establishments, altering militia laws, overseeing commerce, and encouraging manufactures were appointed each session. These select committees formed the nucleus of the standing committees that emerged in the Sixteenth Congress.

In Table 1 we report when Senate standing committees were created in the first 45 Congresses. The first half of the table lists standing committees that were preceded by regularly-appointed select committees. These select committees can be considered “semi-standing”

committees in those Congresses. While both the House and Senate had semi-standing committees in the early 1800s, the practice was less common in the Senate (see Stewart et al 1995, p. 21).

The Senate did not just consider the weighty matters of war and peace—there were claims to be adjudged, public lands to be surveyed, territories to be organized and admitted as states, and revenues to be raised and spent. These more mundane activities, too, were the provenance of select committees before the Fourteenth Congress. Hundreds of select committees were appointed each Congress. Table 2 reports the number of select committees appointed, each session, through the Forth-fifth Congress. Figure 1 summarizes this information graphically. The total number of Senate select committees rose steadily, reaching a peak of 250 in the Twelfth Congress. Roughly the same pace of select committee creation continued into the Thirteenth Congress and was maintained into the first session of the 14th. The passage of the resolution creating a dozen standing committees at the start of the second session brought the number of select committees crashing to the ground. From that point on, the number never rose above 29 again, and was more typically in the 8-to-12 range.

A useful comparison is with the number of House select committees during this same period, which graphed out in the dotted line in Figure 1. The Senate and House patterns share some similarities, but differ in important respects. Both chambers relied heavily on select committees until they adopted standing committees in the 1810s and 1820s. Yet, instead of marching ever upward until the Fourteenth Congress (as happened in the Senate), the number of *House* selects tended downward during the earliest period. The first drop in the number of House select committees was in the Fourth Congress, coinciding with the creation of four standing committees, most importantly the Claims Committee. The second drop corresponded with the

1810s, and may have reflected Henry Clay's desire to redirect business away from select committees toward the standing committees following the War of 1812 (cf Gamm and Shepsle 1989; Jenkins and Stewart 1997). The House's more gradual phasing out of select committees corresponds with its gradual transition from selects to standings, which did not end until the 23rd Congress (1823–25).

This comparison of the pace with which the Senate and House transitioned from select to standing committees is simply descriptive. The explanation for the difference remains an historical puzzle. These data illustrate this puzzle quite clearly, however: The Senate, supposedly the less hierarchical and internally differentiated of the two chambers, abandoned any reliance on *ad hoc* select committees more quickly and earlier than the House.

As noted above, much attention has been paid by Senate historians to the passage in 1806 of Rule 14 which allowed select committees that had already been appointed to receive by reference new bills related to their original charters, so long as the earlier select committee had not reported back to the chamber. Related to this, some have speculated that although the Senate appointed many select committees before the Fourteenth Congress, many of these were duplicative, with the same members being appointed whenever similar legislation was brought before the Senate (Adams 1874, Vol. 1, p. 383-85) Our data gathering process allows us to scrutinize this claim, since we repeated select committees in our data set each time they were referred a new piece of legislation. The graph in Figure 2 distinguishes between singly-appointed

select committees and select committee continually reappointed to consider new (but related) pieces of business.³

In the scheme of things, referring multiple items to the same committees—treating some like “semi-standing committees”—appears not to have dominated select committee practice in the Senate before the Fourteenth Congress. True, some select committees saw repeat business, but this was the exception. The greatest number of duplicate select committees occurred in the ninth Congress (1805–07), when 73 duplicates were appointed in addition to 124 one-shot select committees. This is the Congress when the Adams resolution was passed. Yet the ninth Congress was an anomaly. Most other Congresses before the Fourteenth saw only about 15% its select committees appointed later on to consider yet more legislation. On the whole, select committee memberships churned pretty thoroughly before the Fourteenth Congress.

These data skim over the tops of the trees with respect to the activity of Senate select committees before the Fourteenth Congress. The number of select committees appointed each Congress provides a rough gauge of the workload of the Senate in these years. The Senate had a busy legislative schedule that rivaled that of the House. Further disaggregating information about the early Senate select committees helps to round out a portrait of the work of the Senate select committees.

³Because of the informality of much of the Senate *Journal*'s language, it was impossible to know for certain when the Senate considered itself simply referring business to a select committee it had previously constituted or was referring business to a select committee that was *coincidentally* composed of the same membership as another select committee. We have taken the most expansive view of this as possible by treating *all* instances of the same members on a select committee as an appearance of the same select committee—even in those cases where the select committee had already reported back on the original matter and the *Journal* did not make it plain the referral was being made under rule 14 which was adopted in 1806.

The early legislative theories that guided the organizational development of the Senate and House had a narrow vision about the propriety of relying on committees to do the work of legislatures. (See Stewart, et al 1995, pp. 4–7 for a review of this literature as applied to the House.) Committees, it is reported, were not appointed with expansive mandates, but were charged with rather narrow tasks of drafting legislation whose principles were already agreed to. Our data allow us to test this observation systematically, since we know which committees were appointed to consider broad topics (often prompted by constituent petitions) and which were appointed to draft (or otherwise review) a particular bill and report back to the Senate. Furthermore, we can document the degree to which the legislative agenda of the Senate was driven by the House's workload, since Senate select committees were created to consider *House-passed* legislation.

Basic statistics about the prevalence of bill-specific select committees are summarized in Figure 3. The solid line reports the percentage of select committees created in reference to a specific bill, whether it be Senate- or House-initiated. For almost the entire period leading up to the Fourteenth Congress, the lion's share of Senate select committees were created specifically for this purpose. Second, the dotted line in Figure 3 reports the percentage of Senate select committees created to consider *House-passed* bills. For roughly the decade of the 1790s, most Senate select committees considered and reported back House bills. What is interesting is that in the first two Congresses, when the Senate was supposedly especially dependent on the House to take the lead legislating, most of the bill-specific Senate select committees attended to *Senate-initiated* legislation. Finally, as tensions rose with Great Britain, the fraction of work spent by Senate select committees in specific legislation (wherever initiated) declined.

We continue this basic tour of the early Senate committee system by reporting the subjects on which the select committees were appointed. We have classified each select committee appointed in the Senate before and during the Twentieth Congress according to the subject matter referred to it, using subject names that closely corresponded to the names of standing committees that were eventually appointed.⁴ A count of committees thus classified is reported in Table 3. A close reading of this table helps illustrate both the types of legislative activity the Senate always had to contend with and the types of activity that ebbed and flowed in the Senate.

In the Senate, legislative business contained a regular diet of claims, judicial issues, taxing, and spending matters. The Louisiana Purchase and the expansion of the Western frontier produced a surge of committees pertaining to the public lands—both committees to consider the distribution of federally-owned lands and to organize the West into territories. The earliest days of the Senate saw a flurry of activity concerning the organization of the government—both the organization of the Senate and the executive branch. After the Second Congress this sort of business never disappeared entirely, but it did abate significantly. Finally, the great surge in the total number of select committees coincided with the Congresses leading up to and including the War of 1812. The War led not only to a great surge in the number of select committee devoted to Naval and Military Affairs (especially in the years preceding the war), but also to an increase in the number of committees investigating commercial relations and claims.

Once the Senate switched over to a standing-committee-dominated committee system in 1816, the remaining mix of *select* committees changed significantly—it was rare for a select

⁴We have used the same names we previously used in Stewart, et al, 1995, to assist in comparability. In particular, this means we used the term Ways and Means to refer to matters that eventually were referred to the Senate Finance Committee.

committee to be appointed when there was a standing committee that sufficed. On this score, the Senate appears to have taken the jurisdictional boundaries of its select committees more seriously than did the House. Similar analysis conducted by Stewart et al (1995, pp. 19–21) of House select committees revealed that House members were often willing—even eager—to circumvent standing committees once they were established (see also Jenkins and Stewart 1998). Instead, in the Senate the primary use of select committees after the rise of standing committees was to consider internal matters, governmental organization, roads, and public lands.

The discussion thus far has focused on the overall structure of the Senate committee system during this time. We now provide additional perspective on the same subject, examining the committee system from the perspective of individual senators.

Table 4 reports the typical number of select and standing committee assignments held by senators during the first 45 Congresses.⁵ Before the creation of the Senate standing committee system, participation in the select committee system was virtually universal. Yet there was still considerable variability in senator participation on select committees. For instance, in the Fourth Congress, although the average number of committees served on by senators was 13.2, the standard deviation was 7.4, and the range was from zero to 45.

We can more systematically track fluctuations in how equally committee seats were distributed among senators through the use of the Gini coefficient, which ranges from zero, when assignments are equally distributed among all senators, to 1, when all the assignments are in the hands of a single senator. Using the Gini coefficient we see that throughout the select committee

⁵In this analysis, and all other analysis in which we focus on the total number of committee assignments held by senators in a Congress, we confine ourselves to senators who served for at least three-quarters of that Congress.

system's development, the relative distribution of committee seats fluctuated around a constant mean. The distribution of *standing* committee seats in the 14th Senate was just as unequally distributed as assignments to *select* committees. Immediately after being created, the standing committee system inherited from the old select committee system roughly the same distributional pattern of appointments.⁶ Greater equality in the allocation of standing committee assignments only came in the 19th Congress—which also corresponded with a major shift in how assignments were made. (This challenges Swift's argument (1997, pp. 137–39) that committee assignment became more equally distributed immediately after the creation of standing committees in the Senate.) Thus, while it is certainly true that the rise of standing committees in the Senate affected its ability to develop a more routinized legislative process, the standing committees did not immediately affect the distribution of power in the chamber. That would come later.

The House began favoring standing committees about the same time the Senate abruptly adopted them. Did the distribution of committee assignments change in the same way in the House as it did in the Senate? Figure 4 helps to provide an answer to this question by graphing out the percentage of senators who held *no* select committee assignments each Congress, with a comparison to the House during the same time. (Arrows indicate when the House and Senate adopted reforms effecting a transition to standing committees.) The bottom panel particularly illustrates how the Senate adopted an egalitarian committee operating style a full decade before the House.

⁶The *new* select committee system was much less equally distributed, since not everyone even got a select committee assignment.

Members of Congress did not make careers out of congressional service in the nineteenth century as they have done in the twentieth. One of the trappings of twentieth century careerism has been the development of stable membership cores among committee members—from Congress to Congress, committee rosters simply do not change much. For instance, at the beginning of the 105th Congress, 62% of House and 72% of Senate committee assignments were unchanged from the 104th Congress. Among returning members of Congress, this stability was even higher: 73% of returning House members kept their committee assignments, as did 80% of returning senators. How stable were committee rosters in the period we are interested in?

Even before looking at the data, one hint that turnover should have been higher in the nineteenth century is a feature of the Senate rules that did not change until the 45th Congress: committee appointments expired at the end of each session. Because the Senate was given the opportunity to remake its committees once or twice a Congress, this created an opportunity for considerable churning among the committees. That is in addition to turnover that happened because of electoral changes *between* Congresses.

Cross-time standing committee membership instability is illustrated in Figure 5, which graphs out two sets of measures of inter-Congress (between session) and intra-Congress committee membership turnover. In the top panel we simply examine raw turnover, without taking into account departures from the chamber. Throughout the period covered by this paper, intra-Congress committee turnover averaged over 50%. Following the Civil War, intra-Congress turnover dropped and stabilized, but the rate still hovered just below 50%. Perhaps more telling is the other time series in that panel, which graphs membership turnover between sessions of the

same Congress.⁷ Throughout this period, inter-Congress turnover averaged about 20%, trending downward only slightly over time. In other words, committee assignment changes *within* a Congress were about as common as changes are today *between* Congresses.

Senate committee memberships do not look much more stable if we remove from the analysis senators who left the chamber, and then analyze committee turnover rates among veteran senators. Intra-Congress turnover, controlling for chamber departures, was still about 40% before the Civil War, 25% afterwards.

These simple descriptive data reveal a great deal about more general theories of institutional change. The most recent contribution to this growing literature is Elaine Swift's arguments that the Senate rapidly underwent "reconstitutive change" from a U.S. version of the House of Lords to a central player in the American political process. Some of our evidence supports the "big bang" notion of institutional change, such as Figures 1 and 2 that document the precipitous decline in the number of select committees after standing committees were created. However, the bulk of our evidence supports a picture of more gradual change, such as the data on turnover of committee assignments, the equality of the distribution of assignments, and as we will show below, the partisanship and average life-span of Congressional committees. All of these indicators point to Polsby-like process of institutionalization, rather than a sudden "reconstitutive" transformation.⁸ We will return to this important topic in the conclusion. The next section will

⁷In Congresses with three sessions, the line marks the average of the two inter-Congress turnover rates. The individual circle report the rates for each session.

⁸In fairness to Swift's argument, the evolution of the committee system is just one relatively small part of her much broader argument and rich array of data that she brings to bear on the topic. However, the gradual evolution of the committee system is one piece of the institutional puzzle that does not fit as neatly into her broader theory.

systematically examine analytical questions about Senate committees during this period that arise from our reading of the literature on Senate history.

III. Four Analytical Themes in Senate Committee Development

As a way both to delve deeper into the development of the committee system and to demonstrate the utility of the data set that lies behind this analysis, we briefly examine four questions:

- (1) To what degree were the select committees “fingers of the Senate” in simply drafting up legislation for ideas that already held widespread acceptance in the Senate?
- (2) How partisan was control over the committee system?
- (3) How rapidly did a committee hierarchy develop in the Senate, if at all?
- (4) What explains the variation in the number of committee assignments senators held during this period?

Fingers of the Senate

While early nineteenth century legislators never commented directly on what they viewed to be the significance of distinguishing between standing and select committees, modern scholars have tended to believe that the principal difference rested with the amount of latitude given the two types. Select committees were to be on a short leash, acting simply as the agents of whatever floor majority dominated individual bills. Standing committees, with fixed jurisdictions and greater latitude about reporting back, had greater autonomy.

How short were the select committees’ leashes? Because the number of select committees appointed before 1816 was so large, it is beyond the scope of this paper to answer this question comprehensively on a committee-by-committee basis. In our previous work on the House

committee system (Stewart et al, 1995), we proposed answering this question using the life spans of select committees as an indicator of latitude. If select committees were used simply to put into language ideas embodied in an already-worked-out floor majority, then select committees should have reported back within just a few days of being created. If not, then they may have taken weeks to report back, perhaps not reporting back at all. In a related vein, some committees were appointed with specific instructions to consider a bill, implying a gatekeeping function not typically attributed to select committees. Such committees were more likely to be operating under a clear mandate and should have reported back sooner.

We begin the analysis with Table 5, which reports the time lapsed between the appointment date of each select committee in the data set and either (1) the date it reported back to the Senate or (2) the date the session terminated. Before the Fourteenth Congress, the typical select committee had a life span of a month or less; rarely did committees last over a month. This is in sharp contrast with the House, whose committees had longer lives, particularly in the earliest Congresses (see Stewart et al, 1995, Table 9). This House-Senate difference is illustrated in Figure 6, in which the average life spans of House and Senate select committees are reported. Before the War of 1812, Senate committees lasted about one-third shorter than their House counterparts.

Did committees appointed to consider specific bills report back sooner than other committees? We answer this question using a regression in which the life span of each select committee is the dependent variable and the primary independent variable is a dummy variable measuring whether the committee was appointed to consider a bill. Another dummy variable indicates whether the bill came from the House. To aid in the efficiency of the estimates, we add

controls. First, we add the number of days from the appointment of the committee until the end of the session, simply to account for the fact that committees appointed later in the session are constrained in how long they can last. We also add the square of this variable, to account for the end-of-session rush which quickens the pace even further. In addition, we added separate dummy variables (21 in all) to indicate the subject matter of the committees, as classified in Table 3.

The results of this analysis are reported in Table 6. Beginning with the first column, we see that “bill committees” reported back to the chamber, on average, three weeks earlier than committees created with more nebulous assignments. The remaining columns in the table break up the analysis according to how late in the session the committee was appointed. Although the coefficients change in magnitude across the columns, reflecting the varying amount of time left in the session, the “bill” coefficient is always significantly negative. The behavior of the “house bill” coefficient is unstable. If House-passed measures were expedited by Senate select committees, this only occurred in the beginning of a session.

Did Senate select committees block or expedite chamber business? On the whole, it appears they expedited it. Most committees reported back quickly, and those that were delegated the task of drafting or responding to specific pieces of legislation responded back the quickest of all. Furthermore, relatively little died bottled up in committees. Over the first fourteen Congresses, only 14% of all select committees never reported back to the Senate, expiring with the sessions’ adjournment. This compares with 19% of House select committees that never reported back (Stewart et al 1995, p. 32).

Partisanship

Party is the primary organizing principal of the modern Congress. When and how did this principle emerge? During the period covered by this paper, we know that certain signposts can guide our initial foray into this subject. First, the literature on party emergence suggests that by the Third Congress both chambers had divided into identifiable voting blocs that quickly transformed into electoral labels on the House side. The party caucus was active during the early part of this period as the device for presidential nomination, and members of the Senate were active in nominating caucuses, like House members.

Unlike the House, the vote for (surrogate) presiding officer in the Senate was not tantamount to chamber organization, and thus it is easy to imagine that partisanship largely eluded the organization of committees. Yet, such a view would be mistaken. Swift (1997, pp. 67–73) notes several ways in which partisanship infected early Senate behavior, on and off the floor. John Hoadley finds evidence of party voting in the Senate in the 1790s (1986, p. 84), Poole and Rosenthal find complete spatial separation between the Federalists and Jeffersonian Republicans by the 7th Congress in the Senate (1997, p. 36), and Robinson reports that by the 29th Congress party lists were developed by the party leaders and presented to the Senate for ratification—even as the Senate rules still formally provided for balloting in the selection of committees (1954, p. 137). Behind the scenes negotiations within parties for committee slots were reported as early as 1806, as noted above, and were common by the 1830s (McConachie 1898, pp. 276–77).

At the same time, other factors may have undermined the operation of partisanship in the early Congress. The practice of choosing committee members by ballot clearly did not serve the interests of the majority party. Without a formal mechanism to coordinate the choice of

committee slates during this period, it was impossible for parties to establish a grip on the committee system. McConachie notes the vagaries of the balloting mechanism:

Through absence of concerted action, through a very free exercise of individual preferences, the committeeman standing second in number of votes would be elected by an aggregation of voters slightly, or it may be markedly, different from that which had conferred the chairmanship. So it would be concerned the remaining members of the committee. Thus, at the outset the ballot left larger latitude to a minority than did the House regulations . . . (1898, p. 273).

While complete records of committee balloting are not available, a few published documents and one of the author's examination of some ballots at the National Archives reveals that while parties clearly structured voting, organized blocks of minority-party senators could cast their ballots for an agreed upon slate of candidates, overcoming the more broadly dispersed votes of the unorganized majority party. Balloting sometimes produced minority party chairs, and more often minority party members in the number two position, who were in line to become chair if it became open during the session.

We begin our look at party and the committee system by simply noting the mechanism through which committees were chosen during this period. While not a sufficient condition, a necessary condition for party control over committee assignments was that parties have some way of coordinating the assignment of members to committees. What were the rules? What was the practice?

Table 7 summarizes the practice of appointing standing committees from the 14th to the 37th Congresses. The first column reports how committees were appointed each session. Committees were appointed in two ideal-typical ways, sometimes with mixtures of the two. *Balloting* involved the Senate voting on who would serve on the committee. A *resolution*

appointed members to the committee, bypassing the necessity to ballot for each committee (with responsibility for composing the committee lists delegated to the president pro tem, the Vice President, or political parties, depending on the Congress). Various hybrids, which will be described in more detail below, were used between the 21st and 31st Congresses.

The early practice of balloting for committees positions became increasingly unacceptable. McConachie says, “With the growth of the Senate, and the increase in the number and the importance of committees, as well as with the adoption of the plan of organizing them all at the same time, the old, slow device proved irksomely tedious and time wasting” (1898, p. 277). It often took two or three days to complete the voting.

The first significant change came in 1823 (18th Congress) when the presiding officer was granted power to appoint committees. Three years later (in the second session of the 19th Congress), the Senate returned to balloting, but with separate votes for the chairs and other members of the committee. In many years only the most desirable committees were subjected to a ballot, with others appointed (per resolution) by either the president pro tempore or the vice president. In the second session of the 29th Congress a critical change provided parties with much greater control over appointments. At the critical juncture, the Senate had been delaying the balloting process for days and frustration was building. Finally after the Senate had selected six committees, Senators Sevier and Speight proposed adopting the remaining 21 committees by unanimous consent from lists presented by the two parties (*Congressional Globe*, 29-1, p. 66). The same practice was followed in the next Congress as Democrats filled the first three spots on each committee and then gave the list to the Whigs who filled the last two. The only exception

was the Naval and Military Committee that had been expanded and had five Democratic slots and two Whig positions (Robinson 1954, p. 130).

Over the next decade, various permutations of selection mechanisms were used, as in the 30th and 31st Congresses when Free Soiler, John P. Hale, objected to the unanimous consent of the party lists (because he was not included). He forced the Senate to select members of the Judiciary, Territories, and District of Columbia committees by ballot (those that were of special interest to the Free Soilers), and then the other committees were selected by resolution from the party lists (McConachie 1898, pp. 284–85). However, as of the 29th Congress, the parties had, for the most part, taken control of the assignment process.

With the formal and informal appointment practices sketched out, what were the partisan effects? To measure and describe partisan effects over time, we rely on four measures, as follows:

- (1) *Relative ranking of majority and minority members.* Throughout this period, both in common practice and later codified in the rules, the rank-order of the committee rosters was important because it indicated who would serve as the committee's chair in the first-ranked member's absence. One measure of majority party dominance, therefore, is the proportion of committees in which all majority members are ranked above all minority members.
- (2) *Majority party chairs.* Holding the chair of a committee during this period provided a two-pronged advantage to the majority party. Most obviously, the chair called committee meetings and generally led the legislative effort(s) of the committees. In addition, once committees began to be granted clerks, it was the chair who benefitted most immediately.

Therefore, a second measure of majority party dominance is the fraction of chairs held by the majority party.

- (3) *Committee members from the majority party.* Particularly before the 18th Congress, when committee service became universal, simply being assigned to a committee conferred certain members greater influence over the legislative process than others. Thus, a third measure of majority party dominance is the fraction of all committee seats held by the majority party.
- (4) *Committees with a majority from the majority party.* In addition to simply holding more seats throughout the committee system, holding partisan control over a committee is an important element in majority party control over the committee system—some would argue it is the defining element. Thus, the last measure of majority party dominance is the proportion of committees with a majority from the majority party.

In Figure 7 we have graphed out each of these measures, for standing and select committees. Each measure tells a slightly different story of majority party dominance. The first panel of Figure 7 shows that majority and minority party members were interwoven on the committee lists until the 1850s. Until then, it was clearly the exception for the majority to occupy all the top-ranked committee positions, with the minority below. In the 35th Congress, which coincides with the first formal appearance of the Republican Party in Congress (Martis 1989), this all changed.

The second panel documents the dominance of the majority party among the committee chairs. Except for the period of balloting from the 19th to the 24th Congress, standing committee chairs came from the majority party at a very high rate—almost exclusively. The majority party

never held *all* the committee chairs, in part because the number of committees periodically outstripped the number of majority party members. If we confine ourselves to the more important standing committees (like Finance and Foreign Affairs), majority party dominance was practically universal.

The third and fourth panels of the figure given different views on the dominance of majority party *members* on the committees. From the perspective of simple committee service, panel c shows that until balloting for committees was established in the 19th Congress, the unequal distribution of committee seats clearly favored the majority party. During the balloting era the distribution shifted to a more even split, closely approximating the partisan division in the Senate. After balloting was supplanted by resolutions and presiding officer appointment, the majority party claimed more seats again, but not nearly to the degree it did before the 19th Congress. The final panel shows that even though the minority party began claiming more committee seats after the 19th Congress, it was rarely sufficient to tilt the balance in favor of the minority—it just made party ratios more equitable. Still, there is a sharp downward slump in the standing committee time series around the 19th Congress. After the 30th Congress, the minority party almost never dominated any standing committees, which is consistent with the change toward party lists as the primary mechanism for making assignments.

The remarks in the previous two paragraphs mostly concerned standing committees. If we look at the series for select committees in the first Congress and move our eye toward the 14th, we see that the standing committee series all pick up where the select committee series left off. This suggests that the transition from select to standing committees in the Fourteenth Congress was gradual in certain important partisan effects, and not abrupt. However, moving forward, the

select and standing committee series in all four panels generally diverge in one important respect: The minority party fared better, in general, among the select committees than among the standings. It is possible to speculate why this is, though we have no definitive answers at this time. The standing committees were certainly more central to political success, and thus the majority party would have attended to keeping their dominance strong there more diligently there than with the selects. At the same time, many of the select committees after the Fourteenth Congress were created to investigate various matters, within and outside the government. Hence, it is also possible that the minority was a bit more successful in using the select committees as a tool of active opposition. Why the majority would acquiesce to this strategy, though, is a puzzle.

A different view of partisan practices associated with standing and select committees is provided in Figure 8. Here, we have superimposed the time series showing the fraction of committees controlled by the majority party on top of another two sets of time series showing the fraction we would have *expected* under a null model in which committees were constituted randomly with respect to partisanship.⁹ Using these null models, we see that the reason the

⁹We developed the null model borrowing from Stewart et al, 1995. Assume that in the appointment of a single committee, the Senate picks n members from the Senate, the fraction θ of which belongs to the majority party. If members are drawn independently, then the number of members who come from the Speaker's party across all committees follows the binomial

distribution: $f(x) = \binom{n}{x} q^x (1-q)^{n-x}$, $x = 0, 1, 2, \dots, n$ where $\binom{n}{x} = \frac{n!}{x!(n-x)!}$.

For instance, if the committee has three members ($n = 3$) and the majority party consists of 60% of the Senate ($\theta = .60$), then the expected fraction of the time the majority would pick no one from its party is 6.4%; it would pick one member 28.8% of the time, two members 43.2% of the time, and all three members of the majority party 21.6% of the time. Thus, three-member committees should have a majority from the chamber majority party 65.8% ($= 43.2\% + 21.6\%$) of the time.

Note that $f(x)$ is a function of committee size, n . Holding θ constant, a committee majority from the chamber majority will occur more often as the size of the committee grows.

majority party dominated select committees so thoroughly before the Fourteenth Congress is that majority party margins were exceptionally high. The fraction of committees controlled by the majority party was not appreciably different from the null model prediction. One important exception was the 7th Congress, a transitional Congress between the Senate's Federalist and Republican eras. Martis (1988) reports an even division between the two parties in the 7th Congress, although the Republicans organized it. From that point until the end of the Civil War, select committee control largely follows the null model.

The same cannot be said of the standing committees. The drop in standing committee control by the majority party in the 19th Congress coincided with the earthquake in the party system that occurred about that time. Even though the Senate went to a system of balloting for committee appointments, the majority still controlled more committees than it "should have" under the null model. Once balloting ended, the system of majority-party dominance was even more firmly entrenched.

Hierarchy

A recurrent theme among modern students of Congress is the hierarchical nature of the committee system in both chambers (Groseclose and Stewart 1997; Stewart and Groseclose 1998). The hierarchy that exists is a reflection of two broad categories of factors. First, some committees

For instance, a nine-member committee would have a chamber-majority 73.3% of the time simply by random selection.

To simulate random selection, we considered each committee appointed in each Congress. Taking the size of the chamber majority and the number of members on that committee as fixed, we calculated the fraction of time such a select committee should have a majority chosen from the chamber majority. We then averaged all these values across all committees in a Congress to produce the null model predictions graphed in the figure.

handle business that is considered more important to members of each chambers than other committees. While committees vary in their value to senators, because individual committees map onto individual senators' goals in different ways, they also vary globally, since some committees are recognized as having wider jurisdictions or greater "power" than others. When some committees are considered more valuable than others, this can be a tool of leadership, since "good" (or high-quality) members can be rewarded by being moved up the hierarchy faster than "bad" members.

While some evidence of committee hierarchies has been found among the House committees in the late nineteenth century (Stewart 1992; 1995), no research has been done on the Senate for any period before 1946. There are many reasons to believe we would not find much evidence of a standing committee hierarchy for the time period we are covering here. The relatively small number of senators per committee immediately makes a hierarchy less likely, in simple mechanical terms. More importantly, though, even if there was a understood value structure of committees, the mechanisms were only loosely in place to effect that hierarchy.

The technique we use to examine the presence of a hierarchy is the Bullock and Sprague transfer ratio method (Bullock and Sprague 1969; Bullock 1973; 1985) which measures a committee's attractiveness through the ratio of the number of transfers *to* that committee to the number of transfers *from*.¹⁰ Because our prior analysis suggests that formal and informal

¹⁰We did not use the Groseclose method (Groseclose and Stewart 1997; Stewart and Groseclose 1998) because the behavioral assumptions underlying that method clearly did not hold during this period. That is, we cannot assume there was a property rights system in committee assignments. Therefore, we cannot assume that transfers between committees represent "revealed preferences" for the committees transferred *to*, compared to the committees transferred *from*.

committee appointment practices varied during the period covered by this paper, we analyze three periods separately: 14th–18th Congresses, 19th–24th Congress, and 25th–45th Congress.

Our analysis is reported in Table 8. As a baseline, we report first the transfer ratio rankings derived from the earlier period, and then follow with the subperiods. In the earliest period the committees that tended to receive members through transfer were those associated with the Army, the militia, foreign relations, pensions, and the Post Office. The first four were related to military matters (or the consequences of military matters), and were probably related to the importance of military affairs in the aftermath of the War of 1812. Countervailing evidence to this point is provided in the second-from-the-bottom rankings of the Naval Affairs Committee. The two committees that deviate most from modern expectations are the Finance and Commerce Committees, which were in the bottom half of the rankings, perhaps reflecting the clear agenda-setting power given over to the House in these matters, particularly when import duties were concerned.

During the period when committee assignments were settled via balloting, there is a significant shift in the rankings from the previous period. Commerce is now at the top of the list, while the previously top-ranked committees have all fallen considerably. The only exception is the Post Office Committee, which continued to hold third place.

In the final period, which straddled the Civil War, we see an interesting mix of two committees holding top spot in the transfer rankings—Railroads/Pacific Railroad¹¹ and Post Office. It has often been said that many of the Senate’s most notorious members during this

¹¹The standing Committee on the Pacific Railroad was established in 1863 (38th Congress) and renamed to the Committee on Railroads in 1873 (43rd Congress).

period were “robber barons” whose fortunes were made in the great railroad deals of the era. The committee transfer data lends some credence to this argument. Leaving aside these committees, and the Library Committee (which really should be classified as a Joint Committee), these were followed by the Judiciary, Foreign Relations, and Finance Committees. Appropriations, which was created in 1869, is in the middle of the pack. The bottom of the ranking tends to be populated with housekeeping committees (Enrolled Bills, Engrossed Bills, etc.) and sundry committees dedicated to constituency concerns (Pensions, Public Lands, Private Land Claims, etc.)

Variation in committee assignments

We end this section by examining the general subject of committee assignments. Understanding who was appointed to Senate committees is important for many reasons. Generally speaking, two decades of modern congressional scholarship has emphasized the agenda-setting power of committees in legislative action. Understanding how Senate committees were composed, assuming they were not constructed randomly, is the first step in beginning to understand how the formal institutions of the Senate may have influenced policy making in the antebellum period. Specifically speaking, although the Senate is known for its informal rules of procedure, we also know that heat was periodically generated in senatorial politics in the nineteenth century over the institutional design of the Senate. Weingast has argued, for instance, that the “balance rule” was designed to institutionalize a deal between northern and southern interests over the handling of slavery. If so, was that deal continued at the committee level? Several historians have noted that John C. Calhoun set off a firestorm of protest when he insisted on asserting his prerogative as

President of the Senate to appoint Senate committees, under the extant rules of the day. Did Calhoun follow a different set of criteria in setting committee rosters than his predecessors? Did the rule concerning committee appointments that were instituted in response to Calhoun's move change those criteria yet again?

We begin this analysis by basing our dependent variable on the number of select committees on which individual senators served, each Congress. As before, we confine ourselves only to senators who served at least three-quarters of the Congress in question.¹² Because the number of select committees each Congress varied by a factor of two, we chose to normalize the number of select committee assignments each Congress, by converting each senator's number of assignments into a percentile figure, based on his rank-order within the Senate that Congress.

The hypotheses we test are described below, along with our measurement strategy.

(1) *State equality*. The defining characteristic of the Senate as originally written in the Constitution is the equal representation of states. Some have remarked that early senators acted as if they were ambassadors from the states they represented. If the ambassador analogy has any meaning, it suggests that if senators regarded each of their colleagues as equals regardless of whether they represented large or small states, they would have allocated institutional power independently of the size of state represented. Therefore we test for the equality of appointments with respect to state size with the number of House members from the senator's state in any particular Congress.

¹²Preliminary analysis revealed that there was no statistically significant difference in the number of committee assignments received by senators who served a full Congress and those who served between 18 and 23 months of a Congress.

(2) *Region*. Much of early American political history has emphasized various regional organizations of politics. One of the most fundamental has been that of slavery, dividing north and south. Did slave- and non-slave state senators receive the same number of committee appointments, everything else equal? We measured region with a dummy variable equal to one if the senator represented a slave state, zero otherwise.

(3) *Party*. Although the Senate was to be the “saucer to cool the tea” of American politics, many commentators have noted that the Senate early on was infected with a high degree of partisanship. Did members of the majority party receive more assignments than the minor? We measure majority party status with a dummy variable.¹³

(4) *Ideology*. The median voter theorem suggests that moderate legislators should be able to command more institutional resources than extremists, because they are so often pivotal. Did they during this period? To measure ideological extremity we used the absolute value of the Poole-Rosenthal W-NOMINATE scores (Poole and Rosenthal 1997).

(5) *Previous House experience*. We now turn our attention away from political factors to characteristics of senators that might be considered independent of politics. The first is previous House experience. We suspect that previous House experience, both as a member and as a participant in its committee system, would be a cue to senators and Senate leaders about the skill of a senator. Because over time senators can observe legislative skill directly, we suspect that

¹³We used Martis (1988) as our authority on party membership, with one exception. Martis assigns members of the 18th Congress to factions according to whom they supported in the presidential election of 1824. By Martis’s accounting, only 35% of the Senate belonged to the “majority party” in the 18th Congress. Therefore, we have adopted the more conventional Federalist-Republican distinction for this Congress.

prior House experience will have its greatest impact on the appointment of rookie senators to committees.

We therefore measure prior House experience with two variables. First, we simply measure the number of Congresses a senator had previously served in the House. Second, we construct a measure of House committee service that is modeled on the measure of Senate committee service we use as a dependent variable. For a given House, we rank-order all members according to the number of committees they serve on, select and standing committee separately. Then, we assign percentile scores based on these rankings. Finally, we take the average value of this score, calculated across House service, as our measure of House committee participation. It turns out that the select- and standing- committee versions of this measure are highly correlated, so we averaged the two measures together to produce a final measure of House committee experience. Because senators who had never served in the House received a zero on this score, we also included a dummy variable indicating no previous House service for these senators, so that we could distinguish between former House members who had served on few committees from senators who had simply not previously served in the House.

(7) *Education.* As with previous House service, level of education was likely a cue to the “quality” of senators, particularly rookies. At a time when very few Americans had much formal education to speak of, even most senators lacked education past adolescence. Senators with a college degree must have had much to offer. Therefore, we measure education with a dummy variable, indicating whether the senator had attended college.

(8) *Seniority.* Seniority is an often-cited factor in modern studies of Congress explaining the allocation of power in both chambers. During the period studied here there was no formal

seniority system. Yet prior Senate service may have influenced committee assignments, for a number of reasons. Most importantly, during a period when so much of the Washington establishment was composed of short-timers, a legislator with prior experience in legislative matters had a comparative advantage over others. We measure seniority by the number of Congresses served by the senator in the Senate.

(9). *Occupation.* Congress specializes in writing laws. Lawyers specialize in applying and advocating in the context of the law. Particularly during this period, when Senate staff members—or “clerks”—were virtually unheard of, lawyers had valuable skills for the drafting of legislation. Therefore we expect that being an attorney not only would be a signal to other senators that a rookie may be a more valuable to the chamber on account of his chosen profession, but that having a legal background would continue to advantage these senators well into their senatorial career. We measure legal occupation with a dummy variable.

Table 9 reports the results of the regressions we ran to test these hypotheses. The first column reports the analysis using all senators in our data set. Significant factors influencing the number of select committee assignments was state size, majority party membership, and length of prior service in the House. Some effects are either very weak not even close to statistical significance, including representing southern states, being an ideological extremist, and prior House committee service.

One of the most interesting sets of results concerns the over-representation of larger states on early Senate select committees. This pattern is exactly the opposite of the one that held in the House, where small state representatives served on more committees (see Stewart et al 1995, p. 40). What makes this puzzling is that the Senate was the chamber designed to equalize state

power, irrespective of population. Yet, at least as far as select committee appointments are concerned, large state senators took greater control over policy making.

We expected some of these effects to vary according to whether or not the senator was a rookie. Therefore, we re-estimated the regression, this time separating rookies and veterans into separate samples. The results are reported in columns (2) and (3). On the whole our expectations were not borne out. A statistical test that the two sets of regression coefficients are equal does not reject the null hypothesis of equality. Therefore, we cannot conclude that rookies and veterans were assigned to select committees applying different criteria.

The same is not true when we divide the sample into majority and minority party members (see columns (4) and (5)). The most interesting difference is in how prior House service was treated among the two sets of senators. Among members of the majority party, having served in the House for many Congresses and having served on many committees during that time increased service on Senate select committees substantially. For members of the minority party, the effect was exactly the opposite! Minority party members with significant House committee service were kept off of Senate select committees to a significant degree.

IV. Discussion and Conclusions

While this paper should be viewed as the first step in a larger project on the development of the committee system in Congress, we offer general conclusions that help inform three areas of theoretical interest: theories of institutional change, the relationship between rules and outcomes, and the extent to which the principles of the Founding are evident in the first 90 years of the Senate's history.

Recent research by Swift (1997) has argued that the major institutional transformation that swept over the Senate in the 1810s constituted a “reconstitutive” change that was abrupt in onset and lasting effects. We do not have data sufficient to scrutinize her wider argument, but with respect to the committee system, our tentative conclusion is that the transformation of the Senate committee system was more gradual than the “reconstitutive” argument suggests. Creating the standing committee system in the 14th Congress constituted a reformist evolution, not an abrupt dawning of a new day, at least when measured with indicators such as turnover in committee assignments, the equality of the distribution of assignments, and party control of committees.

New institutionalist theory has made important contributions to our understanding of institutional development. While controversy exists in the literature over how to partition the reliance on institutions by legislators among distributive, informational, and partisan explanations, no one now doubts that internal legislative institutions help to influence policy choices reached by Congress and to shape the career paths of its members. The early Senate committee system shows the importance of formal institutions for shaping the distribution of power in the chamber. As the mechanism for selecting committee members changed, the hierarchy of Senate committees and the ability of parties to control the composition of committee shifted in response. Balloting for committees limited party control, whereas more centralized mechanisms allowed them to shape committees.

Finally, predictions made by the Founders about the role of the Senate in legislating appear to have only been partially met through the committee system in the first ninety years of the Senate’s history. At least in most of the earliest Congresses, the Senate tended to follow the lead of the House in legislating, as indicated by the number of select committees appointed to consider

House-passed legislation and the speed with which select committees reported back to the chamber. The Founders' desire to create an elitist assembly is evidenced to some extent by our assignment data: by our measure of talent--education and prior House service--senators with more skill had a greater relative of committee assignments, which is just as the Founders would have wanted it. (However, House service, for some reason, led to *fewer* assignments in the minority party).

On the other hand, the committee system was, almost from the beginning, subject to the winds of partisanship in its composition—presumably this translated into the quality of legislation that was eventually considered and passed by the Senate. And finally, senators from large states were participants in select committee deliberations in the first quarter century of the Republic at a higher rate than small-state senators. *Why* small-state senators would agree to this is a puzzle, and remains an important point to pursue in future research.

This research represents only the beginning of a rich line of work, as we attempt to plumb the depths of early congressional organization more precisely. Understanding the earliest Congresses is more than an antiquarian enterprise. In a modern world where new democracies are forming new institutions, it is instructive to understand how one of the world's oldest democracies created its institutions. And, in a nation where reformers are continually harkening back to a simpler, less corrupt, more politically pure epoch, it is important to understand precisely just how that era operated, and how high-minded its politicians really were.

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Figure 1. Number of Senate select committees, 1st–45th Congress (1789–1879), with comparison with House select committees

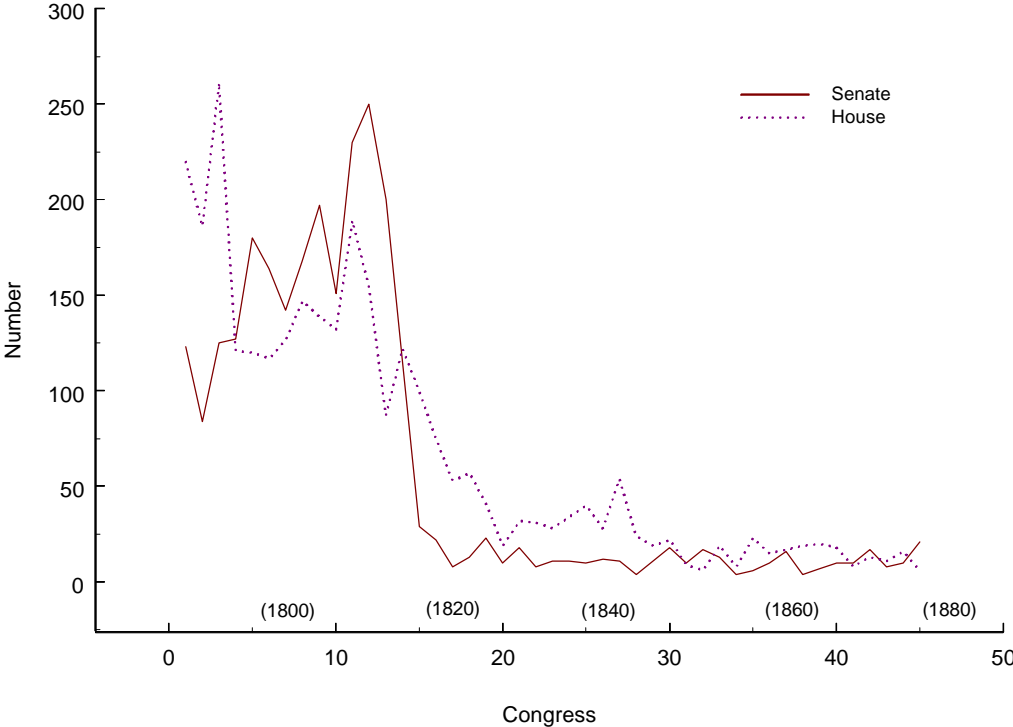


Figure 2. Number of Senate select committees, 1st–45th Congress (1789–1879), with a correction for duplicate committees.

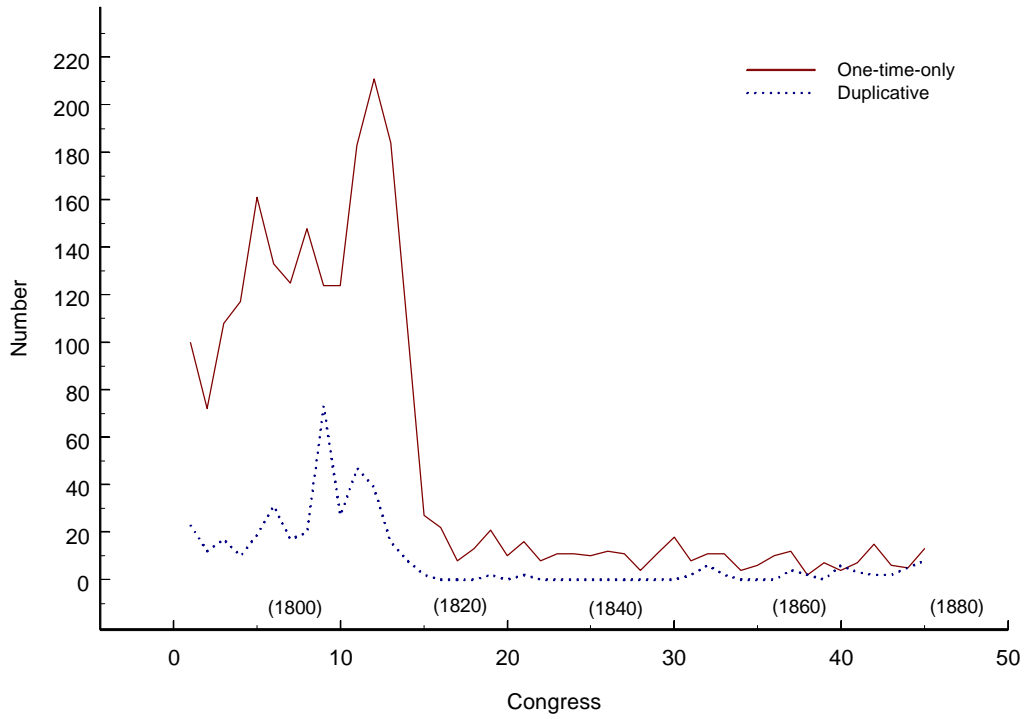


Figure 3. Percentage of Senate select committees created in reference to a specific bill, 1st–14th Congress, 1789–1817.

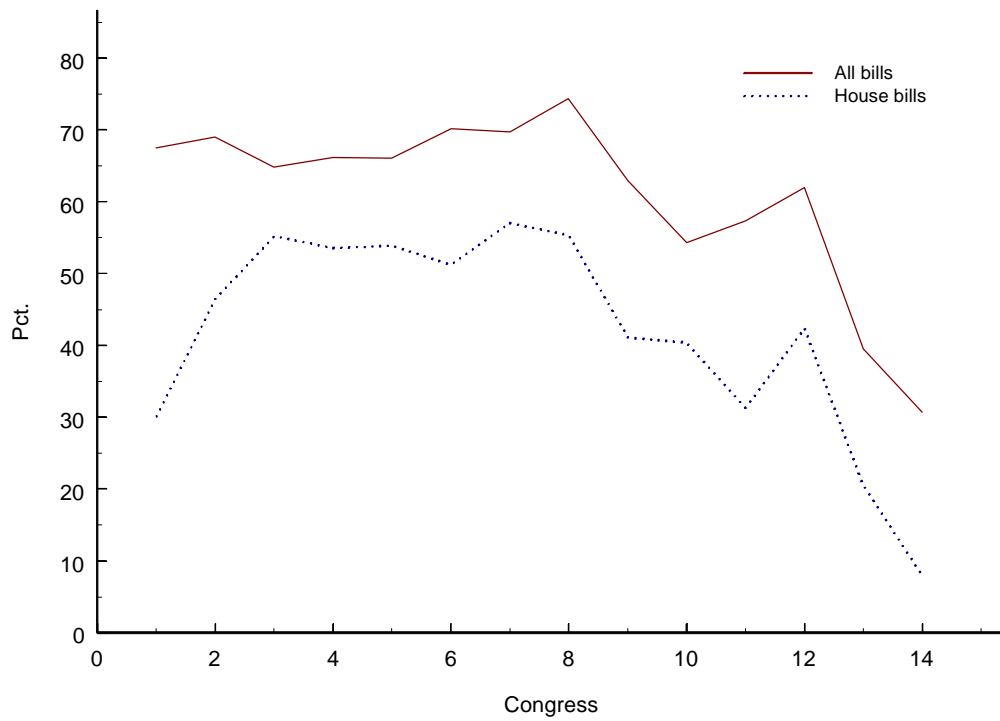
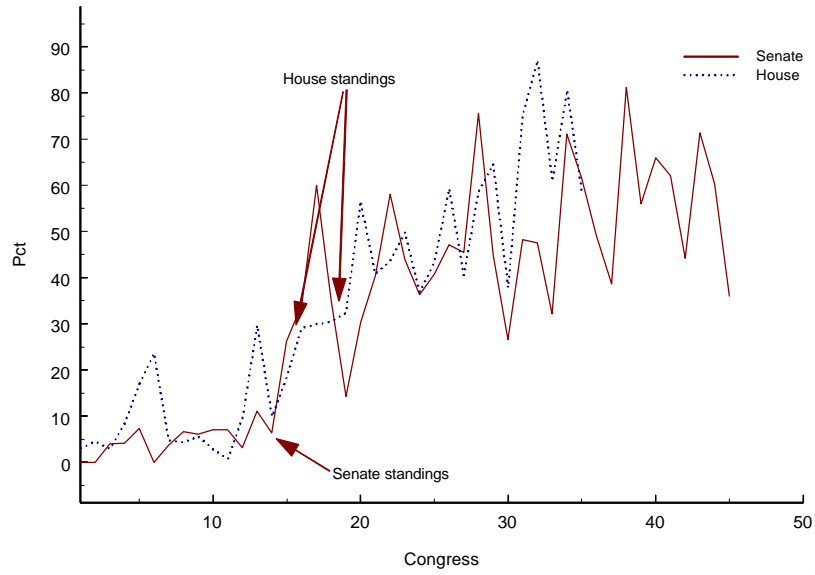


Figure 4. Percentage of senators with no select or standing committee assignments, 1st–45th Congress, with comparisons to the House.

a. No select committee assignments



b. No standing committee assignments

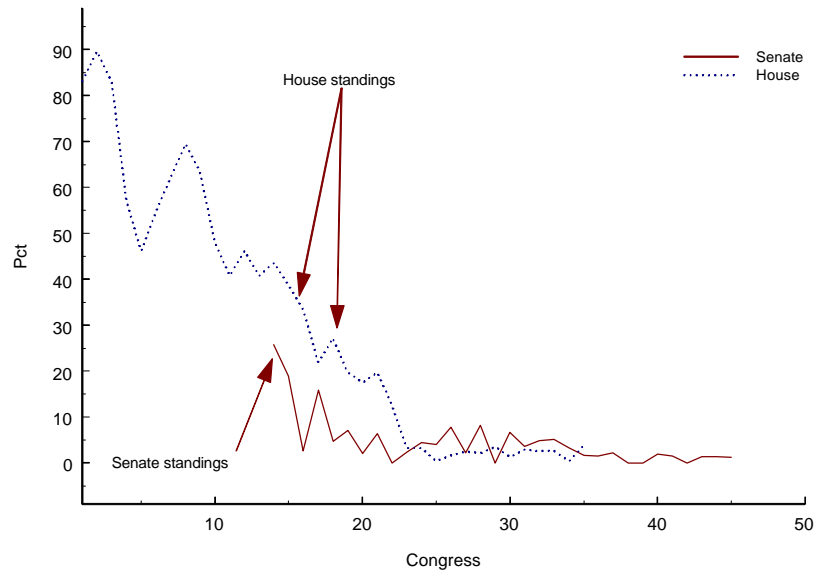
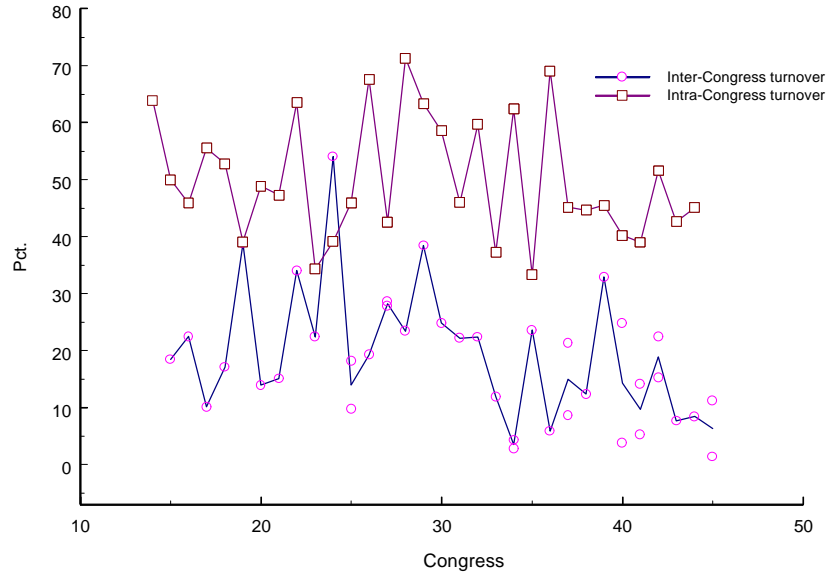


Figure 5. Turnover in Senate standing committee assignments, 14th–45th Congresses.

a. Raw turnover



b. Committee turnover corrected for chamber turnover

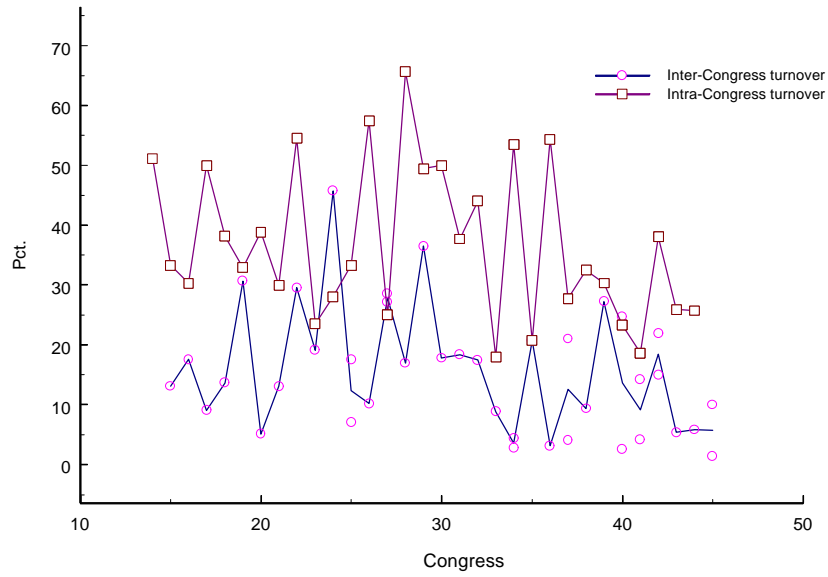


Figure 6. Average length of House and Senate select committees, 1st–45th Congress.

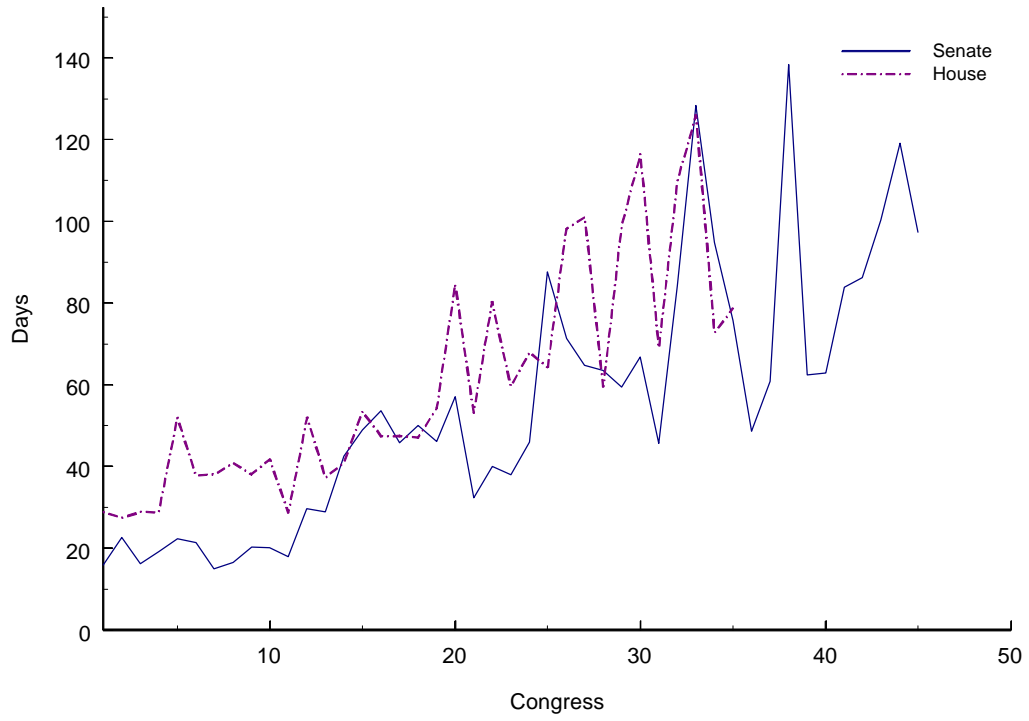


Figure 7. Measures of majority party dominance on select and standing committees, 1st–45th Congress.

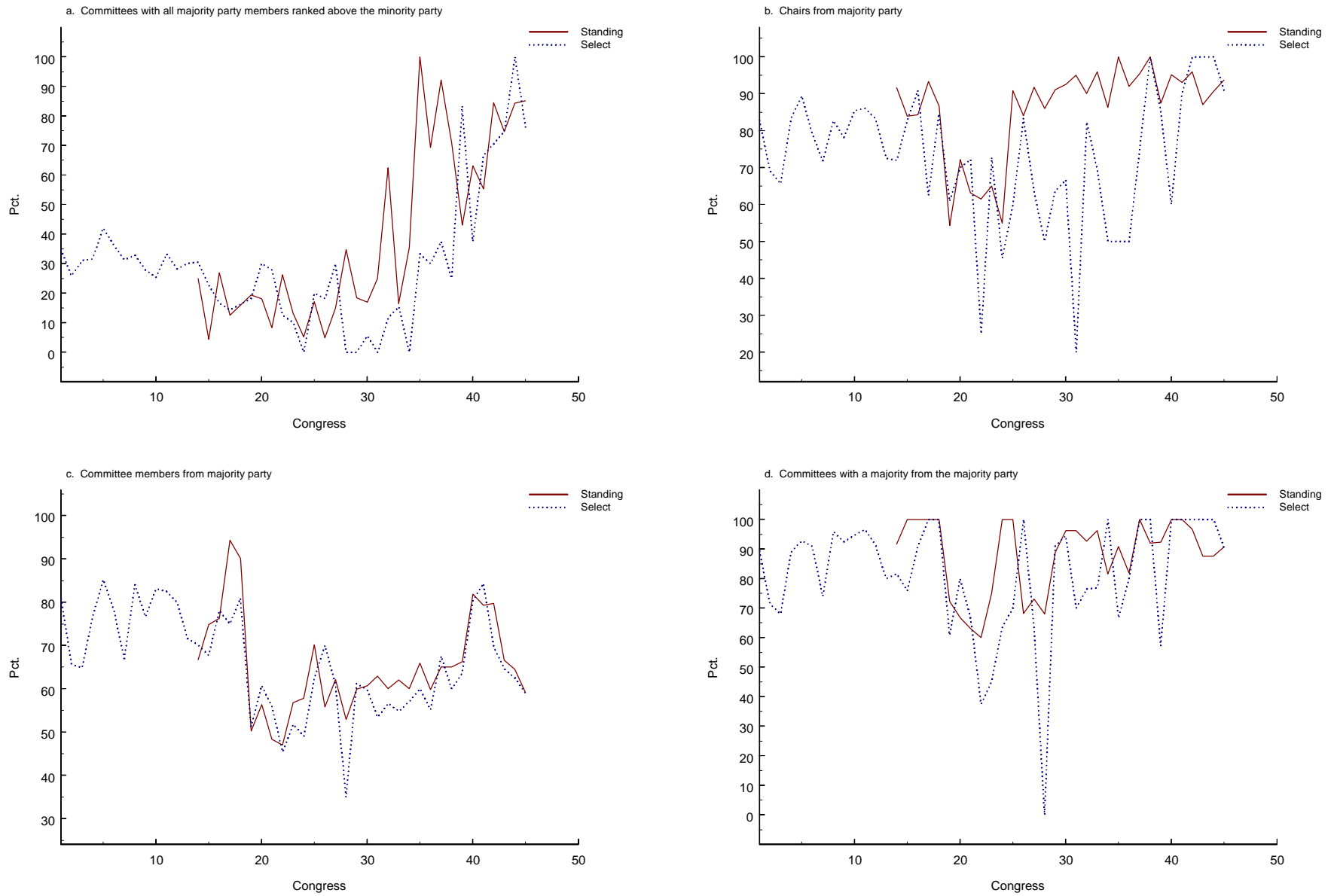
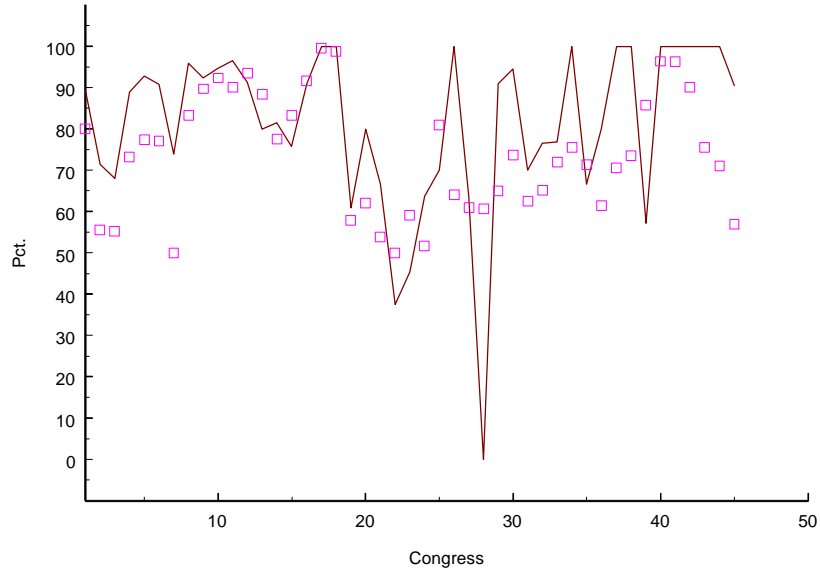


Figure 8. Proportion of Senate committees controlled by the majority party, compared to a null model based on the binomial distribution.

a. Select committees



b. Standing committees

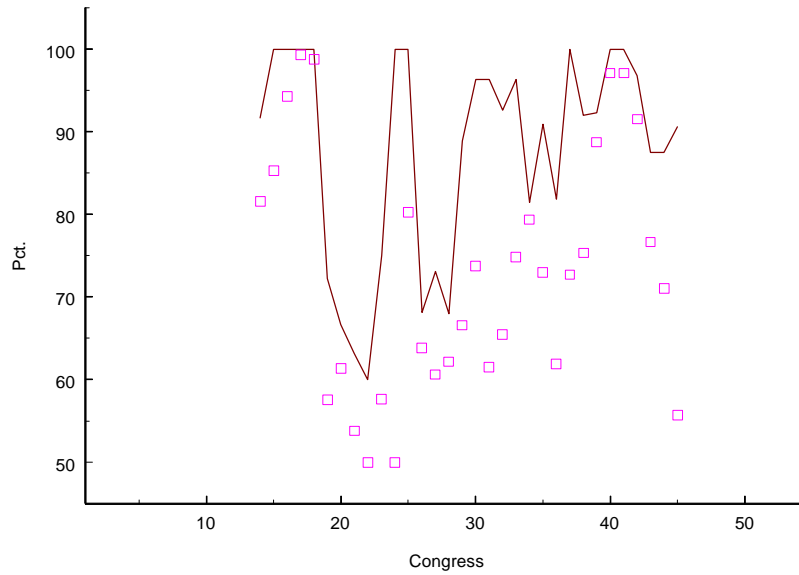


Table 1. Origin of Senate standing committees, 1st–45th Congresses, 1789–1877

a. Standing committees immediately^a preceded by select committees

Committee name	Created as standing		
	Year	Congress-session	First Congress-session as select
Commerce and Manufactures ^b	1816	14-2	13-3
Foreign Relations			11-2
Military Affairs ^c			12-2
Militia ^c			13-2
Naval Affairs			12-2
Indian Affairs	1819	16-1	15-2
Roads and Canals			14-1
Public Buildings ^d	1838	26-1	16-1
Pacific Railroad ^e	1863	38-1	33-2
Enrolled Bills ^f	1875	44-1	1-1
Library ^g	1876	44-2	10-1

Table 1. Origin of Senate standing committees, 1st–45th Congresses, 1789–1877 (continued)

b. Standing committees with no immediate predecessor as a select committee

Committee name	Created	
	Year	Congress-session
Audit and Control of the Contingent Expenses of the Senate	1807	10-1
Claims	1816	14-2
District of Columbia		
Finance		
Judiciary		
Pensions		
Post Office and Post Roads		
Public Lands		
Engrossed Bills	1821	17-1
Commerce ^b	1825	19-1
Manufactures ^b		
Agriculture		
Private Land Claims	1826	19-2
Revolutionary Claims	1832	22-2
Patents	1837	25-1
Printing	1841	27-2
Retrenchment	1842	27-2
Territories	1844	28-1
Mines and Mining	1865	39-special
Appropriations	1867	40-1
Education ^h	1868	40-3
Revision of the Laws		
Privileges and Elections	1871	42-special
Investigation and Retrenchment	1871	42-1
Civil Service and Retrenchment	1873	43-1
Rules	1874	43-2
Library	1876	44-2

Table 1. Origin of Senate standing committees, 1st–45th Congresses, 1789–1877 (continued)

^aWe define “immediate” as occurring within the previous two Congresses before becoming a standing committees.

^bThe Committee on Commerce and Manufactures was split in two in the 19th Congress, with the Committee on Commerce considered the successor committee.

^cThe committee on the Militia was abolished in the 35th Congress and the Military Affairs Committee renamed to the Committee on Military Affairs and the Militia. This committee’s name was changed back to the Committee on Military Affairs in the 40th Congress.

^dThe name of the Committee on Public Buildings was changed to Public Buildings and Grounds in the 35th Congress

^eThe name of the Committee on the Pacific Railroad was changed to the Committee on Railroads in the 43rd Congress.

^fThe Committee on Enrolled Bills was a joint committee created in the 1st Congress. The committee became established as separate standing committees of the chambers in the 44th Congress.

^gThe Library Committee was a joint committee created in the [*10th?*] Congress. The committee became established as separate standing committees of the chambers in the 44th Congress.

^h The name of the Committee on Education was changed in the 41st Congress to the Committee on Education and Labor.

Table 2. Select committees appointed in the Senate, 1st–45th Congress, 1789–1879

Congress	Session					Total
	1	2	3	Special	Second special	
1	32	62	29			123
2	53	31		0		84
3	69	56		0		125
4	77	50		0		127
5	24	98	58	0	0	180
6	115	49				164
7	81	61		0		142
8	99	69				168
9	104	93				197
10	91	60				151
11	26	116	88	0		230
12	180	70				250
13	46	79	75			200
14	96	18				114
15	19	10		0		29
16	13	9				22
17	3	5				8
18	5	8				13
19	15	7		1		23
20	10	0				10
21	9	9		0		18
22	6	2				8
23	5	6				11
24	6	5				11
25	0	9	1	0		10
26	11	1				12
27	4	6	1	0		11
28	3	1				4
29	7	4		0		11
30	13	5				18
31	8	1		1		10
32	10	8		0		18
33	8	3		3		14
34	3	0	1			4
35	5	1		0	0	6
36	7	3		0	0	10
37	4	8	3	1		16
38	2	2		0		4
39	7	0		0		7
40	2	3	5	0		10
41	2	4	4	0		10
42	4	6	8	0		18
43	3	3		2		8
44	4	4		2		10
45	1	6	11	3		21

Table 3. Subject-matter classification of select committees, 1st–20th Congress (1789–1829)

a. Count of committees

Subject matter	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Agriculture		1				1	1					2	1							
Census	1	1			4	2	1	1			4									
Claims	10	11	9	15	21	21	24	21	14	13	24	24	33	14	1	2		1	2	1
Coinage	1	5	1	2	1	4	1		5	1	2	1		1						
Commerce	9	4	10	9	14	9	8	11	21	13	12	24	4	1						
DC						2	12	10	9	10	27	17	17	9						
Foreign Affairs	3	3		1	2		3	3	2	2	1	3	3	1						
Governmental Affairs	18	8	8	8	17	13	6	12	13	9	6	5	14	16	10	5	2	2	4	3
Indian Affairs	3	1	2	4	4	3	2	1	4	4	5	1	3	1	3				1	
Judiciary	13	8	14	16	15	20	14	12	17	14	16	20	21	14		2	1	2	4	1
Military Affairs	8	5	12	3	11	5	5	4	10	14	14	34	15	3					1	
Mines						1			1		1	3		1						
Miscellaneous	3	3		2	2	7	3	2	4		5	6	2	4	5	3		2	2	1
Naval Affairs	1		5	5	16	7	1	7	8	15	13	8	7	3					1	
Patents	4	1	1	1		2	1			2	2	5	3	4	2					
Pensions	5	7	5	5	3	2	6	9	4	8	3	12	2	7					1	
Post Office	2	1	3	3	1	6	2	3	2	3	7	3	4	3						
Public Lands	7	9	7	13	19	17	24	29	46	17	36	43	14	12	5	7		2	1	1
Roads								3	7	3	12	7	3	3	2		3	2	2	1
Unclassified	8	2	7	9	12	7	3	9	10	3	10	11	22	9		2	1		3	1
Ways and Means	27	14	41	31	38	35	25	31	20	20	30	21	32	8	1	1	1	2	1	1
	123	84	125	127	180	164	142	168	197	151	230	250	200	114	29	22	8	13	23	10

Table 3. Subject-matter classification of select committees, 1st–20th Congress (1789–1829) (continued)

b. As a percentage of all select committees

Subject matter	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Agriculture		1				1	1					1	1							
Census	1	1			2	1	1	1			2									
Claims	8	13	7	12	12	13	17	13	7	9	10	10	17	12	3	9		8	9	10
Coinage	1	6	1	2	1	2	1		3	1	1	0		1						
Commerce	7	5	8	7	8	5	6	7	11	9	5	10	2	1						
DC						1	8	6	5	7	12	7	9	8						
Foreign Affairs	2	4		1	1		2	2	1	1	0	1	2	1						
Governmental Affairs	15	10	6	6	9	8	4	7	7	6	3	2	7	14	34	23	25	15	17	30
Indian Affairs	2	1	2	3	2	2	1	1	2	3	2	0	2	1	10					4
Judiciary	11	10	11	13	8	12	10	7	9	9	7	8	11	12		9	13	15	17	10
Military Affairs	7	6	10	2	6	3	4	2	5	9	6	14	8	3						4
Mines						1			1		0	1		1						
Miscellaneous	2	4		2	1	4	2	1	2		2	2	1	4	17	14		15	9	10
Naval Affairs	1		4	4	9	4	1	4	4	10	6	3	4	3						4
Patents	3	1	1	1		1	1			1	1	2	2	4	7					
Pensions	4	8	4	4	2	1	4	5	2	5	1	5	1	6						4
Post Office	2	1	2	2	1	4	1	2	1	2	3	1	2	3						
Public Lands	6	11	6	10	11	10	17	17	23	11	16	17	7	11	17	32		15	4	10
Roads								2	4	2	5	3	2	3	7		38	15	9	10
Unclassified	7	2	6	7	7	4	2	5	5	2	4	4	11	8		9	13		13	10
Ways and Means	22	17	33	24	21	21	18	18	10	13	13	8	16	7	3	5	13	15	4	10

Table 4. Average number of select and standing committees per senator, 1789–1879.

Cong	Select Committees				Standing Committees			
	Mean	Median	Pct. with no assignment	Gini coeff.	Mean	Median	Pct. with no assignment	Gini coeff.
1	19.0	17	0	.34	—	—	—	—
2	10.9	8.5	0	.42	—	—	—	—
3	15.8	14	4.0	.40	—	—	—	—
4	11.2	9.5	4.2	.39	—	—	—	—
5	19.2	14	7.4	.46	—	—	—	—
6	14.6	12.5	0	.46	—	—	—	—
7	13.2	10	3.8	.41	—	—	—	—
8	15.7	9.5	6.7	.53	—	—	—	—
9	19.2	8	6.1	.60	—	—	—	—
10	14.9	11	7.1	.53	—	—	—	—
11	24.3	15.5	7.1	.49	—	—	—	—
12	24.7	21.5	3.1	.43	—	—	—	—
13	16.7	15.5	11.1	.43	—	—	—	—
14	10.8	11	6.4	.39	1.4	2	25.8	.38
15	2.7	1.5	26.2	.60	1.4	1.5	19.0	.35
16	1.7	1	34.2	.62	1.8	2	2.6	.24
17	0.7	0	60.0	.72	1.5	1	15.6	.37
18	1.2	1	34.9	.52	1.6	2	4.7	.20
19	2.3	2	14.3	.39	1.7	2	7.1	.17
20	1.2	1	30.4	.50	1.8	2	2.1	.15
21	1.7	1	40.4	.62	1.8	2	6.4	.16
22	0.8	0	58.1	.71	2.0	2	0	.07
23	1.1	1	43.9	.59	2.2	2	2.4	.20
24	1.1	1	36.4	.54	2.1	2	4.5	.23
25	1.0	1	40.8	.55	2.0	2	4.1	.22
26	1.0	1	47.1	.64	2.0	2	7.8	.28
27	1.3	1	45.5	.62	2.3	2.3	2.3	.13
28	0.3	0	75.6	.80	2.2	2	8.3	.22
29	0.8	1	44.9	.58	2.4	2.3	0	.21
30	1.5	1	26.7	.48	2.4	2.5	6.7	.19
31	0.9	1	48.2	.61	2.1	2	3.6	.18
32	1.2	1	47.5	.64	2.1	2	4.9	.19
33	1.2	1	32.2	.48	2.1	2.3	5.1	.16
34	0.4	0	71.2	.75	2.3	2	3.4	.22
35	0.5	0	61.7	.69	2.0	2	1.7	.16
36	0.9	1	49.2	.62	1.9	2	1.5	.16
37	1.3	1	38.6	.59	2.6	2.7	2.3	.12
38	0.4	0	81.3	.85	2.9	3	0	.11
39	0.6	0	56.0	.65	3.3	3	0	.11
40	0.9	0	66.0	.76	2.9	3	2.0	.10
41	0.7	0	62.1	.72	2.6	2.7	1.5	.11
42	1.2	1	44.3	.63	2.6	2.5	0	.14
43	0.6	0	71.4	.78	2.7	3	1.4	.15
44	0.9	0	60.3	.70	2.8	3	1.4	.12
45	1.7	1	36.0	.56	2.8	3	1.3	.14

Table 5. Length of time between the establishment of select committees and their termination, 1st–45th Congresses, 1789–1879.

Cong.	Days						Mean	s.d.	Med.	n
	0	1	2-7	8-31	32-180	180+				
1	8	25	15	62	12	1	16.0	33.5	4	123
2	3	9	7	51	12	2	22.6	38.6	7	84
3	10	24	14	58	19	0	16.3	31.5	5	125
4	8	11	9	78	21	0	19.2	30.4	7	127
5	9	21	25	95	25	5	22.6	43.2	6	180
6	3	19	10	104	28	0	21.4	31.6	8.5	164
7	2	20	17	84	19	0	15.0	22.6	6	142
8	3	21	12	112	20	0	16.6	26.4	7	168
9	14	13	14	112	44	0	20.3	27.5	7	197
10	4	16	20	81	30	0	20.2	32.4	6	151
11	13	25	17	139	36	0	18.0	25.6	8	230
12	10	25	18	135	54	8	29.7	48.0	8	250
13	2	28	13	101	56	0	28.9	39.5	12	200
14	0	9	6	55	44	0	42.5	46.6	19.5	114
15	0	0	1	12	16	0	49.0	42.0	35	29
16	0	0	1	9	12	0	53.7	48.9	41	22
17	0	0	0	5	3	0	45.8	50.9	17	8
18	0	0	0	6	7	0	50.0	46.1	35	13
19	0	2	2	9	10	0	46.2	51.1	24	23
20	0	0	0	6	4	0	57.2	62.6	25.5	10
21	0	1	0	10	7	0	32.4	38.0	14	18
22	0	0	0	4	4	0	40.1	38.2	23.5	8
23	0	1	0	6	3	1	38.0	58.6	9	11
24	0	0	0	5	6	0	46.0	36.4	33	11
25	0	0	0	2	6	2	87.6	70.5	67	10
26	0	0	0	7	3	2	71.3	75.1	24.5	12
27	0	1	1	4	3	2	64.8	93.7	19	11
28	0	0	0	2	2	0	63.5	79.1	33	4
29	0	0	0	3	7	1	59.5	59.7	41	11
30	0	0	0	8	7	3	66.8	70.4	53.5	18
31	0	0	0	7	3	0	45.6	47.2	24.5	10
32	0	0	0	6	7	4	84.3	78.9	80	17
33	0	0	1	1	7	4	128.4	114.5	105	13
34	0	0	0	1	2	1	94.8	108.3	61	4
35	0	0	0	2	3	0	75.8	70.0	42	5
36	0	1	0	5	3	1	48.7	62.3	15	10
37	0	1	0	7	6	2	60.9	69.8	33	16
38	0	0	0	0	3	0	138.3	46.7	158	3
39	0	0	0	3	4	0	62.4	47.3	61	7
40	0	1	0	3	5	0	63.0	61.9	48	9
41	0	0	0	3	4	2	83.9	77.6	57	9
42	0	0	0	3	9	4	86.3	64.8	81.5	16
43	0	0	0	3	2	3	100.4	88.7	84	8
44	0	0	0	3	4	3	119.1	97.0	87	10
45	1	0	0	2	10	4	97.3	62.3	90	17

Table 6. Life span of Senate select committees, 1st to 20th Congress (fixed effected regression)

	Days remaining in session when appointed			
	(1) Whole sample	(2) 7 or fewer	(3) 8 to 30	(4) 31 or more
Days to end of session (D) (1–242)	0.14 (0.03)	0.66 (0.21)	-0.17 (0.24)	0.16 (0.07)
D ² (x 100)	0.10 (0.02)	-3.24 (2.40)	1.42 (0.62)	0.083 (0.034)
Bill (0–1)	-21.23 (1.73)	-0.60 (0.30)	-4.59 (0.73)	-24.39 (2.53)
House bill (0–1)	-3.42 (1.68)	-0.19 (0.21)	0.47 (0.63)	-6.64 (2.65)
Constant	22.04 (1.69)	1.06 (0.47)	8.43 (2.15)	24.49 (4.10)
N	2255	222	541	1492
R ²	.36	.34	.24	.30

Note: Coefficients for twenty-one separate subject matter dummy variables are suppressed.

Table 7. Methods of electing Senate standing committee members and chairs 14th–37th Congress.

Cong.	sess.	How	Resolution- presenter	Notes
14	2	Ballot		
15	1	Resolution	Tate	
15	2	Ballot		
16	1	Ballot		
16	2	Ballot		
17	1	Ballot		
17	2	Ballot		
18	1	Resolution/ Ballot		Resolution provided for presiding officer to appoint committees, following balloting for 5 chairs.
18	2	President		
19	1	V.P.		
19	2	Ballot		Separate ballots for chairs and rest of committee members.
20	1	Ballot		
20	2	Ballot		
21	1	Finance Ballot; other by V.P.		
21	2	Finance Ballot; other by president		
22	1	Finance ballot; other by president		
22	2	President		
23	1	Ballot		
23	2	Ballot		
24	1	Ballot		
24	2	Ballot		
25	1	3 ballots; others by V.P.		Vice President appointed members
25	2	V.P.		
25	3	Commerce ballot; others president		
26	1	Commerce ballot; others president		
26	2	Commerce ballot; others president		
27	1	Mixed		
27	2	President pro tempore		
27	3	President pro tempore		
28	1	President pro tempore		
28	2	President pro tempore		
29	1	Ballot/motion	Sevier	6 committees filled by ballot; others by unanimous consent from party lists.
29	2	Ballot (for 6 chairs)/resolution	Sevier	
30	1	Resolution	Sevier	
30	2	Resolution	King	
31	1	Ballot/motion		
31	2	President pro tempore		
32	1	Resolution	Bright	
32	2	Resolution	Bright	
33	1	Resolution	Bright	
33	2	Resolution	Bright	
34	1	Ballot/motion	Cass	
34	2	Resolution	Hunter	
34	3	Resolution	Pearce	
35	1	Resolution	Allen	
35	2	Resolution	Allen	
36	1	Resolution	Bright	
36	2	Vice President		
37	1	Resolution	Fessenden	
37	2	Resolution	Collamer	
37	3	Resolution	Anthony	

Table 8. Transfer analysis of Senate committees, 14th–45th Congress.

Entire period				14th--18th Cong.				19th--24th Cong.				24th--45th Cong.			
Rank	Committee	Ratio	n	Rank	Committee	Ratio	n	Rank	Committee	Ratio	n	Rank	Committee	Ratio	n
1	Railroads/Pacific Railroad	2.86	20	1	Foreign Relations	2.25	13	1	Commerce	1.86	20	1	Railroads/Pacific Railroad	2.86	20
2	Post Offices and Post Roads	2.30	254	2	Military Affairs	2.00	9	2	Revolutionary Claims	1.80	14	2	Post Offices and Post Roads	2.78	170
3	Foreign Relations	1.48	151	3	Post Offices and Post Roads	1.75	33	3	Post Offices and Post Roads	1.72	49	3	Library	1.71	38
4	Library	1.41	41	4	Pensions	1.57	18	4	Public Lands	1.64	29	4	Judiciary	1.70	73
5	Judiciary	1.35	120	5	Militia	1.13	17	5.5	Roads and Canals	1.44	22	5	Foreign Relations	1.50	105
6	Revision of the Laws	1.30	23	7.5	Audit and Control	1.00	6	5.5	Manufactures	1.44	22	6	Finance	1.47	89
7	Public Buildings	1.29	87	7.5	District of Columbia	1.00	22	7	Naval Affairs	1.36	26	7.5	Civil Service and Retrenchment	1.40	12
8	Military Affairs	1.26	104	7.5	Public Lands	1.00	16	8	Judiciary	1.33	28	7.5	Public Buildings	1.40	84
9.5	Education	1.25	18	7.5	Claims	1.00	8	9	Foreign Relations	1.29	32	9	Privileges and Elections	1.33	21
9.5	Finance	1.25	135	10	Commerce	0.83	11	10	Private Land Claims	1.21	31	10	Revision of the Laws	1.30	23
11	Revolutionary Claims	1.24	132	11	Finance	0.78	16	11	District of Columbia	1.13	17	11	Military Affairs	1.29	71
12	Privileges and Elections	1.20	22	12	Indian Affairs	0.75	7	12	Claims	1.10	21	12	Education	1.25	18
13	Civil Service and Retrenchment	1.17	13	13	Judiciary	0.64	18	13.5	Military Affairs	1.09	23	13	Revolutionary Claims	1.19	118
14	Appropriations	1.14	15	14	Naval Affairs	0.57	11	13.5	Indian Affairs	1.09	23	14	Roads and Canals	1.15	58
15	Naval Affairs	1.10	126	15	Roads and Canals	0.00	7	15	Militia	1.08	27	15	Appropriations	1.14	15
16	Commerce	1.08	110					16	Finance	1.07	29	16	Naval Affairs	1.12	89
17	Public Lands	1.05	127					17	Pensions	0.93	27	17	Indian Affairs	1.08	81
18	District of Columbia	1.04	149					18	Audit and Control	0.78	16	18	District of Columbia	1.06	109
19	Indian Affairs	1.04	112					19	Agriculture	0.64	18	19	Printing	1.03	59
20	Printing	1.03	59					20	Engrossed Bills	0.25	15	20.5	Mines and Mining	1.00	32
21	Roads and Canals	1.02	87									20.5	Territories	1.00	86
22	Militia	0.97	77									22	Patents	0.98	97
23	Private Land Claims	0.97	134									23	Commerce	0.98	79
24	Territories	0.96	88									24	Private Land Claims	0.94	101
25	Patents	0.92	100									25	Public Lands	0.93	81
26	Manufactures	0.91	109									26	Manufactures	0.89	83
27	Audit and Control	0.83	95									27	Audit and Control	0.85	72
28	Pensions	0.79	174									28	Militia	0.83	33
29	Enrolled Bills	0.78	80									29	Enrolled Bills	0.80	79
30	Mines and Mining	0.76	37									30	Engrossed Bills	0.79	86
31	Agriculture	0.67	77									31	Pensions	0.72	127
32	Engrossed Bills	0.67	105									32	Agriculture	0.69	59
33	Claims	0.65	152									33	Claims	0.58	122

Table 9. Multivariate analysis of select committee membership, 1st–14th Congress.

	(1) Entire sample	(2) Rookies only	(3) Veterans only	(4) Majority party only	(5) Minority party only
Size of state (1–23)	0.008 (0.003)	0.017 (0.006)	0.006 (0.003)	0.0074 (0.0033)	0.012 (0.005)
Slave state (0–1)	-0.033 (0.029)	0.011 (0.060)	-0.047 (0.033)	-0.028 (0.035)	-0.073 (0.051)
In majority party (0–1)	0.10 (0.03)	0.081 (0.066)	0.10 (0.04)	—	—
Ideologically extreme (0–1.45)	0.022 (0.056)	0.039 (0.12)	0.006 (0.065)	0.093 (0.067)	-0.14 (0.11)
Prior House service (0–1)	-0.077 (0.072)	-0.18 (0.15)	0.013 (0.008)	-0.50 (0.10)	0.28 (0.10)
House committee service (0–1)	0.048 (0.102)	-0.17 (0.21)	0.096 (0.12)	0.71 (0.15)	-0.50 (0.13)
Congresses served in house (0–16)	0.017 (0.007)	0.033 (0.016)	0.013 (0.008)	0.022 (0.008)	0.014 (0.014)
College (0–1)	0.079 (0.030)	0.093 (0.059)	0.069 (0.035)	0.053 (0.034)	0.098 (0.059)
Senate seniority (1–9)	0.012 (0.009)	—	0.009 (0.011)	0.015 (0.010)	0.028 (0.017)
Lawyer (0–1)	0.015 (0.032)	-0.075 (0.059)	0.041 (0.037)	0.018 (0.036)	-0.036 (0.064)
Constant	0.26 (0.06)	0.29 (0.10)	0.28 (0.07)	0.34 (0.06)	0.35 (0.08)
N	388	90	298	270	118
R-sq	.12	.20	.12	.17	.23
RMSE	0.27	.26	.28	.26	.25