

# The Congruence of Legislative Decision-Making Styles Among 21<sup>ST</sup> Century Women and Men State Legislators

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*The self-reported inclusive and exclusive styles of legislative decision-making are examined with a sample of 1859 members (26% women) based on a mail survey of all 50 lower houses of the state legislatures. Women and men legislators do not differ on their self-reported willingness to use the inclusive legislative decision-making style of bargaining and compromising to achieve desired public policies or the exclusive style of rewards and punishments, however, women are less willing to use the exclusive style of parliamentary rules. Women's legislative decision-making style is significantly influenced by their developing economic status in America: women with competitive economic occupational backgrounds are significantly more likely to exclude participation than are women from non-competitive occupations, while men who are younger, more aggressive in personality, and hold a leadership position are especially inclined to adopt an exclusionary decision-making style. This research concludes that – within the constraints on legislative decision-making procedures imposed by democratic procedures and the unique circumstances of particular state legislatures – as the economic backgrounds of women and men produce similar interests, they employ similar rational-based legislative decision-making styles to acquire shared public policies.*

## Introduction

The style of legislative decision-making in representative democracy takes two general forms, exclusive and inclusive. An inclusive style consists of including as many participants representing as many interests as practicable in obtaining a legislative decision. The exclusive style limits participants to those sharing a policy preference. Women tend to engage in the inclusive style, whereas men tend to employ an exclusive style (Carey,

Niemi, and Powell 1998, 87; Jewell and Whicker 1994, 177-81; C. Rosenthal 1998, 184).

Women's legislative decision-making style has not been evaluated for the influence of their changing socioeconomic self-interest,<sup>1</sup> nor has the possible impact of state legislative structure been studied. Moreover, women's legislative decision-making style has not been considered within the context of majority coalition-building tactics or democratic procedural requirements. Employing self-reported data, this article evaluates these relationships by building upon the research that demonstrates legislators rationally pursue self-interested goals by use of self-interested tactics (Clausen in Silbey ed, 1994, 1171-1191; Mayhew 2004). The rules for how to go about making legislative decisions have been demonstrated to be among the most basic of self-interested tactics in a representative democratic legislature (Oleszek 1996, 12). Thus legislative style — exclusive or inclusive — may be a tactic to enact her/his constituent's economic and social agenda<sup>2</sup> and/or to obtain her/his careerist goals.<sup>3</sup> Meanwhile, undergirding the legislative process is the fundamental operating premise of representative

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<sup>1</sup> The concept of human self-interest and its calculation are highly complex, ranging from simplistic concern for the gratification of one's immediate biological and/or psychological needs, to self-imposed moral behaviors understood to benefit the long-term interests of the community. In-between these polar positions are various situations/conditions of individual calculations of her/his personal self-interests and the societal interests/needs. The underlying motive for the particular human's preference may not be consciously obvious to the individual; instead, motives may/often are unconscious, perhaps emotive (e.g., love, hate, envy, etc.) and/or conditioned by life experiences. Indeed, rational choice does not require that the individual understand/acknowledge her/his motives for political actions; nor does rational choice demand the "most" efficient means of attaining a self-interested goal, but rather simply that the means "satisfices" — satisfies adequately — a human's preference (Simon 1956). The limitation on rational choice noted, nonetheless its basic claim that collectively human reason — women or men — directs her/his actions/choices among preferences and that human's preferences are self-serving is an axiom undergirding contemporary behavioralism in Political Science, indeed, social science in general.

<sup>2</sup> Perhaps the most agreed upon observation in politics is the importance of economic self-interests for determining political orientations and actions. From Aristotle's *Politics*, to James Madison's *Federalist 10*, to Marx and Lenin, to the discipline of Political Science's contemporary behavioral perspective there is general agreement that individuals' and groups' economic interests are the most likely determinant of their political perspectives and behaviors. Of course, other motives — personal lifestyle values, religious or anti-religious, group identification — also may exert important influence on individuals' and groups' political orientations. That said, economic self-interest has been demonstrated to be the motive most likely to influence political actions.

<sup>3</sup> Of course, the style of legislative decision making may also be chosen for its capacity to provide a legislator with power within the legislative process, e.g., an exclusive style can be used to exert control over other members of the assembly who are not included in the circle of decision making. However, this is not the focus of the present study.

democracy – to access all interests competing for public policies – that implicitly requires an inclusive decision making style (Thorson 1962; Dahl 1989, Part I).

To overview the theoretical perspective of this work, women’s inclusive and men’s exclusive legislative decision-making styles have been self-interested political implementations of their differing socioeconomic life circumstances. However, with the recent changes in women’s socioeconomic status the legislative decision-making style of women and men state legislators who share similar socioeconomic backgrounds may converge. Additional personal characteristics, e.g., education, may also affect choice of legislative decision-making style. The legislative decision making process is affected by the self-interested efforts of representatives to achieve their career needs as well as to get enacted the self-interested policies of those they represent, although this is constrained by representative democracy’s implicit assumption of inclusive decision-making that provides access to all interests competing for public policies. Also, the organization of legislatures may affect decision-making styles. Professional state legislature’s use of political parties to aggregate shared interests into policies may exclude from decision making those with conflicting agendas. Citizen-type state legislatures minimize political party operations as legislators negotiate inclusive ephemeral coalitions. Additional characteristics within a legislature, e.g., leadership positions, may affect choice of decision-making style.

Below we elaborate this theoretical perspective, develop an explanatory model of decision-making styles, and evaluate the model with regression analysis on samples of women and men state representatives’ self-reported decision-making styles from all fifty states.

### **Toward an Explanation of Legislative Decision-Making Style**

Carey, Niemi, and Powell (1998, 87) provide evidence that women legislators have a hands-on style of political decision making that emphasizes collegiality and teamwork more than do men legislators. Categorizing leadership styles as command, coordinating, and consensus and leadership goals as power, policy, and process, Jewell and Whicker (1994, 177-181) found women’s leadership to be more consensual and process oriented in contrast to men’s command and power mode of leadership. Cindy Rosenthal (1998, 184) described men committee chair’s self-reported leadership characteristics as “...competitive, willing to intimidate, opportunistic suggestive of a more power-oriented or

authoritative style..."; women legislators, on the other hand, were more cooperative, sought to listen to all, and were more team task-oriented. Kathlene (1998, 191) characterized women's approach to political decision-making as connected to others in a web of relationships wherein objective and subjective knowledge were integrated and where there was an interaction, not separation, of public and private spheres; in contrast, she described men as autonomous, separated and competitive, favoring objective information, focusing on individual's rights, and separating the private from public spheres of life.

*Legislative Decision-Making and Life Experiences.* The different legislative decision-making styles of women (inclusive) and men (exclusive) have been attributed to the gender-socializing effect of their life experiences (Thomas 1994, 11-14). Kirkpatrick (1974, 140) summarized these life experience differences as men working/competing outside the home, while women were homemakers/care-givers to their family.<sup>4</sup> Wilson (1993, ch 8) has compiled evidence that men have competed for material benefits and social status on the basis of self-prescribed rules/principles by which they self-interestedly have defined their competition and distributed their rewards. The political rule/principle by which men protected/enhanced their accumulated benefits has been that of "politics-as-equity" (acquiring and distributing on the basis of contributions). Implementing their "politics-as-equity" general operating principle within representative democratic legislatures, men have adopted an exclusionary decision-making style (Whistler and Ellickson 2010). Women, historically restricted for the most part to home and childrearing, were assigned male-provided economic

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<sup>4</sup> Jeane Kirkpatrick (1974) summarized the differently-gendered life experiences pertinent to political behavior: "...men and women surveyed in this study have much in common: deep roots in the community, a history of joining and participating, conventional roles and life styles and strong egos. But they differ in the some important respects: the men have years of professional experience, frequently preceded by still more years of professional training. Those who are lawyers have practice in adversary proceedings, in representing various interests, in seeing the world from diverse perspectives. Salesmen, contractors and other businessmen have the experience of identifying with interests, of making profits and providing services. Women whose principle roles are those of homemaker and mother have a different experience. Their roles, grounded in affection, emphasize nurturing, empathizing, sustaining. As wives and mother, women experience the economy directly as consumer and indirectly through their husband's jobs. Traditional roles train women to be experts in empathy and feeling, in the concrete, the personal, the practical, while men in conventional roles most closely associated with politics develop expertise in dealing with concepts, things, impersonal relations" (p. 140). Kirkpatrick anticipated the impact of women's and men's different societal roles and life experiences on their political behavior in legislative bodies: "It seems likely that each sex brings to the legislature the special sensitivities, skills, and perspectives associated with their other roles, and should this be the case, there are likely to be significant differences in legislative interests, perceptions, goals, and procedures" (p. 140).

benefits and male-dependent social statuses. Under those economically marginalized conditions, women developed the inclusive political decision-making style of the marginalized. To wit, those persons/groups economically marginal are politically marginalized in a representative democracy. Excluded from participation in important political decision making (Williams 1998), the marginalized adopt/advocate an inclusive style that would provide them with self-interested participation in political decision making (Whistler and Ellickson 2010).

When a person's or a group's economic circumstances change – given the centrality of economic self-interest to political orientations and behaviors (see Note 2) – their political behaviors will be realigned to support their changed self-interests (Whistler and Ellickson forthcoming 2011, 213-215). During the last several decades, women's status in the United States has changed dramatically with regard to their production and ownership of goods and services.<sup>5</sup> Consequently, those women who have become competitive producers and owners of private societal goods and services, acting with the same self-interested motives as men, would be expected to alter their concept of legislative decision making from inclusive to exclusive.<sup>6</sup>

*Decision-Making Style and Practical Legislative Activities.* Forecasts have been projected that as more woman become members of state legislatures the legislative process will increasingly adopt the inclusive decision-making style of women (Jewell and Whicker 1994, 194; C. Rosenthal 1998, 159-67; Thomas in Thomas and Wilcox eds 1998, 13). However, not only have these forecasts been projected without examination of the potential impact of women's changing socioeconomic (SES), but also without having placed women's legislative decision-making style within the context of self-interested representatives' legislative tactics or the principled requirements of representative democracy. Representative democracy is

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<sup>5</sup> Exemplarily, in 1971 women comprised 3% of law students, by 2005 women were 44% of law students; in 1960 women were less than 5% of veterinarian students, today they comprise 70% of veterinarian classes; in 1970 women were 7.6% of medical students, today they are 26.6%. Indeed, women now constitute 57% of college graduates (Women's Bureau, Department of Labor, "Women in the Labor Force: A Data Book (2009 Edition), <http://www.bls.gov/cps/wlf-databook2009.htm>"); also see Burrow (2004). Concomitant with this increased participation of women in the work force, their integration into the public and private life of the larger society has been enhanced by many actions taken by public authority (e.g., various anti-discrimination laws, affirmative action, and vast increases in public resources spent on public goods and services such as public education), as well as private actions on behalf of reducing/ending gender bias.

<sup>6</sup> The most recent cohort of women state legislators no longer support general distributive/redistributive public policies, but do significantly support public policies beneficial specifically to women (Whistler and Ellickson 2010).

constructed upon the premise that governments ought to enact into public policies what a majority of citizens want. To accomplish this, representative democracy's operating principle is that elected representatives ought to make decisions as if the represented were present to make the decision for her/his self (Pitkin 1967). Endemic, then, to representative democratic legislatures are women and men representatives pursuing the self-interested concerns of those they represent as well as the members' career goals. These concerns pressure for exclusionary or inclusionary decision-making tactics depending on the member's calculations of which best serves her/his self-interested goals. Those members able to achieve a majority may choose to exclude those not needed for a majority (Riker 1962). Also there are other important practical considerations that favor exclusive decision making (e.g., time restrictions). Yet at the same time, there are practical, self-interested concerns that pressure to include more participants and their interests (A. Rosenthal 2004, chs 3, 4). Exemplary are explicit logrolling agreements in ongoing situations, as well as implicit bargaining in anticipation of future situations (Davidson, Oleszek, and Lee 2008, ch 9).<sup>7</sup>

Even as self-interested motives affect representative's choice of decision-making styles, representative democracy requires that all interests be provided access to decision making.

***Decision-Making Style and Democratic Theory.*** Based on elected representatives converting the demands of citizens into public policies, representative democracy implicitly requires inclusive decision-making as the method for accessing all interests to deliberation in the legislative process. Thomas Landon Thorson (1962, 141) famously expressed the fundamental democratic premise as "do not block the possibility of change with respect to social change" that implicitly supports the inclusive style of legislative decision making. Dahl (1989, ch 9; 1998, 38) analyses the necessity and the problems of inclusion in representative democracy. He elegantly presents the overall principled components of representative democracy (Dahl 1998, ch 6), principles that Dahl identifies as beginning with the self-interested Principle of Intrinsic Equality (that humans ought to be treated as if they are equal with respect to Natural Rights) and ranging through principles that flow from that assumption. Dahl (1998, Part III) further analyzes the institutions required to implement representative democratic theory. Likewise, Sartori (1987, 12-18) demonstrates that democracy is a

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<sup>7</sup> Two political adages express the practical, self-interested factors motivating for inclusion: "always leave the back door open" (don't exclude members that you may need for future majorities) and "politics makes strange bedfellows" (when it serves their self-interests representatives of very different interests may agree on a decision).

human vision of collective decision making based upon participation within institutions that realistically/actually provide meaningful participation.

Legislatures are the most basic institution implementing the representative democratic vision. The different state legislatures structures implement different styles of decision making.

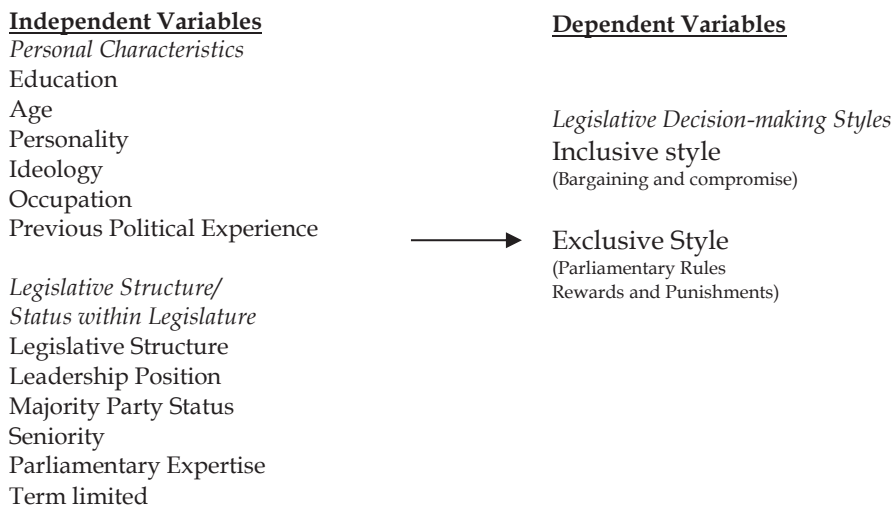
*Legislative Decision-Making and Legislative Structures.* How legislatures are structured and operated may channel how decision-making is conducted. Two types of state legislative structures (professional and citizen) with hybrid-types in-between (NCSL 2008) have developed that utilize different decision-making styles. Professional state legislatures – comprised of full-time legislators who meet year-around with substantial staff support – have been devised to process the voluminous and often conflictive demands arising out of urbanism and industrialization. Professional legislatures necessarily use political parties to aggregate shared interests from among the large volume of conflictive interests. Political parties are inherently structured and operated to maximize shared interests excluding interests that are competing for legislative goals (Aldrich 1995). Given, however, the weakness of the American political parties and the pressure upon representatives to obtain the policies demanded by constituents, ephemeral coalitions reflecting more inclusion of participants' interests are common across party lines (Holbrook and La Raja in Gray and Hanson eds 2007; A. Rosenthal 2008, chs 9,10,11; Squire and Moncrief 2010, ch 5). Citizen legislatures are structured to process the lower number of demands arising from less populated, more agricultural states. They meet for a limited time, often biennially, with legislators serving part-time assisted by small staffs. In-between these polar types are hybrid legislatures consisting of various combinations of institutional arrangements that have been devised to process the demands inputted (NCSL 2008). Citizen state legislatures, while nominally organized on the basis of political parties, usually directly process the demands of constituents by a consensual/inclusive process (Dunn and Whistler 1987; Whistler 2010, 241-246). That said, other motives and situations may pressure for an exclusionary style.<sup>8</sup>

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<sup>8</sup> For example, the presence of power-acquiring legislators in non-term-limited states can give rise to exclusive decision making among power brokers in a citizen legislature (Whistler 2010, ch 4). Also gubernatorial bill-introductions – comprising almost all of the major public policies in both professional and citizen legislatures – may pressure for political party exclusionary tactics because such introductions comprise the overwhelming percentage of major (and conflictive) public policies in citizen and in professional legislatures (A. Rosenthal 1990; A. Rosenthal 2008 ch.8; Whistler 2010, ch 8).

An explanatory model is presented below that combines the theoretical considerations just discussed with additional variables identified by researchers as possibly important in explaining legislative decision making style.

Figure 1. Comprehensive Explanatory Model of Decision-Making Styles/Techniques



The explanatory model is constructed upon the theoretical perspective that individual representative's legislative decision-making style is a rational calculation of self-interest informed by a host of factors (Clausen in Silbey ed, 1994, 1171-1191; Mayhew 2004; Davidson, Oleszek, and Lee 2008, ch9). Among this host of possible explanatory variables, the most pervasive influences on representatives' public policy calculations are the economic self-interest of representatives and those they represent (see Note 2). That is, while life-style and other social interests may be primary for some individuals/groups, for the most part representation arises out of the economic reality of democratic electoral politics; namely that persons/groups who do not produce economically valued goods and services in a society at-large (i.e., those economically marginal) are not likely to acquire the resources that are needed for political participation in electoral politics of representative democracies; and within a democratic legislature, the economically marginal may be excluded from participation in legislative



policy making (i.e., are politically marginal).<sup>9</sup> Women's and men's historically divergent economic circumstances have engendered self-interested political decision-making style; that is, women's economic marginality (resulting from their prescription to home and childrearing) has been the underlying cause of women's inclination to take the inclusive legislative decision-making style, whereas men's economic prominence in the larger society has been the underlying cause of men's tendency toward taking the exclusive style (Whistler and Ellickson 2010; Whistler and Ellickson forthcoming 2011).

Other marginalized persons/groups in addition to women will advocate inclusive decision making as an antidote to their exclusion from decisive decision making in the legislative process. Moreover within the professional/citizen structures, there are several other variables may affect representative's calculations of their legislative behavior (Clausen in Silbey ed. 1994, 1171-1191). These variables are described in the comprehensive model that subsequently is evaluated for its capacity to explain legislative decision-making style.

**Independent Variables.** Marginalized groups in addition to women that may press for inclusion in legislative decision making include racial minorities, younger, less educated, aggressive personalities, and ideologues (Whistler and Ellickson 2010, 33-34). Moreover, within state legislatures there are situations that may influence the style of legislative decision making; to wit, previous political experience, leadership position, committee chairs, majority party status, term limits, seniority, parliamentary expertise, and term-limits (Clausen in Silbey ed. 1994, 1171-1191; Whistler and Ellickson 2010, 34-36).

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<sup>9</sup> The informal operation of representative democracies throughout the world has provided a "double benefit" to candidates with middle-class (and above) SES: (1) Benefit One consists of the personal possession by candidates of the SES resources (time, money, knowledge, community connections) needed for a candidate to run for office; and (2) Benefit Two consists of the voters' perceptions of the candidates as possessing the competence to perform the governmental decision making evidenced by the candidates possessing higher SES, while at the same time the voters' perceptions that the candidates can be trusted to be concerned with the same values and interests as the voter demonstrated by "being/acting like" and "looking like" the voters. With majority rule the elected representatives in democracies reflect the dominant SES, racial/ethnic, and religious characteristics of that society. In recent decades, persons without/with fewer economic resources (marginalized) often are organized by those with resources into political coalitions that may have powerful political influence within the political party that aggregates the "have not/have less" interests, i.e., the Democratic Party. At the state level, formal organizations pursuing legislative agendas on behalf of the economically marginal occur more in professional than in citizen legislatures (Whistler 2010, 58-59, 236-240).

Thus, while the present research focuses attention on legislators' gender and economic backgrounds, these additional explanatory/independent variables are included within a comprehensive model that potentially may explain choice of legislative decision-making style (see list of independent variables in Figure 1).

**Dependent Variable Operationalized.** Legislative decision-making style is operationalized on the basis of three tactics commonly utilized by legislators to acquire desired legislative goals but which have not previously been employed by researchers as measures of legislative style: (1) bargaining and compromising, (2) parliamentary rules, and (3) rewards and punishments. Bargaining and compromise are interpreted as indicative of an inclusive style, while use of parliamentary rules and rewards and punishments are viewed as exclusive techniques. Figure 1 outlines the comprehensive set of independent variables and the dependent variable(s).

The Hypothesis section below provides the expected relationships and their justifications.

### Hypotheses

Because producers of private goods and services (competitive occupations) in the society at-large will be less inclined to share the resources they have labored to produce and will tend to adopt an exclusionary legislative decision-making style, while those who have not labored to produce goods and services will be more inclined to share the products of others and adopt an inclusive decision-making style,<sup>10</sup> we hypothesize that women and men legislators who share a similar economic background will tend to share the decision-making style that most effectively enacts the public policies benefiting women's and men's economic interests: Therefore, women and men legislators with private, competitive occupational backgrounds will tend to favor exclusive decision making, while those from voluntary or noncompetitive occupational backgrounds will tend to favor an inclusive style legislative decision making.

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<sup>10</sup> This statement assumes that: (1) political decision making by all legislators – women and male – in a representative democratic legislature consists of a set of calculations to obtain self-interested legislative and career goals (Clausen in Silbey ed, 1994, 1171-1191; Mayhew 2004; Davidson, Oleszek, and Lee 2008, ch9); (2) the choice of political decision-making method is made on the basis of what style is most likely to obtain the legislative goals preferred by the representatives and/or those they represent (Oleszek 1996, 12); and (3) economic self-interests is a pervasive influence on both the represented and their representatives (see Note 2).

Legislators with other personal characteristics marginalized in the larger society and subsequently may be marginalized in the legislative process will prefer the inclusive style of legislative decision making. Therefore we anticipate that, regardless of gender, younger, less formally educated, and those with previous political experience will prefer an inclusive style. Ideologues, however, may be expected to pursue their goals by exclusive tactics.

Regardless of gender or the other personal characteristics, we hypothesize that legislative structure will influence a legislator's decision-making style: professional legislatures will emphasize exclusion, citizen legislatures will emphasize inclusion. Moreover, regardless of gender, members holding leadership positions in the chamber and on committees, majority party status, and having seniority will benefit by exclusionary decision making. On the other hand, term-limited members may feel compelled to favor the inclusive style to compensate for their condensed time frame. Members with parliamentary expertise are expected to use that knowledge to enact legislation by exclusionary means.<sup>11</sup>

### **Analytical Techniques**

The hypothesized relationships are evaluated using ordinary least squares regression (OLS). Thirteen independent variables are regressed on each of the three legislative decision-making techniques of samples of women and men state legislators. No pair of independent variables was correlated above .35, thereby indicating multicollinearity was not a problem in this study (Asher 1983). Appendix A contains the OLS regressions and a detailed interpretation of them. Appendix B contains the measurement of the variables.

To evaluate the possible differences in variables influencing women and men state legislators' choice of legislative decision-making tactics, the explanatory model is regressed separately on our samples of women and men state legislators.

### **Data**

The data were collected from a three-wave mail survey of the lower houses of all fifty state legislatures. The initial wave was mailed in late 2002

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<sup>11</sup> Illustrative is Congressman John Dingell's (D, Mich) claim, "If you let me write the procedure [the parliamentary rules structuring debate] and I let you write the substance [the content of the bill], I'll beat you every time (Oleszek 1996, 12).

with follow-up waves sent in early 2003 and summer 2004. The overall response rate was 40%.<sup>12</sup> Our total sample contains 1859 respondents of which women comprise 26.5% (n=492) and men 73.5% (n=1367); these percentages are within 3% of the actual percentages of all women and men state legislators (which in 2002 were 23.4% women and 76.4% men). While the data are self-reported – subject to subjective perceptions – confidence in the representativeness, and therefore in the general validity and reliability, of our samples is further reinforced by their congruence with the known percentages of women and men Democrat and Republican state legislators: The 61% Democratic affiliation of women members of the lower state houses in our sample is nearly the same as the 60.2% reported for all women members of the lower houses of state legislatures at the time of our survey (CAWP *Fact Sheet* 2002); and the percentages of Democratic and Republican men members of the lower houses of state legislatures in our sample are nearly the same as those percentages among all lower state legislatures. In our sample, 45.6% of men identified themselves as Democrats and 53.9% as Republicans; in the known percentages of all men members of the lower state houses, 46.9% were Democrats and 53.1% were Republican (*Book of the States* 2003, 113).

## Findings

How much difference is there between women's and men's use of the three tactics of legislative decision making? Table 1 displays no significant difference on two of the measures of styles. Only on use of parliamentary rules do women and men differ. This difference results from the response to "Never" (women 56.2%, men 48.6%). Women's non-use of parliamentary rules to obtain legislative goals appears to be explained by their lower rating of their knowledge of parliamentary rules compared with men (Whistler and Ellickson 1999, 2004). Believing they have less parliamentary expertise presumably would reduce women's use of that as a tactic.

## Significant Explanatory Variables

Figure 2 containing a summary of the variables that significantly (at  $\leq .05$ ) impact on women and men state legislators' use of legislative decision-making tactics is discussed below. The OLS regression data and a technical interpretation of the data/tables are contained in Appendix A.

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<sup>12</sup> Sue Thomas reported an overall return rate of 54% for her 1988 survey of legislators, but it was only of 12 states (1994, 43). Eric Uslaner and Ronald Weber (1977, 4) reported a 38% response rate. Wayne Francis (1967, 108) reported a 52% response rate.

**Table 1. Distribution of Women and Men Legislators' Use of Legislative Styles**

|             | Use of Inclusive Style of Bargaining and Compromise |        | Use of Exclusive Style of Restrictive Parliamentary Rules |        | Use of Exclusive Style of Rewards and Punishment |        |
|-------------|---|--------|---|--------|--|--------|
|             | Women   | Men    | Women   | Men    | Women  | Men    |
| Never       | 4.3%  | 5.2%   | 56.2%   | 48.6%  | 65.6%  | 61.1%  |
| Rarely      | 16.30%  | 15.50% | 26.20%  | 34.10% | 24.10%   | 25.60% |
| Sometimes   | 47.80%  | 48.30% | 16.20%  | 14.80% | 9.60%  | 12.30% |
| Often       | 31.50%  | 31.10% | 1.20%   | 2.40%  | 0%   | 1.00%  |
| Cramer's V= | 0.200   | 0.882  | 0.086   | 0.006  | 0.048  | 0.257  |

While contemporary women and men legislators are far more similar than dissimilar in their use of legislative decision-making tactics (see Table 1), they do differ somewhat as to the variables that motivated them to use the different legislative decision-making styles (see Figure 2).

Use of the inclusive style of bargaining and compromising among women

**Figure 2. Summary of Variables Significantly Predicting Women and Men Legislators' Use of Different Legislative Decision-Making Style**

| Use of Inclusive Style of Bargaining and Compromise |                               | Use of Exclusive Style of Restrictive Parliamentary Rules |                         | Use of Exclusive Style of Rewards and Punishment |                         |
|---|-------------------------------|---|-------------------------|--|-------------------------|
| Women   | Men                           | Women   | Men                     | Women  | Men                     |
| Education   | Education                     | Education   | Younger age             | Education  | Younger age             |
| Competitive occupation                              | Younger age                   | Aggressive personality                                    | Legislative structure   | Younger age                                      | Aggressive personality  |
| Leadership position                                 | Aggressive personality        | Competitive Occupation                                    | Leadership position     | Previous experience                              | Leadership position     |
|   | Non-ideological               | Term limited  | Majority party          | Seniority  | Seniority               |
|   | Previous political experience |   | Term limited            |  | Parliamentary expertise |
|   | Legislative structure         |   | Parliamentary expertise |  |                         |

(see Figure 2) was boosted significantly by only three personal characteristics (education, competitive occupation, and leadership position) and no legislative structural variables, while among men all the personal characteristics except one (occupation was the exception) were important for bargaining and compromising but only one of the structural factors (professional legislature) significantly affected men's choice of bargaining and compromising. For women and men legislators, then, personal characteristics were more pervasive in motivating use of bargaining and compromise.

With respect to the use of the exclusive style of parliamentary rules to limit debate, women were mostly affected by personal characteristics (age and non-ideology were the exceptions) with only term-limits important among the structural variables; whereas among men, the use of parliamentary rules to obtain desired legislative goals was significantly influenced by only one personal characteristic (younger age) but all except one of the institutional factors (the exception was seniority).

On the use of the exclusive tactic of rewards and punishments, women were more motivated by personal characteristics (better educated, younger, and with previous political experience) than structural factors (only seniority was a significant structural factor). Among men, personal characteristics were less pervasive influences to use of reward and punishment (although being younger and more aggressive were significant influencers), while legislative structural factors (leadership position, seniority, and parliamentary expertise) were more pervasive influences for men choosing use of reward or punish to obtained legislative goals.

Concerning our principal hypothesis of the influence of economic self-interest, it is noteworthy that competitive occupation significantly prompted women to bargain and compromise as well as to use parliamentary rules (but not use of rewards and punishments), whereas occupation was unrelated to men's use of any of these techniques. This may be the result of women legislators being from less diversified competitive occupational backgrounds compared with men: Women legislators from a competitive occupational background comprise about one-third of women legislators, whereas about two-thirds of men legislators have a competitive occupational background (Whistler and Ellickson 2004). Noteworthy also is that younger men were motivated to choose all three of the legislative tactics to achieve their legislative goals, while being younger did not motive women to choose any style. A generational difference among the men may be present<sup>13</sup>; if so, we are uncertain as to its nature: Are younger men expressing a different generational socialization or have they not yet experienced the moderating impact of aging? That aggression significantly motivates men, but not women, to choose a legislative decision-making style we suspect reflects a fundamental physiological-psychological difference between men and women.

With regard to the influence of legislative structural factors, having a leadership position – not professional or citizen type legislative structure –

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<sup>13</sup> We thank an anonymous reviewer for this insight.

most affected choice of legislative style. Men legislators were motivated by legislative procedural incentives more than were women. Perhaps this is because men comprising a larger percentage of the membership of state legislatures (75%) have more continuity over time seeking and operating leadership positions. This said, however, women legislators since the mid-1990s have held leadership and power committee positions roughly proportional to their percentage of the total membership (Darcy 1996, 888-898; Whistler and Ellickson 1999, 81-97), as well as having similar average seniority and previous political experience as men legislators (Bratton, Haynie, and Reingold 2008,77-78).

Summarizing the model's explanatory capacity, while not all variables in the model were significant in predicting women and/or men legislators' use of the three types of legislative decision-making styles, the direction of the relationship was the same for women and men legislators among 22 of the 24 instances in which the variables were significant for women and/or for men (the exceptions were the influence of legislative structure and leadership position on use of parliamentary rules).

### **Conclusion**

This research has provided self-reported evidence that there is very little difference between 21<sup>st</sup> century women and men state legislators' choices of legislative decision-making techniques: Women and men state legislators do not differ in their use of the inclusive technique of bargaining and compromising to obtain their legislative goals or in their use of the exclusionary tactic of rewards and punishments. And while women legislators are significantly less inclined to use parliamentary rules to exclude participants in legislative decision making, this may be explained by women legislator's lower self-assessment of their parliamentary expertise – a condition that should be extinguished by women's continued legislative experience. Thus, while in the recent past women emphasized the self-interested inclusive decision-making style, contemporary women legislators make choices of decision-making styles that can hardly be distinguished from their similarly situated men colleagues. There is no women's (inclusive) or men's (exclusive) style of legislative decision making; instead, participants – women and men – take the style of decision making that maximizes her/his self interest (see Note 1).

Legislators' pursuit of self-interested legislative agendas (and personal career concerns) conflicts with the inclusive style implicit in representative democracy's basic axiom that the democratic process must maximize access

to agenda and equal consideration of interests. In practice, however, the democratic process cannot fully consider every interest. Instead, it is necessary for self-interested majority coalition building to generate *ad hoc* actions from ephemeral situations in which members who share representation of policy preferences may choose to exclude members representing competing interests. Concomitantly, legislators' self-interests may be served by various inclusionary considerations that generate ephemeral coalitions. The inclusive and exclusive legislative decision-making styles, then, are interactive with the self-interested agendas of participants – women and men – while at the same time constrained to implement sufficiently/adequately representative democracy's axiom of accessing all interests.

Contemporary implementation of representative democracy's axiom to access all interests by providing equal consideration of them in the legislative decision-making process has stimulated the general public's disdain for exclusionary legislative decision making, including partisanship.<sup>14</sup> Tension between the ideal decision-making style of representative democracy and its practical operation is endemic; indeed, as Dahl has noted, "What is an optimal [democratic] system for making decisions is not necessarily what we ordinarily think of as 'ideal.' In fact the optimal is almost always different from the ideal" (1970, 48). Yet this tension between the principled requirement of representative democracy and its practical operations reinforces the public's loss of trust in the operation of our democratic institutions, a situation fraught with potential danger.<sup>15</sup>

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<sup>14</sup> For presentation of a national survey of citizen's inconsistent attitudes and lack of understanding of democratic theory and practice, see Hibbing and Theiss-Morse 2002, especially pages 131-61. Hibbing and Theiss-Morse do not address legislative decision-making style.

<sup>15</sup> Indeed, concern for the public's trust in democratic institutions is widespread. The National Conference of State Legislatures' (NCSL) has begun a civic education project across the nation entitled *Trust for Representative Democracy*. Scholars at the Kennedy School of Government at Harvard University, concerned with the potential gravity of this situation, have an outreach project *Visions of Governance for the Twenty-First Century* researching and making recommendations; see Nye, Zelikow, and King, eds (1997). It should be kept in mind, however, that to some extent the public's distrust is fueled by its lack of understanding of the democratic process and its limitations (see Note 14). Dahl (1989, chs. 12, 13) evaluates democracy-as-procedure versus democracy-as-results (the requirement that certain, usually distributive/redistributive economic policies, be done in order for a political system to be considered democratic), ultimately claiming both are necessary (ch 21). Riker (1982, ch10) evaluates overwrought demand for public policies (he uses the term populism) on voting for representatives to be destructive of democratic institutions, and recommends procedural/institutional restraints (pp.249-251). Sartori (1987, 245) emphasizes the absolute necessity of not imposing substantive requirements on democratic institutions, and/or not



Regarding recommendations for future research, methodologically objective techniques (e.g., researcher's observations and classifications of legislator's decision-making behaviors) would provide more certain conclusions than potentially subjective self-reports. Substantive research is needed to examine the extent that women and men who share socioeconomic background characteristics display similar political similarities with men, as displayed in the present work and other research on public policies (Whistler and Ellickson 2010, 39). Yet to the extent that women's socioeconomic background continues to differ from men's, and given the societal/political consequences of childbearing and childrearing, women legislators will continue to perceive and act upon women's self-interested needs (p.40). Consequently, future research should attempt to sort out the conditions that produce similar political orientations and practices not only between women and men but also among women (Cammisa and Reingold 2004). And (beyond the political implications of childbearing and childrearing) the possible genetic differences<sup>16</sup> between women and men that may produce different political orientations have yet to be researched.

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attempting to implement democracy with procedures and institutions based on unproven ideals.

<sup>16</sup> The groundbreaking research of Alford, Funk, and Hibbing (2005) demonstrated (quite surprisingly) the influence of genes on political attitudes, but their research did not report on female's and male's political attitudes.

## APPENDIX A: OLS REGRESSION RESULTS

Table 1. Regression of Personal Characteristics and Legislative Factors on Women and Men Legislators' Use of Bargaining and Compromising as a Legislative Decision-Making Style

|  | b     |       | Standard Error |      | Beta (B) |       | T-Score |        | 1-Tailed Probability |       |
|--|-------|-------|----------------|------|----------|-------|---------|--------|----------------------|-------|
|  | Women | Men   | Women          | Men  | Women    | Men   | Women   | Men    | Women                | Men   |
| <i>Intercept</i>                       | 2.651 | 3.456 | .556           | .306 |          |       | 4.765   | 11.303 | .000                 | .000  |
| <b><i>Personal Characteristics</i></b> |       |       |                |      |          |       |         |        |                      |       |
| <i>Education</i>                       | .116  | .097  | .051           | .029 | .250*    | .140* | 3.231   | 3.371  | .000*                | .000* |
| <i>Age</i>                             | -.004 | -.013 | .007           | .003 | -0.05    | -.18* | -6.16   | -4.121 | .270                 | .000* |
| <i>Personality</i>                     | -.112 | -.088 | .073           | .034 | -0.12    | -.11* | -1.529  | -2.567 | .064                 | .006* |
| <i>Ideology</i>                        | -.176 | -.148 | .132           | .074 | -0.1     | -.08* | -1.334  | -1.985 | .092                 | .024* |
| <i>Occupation</i>                      | -.024 | .001  | .138           | .073 | -.130*   | .000  | -1.741  | .017   | .042*                | .494  |
| <i>Prev. pol. experience</i>           | .054  | .279  | .130           | .070 | .030     | .170* | .416    | 4.001  | .339                 | .000* |
| <b><i>Legislative factors</i></b>      |       |       |                |      |          |       |         |        |                      |       |
| <i>Structure</i>                       | .310  | .596  | .524           | .305 | .050     | .080* | .592    | 1.957  | .278                 | .026* |
| <i>Leadership position</i>             | .030  | .015  | .017           | .009 | .150*    | .070  | 1.828   | 1.602  | .035*                | .055  |
| <i>Majority party</i>                  | .047  | .072  | .124           | .068 | .030     | .040  | .382    | 1.054  | .352                 | .146  |
| <i>Seniority</i>                       | -.001 | .002  | .012           | .006 | .000     | .020  | -.055   | .311   | .478                 | .378  |
| <i>Term limited</i>                    | -.253 | -.060 | .178           | .089 | -.110    | -.030 | -1.421  | -.676  | .079                 | .250  |
| <i>Parliamentary expertise</i>         | .052  | -.040 | .076           | .043 | .050     | -.040 | .677    | -.926  | .250                 | .178  |

\* indicates significant at  $\leq .05$ ;Women's Model:  $F=3.051$ ; Significance=.001;  $n=492$ ;  $R=.429$ ;  $R^2=.184$ ; Adj. $R^2=.124$ Men's Model:  $F=5.756$ ; Significance=.000;  $n=1367$ ;  $R=.330$ ;  $R^2=.109$ ; Adj. $R^2=.090$

Table 2. Regression of Personal Characteristics and Legislative Factors on Women and Men Legislators' Use of Parliamentary Rules as a Legislative Decision-Making Style

|  | b     |       | Standard Error |      | Beta (B) |       | T-Score |        | 1-Tailed Probability |       |
|--|-------|-------|----------------|------|----------|-------|---------|--------|----------------------|-------|
|  | Women | Men   | Women          | Men  | Women    | Men   | Women   | Men    | Women                | Men   |
| <i>Intercept</i>                       | .504  | 1.603 | .531           | .291 |          |       | .949    | 5.508  | .172                 | .000  |
| <b><i>Personal Characteristics</i></b> |       |       |                |      |          |       |         |        |                      |       |
| <i>Education</i>                       | .095  | -.002 | .048           | .027 | .160*    | .000  | 1.96    | -.061  | .026*                | .478  |
| <i>Age</i>                             | .005  | -.010 | .007           | .003 | .060     | -.15* | .694    | -3.523 | .245                 | .000* |
| <i>Personality</i>                     | -.123 | -.049 | .071           | .033 | -.150*   | -.060 | -1.733  | -1.511 | .043*                | .066  |
| <i>Ideology</i>                        | -.023 | .018  | .126           | .071 | -.010    | .010  | -.185   | .259   | .427                 | .398  |
| <i>Occupation</i>                      | .216  | .043  | .133           | .070 | .130*    | .030  | 1.626   | .610   | .053*                | .271  |
| <i>Prev. pol. experience</i>           | .054  | .048  | .126           | .066 | .040     | .030  | .426    | .725   | .336                 | .235  |
| <b><i>Legislative factors</i></b>      |       |       |                |      |          |       |         |        |                      |       |
| <i>Structure</i>                       | .546  | -.473 | .509           | .29  | .09      | -.07* | 1.072   | -1.632 | .143                 | .051* |
| <i>Leadership position</i>             | -.011 | .017  | .016           | .009 | -.060    | .080* | -.659   | 1.899  | .256                 | .029* |
| <i>Majority party</i>                  | .126  | .118  | .120           | .065 | .080     | .070* | 1.049   | 1.82   | .148                 | .035* |
| <i>Seniority</i>                       | .003  | .009  | .012           | .005 | .020     | .070  | .257    | 1.566  | .399                 | .059  |
| <i>Term limited</i>                    | .396  | .288  | .172           | .085 | .180*    | .140* | 2.303   | 3.394  | .012*                | .000* |
| <i>Parliamentary expertise</i>         | .115  | .163  | .074           | .041 | .130     | .170* | 1.563   | 3.962  | .060                 | .000* |

\* indicates significant at  $\leq .05$ .Women's Model:  $F=1.656$ ; Significance=.081;  $n=492$ ;  $R=.331$ ;  $R^2=.110$ ; Adj. $R^2=.044$ Men's Model:  $F=6.504$ ; Significance=.000;  $n=1367$ ;  $R=.349$ ;  $R^2=.122$ ; Adj. $R^2=.103$

Table 3. Regression of Personal Characteristics and Legislative Factors on Women and Men Legislators' Use of Rewards and Punishments as a Legislative Decision-Making Style

|                                 | b     |       | Standard Error |      | Beta (B) |       | T-Score |        | 1-Tailed Probability |       |
|---------------------------------|-------|-------|----------------|------|----------|-------|---------|--------|----------------------|-------|
|                                 | Women | Men   | Women          | Men  | Women    | Men   | Women   | Men    | Women                | Men   |
| <i>Intercept</i>                | 1.345 | 2.099 | .455           | .276 |          |       | 2.953   | 7.605  | .002                 | .000  |
| <b>Personal Characteristics</b> |       |       |                |      |          |       |         |        |                      |       |
| <i>Education</i>                | .121  | .014  | .041           | .026 | .230*    | .020  | 2.929   | .536   | .002*                | .296  |
| <i>Age</i>                      | -.014 | -.015 | .006           | .003 | -.220*   | -.23* | -2.482  | -5.307 | .007*                | .000* |
| <i>Personality</i>              | -.032 | -.074 | .060           | .031 | -.050    | -.10* | -.541   | -2.399 | .295                 | .009* |
| <i>Ideology</i>                 | .002  | -.013 | .109           | .067 | .000     | -.010 | .016    | -.198  | .494                 | .422  |
| <i>Occupation</i>               | .099  | -.054 | .113           | .066 | .070     | -.030 | .873    | -.81   | .192                 | .209  |
| <i>Prev. pol. experience</i>    | .214  | .081  | .106           | .063 | .160*    | .050  | 2.012   | 1.291  | .023*                | .099  |
| <b>Legislative factors</b>      |       |       |                |      |          |       |         |        |                      |       |
| <i>Structure</i>                | .026  | -.045 | .429           | .275 | .01      | -.01  | .061    | -.165  | .476                 | .435  |
| <i>Leadership position</i>      | .011  | .022  | .014           | .009 | .070     | .120* | .825    | 2.58   | .206                 | .005* |
| <i>Majority party</i>           | -.061 | -.087 | .102           | .062 | -.050    | -.060 | -.600   | -1.415 | .275                 | .079  |
| <i>Seniority</i>                | .022  | .011  | .010           | .005 | .190*    | .110* | 2.251   | 2.19   | .026*                | .015* |
| <i>Term limited</i>             | .080  | -.013 | .146           | .080 | .040     | -.010 | .546    | -.161  | .293                 | .436  |
| <i>Parliamentary expertise</i>  | .032  | .080  | .063           | .039 | .040     | .090* | .513    | 2.058  | .305                 | .020* |

\* indicates significant at  $\leq .05$ .Women's Model:  $F=2.202$ ; Significance=.014\*;  $n=492$ ;  $R=.375$ ;  $R^2=.141$ ; Adj. $R^2=.077$ Men's Model:  $F=5.279$ ; Significance=.000\*;  $n=1367$ ;  $R=.319$ ;  $R^2=.102$ ; Adj. $R^2=.082$ 

### Interpretation/Analysis of Data in Tables 1, 2, & 3

Bargaining and compromising are the *modus operandi* of democratic legislative politics. Observing bargaining and compromising among women legislators (Figure 2, column 1; and Appendix A, Table 1), being better educated ( $B=.25$ ,  $Sig=.000$ ) from competitive occupations ( $B=-.13$ ,  $Sig=.042$ ), and holding a leadership position ( $B=.15$ ,  $Sig=.035$ ) are significant boosts. Close, but not statistically significant (at  $\leq .05$ ), are women with aggressive personalities ( $B=-.12$ ,  $Sig=.064$ ) who were not ideological ( $B=-.10$ ,  $Sig=.092$ ), and term-limited ( $B=-.11$ ,  $Sig=.079$ ). Men legislators (Figure 2, column 2; and Appendix A, Table 1) were significantly motivated to bargain and compromise if they were more formally educated ( $B=.14$ ,  $Sig=.000$ ), younger ( $B=-.18$ ,  $Sig=.000$ ), aggressive in personality ( $B=-.11$ ,  $Sig=.006$ ), less ideological ( $B=-.08$ ,  $Sig=.024$ ), had previous political experience ( $B=.17$ ,  $Sig=.000$ ), and were members of a professional legislature ( $B=.08$ ,  $Sig=.026$ ). Holding a leadership position ( $B=.15$ ,  $Sig=.055$ ) was close to being statistical significance at  $\leq .05$ .

Women's use of parliamentary rules to enhance enactment of their legislation (Figure 2, Column 3; and Appendix A, Table 2) is significantly impacted by being more formally educated ( $B=.16$ ,  $Sig=.026$ ), more aggressive personality-wise ( $B=-.15$ ,  $Sig=.043$ ), from a competitive occupation ( $B=.13$ ,  $Sig=.053$ ), and term-limited ( $B=.18$ ,  $Sig=.012$ ). Close to statistical significance at  $\leq .05$  was parliamentary expertise ( $B=.13$ ,  $Sig=.060$ ). Among variables that significantly increase men legislator's use of parliamentary rules to enact their legislation (Figure 2, Column 4; and Appendix A, Table 2) are being younger ( $B=-.15$ ,  $Sig=.000$ ), member of a professional legislature ( $B=-.07$ ,  $Sig=.051$ ), having a leadership position ( $B=.08$ ,  $Sig=.029$ ), member of the majority party ( $B=.07$ ,  $Sig=.035$ ), term-limited ( $B=.14$ ,  $Sig=.000$ ), and parliamentary expertise ( $B=.17$ ,  $Sig=.000$ ). Close to statistical significance were aggressive personality ( $B=-.06$ ,  $Sig=.066$ ) and seniority ( $B=.07$ ,  $Sig=.059$ ).

The use among women legislators of rewards and punishments to achieve legislative goals (Figure 2, column 5; and Appendix A, Table 3) is significantly greater if more formally educated ( $B=.23$ ,  $Sig=.002$ ), younger ( $B=-.22$ ,  $Sig=.007$ ), possess previous political experience ( $B=.16$ ,  $Sig=.023$ ), and have seniority ( $B=.19$ ,  $Sig=.026$ ). Men legislators are more likely to use rewards and punishments (Figure 2, column 6; and Appendix A, Table 3) if they are younger ( $B=-.23$ ,  $Sig=.000$ ), have an aggressive personality ( $B=-.10$ ,  $Sig=.009$ ), occupy a leadership position ( $B=.12$ ,  $Sig=.005$ ), have seniority ( $B=.11$ ,  $Sig=.015$ ), and parliamentary expertise ( $B=.09$ ,  $Sig=.020$ ). Men's use of rewards and punishments to achieve legislative goals are also somewhat linked to majority party status ( $B=-.06$ ,  $Sig=.079$ ) and previous political experience ( $B=.05$ ,  $Sig=.099$ ).

## APPENDIX B: MEASUREMENT AND CODING OF VARIABLES

### Independent Variables

**Gender:** 0=female, 1=male

**Education:** 1 = High school/GED, 2 = Some college or technical training, 3 = Two-year Associates degree, 4 = College (Bachelor's degree), 5 = Graduate/Professional school

**Age:** Legislators' age in years

**Personality:** Legislators were asked to describe their personality on a five-point scale ranging from 1=hard-driving/assertive, 5=laid-back/easy-going (5).

**Ideolog:** Legislators were asked to identify their political ideology on a five-point scale ranging from 1=very liberal, 5=very conservative. (Responses were recoded as 0=moderate, 1=ideological (very/somewhat liberal/conservative).

**Occupation:** 0=noncompetitive/public sector, 1=competitive/private sector

**Previous Political Experience (other than the state legislature):** 0=no, 1=yes

**Legislative Structure (using Perverill Squire's most recent professional-citizen index of the fifty state legislatures based on the 2003 legislative session: Scores ranged from .626 (most professional) to .027 (least professional).**

**Leadership Position (following is a listing of points):** 0=if member only, 2=committee vice chair, 4=committee chair, 7=party leader or whip, 1=per membership on "key committees" (Key committees=House tax, finance and budget committees, education, health, and welfare committees; and the committee that selects members to serve on standing committees). The points were summed. Scores ranged from 0 to 18.

**Parliamentary Expertise** Expertise scores range from: 1=novice, 5=expert

**Majority Party Status:** 0=no, 1=yes

**Seniority:** Number of years in the House chamber

**Term Limited:** 0=no, 1=yes

### Dependent Variable(s)

**Decision-Making Style:** Decision-making style scores ranged from: 1=Never to 4=Often (when asked: *When you attempt to get bills passed that you have sponsored or co-sponsored, how often do you use the following legislative strategies: I bargain and compromise as necessary to get my bills passed; I use parliamentary rules to limit debate and to limit amendments in order to get my bills passed; and I use rewards and punishments that I have available to get other legislators to vote for my bills.* Bargaining and compromising to obtain legislative goals was judged as inclusive legislative decision making; use of parliamentary rules was judged exclusionary, and use of rewards and/or punishments was judged exclusionary.)

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