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Coding the Ideological Direction and Content of Policies

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Abstract

Many of the questions that are central to political science involve understanding either the causes or consequences of policy change. Scholars have relied on both data-driven and model-driven approaches to characterize the content and direction of policy. This review briefly describes several prominent measures from each approach, and it highlights important limitations that scholars continue to face in the hope of prompting continued contributions to this difficult, but essential, task.

INTRODUCTION

Characterizing the ideological direction and content of policy change is essential for evaluating the quality of governance, and this task is central to many of the core concerns in political science. Work that attempts to understand, for example, the impact of governing institutions, the consequences of elections, the extent to which the will of the people is reflected in the actions of government, the extent to which changes in public opinion or election outcomes produce changes in public policy, or the impact of political polarization on the ability to change policy all requires an ability to characterize and compare policy across time.

Despite the importance of characterizing policy change, progress has been uneven because of pervasive measurement difficulties. Although many important contributions have been made and much has been learned, we lack a coherent framework for analyzing policy across a robust variety of settings and circumstances. Without such a framework—which may be unattainable—it is difficult to provide much more than a collection of carefully executed explorations of selected incidents in the hope that they aggregate into a coherent account that addresses the breadth and complexity of political science’s most enduring questions.

This article does not attempt to provide a panacea to the many issues facing scholars interested in measuring policy. Instead, I discuss some issues that affect our ability to measure policy change, I outline some approaches that have been used to characterize policy, and I consider some possible paths forward. While recognizing the many important contributions that have been made, I also underscore some important limitations. Being explicit about the difficulties we confront when trying to characterize policy change is important for discerning the impact of these challenges on our ability to reach substantive conclusions and for identifying fruitful avenues of research.

There are many important works involving careful case studies of particular policies and issues (e.g., Wildavsky 1964, Derthick 1979, Arnold 1990, Valelly 2004, Sinclair 2011), but the methods of such studies are beyond the scope of my review. I focus instead on attempts to reduce policy to a summary measure in order to explore broader characterizations of the direction and content of policy change. The extent to which policy can be reduced to a summary measure is an issue of continuing dispute—an issue complicated further by the desire to relate such measures to the policy preferences of citizens, legislators, presidents, bureaucrats, justices, and interest groups—but it is the task to which this review is devoted.

I begin by providing a sense of the difficulty scholars face in defining policy at a conceptual level. After narrowing the definition of policy, I review approaches to measuring policy that are primarily either data-driven or model-driven. The distinction I make is that whereas data-driven approaches to measuring policy focus on collecting and categorizing outcome-related measures, model-driven approaches involve statistically estimating models to infer what the observed pattern of behavior implies about the nature of policy if the model is true. The last section concludes with some thoughts about possible paths forward.

WHAT IS POLICY? QUESTIONS, NOT ANSWERS

What is policy? Although it seems a simple question, the answer we provide has important implications for thinking about how to measure policy and policy change. Kingdon (2003, p. 3), for example, defines public policy making as “a set of processes, including at least (1) the setting of the agenda, (2) the specification from which a choice is to be made, (3) an authoritative choice among specified alternatives, and (4) the implementation of the decision.” Sabatier (1999, p. 3) goes further when he notes that “the process of public policymaking includes the manner in which problems get conceptualized and brought to government for solution; governmental institutions formulate alternatives and select policy solutions and those solutions get implemented, evaluated,

and revised.” These conceptions define an expansive scope of the policy-making process, and the meaning of policy almost surely depends on the policy-making stage being considered.

Even if we restrict our definition of policy to what is arguably its narrow sense—the solution chosen by these processes—ambiguity remains. Should the meaning of a policy be understood as the text of the proposal? If so, is it the text as approved by the legislature and signed by the executive, or does it also include rules and procedures that may be introduced by the bureaucracy and judicial review? Scholars of lawmaking may be most concerned with the former, but those interested in the effects of policy likely want to account for postenactment changes in the policy’s meaning or implementation. The policy equivalence of what is passed by the legislature and what is ultimately implemented by the bureaucracy and reviewed by the courts is not necessarily assured, and care must be taken to equate the meaning of policies (cf. Bailey & Maltzman 2011).

Moreover, identically worded policies may have very different implications depending on the surrounding context. For example, the meaning of a proposal to set the federal minimum wage at \$15 per hour differ tremendously depending on whether a majority of states have pre-existing minimum wages that are above or below \$15 per hour. Without accounting for how the proposal relates to the surrounding environment, it can be very hard to ascertain the meaning of a proposal’s language.

Perhaps the meaning of policy is best understood as the intersection between the statutory language and the existing political and social environment. This conceptualization is complicated, however, because expectations about this relationship almost surely change over the course of the policy-making process. When a policy is initially signed into law, for example, decisions are presumably being made on the basis of the consequences that are expected to result based on the text of the proposal and the status quo. Once a policy has been enacted and implemented, however, further decisions regarding that policy are most likely based on the effects that are (correctly or incorrectly) attributed to that policy. As a result, if the expected outcomes of a policy fail to materialize, or if the effects are contrary to expectations, the meaning of a policy may change over time even in the absence of further action related to that policy.

Because the meaning of identically worded policies depends on the surrounding political, social, cultural, and economic environment and also on the expectations and perceptions of those involved, these complicated connections have important implications for our ability to interpret behavior related to policy making. Identically worded statutes can produce varying patterns of policy-related behavior depending on the circumstances, and it can be difficult to interpret the meaning of the former without accounting for the latter.

If we think of policy making as occurring on a unidimensional policy space containing an infinity of possible policies ordered according to the scope of government involvement, the meaning of a proposed policy change depends on how it alters the existing (status quo) policy. Suppose, for example, that lawmakers are considering whether to enact a policy whose expected impact is located at the point labeled Policy in **Figure 1**. If so, the implications of the policy change vary depending on whether the existing policy is located at SQ₁ or SQ₂. It is a relatively minor change from SQ₁, but a change from SQ₂ would be significant.

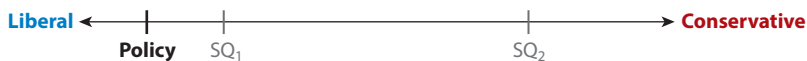


Figure 1

An illustration of a unidimensional policy. Suppose lawmakers are considering whether to enact a policy whose expected impact is located at the point labeled Policy. If the existing (status quo) policy is located at SQ₁, then the new policy would bring about a relatively minor change, whereas a change from SQ₂ would be a significant one.

Whether the existing policy is located at SQ_1 or SQ_2 affects more than the adjectives used to describe the amount of change; it also affects the behaviors that we are likely to observe. Individuals who would have incentives to lobby, speak, or vote in favor of policy change if the status quo is located at SQ_2 may not do so if the status quo is located at SQ_1 . Moreover, some of those who would support the policy if the status quo were at SQ_2 would oppose the policy if the existing policy were located at SQ_1 . Even though the content of the policy is fixed in this example, different patterns of behavior are possible depending on the location of the status quo, and care must be taken when interpreting the policy implications of policy-making behavior.

Figure 1 also illustrates the consequences of changing policy evaluations over time. Suppose that when the status quo policy was initially enacted, the expected policy impact was SQ_2 , but the actual policy effects resulted in SQ_1 . The postenactment shift from SQ_2 to SQ_1 could result from legislators' mistaken expectations, exogenous changes in the surrounding environment, or perhaps actions taken by the bureaucracy or judiciary. Such shifts complicate efforts to compare and interpret behavior over time. Whereas the actions leading up to the original enactment of the status quo policy were intended to produce SQ_2 , subsequent decisions to revise the status quo involve comparing the new proposals relative to SQ_1 . Because of the shift in the meaning of the status quo, it may be difficult to compare the meaning of actions taken to support the status quo policy over time even in the absence of a formal amendment.

These concerns highlight the question of whether the politics of policy is primarily about words or deeds. Do elites and voters care about the positions that they take, the expected effects of the enacted policies on outcomes of interest, or both? When considering a change to the status quo, for example, legislators are presumably considering the *expected* impact of the change based on the proposal's language relative to the *realized* outcomes that are attributed to the status quo policy (regardless of the language of the proposal that produced the current conditions). Moreover, the effects being attributed to the status quo almost certainly differ from the expected effects that motivated the enactment of the existing status quo policy. Perceptual differences over time can make it difficult to use policy-making behavior to make inferences about the direction and content of policy change.

Measuring policy involves more than just identifying and collecting the right data. There are also difficult conceptual issues involved in defining what we mean by policy and what that definition implies about the meaning of words and deeds that are related to policy making. Moreover, a clear resolution is elusive. In what follows, I lay these difficult conceptual concerns aside to highlight some important approaches that have been taken to measure the content and direction of the policy change for enacted statutes.

MEASURING POLICY: TWO APPROACHES

Many strategies have been used to characterize policy, and all yield important insights about the nature of governance and policy making. In general, we can classify existing measures as adopting either data-driven or model-driven measurement strategies.

Data-driven approaches are based largely on cataloguing, categorizing, and distinguishing policies using observed policy outputs and outcomes; what is measured is what is observed. Model-driven approaches rely on theoretical models to make inferences about what must be true of the policy being considered given the observed data and a policy-making model that is assumed to be true.

Data-based Policy Characterizations

Many scholars measure the content and direction of policy change by focusing on policies whose content is most amenable to systematic comparisons over time. Policies related to government spending (e.g., Jones et al. 2003, Matsusaka 2004) and appropriations (e.g., Ferejohn 1974, Wawro

& Schickler 2006), for example, appear to naturally lend themselves to over-time comparisons. By equating the content and direction of policy with the amount of money being spent or appropriated to various tasks, it is arguably possible to compare allocations—and therefore policy—over time and across issues. Mayhew (1986), for example, relates different party organizations to differing amounts of government spending per capita, Jacoby & Schneider (2009) track policy making by state governments between 1982 and 2005 using the amount of money allocated to nine different policy domains, and others use data on welfare expenditures (Husted & Kenny 1997) and tax rates (Besley & Case 2003) to assess policy making at the state level.

Policies that involve seemingly naturally ordered choices have also been analyzed at the national level. Krehbiel & Rivers (1988), for example, focus on a series of proposed amendments to change the federal minimum wage (the Fair Labor Standards Act, FLSA) in the US Senate during 1977 to explore the incentives behind policy-making behavior. They argue it is possible to use the natural ordering implied by different minimum wage levels to compare behaviors and to interpret the meaning of actions taken on competing amendments. Others have also used this aspect of the FLSA to explore a variety of other important lawmaking questions (e.g., Wilkerson 1991, Volden 1998, Dietz & Rothenberg 2003, Leigh 2008, Clinton 2012).

Unfortunately, the number of issues and policies possessing naturally ordered characteristics is limited. Moreover, it is not always clear how to compare the content and direction of proposals when policies are bundled together. For example, although an important part of the FLSA involves the definition of the federal minimum wage, the FLSA also regulates the scope of coverage. For example, how should a proposal to adopt a youth wage be compared against a small-business exemption or the exclusion of agricultural workers, and how does a 50-cent increase in the nominal wage today compare to a one-dollar increase phased in over two years? Although comparing differences in wage levels may be relatively clear, conclusions about the relative ordering of more nuanced proposals are less obvious.

Even when dealing with the reauthorization of the same policy over time, it can be difficult to make valid comparisons because of changing circumstances. For example, the 1965 Voting Rights Act unambiguously moved policy to the left of the policy enacted by the 1960 Civil Rights Act because of the increased role that it defined for the federal government. However, the decision to reauthorize the 1965 Voting Rights Act in 1970 involved different considerations and alternatives than the decision to pass the law in 1965 because some of the provisions of the 1965 Voting Rights Act had been made permanent. A failure to reauthorize the 1965 Voting Rights Act in 1970 would result in a conservative policy shift, but a shift whose end point was still to the left of the 1960 Civil Rights Act. Because identically worded statutory language may have different implications over time depending on surrounding circumstances—as it did between the enactment and the reauthorization of the 1965 Voting Rights Act—it can be difficult to equate the content and direction of policy over time even when looking at the reauthorization of an existing policy.

For related reasons, even though using appropriations bills to compare the amount of spending in a given policy area over time seems useful for measuring policy change, there are important limits because the meaning of spending can depend on other policies or the use of “riders” affecting how funds can be spent (see MacDonald 2010, Sinclair 2011). Without accounting for such effects, it can be difficult to interpret changes in the amount of appropriations or spending.

Because so few issues and policies are readily comparable over time, scholars have been forced to consider alternative measures. One common approach is to identify a policy of interest and then characterize the presence or absence of policy change (see Berry & Berry 1990, Volden 2006). This expands the range of policies that can be analyzed by asking a different question; instead of characterizing the particular ways in which a policy is changed, the question instead becomes whether a predefined change occurs. Indicators of policy adoption capture whether a particular

policy has been enacted, but they do not easily account for the magnitude of change absent the use of extremely fine-grained indicators (see, e.g., Sigelman & Smith 1980, Lax & Phillips 2009).

To obtain broader measures of policy change, scholars—especially those working on policy making in the US states—have sometimes combined multiple indicators of policy change to construct a larger policy index. Walker (1969), for example, characterizes policy innovation by comparing the willingness of states to pass 88 different programs, and Wright et al. (1987) use factor analysis to combine aspects related to policy outcomes such as the amount of spending per student in education from eight different policy areas to summarize a state’s overall policy liberalism. Caughey & Warshaw (2016) build on these aggregation approaches to analyze 148 policies and estimate annual measures of policy liberalism for every state between 1936 and 2012 using a dynamic latent variable model.

Rather than defining a particular set of policies for the purposes of measuring policy, other data-driven approaches either use the entire universe of proposed and enacted bills (e.g., Gamm & Kouser 2010) or else rely on experts to identify which of the enacted statutes contain significant policy change. The most notable use of the latter method is in Mayhew’s (1991) landmark book, *Divided We Govern*.

Mayhew (1991) desired a rubric for comparing the policy outputs of unified versus divided partisan control of the national government. To create this, he used both the contemporary assessments of journalists and scholars and the retrospective evaluation of historians and policy specialists, identifying the enactments of each Congress that were noted by each. Following Mayhew, others proposed alternative lists of significant legislation (e.g., Light 2002, Stathis 2003) or parsed the list of laws more finely. Howell et al. (2000), for example, create a tiered classification system of the significance of every enacted public statute, and Clinton & Lapinski (2006) estimate the notability of public laws using a measurement model that is similar to that used to analyze roll call votes using multiple lists of legislative acts.

These count-based measures of “significant” legislative activity have been useful for studying many important questions related to the causes and consequences of policy making (e.g., Krehbiel 1998, Binder 1999, Coleman 1999, Baumgartner & Jones 2002, Chiou & Rothenberg 2003, Lapinski 2008), but they do not obviously characterize either the direction or the magnitude of policy change.

Some combine the list of important enactments with information about the enacting coalition (see, e.g., Erikson et al. 2002), but more nuanced conclusions about the nature of change are difficult. For example, the War Powers Act of 1973 (passed by Democratic-controlled House and Senate over a Republican president’s veto), the Civil Rights Act of 1964 (passed by a unified Democratic government), and the Wholesome Meat Act of 1967 (passed by a unified Democratic government) are all noteworthy accomplishments according to Mayhew, but it is difficult to compare the relative scope and magnitude of policy change. Was the War Powers Act of 1973 a less liberal move than the Wholesome Meat Act of 1967 because it had to overcome the veto of President Nixon? Does the fact that the Civil Rights Act of 1964 and the Wholesome Meat Act of 1967 were both passed by a unified government controlled by Democrats suggest that they contained similar amounts of change? It seems difficult to answer these questions in the affirmative.

Using more nuanced measures does not obviously simplify the task of making inferences about the scope of policy change. Clinton & Lapinski (2006), for example, estimate the Voting Rights Act Amendments of 1982 to be slightly more notable than the Civil Rights Act of 1960, with estimates of 1.184 and 1.039, respectively, but it seems hard to imagine that the policy impact of the latter was not more pronounced at the time. These illustrations suggest the difficulty of equating the notability of a policy with the magnitude of policy change.

If it is risky to equate notability and policy change, perhaps a weaker statement is possible. Can we at least reason that the policy impacts of notable policies exceed those of unmentioned policies? If so, might it be possible to devise a cruder characterization involving the instances of qualitatively distinguishable policy change? Unfortunately, it is unclear whether even this more limited interpretation is correct. Policies may be worthy of mention either because they represent an important change or because the change was unexpected. For example, a social welfare program passed by a Republican president may be considerably smaller than one passed by a Democratic president, but the fact that it was passed by a Republican may make it notable. Policies can be notable for reasons besides the magnitude of policy change.

The fact that the content of legislation is almost certainly contingent on the political situation can also make it difficult to interpret what variation in the number of notable enactments implies about the scope of policy change. Especially with the increasing use of omnibus legislation (e.g., Krutz 2001), the same amount of change occurs whether the policies are bundled together or passed individually even though the number of enactments differs in these two circumstances. Moreover, the decision to bundle policies together or not likely depends on political circumstances; bundling may be more likely when policy preferences are more divided, if it is required to build a winning coalition for policies that could not be passed individually. If policy content is endogenous to the political context, interpreting the relationship between the number of enacted policies and the scope of policy change is difficult.

In light of these issues, scholars have worked to classify and categorize the issues involved [e.g., the Policy Agendas Project of Baumgartner et al. (2002), the Congressional Bills Project of Adler & Wilkerson (2016), and work by Katznelson & Lapinski (2005)]. These categorizations refine the possible characterizations by allowing scholars to identify enactments in different policy domains and answer questions about the nature of policy making across issue domains (e.g., Lapinski 2008, Adler & Wilkerson 2013). Though useful and important, these refinements only obliquely address the difficulties noted above about making inferences about the scope and magnitude of policy change.

Is it possible to use finer-grained information about the statutes being enacted to develop a more nuanced measure of policy content and scope—perhaps by applying text analysis to statutory language (see Proksch & Slapin 2012, Grimmer & Stewart 2013, Eggers & Spirling 2014)? Text analysis methods have been usefully applied to the task of analyzing party platforms in comparative politics (e.g., Laver et al. 2003), and a similar approach may be applicable to statutory language, but the approach is not without difficulty. Statutory language is far more complicated, specific, and diverse than the language of party manifestos, and it may be difficult to extract meaningful patterns from the technical language of policy making given differences in the use of language across bills. Put differently, it is unclear which patterns of statutory language would be useful for characterizing the content and direction of policy change. It seems likely that some progress can be made within a suitably defined policy issue area, but it seems unlikely that these methods can quantify the scope and magnitude of policy change across issues and time given the complexity of the language involved.

An alternative approach may be to follow the study of party manifestos in the field of comparative politics (Benoit & Laver 2006) and use expert assessments to gauge the magnitude of change (e.g., Budge et al. 1987). Many ways have been proposed to translate expert assessments into measures pertaining to the direction and content of policy; the Comparative Manifestos Project, for example, tries to quantify policy positions by counting the number of “left-leaning” and “right-leaning” statements in party manifestos (e.g., Laver & Budge 1992, Laver 2001). It is unclear how easily such an approach could be applied given the complexity involved, but relying on experts to

characterize the magnitude of change may be one possible way of quantifying the direction and magnitude of policy change.

Another approach is to use the adoption of “model bills” proposed by groups with a known agenda (e.g., the American Legislative Exchange Council or the National Conference of State Legislatures) to determine the relative adoption rates across states and the similarity of enacted legislation to model legislation. Such work (see, e.g. Hertel-Fernandez 2014) assesses the direction of policy change relative to the interests of the group proposing the model legislation, but it is limited by the paucity of model bills and the difficulty of tracking their adoption.

In summary, many existing measures of policy change depend on counting or classifying policy outputs, and much has been learned from such data-driven measures, but they are ultimately limited in what they are able to reveal about the scope and magnitude of policy change. Because the scope and magnitude of policy change must often be inferred rather than observed, some scholars have turned to theoretical insights to help interpret what the observed patterns and outputs imply about the scope and magnitude of policy change.

Model-based Policy Characterizations

An alternative approach to measuring the direction and content of policy relies on theoretical models to estimate what must be true of the policy change being considered, given the assumptions of the model and the observed pattern of behavior. The earliest and most pervasive model-based policy estimates are a consequence of Poole & Rosenthal’s (1997) landmark work on roll call voting behavior, but the approach can be applied to any policy-making behavior (e.g., bill sponsorship, floor speeches) for which it is possible to use a model to relate the observed behavior to policy outcomes. Poole & Rosenthal, for example, prove that if members vote for the policy alternative closest to their most preferred policy, it is possible to derive a likelihood function that can be applied to voting behavior to estimate unobservable aspects of the policy-making environment. Because their behavioral voting model involves legislators casting votes based on the location of the proposals being voted on, if we assume that the model provides a truthful account of the behavior we observe we can use the model to statistically analyze voting behavior and recover the policy positions that are implied by the pattern of observed votes.

More specifically, Poole & Rosenthal (1997) assume that legislators vote for policies according to a spatial voting model where u_{ijy} , the utility that a legislator receives from the policy outcome associated with voting affirmatively on vote j , is given by

$$u_{ijy} = \beta \exp \left(-\frac{1}{2} \sum_{k=1}^s \omega_k (x_{ik} - O_{jky})^2 \right).$$

Here, O_{jky} denotes the location associated with voting yea on vote j in dimension k of s , x_{ik} denotes the location of the most preferred policy for legislator i in dimension k , ω_k is a salience weight that allows the shape of the indifference curves to be ellipses rather than circles, and β allows for an overall “noise” level in roll call voting (so that voting is random if $\beta = 0$). The utility associated with a vote for the nay alternative is analogously defined, and the probability of observing a yea vote is therefore the probability that $u_{ijy} > u_{ijn}$ (allowing for idiosyncratic error).

Estimates of most preferred policy positions (ideal points) x_{ik} result directly from the application of the assumed behavioral (and implied statistical) model to the observed roll call behavior, and they have been widely used in many applications, but estimates of the policy locations being voted on— O_{jky} and O_{jkn} —have not. The disparity in usage is likely a consequence of the fact that the identification of the proposal locations depends critically on assumptions about the curvature

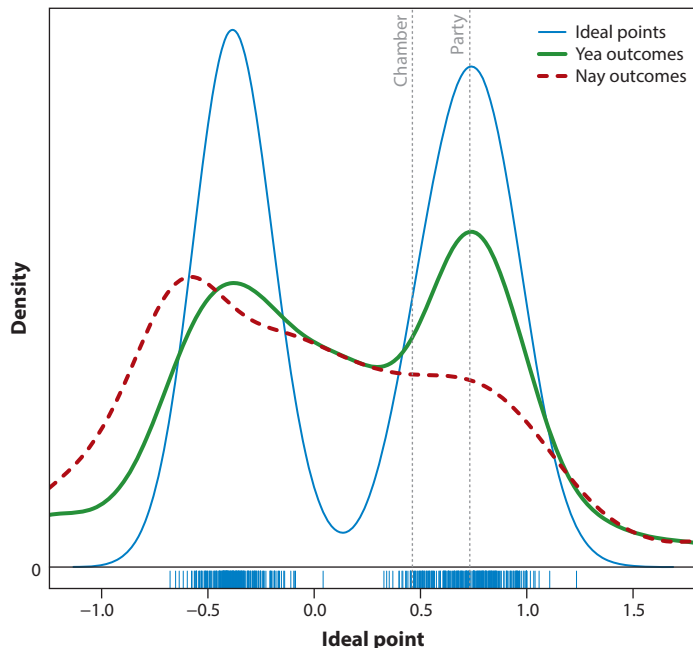


Figure 2

Distribution of ideal points, yea locations, and nay locations using DW-NOMINATE first-dimension estimates in the US House of Representatives, 2013–2015. The distribution of the proposal locations associated with yea outcomes on nonlopsided roll call votes is graphed in green, and the distribution of the locations of proposals associated with voting nay on nonlopsided roll call votes is given by the dashed red line. Vertical lines denote the location of the chamber and party medians.

of the legislators’ utility functions (Poole 2005). For example, if legislators’ utility functions are the absolute value of the distance between x_{ik} and O_{jky} , the proposal locations are unidentified. Although some scholars have argued strongly for the assumption of normal utility functions (Carroll et al. 2013), few applications actually use them (see Poole & Rosenthal 1991). In fact, Poole & Rosenthal (2007, p. 28) explicitly warn, “Our estimates of roll call outcome are much less reliable than the estimates of legislator outcomes or roll call cuts. Consequently, this book contains no discussion of the outcomes for individual roll calls.”

Perhaps as a consequence of this fragile identification, the resulting policy locations are sometimes hard to interpret relative to what we think we know about the incentives for policy making and agenda control. To illustrate this point, **Figure 2** plots the distribution of the 1,021 yea and nay locations associated with nonlopsided votes overlaid on the distribution of estimated ideal points for the 113th US House of Representatives (2013–2015) using first-dimension DW-NOMINATE estimates.

In principle, because a location estimate is associated with every roll call vote, these estimates could be used to describe the locations of policies being voted on in the recovered space relative to the most preferred policies of legislators O_{jk} , the direction of the policy change based on the coalitions that support and oppose the policy, and the magnitude of policy change inferred by comparing the difference in the estimated outcome locations O_{jky} and O_{jkn} . Moreover, insofar as the roll call estimates are comparable over time, statements about the location, direction, and magnitude of policy would be as well.

Although the approach is promising in the abstract, examining the recovered estimates in more detail reveals support for the previously cited caution that Poole & Rosenthal (2007) urge. Given the predictions of commonly used models of agenda setting in the House (e.g., Cox & McCubbins 2005, Chiou & Rothenberg 2003), some of the estimated locations seem sensible—for example, the mass of yea locations near the parties’ median members, and especially near the majority-party Republicans’ median member—but other patterns are harder to interpret. For example, the range of the distribution of yea locations is larger than the range of ideal points, curiously suggesting that there are many proposals to enact policies that are more extreme than any legislator. In fact, nearly 14% of the estimated yea locations on the 1,021 nonlopsided votes in the 113th House in **Figure 2** are more extreme than the most extreme ideal point (94 are more liberal than the most liberal Representative and 48 are more conservative than the most conservative Representative). This finding is hard to reconcile with what we think we know about legislators’ incentives to structure the choices involved in a roll call vote, especially given that Republicans were the majority party.

Digging deeper still into a specific policy reveals further discrepancies. As an illustration, consider the alternatives involved with floor activity on the Water Resources Reform and Development Act that was considered and passed by the House on October 23, 2013. The first vote—whose yea location is labeled point 1 in **Figure 3**—involved approving the modified closed rule to take up the bill on the House floor (H.R. Res. 385). The first amendment to the actual bill (point 2 in **Figure 3**) was an unsuccessful amendment offered by Rep. Peter DeFazio, a Democrat (D), to delay the application of environmental streamlining proposals. The second amendment (point 3)

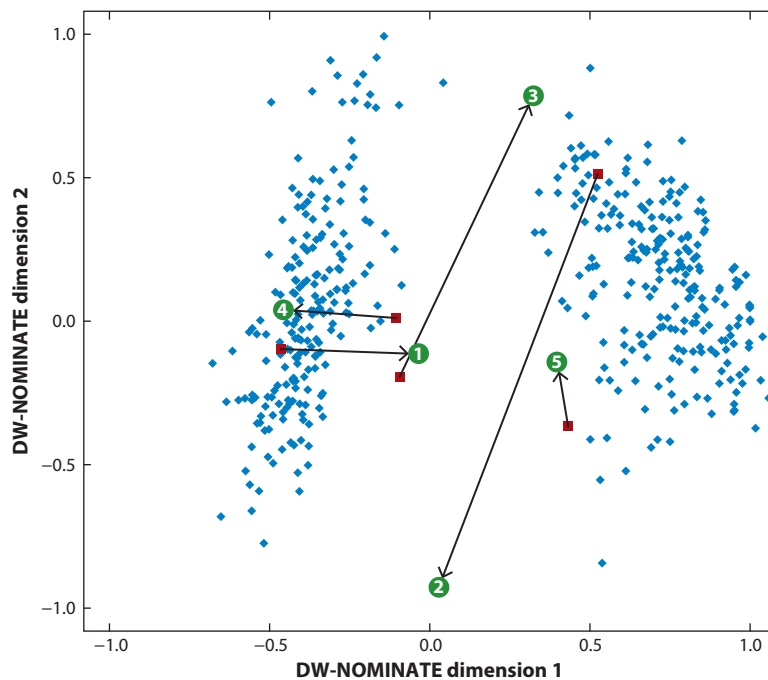


Figure 3

Estimated policy locations associated with floor activity in the US House of Representatives on the Water Resources Reform and Development Act (HR 3080). Representatives’ ideal points are denoted by blue diamonds; nay locations are denoted by red squares and are connected to the associated yea location (green circle), which is numbered to denote the associated roll call vote.

was a successful amendment by Rep. Bill Flores, a Republican (R), to prohibit programs or actions authorized by the bill from further implementing the ecosystem-based management system established by Executive Order 13547. The third amendment (point 4) by Rep. Alcee Hastings (D) was an unsuccessful amendment to include costs associated with sand transfer plants in the budget of the Army Corp of Engineers, and the fourth considered amendment (point 5) was a successful amendment by Rep. Cedric Richmond (D) to require the Army Corp of Engineers to calculate the national benefits of proposed flood protection projects. After considering these amendments, the House voted to pass the bill 417 to 3.

Considering this sequence of activity alongside the estimates plotted in **Figure 3** reveals several curious findings. First, there is very little connection between the proposals being voted on even though there were four amendments considered. The nay location of the unsuccessful DeFazio amendment (point 2) is in a different part of the policy space than the point associated with the rejection of the successful Flores amendment (3), even though both locations represent a vote for the original, unamended bill. It is possible that the similarity of locations associated with the rejection of the DeFazio amendment and the passage of the Flores amendment in the upper-right quadrant of the policy space implies that legislators were casting votes against the DeFazio amendment while expecting the Flores amendment to pass, but, if so, it is hard to explain why neither location associated with the third amendment is nearby or why the location of the successful Hastings amendment (point 5) is also distant from these two points (although the three votes are similarly located in the first dimension).

Second, and perhaps most critically, because the bill was passed by the lopsided vote of 417 to 3, it is impossible to estimate outcome locations for the final passage vote. This not only highlights a disparity that can exist between the record of analyzable roll calls and the record of legislative enactments (cf. Clinton & Lapinski 2008) but also raises important questions about the policy relevance of the locations plotted in **Figure 3**. The lopsided final passage vote means that it is impossible to estimate the most important locations for characterizing the direction and magnitude of policy change—the location of the proposal that is actually enacted and the location associated with the rejection of the proposal (i.e., the status quo).

The fact that the final passage vote was so different from the amendment votes also raises questions about the meaning of the estimates. What does it mean to identify the yea and nay locations for contested amendment votes when the legislation that ultimately results from those contested votes passes overwhelmingly? Given the pattern of amendment activity on the Water Resources Reform and Development Act, there is no indication that the amendments were able to incrementally create an overwhelming bipartisan coalition because all votes broke largely along the same party-line divisions. The disparity suggests that different processes are likely involved. Perhaps amendment activity is driven by a desire to stake out political positions, but on a final passage vote, members base their votes on expected policy impacts; or perhaps there are norms to support policies that are likely to pass. The reason for the discrepancy is unclear, but the estimated variation suggests that the meaning of those estimates may vary across votes in ways that are hard to explain and compare.

One reason for the disparity in estimated locations across connected votes may be the fragile identification of those estimates. A great deal of data is used to identify legislators' ideal points, and the cutting line between the coalitions supporting and opposing a proposal is well identified, but the identification of the location of the alternatives being voted on depends on the assumed utility function. Given this fragility and the promise of a model-based approach to help interpret patterns of policy-making behavior, several scholars have sought to incorporate more information when using model-based approaches to estimate the location of policy outcomes.

According to Clinton & Meirowitz (2001, 2004), for example, one reason the policy alternatives graphed in **Figure 3** may be hard to interpret is that they fail to account for the relationship between alternatives on connected votes. Because floor activity often consists of a sequence of votes to amend the bill under consideration (or to amend the amendment under consideration), legislators are presumably making decisions on each vote conditional on expectations about how each outcome affects the choices involved in later votes. If so, and if scholars are willing to assume what those expectations mean in terms of the relationship between the alternatives being considered, the implied relationships between the alternatives being voted on can be used to help identify the estimated policy locations. Further work by Jeong (2008) extends this approach into multidimensional policy spaces.

This agenda-constrained estimation approach has been used in many applications: Pope & Treier (2011) analyze voting at the Constitutional Convention; Jeong et al. examine civil rights legislation (2009a), the creation of the Federal Reserve (2009b), and immigration policies (2011); and Clinton (2012) analyzes lawmaking activity involving the FLSA. Even so, the approach is limited because of concerns about the applicability of the assumptions required to relate outcomes across votes and the difficulty of conducting large-scale assessments of policy making across many issues given the necessity of defining connections across the voting agenda.

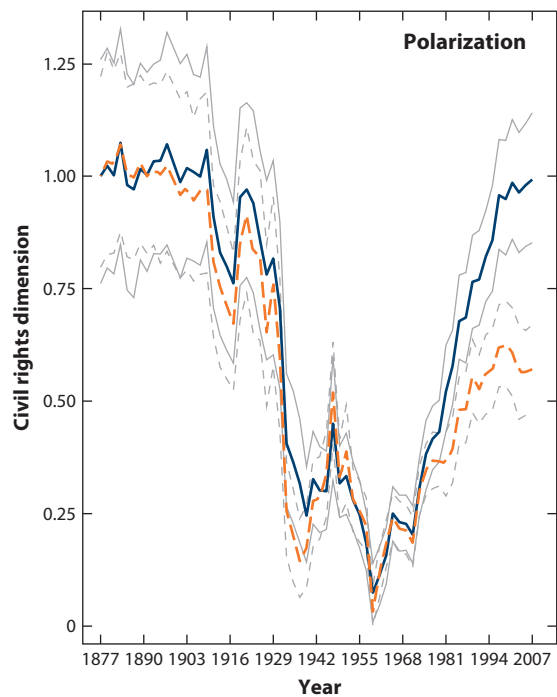
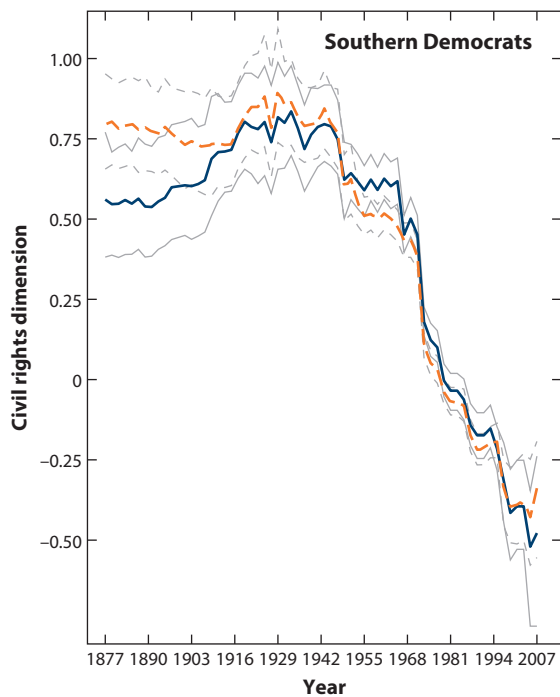
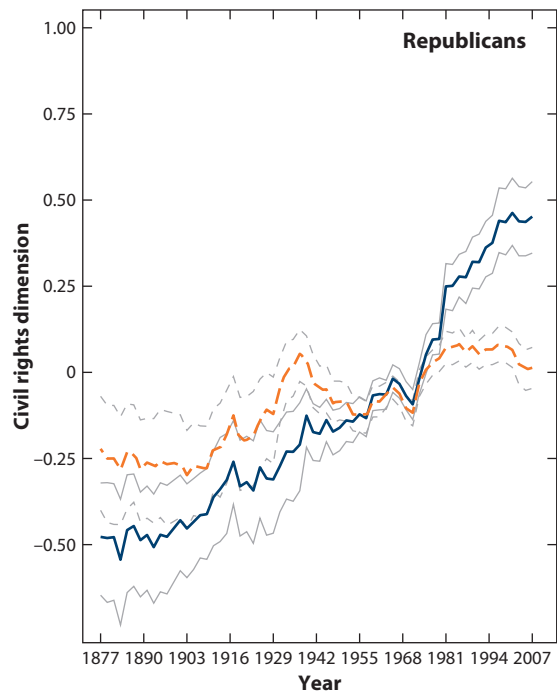
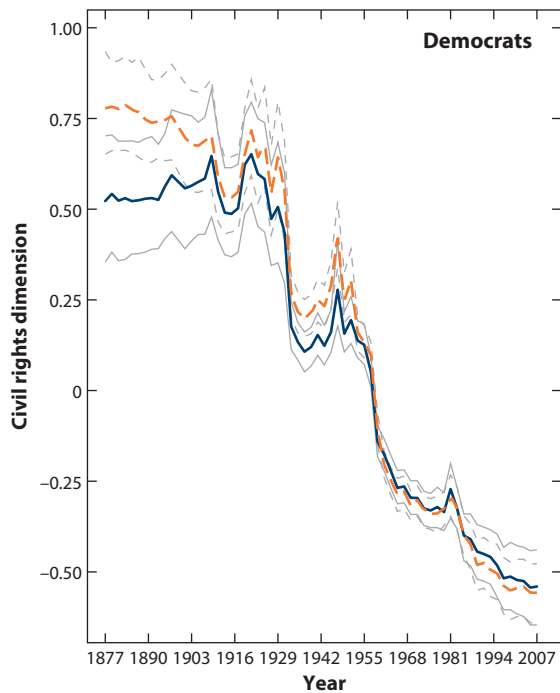
A closely related approach involves imposing assumptions on the ordering of the cutpoints being voted on rather than on the outcome coordinates. Bateman et al. (2017), for example, follow the approach taken by Bailey (2007) to order the cutpoints of closely related votes involving civil rights and Social Security. Using the logic of the spatial voting model and the content being voted on, they reason that a vote to reauthorize the Voting Rights Act of 1965 five years later in 1970 should involve a cutpoint that is more liberal than the cutpoint associated with the enactment of the original Voting Rights Act. Not only was the status quo in 1965 more racially conservative than it was at the time of reauthorization, but also, because the reauthorization proposed to maintain the involvement of the federal government even after the progress that had been made since 1965, the policy associated with the 1970 reauthorization was more racially liberal than the 1965 policy.

Imposing these relationships and the assumption of stable policy preferences over time produces a different characterization of elite policy preferences over time with obvious and important implications for the policy space involved with policy-making decisions. Using civil rights votes in the US Senate and following the approach of Bateman et al. (2017), **Figure 4** illustrates how imposing the ordering on final passage votes affects the estimated median ideal point for several groups of senators, as well as the overall level of polarization in the chamber, relative to the estimates from an analysis of roll calls that does not impose an ordering.

Imposing order restrictions on the estimated cutpoints shifts the range of the contested policy space in a liberal direction relative to estimates that ignore such information. Whereas the *No Policy Content* estimates suggest that the policy preferences of contemporary Senate Republicans are nearly as racially conservative as Southern Democrats serving immediately following Reconstruction, accounting for the shifting policy content (the *Policy Content* estimates) suggests that contemporary Republicans are far less racially conservative than Southern Democrats serving

Figure 4

Estimates of Senate party medians using civil rights votes, 1877–2009. The figure shows how imposing the ordering on final passage votes affects the estimated median ideal point for several groups of senators, as well as the overall level of polarization in the chamber (Policy Content; *dashed orange line*), relative to the estimates from an analysis of roll calls that does not impose ordering (No Policy Content; *solid blue line*). Grey lines denote 95% confidence intervals around each set of estimated medians.



— No policy content - - - Policy content

in the 1890s. Moreover, the level of political polarization—defined as the difference in party medians—is also considerably lower.

By affecting the relative location of the estimated ideal points in the space, the cutpoint constraints also shift the estimates of the proposal locations in a similar fashion. However, because no new information is being used to identify their location relative to the estimated ideal points, the identification of the alternative locations is still fragile, and although the locations of the proposals in the policy space are shifted in a more liberal direction as a result of incorporating this information, the concerns raised in the discussion of **Figures 2 and 3** still apply.

Other attempts to refine the estimation of proposal locations in the policy space using a model-driven approach have relied on information besides votes to help identify the alternatives being voted on. Woon (2008), for example, incorporates information about sponsorship decisions. By assuming that legislators make proposals that are considered with some probability and must be approved by the pivotal legislator, Woon uses sponsorship patterns to help estimate policy outcomes.

Peress (2013) extends this approach to scale cosponsorship decisions using a utility threshold model that presumes that members are most likely to cosponsor proposals that are closest to their ideal point. Arguing that cosponsorship decisions are signaling opportunities, Peress incorporates sponsorship data in a slightly different way when estimating proposal locations on final passage votes, where the meaning of a vote contrary to the proposal is clearest. In so doing, he shows that the estimated alternatives suggest that members do not simply propose their ideal point—a finding consistent with Woon's (2008) assumed model.

Richman (2011) provides yet another approach by combining the analysis of roll calls with the analysis of elite public opinion. Richman takes advantage of the National Political Awareness Test (NPAT) administered by Project Vote Smart to identify which elected officials indicate that they prefer moving policy on an issue to the left, and which members prefer shifting policy to the right. With this information, it becomes immediately obvious where the status quo must be located if the responses are based on spatial proximity. All members seeking a shift to the left must be to the left of the status quo, and all members seeking a shift to the right must be to the right of the status quo, which means the status quo must lie between the two groups. By connecting this relationship to the ideal point estimates of DW-NOMINATE, Richman is able to estimate what must be true of the location of the status quo to fit the opinions that are expressed.

In summary, model-based approaches offer the advantage of being able to use models to interpret patterns of behavior and estimate the scope and magnitude of policy change even when neither can be observed. A cost, however, is that they are able to do so only by assuming that it is possible to articulate and statistically estimate a model that can be assumed to be true. Moreover, different models yield different estimates, and it can be difficult to adjudicate between alternative models.

CONCLUDING, BUT NOT CONCLUSIVE, THOUGHTS

Studying the causes and consequences of policy is a first-order question in political science. It is through policy that the nature of the state and the connections between and among citizens are shaped by elected officials. The study of policy and policy change is fundamental to assessing and evaluating government activity and the extent to which elected officials implement citizens' desires. Unfortunately, the ability to characterize policy is elusive; scholars have made great progress and we have learned much, but important issues and difficulties remain.

Data-driven efforts that focus on identifying and categorizing the outputs of government have yielded tremendous insights, but we encounter important limits when attempting to infer the

direction and content of policy from what can be observed. Model-driven approaches attempt to leverage additional information in policy-making behavior—be it roll call votes, cosponsorship decisions, or elite opinions—by using theoretical models to make inferences about what must be true of the proposals being voted on, but they are limited by the need to assume the truth of the statistical model.

In light of these issues, it seems that there are several possible paths forward. One is to augment existing data-based approaches with even more data. It may be possible, for example, to use expert assessments to help locate the relative position of selected significant enactments and the amount of policy change over time. At issue, however, is the ability of the additional data to speak to the scope and magnitude of policy change. Although new statistical tools and increased computing power have made it possible to do remarkable things with data—e.g., analyze floor speeches (Proksch & Slapin 2008, 2012; Kim et al. 2015)—insofar as elite actions occur for a reason within a context involving institutional constraints and incentives, it is important to account for these incentives when interpreting the meaning of policy-making behavior.

Because policy-making actions take place in a larger context and are likely to be affected by institutional considerations and incentives, it seems likely that the expanded use of model-based approaches offers a more promising path forward for characterizing the scope and magnitude of policies. The reliance on explicit models to interpret the policy relevance of observable actions allows scholars to account for variation in the data-generating process across different contexts, but it does so at considerable cost—not only in terms of the skills required to conduct such inquiries, but also in terms of the ability to make broad characterizations of policy change across issues.

A virtue of the roll call-based measures of Poole & Rosenthal (1997, 2007) and the counts of important enactments produced by Mayhew (1991) and others is that they produce a standard set of estimates that scholars can use in a variety of applications. Divorcing the tasks of measurement and analysis creates a division of labor that allows scholars to conduct different analyses with the same policy measures. Relying on more model-based approaches to measuring policy, however, erodes the distinction between measurement and analysis, because the measurement is a result of the analysis and the ability to specify a model that can be treated as if it is true. Combining the tasks of measurement and analysis offers the benefit of leveraging more information, but the resulting estimates are often only of interest for the particular application. Scientific progress in such a framework results from the incremental aggregation of analyses focused on particular incidents.

If so, the path forward may share important similarities with recent work on causal identification that focuses on specific incidents meeting certain conditions. It is often unclear how those results generalize, if at all, but perhaps the best that can be done is to leverage as much information as possible when examining policies and circumstances that are most amenable to analysis in the hope that our conclusions and interpretations generalize across explorations. Though limiting, this approach maximizes the amount of information we can bring to bear on characterizing the scope and magnitude of policy change.

Questions involving the causes and consequences of lawmaking are among the most important questions asked by political scientists, but our ability to characterize policy over time or across issues is limited, and it is uncertain whether a general measure of policy is feasible given the available data and the difficulty of interpreting observable actions over time because of changing circumstances and conditions. It seems too dramatic to conclude that scholars should focus only on what we can more easily measure (e.g., the timing and incidence of change) or to focus only on particular issues and policies in the hope of leveraging more information, or even to adopt only model-driven approaches and avoid the tremendous difficulties involved in trying to summarize and characterize policy over time and across issues. The path forward is hard to discern, but it is

a path that we should continue to identify because the ability to characterize the nature of policy change is central to many of the most fundamental questions in political science.

DISCLOSURE STATEMENT

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Contents

Politics, Academics, and Africa <i>Robert H. Bates</i>	1
Qualitative Methods <i>John Gerring</i>	15
Just War Theory: Revisionists Versus Traditionalists <i>Seth Lazar</i>	37
International Courts: A Theoretical Assessment <i>Clifford J. Carrubba and Matthew Gabel</i>	55
Political Economy of Taxation <i>Edgar Kiser and Steven M. Karceski</i>	75
Comparing Political Values in China and the West: What Can Be Learned and Why It Matters <i>Daniel A. Bell</i>	93
Culture, Politics, and Economic Development <i>Paul Collier</i>	111
Progovernment Militias <i>Sabine C. Carey and Neil J. Mitchell</i>	127
Voter Identification Laws and Turnout in the United States <i>Benjamin Highton</i>	149
Climate Change and International Relations (After Kyoto) <i>Arild Underdal</i>	169
Social Movement Theory and the Prospects for Climate Change Activism in the United States <i>Doug McAdam</i>	189
Climate Change: US Public Opinion <i>Patrick J. Egan and Megan Mullin</i>	209
The Political Economy of Regional Integration <i>Christina J. Schneider</i>	229

Bureaucracy and Service Delivery <i>Thomas B. Pepinsky, Jan H. Pierskalla, and Audrey Sacks</i>	249
Feminist Theory Today <i>Kathy E. Ferguson</i>	269
When Does Globalization Help the Poor? <i>Nita Rudra and Jennifer Tobin</i>	287
Measuring Public Opinion with Surveys <i>Adam J. Berinsky</i>	309
Conflict and Cooperation on Nuclear Nonproliferation <i>Alexandre Debs and Nuno P. Monteiro</i>	331
From a Deficit of Democracy to a Technocratic Order: The Postcrisis Debate on Europe <i>Ignacio Sánchez-Cuenca</i>	351
Understanding the Political Economy of the Eurozone Crisis <i>Jeffry Frieden and Stefanie Walter</i>	371
The Electoral Consequences of Corruption <i>Catherine E. De Vries and Hector Solaz</i>	391
Labor Unions, Political Representation, and Economic Inequality <i>John S. Ahlquist</i>	409
Coding the Ideological Direction and Content of Policies <i>Joshua D. Clinton</i>	433
Wealth Inequality and Democracy <i>Kenneth Scheve and David Stasavage</i>	451
The New New Civil Wars <i>Barbara F. Walter</i>	469
State Building in the Middle East <i>Lisa Blaydes</i>	487
Information, Uncertainty, and War <i>Kristopher W. Ramsay</i>	505
Large-Scale Computerized Text Analysis in Political Science: Opportunities and Challenges <i>John Wilkerson and Andreu Casas</i>	529
Trading in the Twenty-First Century: Is There a Role for the World Trade Organization? <i>Judith Goldstein</i>	545

Police Are Our Government: Politics, Political Science, and the
Policing of Race–Class Subjugated Communities
Joe Soss and Vesla Weaver 565

Errata

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