Reviewer's report

Title: Participation and argument in legislative debate on statewide smoking restrictions: An observational study

Version: 1 Date: 9 July 2007

Reviewer: Roberta Ferrence

Reviewer's report:

General

One of the crucial questions in tobacco control is how to increase the likelihood of implementation of policies that are known to be effective. Increased understanding of the political process is key to answering this question. The authors test hypotheses concerning the impact of the breadth and types of participation in a political discussion on a specific political outcome-- workplace smoking legislation.

The authors have chosen an important question, defined it clearly and used appropriate and well described methods. This is a qualitative study based on limited data, but probably enough to test the hypotheses, with a few qualifications described below. The paper is well written and generally clear.

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Major Compulsory Revisions (that the author must respond to before a decision on publication can be reached)

None

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Minor Essential Revisions (such as missing labels on figures, or the wrong use of a term, which the author can be trusted to correct)

1. P2 para 1. A little more elaboration is required in first sentence. Participation… in what?
2. Please clarify: Does ideological mean non-scientific?
3. Footnote note in parenthesis on p8 re contact information.
4. P8 para 2, line 3: data…. “were”
5. Figure 1 should refer to “outside participants”

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Discretionary Revisions (which the author can choose to ignore)

1. One difficulty relates to the comparison between ideological and other
arguments and between privatizing and socializing arguments. It seems that
generally, the former categories are opposed to the legislation and the latter
supportive. One could argue that Schattschneider’s categories when
operationalized really measure support rather than these other factors.

2. One of the main arguments used by the industry in discussions of new
workplace legislation is the prospect of adverse economic impact on the
hospitality sector, which I assume would be classified as economic rather than
ideological. However, the industry doesn’t use the best scientific information and
tends to appeal to ideological considerations when using the economic argument
(e.g., bar owners have the right to do what they want in their own venues), so the
categorization of arguments may affect the findings.

3. Although actual numbers of participants may be important, I would think that
the strength of various constituencies would be key. It would be useful to discuss
what actually underlies increases in participation. Does it occur when advocates
think there is a chance of change? More discussion on the causal chain would be
useful.

4. It is unclear whether including failed states was important to the analysis, and
whether including one failed state is sufficient. The authors state that the set of
states “includes a range of regions and types of legislatures that suggest our
results can be generalized.” This suggests that the difference between failed and
successful states is not important. Perhaps the authors could comment on this.

5. There is little discussion of the potential effect of the year of legislation on the
outcome. Over the period 1992-2003, there were major changes in level of
support and likelihood of implementation of workplace restrictions, which could
have changed the type of arguments made. With the small sample size in this
study, this could be a factor in explaining results. In Figure 3, the three states
with early implementation (Utah, Florida and Louisiana) had 45%, 35% and
100% privatizing arguments. The three with later implementation (S Dakota,
Oregon and N Dakota, although ND not passed) had 43%, 18% and 38%
privatizing arguments, a lower average, but again sample size is too small to tell.

6. Other factors that could be discussed in this paper include specific concerns
among politicians about re-election. An issue that is broadly supported by the
public and even politicians, but not likely to lose votes if not implemented, may
be ignored so as not to create any controversy in an election year.

7. Although the study purposely limits the analysis to testing the hypotheses of
one key political scientist, it would have been interesting to discuss the role of
other factors that may play a role in implementation, for example, the efforts of
specific “champions”.

What next?: Accept after discretionary revisions

Level of interest: An article of importance in its field
Quality of written English: Acceptable

Statistical review: No, the manuscript does not need to be seen by a statistician.