CONGRESS
How Legislating Works

John Dearborn*
Political Science

OVERVIEW

This course examines the United States Congress from several perspectives. First, it considers the creation of the bicameral Congress and legislative power in the Constitution. Second, it examines what activities Members of Congress engage in and what incentives they respond to. Third, it considers the structure of Congress, including the effects of congressional incentives on how Congress is organized and the institution’s development over time. Fourth, it compares alternative theories of lawmaking. Fifth, it investigates the rise of political polarization in Congress and its effect on policymaking. Finally, it raises questions over the nature of congressional versus presidential representation, asking whether any reforms to Congress should be considered.

More broadly, the lectures, discussions, primary source readings, and scholarly readings will help us achieve a few course goals. First, we will gain an improved ability to make sense of how Congress works (or doesn’t work!) and how the institution has changed over time. Second, we will critically discuss arguments and theories offered by various authors. Third, we will frequently place the ideas from the readings into the context of current political events. Finally, as a more general goal for the course, I hope that we all can take a step forward toward becoming more politically critical, informed, and engaged citizens. Politics can be maddening, but it becomes more interesting and fun when you can make some sense of what is going on.

Our activities in class may take a number of formats. While we will often have lectures, depending on the topic there may also be discussions, debates, and/or small group work. Political concepts and topics often may reveal differences of opinion – this is particularly true around election years! So even as some of us may have strong views and potentially disagree, I ask that we listen to each other’s viewpoints while working to ensure that civility and respect for each other are always present in our conversations.

ASSIGNMENTS & GRADING

Students are expected to complete the readings, come to lecture, and participate in class. There will be three short response paper topics offered, corresponding to some of the main units of the course. Students are expected to choose two of these to complete. The papers should be 5-7 pages double-spaced. Be sure to have a clear argument and use evidence to support your claims. In addition, there will be a final exam for the course. The grade breakdown is as follows:

* In drafting this syllabus, I have partly drawn upon Eleanor Powell’s syllabus for the graduate seminar “American Political Institutions” (Spring 2014) at Yale. Thanks also to David Mayhew for helpful feedback.
• Participation – 15%
• 2 Response Papers – 50%
• Final Exam – 35%

COURSE OUTLINE

I. THE CONSTITUTION & LEGISLATIVE POWER

Week 1: The Founding and Congressional Primacy
David Brian Robertson, The Original Compromise: What the Constitution’s Framers Were Really Thinking (New York: Oxford University Press, 2013), Ch. 7-9

Primary Sources:
The Constitution, Article I & II (1787)
James Madison, The Federalist # 10, 51 (1787, 1788)

II. CONGRESSIONAL BEHAVIOR

Week 2: How Does Congress Represent Us?
David R. Mayhew, Congress: The Electoral Connection (New Haven, CT: Yale University Press, 2004), Introduction, Ch. 1
Katherine Tate, Black Faces in the Mirror: African Americans and Their Representatives in the U.S. Congress (Princeton, NJ: Princeton University Press, 2003), Ch. 1

Week 3: How Incentives Affect Congressional Behavior
R. Douglas Arnold, The Logic of Congressional Action (New Haven, CT: Yale University Press, 1990), Ch. 1, 4

**PAPER 1** – Consider the incentives of Members of Congress and determine how you would advise a Member of Congress to vote if the following bill was before you for a vote. A recent example of a bill before Congress will be provided.

### III. CONGRESSIONAL STRUCTURE

**Week 4: How Incentives Affect Congressional Structure**

Richard F. Fenno, Jr., *Congressmen in Committees* (Boston: Little, Brown, 1973), Ch. 1-4

David R. Mayhew, *Congress: The Electoral Connection* (New Haven, CT: Yale University Press, 1974), Ch. 2

**Week 5: The Organization of Congress**


**Week 6: The Changing Structure of Congress**


Ruth Bloch Rubin, *Building the Bloc: Intraparty Organization in the U.S. Congress* (New York: Cambridge University Press, 2017), Ch. 1, 6, 8

### IV. LAWMAKING
Week 7: How Does a Bill Become a Law? Pivots or Conditional Party Government

“I’m Just a Bill (Schoolhouse Rock)”, https://www.youtube.com/watch?v=tyeJ55o3EI0


Week 8: How Does a Bill Become a Law? Party Cartels


Week 9: How Does Divided Government Affect Lawmaking?


Sarah A. Binder, “The Dynamics of Legislative Gridlock, 1947-1996,” American Political Science Review 93, no. 3 (September 1999): 519-533

PAPER 2 – Compare the different theories of congressional lawmaking. Which theory of lawmaking do you think best explains how a bill becomes a law in our current political era? Some recent examples of lawmaking will be provided to help respond to this question.

V. POLARIZATION

Week 10: How to Think about Polarization

Keith T. Poole and Howard Rosenthal, Congress: A Political-Economic History of Roll Call Voting (New York: Oxford University Press, 1997), Ch. 1, 4, 11

Frances E. Lee, *Beyond Ideology: Politics, Principles, and Partisanship in the U.S. Senate* (Chicago: University of Chicago Press, 2009), Ch. 3-4

**Week 11: Party Conflict**

Barbara Sinclair, *Party Wars: Polarization and the Politics of National Policy Making* (Norman, OK: University of Oklahoma Press, 2006), Ch. 1, 5-6, 10


Frances E. Lee, *Insecure Majorities: Congress and the Perpetual Campaign* (Chicago: University of Chicago Press, 2016), Ch. 3-4, 6


**PAPER 3** – What is polarization and how has it affected Congress and congressional policymaking? Is polarization necessarily a bad thing? If it is desirable to reduce the levels of polarization, how might that occur?

**VI. CONGRESSIONAL VERSUS PRESIDENTIAL REPRESENTATION**

**Week 12: Congressional Representation and Its Critics**


**Primary Sources:**

Woodrow Wilson, *Congressional Government: A Study in American Politics*, Ch. 2-3


**Week 13: Congress’s Impact in Historical Perspective**

FINAL EXAM

- Identifications – Choose 10 of 15 – 40%
- Short Essay – 20%
  - What is one thing about current political events today that this course has made you understand and how?
- Long Essay – 40%
  - Compare the purported merits and criticisms of congressional and presidential representation, and consider the impact of Congress on U.S. history. Should we expect the president to better represent the nation than Congress? What reforms, if any, would you suggest for Congress or for presidential-congressional relations?