CONGRESS
*How Legislating Works*

Political Science 226
Spring 2020
Tuesdays, 9:25-11:15 AM
Rosenkranz 08

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**OVERVIEW**

This course examines the United States Congress and lawmaking 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 considers Congress’s impact on American political development.

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**

This is a seminar course. Students are expected to complete the readings, come to lecture, and participate in class.
Twice during the semester, students will be expected to complete short papers critically analyzing a unit of readings. Be sure to have a clear argument and use evidence to support your claims. The papers should be 7-9 pages double-spaced. The prompts are included in the syllabus. Papers are due by Week 6 and 13, respectively.

There will also be a final exam for the course.

The overall grade breakdown is as follows:

- Participation – 10%
- 2 Response Papers – 50%
- Final Exam (IDs and choice of 1 of 2 essays) – 40%

For all assignments, an exception to the deadline will only be granted if you have a Dean’s excuse.

**READINGS**

All readings for this course will be posted on the Yale Canvas course site.

**ACADEMIC INTEGRITY**

Academic integrity is an essential part of being a college student and scholar. On any assignment, you are expected to uphold Yale’s standards for academic integrity. These include avoiding plagiarism, avoiding cheating on any assignment, avoiding improper collaboration with other students on an assignment, and avoiding submitting the same piece of work for multiple courses without the explicit consent of each instructor. Moreover, you are expected to appropriately credit and cite scholarly sources on written assignments. Please review Yale’s standards here: [https://poorvucenter.yale.edu/writing/using-sources](https://poorvucenter.yale.edu/writing/using-sources)

**COURSE OUTLINE**

**I. THE CONSTITUTION & LEGISLATIVE POWER**

**Week 1-2: 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)

*Anti-Federalist* #3 (1787)
II. CONGRESSIONAL BEHAVIOR

Week 3: How Does Congress Represent Us?

David R. Mayhew, Congress: The Electoral Connection (New Haven, CT: Yale University Press, 2004), pp. 13-17, 49-73


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 4: 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. DUE BY WEEK 6

III. CONGRESSIONAL STRUCTURE

Week 5: How Incentives Affect Congressional Structure

David R. Mayhew, Congress: The Electoral Connection (New Haven, CT: Yale University Press, 1974), pp. 81-105

Steven S. Smith, “The Central Concepts in Fenno’s Committee Studies,” Legislative Studies Quarterly 11, no. 1 (February 1986): 5-18

E. Scott Adler and John S. Lapinski, “Demand-Side Theory and Congressional Committee Composition: A Constituency Characteristics Approach,” American Journal of Political Science 41, no. 3 (July 1997): 895-918
Week 6: *The Organization and Changing Structure of Congress*
Eric Schickler, *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress*, Ch. 1, 5-6

IV. THEORIES OF LAWMAKING: HOW DOES A BILL BECOME A LAW?

Week 7: *Pivots: Individuals or Groups?*
“I’m Just a Bill (Schoolhouse Rock)”*, [https://www.youtube.com/watch?v=tyeJ55o3Ej0](https://www.youtube.com/watch?v=tyeJ55o3Ej0)
Ruth Bloch Rubin, *Building the Bloc: Intraparty Organization in the U.S. Congress* (New York: Cambridge University Press, 2017), Ch. 1, 6, 8

Week 8: *Parties: Cartels or Conditional Party Government?*

Week 9: *Unified versus Divided Government*
David R. Mayhew, *Divided We Govern: Party Control, Lawmaking, and Investigations, 1946-2002*, 2nd ed. (New Haven, CT: Yale University Press, 2005), Ch. 1, 4-6

**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. **DUE BY WEEK 13**

V. PARTISANSHIP AND POLARIZATION

**Week 10: How to Think about Polarization**


**Week 11: Party Conflict**


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

**Week 12: Investigations**


VI. CONGRESS AND AMERICAN POLITICAL DEVELOPMENT

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

David R. Mayhew, “Congress as a Handler of Challenges: The Historical Record,” *Studies in American Political Development* 29, no. 2 (October 2015): 185-212