POLS 8140: Legislative Process

Fall 2021

Instructor

Dr. Michael S. Lynch
Office: Baldwin Hall 416
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Office Hours: Tuesday
9:30AM –11:00AM and by appointment

Class Schedule

4:00PM – 6:45PM
Baldwin Hall 301

Introduction

This course is intended to provide students with a survey of the academic literature on the U.S. Congress. The U.S. Congress is arguably the most studied political institution in the world and the amount of literature on Congress is overwhelming. This course will focus on institutional studies of the House and Senate, but will attempt to introduce all major topics common to the study of Congress. This syllabus provides a tentative reading list that is subject to change as the semester proceeds.

Readings

Required Texts

The following books are required:

Cox, Gary W. and Mathew D. McCubbins. 2005. *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives.* New York, NY: Cambridge University Press.

Curry, James M. 2015. *Legislating in the Dark: Information and Power in the House of Representatives.* Chicago, IL: University of Chicago Press.

Krehbiel, Keith. 1998. *Pivotal Politics: A Theory of U.S. Lawmaking.* Chicago, IL: University of Chicago Press.

Lee, Frances E. 2009. *Beyond Ideology: Politics, Principles, and Partisanship in the U.S. Senate.* Chicago, IL: University of Chicago Press.

Mayhew, David R. 2004. *Congress: The Electoral Connection, Second Edition.* New Haven, CT: Yale University Press.

Poole, Keith T. and Howard Rosenthal. 2007. *Ideology and Congress.* New Brunswick, NJ: Transaction Publishers.

Smith, Steven S. 2007. *Party Influence In Congress.* New York: Cambridge University Press.

Supplemental Texts
The following books, while not required for this course, are helpful references for students planning on pursuing research in legislative politics.

Oleszek, Walter J., Mark J. Oleszek, Elizabeth Rybicki, and Bill Heniff. 2015. *Congressional Procedures and the Policy Process.* Washington, DC: CQ Press.

Shepsle, Kenneth A. 2010. *Analyzing Politics: Rationality, Behavior, and Institutions.* New York, NY: W.W. Norton.

Sinclair, Barbara. 2017. *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress.* Washington, DC: Sage/CQ Press.

Stewart, Charles. 2011. *Analyzing Congress.* New York, NY: W.W. Norton.

Carson, Jamie and Michael S. Lynch eds. 2020. *New Directions in Congressional Politics*

Congress Reconsidered. any and all editions.

Additional Readings
All additional readings will be available via the web or the instructor will the provide the reading to the class.

Grading and Expectations

1. **Attendance and Participate – 20% of final grade**

   Attend all classes having read the assigned articles. Be ready to discuss the assigned articles. To facilitate this, I want everyone to be able to answer the following 4 questions for each of the readings:
   1. What is the claim of the article?
   2. How does the author(s) show evidence to support the article's claim?
   3. What is your evaluation of the article?
   4. How does the article relate to the rest of the congressional literature?

2. **Discussion Leaders and Reaction Papers – 40%**

   All enrolled students will serve as discussion leaders for two weeks. Auditing students will be required to serve as discussion leaders for one week. Discussion leaders will briefly present a summary of the materials assigned for the week and will lead the class in discussing and critiquing the materials. They will also find and discuss an additional reading that they think would be a good addition to the syllabus in future iterations of this course.

   Students will also be required to write three reaction papers, one for each of the two weeks they serve as a discussion leader and one for an additional week of their choosing. Reaction papers should summarize the readings' theory, methods and findings. They should also critique the readings and compare/contrast that week's readings. These reaction papers should be no longer than 6 pages and are due one week after a student serves as a discussion leader.

3. **Research Paper and Presentation – 40%** Each student is expected to complete and present an original research paper related to a course topic. Details about paper expectations will be discussed early in the semester. A research proposal is due October 13. A rough draft of the paper is due November 10. Conference-style presentations based on these rough drafts will occur on December 1. The final draft of the paper is will be due after the presentations. We will determine an exact due date later in the semester.

Other Issues

1. **Disabilities**: Students with disabilities of any kind are strongly encouraged to tell me at the beginning of the semester, so appropriate accommodations can be made. Students with disabilities that have been certified by the UGA Disabilities Services Office will be accommodated according to university policy. Contact Disabilities Services for more information.

2. **Instructor Availability**: I am available to meet with students by appointment if anyone cannot attend my posted office hours. Please email me to schedule a meeting.

3. **Technology in the Classroom**: Technology, used correctly, has the potential to greatly improve the quality of our lives. Technology, used incorrectly, has the potential of making the instructor very angry. Turn off your cell phone while in class (some exceptions may apply - e.g. you are a transplant surgeon anxiously awaiting the arrival of a donor heart). Laptops may be used to take notes in class. Texting is never appropriate in class, unless it is to give your friends an update on how the filibuster pivot affects American policymaking. While live tweeting of class lectures is encouraged, many of the concepts we will cover may be difficult to explain in 280 characters.

4. **Cheating and Plagiarism**: All course work must meet the standards put forth in the University of Georgia's Student Honor Code. See the Academic Honesty Policy for details on what is expected of you (https://ovpi.uga.edu/sites/default/files/uga-academc-honesty-policy-may-07.pdf).

Tentative Course and Topics Schedule

August 18 **Introduction**

August 25 **Motives and Representation 1**

Mayhew, David R. 2004. *Congress: The Electoral Connection, Second Edition.*

Fenno, Richard. 1977. "U.S. House Members in Their Constituencies." *American Political Science Review.* 71: 883-916.

Miller, Warren E. and Donald E. Stokes. 1963. "Constituency Influence in Congress." *American Political Science Review.* 57: 45-56.

Dancey, Logan and Geoffery Sheagley. 2013. "Heuristics Behaving Badly: Party Cues and Voter Knowledge." *American Journal of Political Science.* 57: 312-325

Recommended:

Arnold, Douglas. 1990. *The Logic of Congressional Action.*

Fenno, Richard. 1978. *Homestyle.*

Fiorina, Morris. 1977. *Congress: Keystone of the Washington Establishment.*

Ansolabehere, Stephan and Philip E. Jones. 2010. "Constituents' Responses to Congressional Roll Call Voting." *American Journal of Political Science.* 54: 598-616.

Carson, Jamie and Jeff Jenkins. 2011. "Examining the Electoral Connection Across Time." *Annual Review of Political Science.* 14: 25-46.

Grimmer, Justin. 2013. *Representational Style in Congress: What Legislators Say and Why It Matters.*

September 1 **Motives and Representation 2**

Weissberg, Robert. 1978. "Collective vs. Dyadic Representation in Congress." *American Political Science Review* 72: 535-47.

Mansbridge, Jane. 1999. "Should Blacks Represent Blacks and Women Represent Women? A Contingent Yes." *Journal of Politics.* :628-657.

Hutchings, Vincent L. Harwood K. McClerking and Guy-Uriel Charles. 2004. "Congressional Representation of Black Interests: Recognizing the Importance of Stability." *Journal of Politics.* 66: 450?468.

Minta, Michael. 2009. "Legislative Oversight and the Substantive Representation of Black and Latino Interests in Congress." *Legislative Studies Quarterly.* 34: 193-218.

Jennifer L. Lawless, Sean M. Theriault, and Samantha Guthrie. 2018. "Nice Girls? Sex, Collegiality, and Bipartisan Cooperation in the US Congress." *Journal of Politics.* 80: 1262-1282.

Carnes, Nicholas. 2012. "Does the Numerical Underrepresentation of the Working Class in Congress Matter?" *Legislative Studies Quarterly.* 37: 5-34.

Recommended:

Wolkenstein, Fabio and Christopher Wratil. 2000. "Multidimensional Representation." American Journal of Political Science.

Lowande, Kenneth, Melinda Ritchie, and Erinn Lauterbach. 2019. "Descriptive and Substantive Representation in Congress: Evidence from 80,000 Congressional Inquiries." American Journal of Political Science. 63: 644-659.

Cameron, Charles, David Epstein and Sharyn O'Halloran. 1996. "Do Majority-Minority Districts Maximize Substantive Black Representation in Congress?" *American Political Science Review.* 90: 794-812.

Grose, Christian. 2011. *Congress in Black and White: Race and Representation in Washington and at Home.*

Swain, Carol. 2006. *Black Faces, Black Interests: The Representation of African Americans in Congress.*

Swers, Michele L. 2013. *Women in the Club: Gender and Policy Making in the Senate.*

Anzia, Sarah F., and Christopher R. Berry. 2011. "The Jackie (and Jill) Robinson Effect: Why Do Congresswomen Outperform Congressmen?" *American Journal of Political Science.* 55: 478-493.

September 8 **Institutional Analysis**

Poole, Keith T. and Howard Rosenthal. 2007. *Ideology and Congress.* Chapters 1-4.

Krehbiel, Keith. 1988. "Spatial Models of Legislative Choice." *Legislative Studies Quarterly* 8: 259-319.

Riker, William. 1980. "Implications from the Disequilibrium of Majority Rule for the Study of Institutions." *American Political Science Review* 74: 432-46.

Shepsle, Kenneth A. and Barry R. Weingast. 1981. "Structure-Induced Equilibrium and Legislative Choice." *Public Choice* 36: 221-37.

Taylor, Steven L., Matthew Shugart, Arend Lijphart, and Bernard Grofman. 2014. *A Different Democracy: American Government in a 31-Country Perspective.* Chapter 3.

Recommended:

Polsby, Nelson. 1968. "The Institutionalization of the U.S. House of Representatives." *American Political Science Review* 62: 144-68.

Shepsle, Kenneth. 1989. "Studying Institutions: Some Lessons from the Rational Choice Approach." *Journal of Theoretical Politics* 1: 131-147.

Crawford, Sue and Elinor Ostrom. 1995. "A Grammar of Institutions." *American Political Science Review.* 89: 582-600.

Strom, Gerald S. 1990. *The Logic of Lawmaking: A Spatial Theory Approach.* Shepsle, Kenneth A. and Barry R. Weingast. 1994. "Positive Theories of Congressional Institutions." *Legislative Studies Quarterly* 19: 149-179.

September 15 **Parties 1**

Cooper, Joseph and David W. Brady. 1981. "Institutional Context and Leadership Style: The House from Cannon to Rayburn." *American Political Science Review* 75(2):411:425.

Rohde, David W. 1991. *Parties and Leaders in the Postreform House.* Chapters 1-2.

Aldrich, John H. and David W. Rohde. 2001. "The Logic of Conditional Party Government."

In Lawrence C. Dodd and Bruce I. Oppenheimer, *Congress Reconsidered*, 7th Edition.

Cox, Gary W. and Mathew D. McCubbins. 2005. *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives.*

Recommended:

Aldrich, John. 1995. *Why Parties?* (C)

Rohde, David W. 1991. *Parties and Leaders in the Postreform House.*

Krehbiel, Keith. 2007. "Partisan Roll Rates in a Nonpartisan Legislature." *Journal of Law, Economics, and Organization* 23: 123.

Binder, Sarah A. 1997. *Minority Rights, Majority Rule.* New York, NY: Cambridge University Press.

Huber, John D. 1996. "The Vote of Confidence in Parliamentary Democracies." *American Political Science Review* 90(2):269-282. (C)

September 22 **Parties 2**

Krehbiel, Keith. 1993. "Where's the Party?" *British Journal of Political Science* 23: 235-66.

Krehbiel, Keith. 1998. *Pivotal Politics: A Theory of U.S. Lawmaking.* Chicago, IL: University of Chicago Press.

Jenkins, Jeffrey A. and Nathan W. Monroe. 2012. "Buying Negative Agenda Control in the U.S. House." *American Journal of Political Science* 56: 897-912.

Recommended:

Krehbiel, Keith. 2007. "Partisan Roll Rates in a Nonpartisan Legislature." *Journal of Law, Economics, and Organization* 23: 123.

Laver, Michael and Kenneth A. Shepsle. 1996. *Making and Breaking Governments.* (C)

Tsebelis, George. 2002. *Veto Players: How Political Institutions Work.* (C)

September 29 **Parties 3**

Smith, Steven S. 2007. *Party Influence In Congress.*

Thomsen, Danielle M. 2019. "Partisan Polarization in Congress."

Krehbiel, Keith. 1995. "Cosponsors and Wafflers from A to Z." *American Journal of Political Science* 39: 906-23.

Binder, Sarah A., Eric D. Lawrence, and Forrest Maltzman. 1999. "Uncovering the Hidden Effect of Party." *Journal of Politics* 61: 815-31.

Harbridge-Yong, Laurel. 2019. "The Challenges of Partisan Conflict for Lawmaking in Congress."

Recommended:

Evans, C. Lawrence. 2018. *The Whips: Building Party Coalitions in Congress.*

Gailmard, Sean, and Jeffery A. Jenkins. 2007. "Negative Agenda Control in the Senate and House: Fingerprints of Majority Party Power" *Journal of Politics.* 69: 689-700.

Ansolabehere, Stephen, James M. Snyder, Jr. and Charles Stewart III. 2001. "The Effects of Party and Preferences on Congressional Roll-Call Voting." *Legislative Studies Quarterly* 26: 533-572.

October 6 **Committees**

Curry, James M. 2015. *Legislating in the Dark: Information and Power in the House of Representatives.*

Fenno, Richard F. 1962. "The House Appropriations Committee as a Political System." *American Political Science Review* 56: 310-24.

Krehbiel, Keith, Kenneth A. Shepsle and Barry R. Weingast. 1987. "Why Are Congressional Committees Powerful?" *American Political Science Review* 81: 929-45.

Lawrence, Eric. "Institutional Effects on Jurisdictional Politics: The Oleomargarine Case." Unpublished Manuscript.

Recommended:

Fenno, Richard F. 1973. *Congressmen in Committees.*

Krehbiel, Keith. 1991. *Information and Legislative Organization.*

Jenkins, Jeff. 1998. "Property Rights and the Emergence of Standing Committee Dominance in the Nineteenth-Century House." *Legislative Studies Quarterly* 23: 493-519.

Krehbiel, Keith. 1990. "Are Congressional Committees Composed of Preference Outliers?" *American Political Science Review* 84: 149-63.

Groseclose, Tim. 1994. "Testing Committee Composition Hypotheses for the U.S. Congress." *The Journal of Politics* 56(2): 440-58.

October 13 (Research Proposal Due) **Rules and Procedures**

Cox, Gary W. 2000. "On the Effects of Legislative Rules." *Legislative Studies Quarterly* 25: 169-192.

Monroe, Nathan W. and Gregory Robinson. 2008. "Do Restrictive Rules Produce Nonmedian Outcomes? A Theory with Evidence from the 101st-108th Congresses." *Journal of Politics* 70: 217-231.

Lynch, Michael S., Anthony J. Madonna and Jason M. Roberts. 2016. "The Cost of Majority Party Bias: Amending Activity Under Structured Rules." *Legislative Studies Quarterly.* 41: 633-655.

Clinton, Joshua and John Lapinski. 2008. "Laws and Roll Calls in the U.S. Congress, 1891-1994." *Legislative Studies Quarterly* 33: 511-541.

Krehbiel, Keith and Adam Meirowitz. 2002. "Minority Rights and Majority Power: Conditional Party Government and the Motion to Recommit in the House." *Legislative Studies Quarterly* 27: 191-217.

Recommended:

Roberts, Jason M. 2010. "The Development of Special Orders and Special Rules in the U.S. House, 1881-1937." *Legislative Studies Quarterly* 35(3):307-336.

Sinclair, Barbara. 1994. "House Special Rules and the Institutional Design Controversy." *Legislative Studies Quarterly* 19: 477-495.

Schickler, Eric. 2001. *Disjointed Pluralism: Institutional Innovation and the Development of the U.S. Congress.*

Roberts, Jason M. 2005. "Minority Rights and Majority Power: Conditional Party Government and the Motion to Recommit in the House." *Legislative Studies Quarterly* 30(2): 219-234.

Smith Steven S. and Thomas F. Remington. 2000. *The Politics of Institutional Choice: The Formation of the Russian State Duma.* Chapter 1-3. (C)

Crisp, Brian and Amanda Driscoll. 2012. "The Strategic Use of Legislative Voting Procedures." *Legislative Politics Quarterly.* (C)

October 20 **Senate 1**

Matthews, Donald. 1959. "The Folkways of the United States Senate." *American Political Science Review* 53: 1064-89.

Binder, Sarah A. and Steven S. Smith. 1998. "Political Goals and Procedural Choice in the Senate." *Journal of Politics* 398-416.

Wawro, Gregory and Eric Schickler. 2004. "Where's the Pivot? Obstruction and Lawmaking in the Pre-cloture Senate." *American Journal of Political Science* 48: 758-774.

Madonna, Anthony. 2011. "Institutions and Coalition Formation: Revisiting the Effects of Rule XXII on Winning Coalition Sizes in the U.S. Senate." *American Journal of Political Science*, 55(2): 276-288.

Binder, Sarah A., Anthony J. Madonna, and Steven S. Smith. 2007. "Going Nuclear, Senate Style." *Perspectives on Politics*, 4: 729-40.

Recommended:

Wawro, Gregory and Eric Schickler. 2006. *Filibuster: Obstruction and Lawmaking in the U.S. Senate.*

Koger, Gregory. 2010. *Filibustering: A Political History of Obstruction in the House and Senate.*

Smith, Steven S. and Marcus Flathman. 1989. "Managing the Senate Floor: Complex Unanimous Consent Agreements since the 1950s." *Legislative Studies Quarterly* 14: 349-74.

October 27 **Senate 2**

Lee, Frances E. 2009. *Beyond Ideology: Politics, Principles, and Partisanship in the U.S. Senate.*

Gailmard, Sean and Jeffrey A. Jenkins. 2009. "Agency Problems, the 17th Amendment and Representation in the Senate." *American Journal of Political Science* 53(2): 324-342.

Carson, Jamie L., Michael S. Lynch, and Anthony J. Madonna. 2011. "Coalition Formation in the House and Senate: Examining the Effect of Institutional Change on Major Legislation." *Journal of Politics* 73(4): 1-14.

Recommended:

Den Hartog, Chris and Nathan Monroe. 2011. *Costly Consideration: Agenda Setting and Majority Party Advantage in the U.S. Senate.* New York, NY: Cambridge University Press.

Lee, Frances and Bruce Oppenheimer. 1999. *Sizing up the Senate: The Unequal Consequences of Equal Representation.*

November 3 **Separation of Powers 1**

Howell, William and Terry Moe. 1999. "Unilateral Action and Presidential Power: A Theory" *Presidential Studies Quarterly* 29(4).

Cameron, Charles and Nolan McCarty. 2004. "Models of Vetoes and Veto Bargaining." *Annual Review of Political Science.* 7:409-435.

Howell, William, Scott Adler, Charles Cameron and Charles Riemann. 2000. "Divided Government and the Legislative Productivity of Congress, 1945-94." *Legislative Studies Quarterly* 25: 285-312.

Berry, Christopher R., Barry C. Burden, and William G. Howell. 2010. "The President and the Distribution of Federal Spending." *American Political Science Review.* 104(4): 783-799

Canes-Wrone, Brandice, William G. Howell and David E. Lewis. 2008."Toward a Broader Understanding of Presidential Power: A Reevaluation of the Two Presidencies Thesis." *Journal of Politics.* 70: 1-16.

Recommended:

Mayhew, David R. 1991. *Divided We Govern: Party Control, Lawmaking and Investigating: 1946-1990.* New Haven, CT: Yale University Press.

Cameron, Charles M. 2000. *Veto Bargaining: The Presidents and the Politics of Negative Power.*

Howell, William G. 2003. *Power without Persuasion: The Politics of Direct Presidential Action.*

Neustadt, Richard E. 1990. *Presidential Power and the Modern Presidents.*

Shugart, Matthew and John Carey. 1992. *Presidents and Assemblies: Constitutional Design and Electoral Dynamics.* (C)

November 10 (Rough Draft Due) **Separation of Powers 2**

Moe, Terry M. 1989. "The Politics of Bureaucratic Structure" in *Can the Government Govern*

McCubbins, Mathew and Thomas Schwartz. 1984. "Congressional Oversight Overlooked: Police Patrols vs. Fire Alarms." *American Journal of Political Science.* 28: 165-179.

McCubbins, Mathew D. and Roger G. Noll, and Barry R. Weingast. 1987. "Administrative Procedures as Instruments of Political Control. Journal of Law, Economics and Organization." 3: 243-277.

Moraski, Byron J., and Charles R. Shipan. 1999. "The Politics of Supreme Court Nominations: A Theory of Institutional Constraints and Choices." *American Journal of Political Science*. 43: 1069-95.

Binder, Sarah A. and Forrest Maltzman. 2002. "Senatorial Delay in Confirming Federal Judges?" *American Journal of Political Science* 46(1): 190-199.

Clark, Tom S. 2009. "The Separation of Powers, Court Curbing, and Judicial Legitimacy." *American Journal of Political Science* 53(4): 971-989.

Recommended:

Shipan, Charles. 2007. "Congress and the Bureaucracy." In Paul Quirk and Sarah Binder, eds. *The Legislative Branch*. Chapter 15.

Bawn, Kathleen. 1995. "Political Control Versus Expertise: Congressional Choices About Administrative Procedures." *American Political Science Review*. 89: 62-73.

Epstein, Lee and Jack Knight. 2013. "Reconsidering Judicial Preferences." *Annual Review of Political Science*. 16: 11-31.

Kriner, Douglas L. and Eric Schickler. 2017. *Investigating the President: Congressional Checks on Presidential Power*.

November 17 **Measurement**

Poole, Keith T. and Howard Rosenthal. 2007. *Ideology and Congress.* Chapters 5-12.

Lynch, Michael S. and Anthony J. Madonna. *Broken Record: Transparency, Position-Taking and Recorded Voting in the U.S. Congress.* book manuscript.

Volden, Craig and Alan E. Wiseman. 2017. "Legislative Effectiveness and Problem Solving in the U.S. House of Representatives." In Congress Reconsidered, 11th Ed.

Recommended:

Bonica, Adam. 2014. "Mapping the Ideological Marketplace." *American Journal of Political Science* 58: 367-387.Clinton, Joshua, Simon Jackman, and Doug Rivers. 2004. "The Statistical Analysis of Roll Call Data." *American Political Science Review* 98(2): 355-370.

Cox, Gary W., and Keith T. Poole. 2002. "On Measuring Partisanship in Roll Call Voting:

The U.S. House of Representatives, 1877-1999." *American Journal of Political Science* 46: 477-489.

Roberts, Jason M. 2007. "The Statistical Analysis of Roll-Call Data: A Cautionary Tale." *Legislative Studies Quarterly* 32: 341-360.

Kingdon, John W. 1977. "Models of Legislative Voting." *Journal of Politics.* 39: 563-595.

Clausen , Aage. 1973. *How Congressmen Decide: A Policy Focus.*

Volden, Craig and Alan E. Wiseman. 2014. *Legislative Effectiveness in the United States Congress: The Lawmakers.*

Snyder, James M. and Tim Groseclose. 2000. "Estimating Party Influence in Congressional Roll-Call Voting." *American Journal of Political Science* 44: 193-211.

Clinton, Joshua D. and John S. Lapinski. 2006. "Measuring Legislative Accomplishment, 1877-1994." *American Journal of Political Science* 50: 232-249.

November 24 **No Class – Thanksgiving Break**

December 1 **Presentations**

TBA **Final Paper Due**