

Political Science 3405
POLICYMAKING AND THE U.S. CONGRESS

Trinity University
Department of Political Science
Fall 2020

Instructor:	Jesse M. Crosson	Class Time:	Tues./Thurs., 9:55 to 11:10 AM
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Course Description:

This course will introduce you to the U.S. Congress, including its processes, its politics, and its outputs. Over the course of the semester, the course works gradually through the many stages of the policymaking process in Congress, examining how Congress's *institutional features*, *electoral incentives*, and *interactions with other elite actors* influence when, why, and how our laws are made. At each stage, we will assess how Congress and incentive structures influence its responsiveness to the public, and how the institution has either adhered to or departed from its designers' intended structure and behavior. Where appropriate, we will also consider proposed reforms of Congress and examine these reforms' intended and unintended consequences for American politics.

At the conclusion of this course, you will have gained a great deal of knowledge about Congress, how it operates, and how it influences American democracy and its perceived effectiveness. This knowledge is essential for any citizen, scholar, or practitioner interested in American democracy and its features. The United States Congress is among the oldest and most important democratic institutions in the world. The Framers of the U.S. Constitution, as you will learn, intended for Congress to serve as the most powerful institution in the U.S. federal government—as well as the closest and greatest protection to American public. While Congress's power has ebbed and flowed over time, these intentions have carried through to present day, placing Congress at the center of American democracy. Even beyond its centrality to American politics, understanding the U.S. Congress is also important in comparative perspective. Indeed, not only do Congress's policy decisions ripple throughout the industrialized world, but institution itself has served as the blueprint for dozens of legislative institutions, both inside and outside the United States.

Beyond gaining knowledge about Congress, however, this course will also develop your ability to think critically about the incentive structures underlying legislative politics, confronting questions of interest to both historical and modern legislative researchers. Why is Congress structured as it is? Whom do those structures benefit, whom do they harm, and why do members acquiesce to those structures? Why do members sometimes respond quickly to citizen interests, while at other times neglecting to do so? Answers to these questions require you to place yourselves in the position of members of Congress and think critically about the many competing demands facing a modern legislator. In addition, as we seek answers to these questions, you will learn how political scientists think about basic questions about legislative politics, and how they go about finding answers to them.

Understanding the United States' primary policymaking institution is particularly important today, given the wide variety of problems facing the country. Millions of immigrants face uncertainty about their future in the U.S. The federal government is amassing trillions of dollars of debt. Racial tensions continue to erupt all over the country. The military is subject to frequent and malicious cyber attacks from state and non-state actors, and infrastructure across the U.S. is crumbling. These issues represent a fraction of the challenges facing U.S. policymakers, at a time when Congress is as gridlocked as ever. Understanding the institution will enable you, as citizens and/or future policymakers, to address the issues facing Congress.

Required Texts:

Please pick up a copy of:

Adler, E. Scott, Jeffrey A. Jenkins and Charles R. Shipan. 2018. *The United States Congress*. 1st Edition. W. W. Norton.

Other readings will be made available via our TLearn.

Course Pages:

All course materials, except for textbook chapters, can be found at this course’s TLearn site. Please check the site regularly, as I will be provided announcements and updates via that channel.

Prerequisites: Introduction to American Politics, or an equivalent course, is preferred.

Grading Policy and Relevant Dates:

Class Participation and Attendance	20%
Midterm Essay	25%
Midterm Exam	25%
Final Project	30%

Attendance and Participation

You are expected to come to class every day. However, I understand that life happens, so I will give you two no-questions-asked absence each semester. After that, students lose .5% from their participation/attendance grade for each additional absence. If you have a legitimate reason to miss more than two classes, you will need written documentation. Please feel free to send any questions you may have about this policy. Note that excused absences do not count against your two-absence allotment. Personal reasons for excused absences include illness, deaths among loved ones, etc. Additionally, per University policy, students who are absent from class in order to observe a religious holiday, who are absent from class while participating in a University-sponsored dramatic production, or who are absent from the campus because they officially represent the University in such sponsored activities as intercollegiate athletics, debate tournaments, and tours will be excused. However, **all excused absences (besides observances of religious holidays) require written documentation in order for me to excuse them.**

Beyond attendance, your attendance/participation grade is governed by how active and involved you are in class. In order to receive full participation credit, a student must make *an average of one well-formulated, considerate contribution (answer to a question, posing a good question, etc.) per class*. This will not pertain to our laboratories, as participation is naturally more required in those settings.

If you find yourself struggling to participate in class, you have a second option. Each week, you are permitted to post to Tlearn an article or video that makes creative use of data or programming to answer a question about politics. To be clear, it will not be enough to simply scour Google Scholar and post a random academic article! Rather, you should search news articles, YouTube channels, data blogs, Twitter, etc. for interesting applications. Once you’ve posted a link, write a few sentences about why the application interests you, and articulate at least one in-class skill that would be important if you wanted to do the application yourself.

Advocacy Plan

By the time this project is assigned, you will have learned a great deal about what animates the policy-making process, including who members of Congress listen to, what motivates their activities, how groups

get a member's attention, and which members are pivotal within the legislature. This project will encourage you to apply this knowledge by allowing you to select a particular legislative initiative, and then act as a political consultant trying to help policy entrepreneurs get their legislation passed. To do so, you'll be writing up an advocacy plan that provides advice on who in the legislature to contact, how to contact them, and at what point those actors should be contacted.

Please use office hours to your advantage, as you work through this assignment! I encourage you to talk through your ideas with me and run through the logic of your plan. Additionally, you can send me drafts ahead of time, provided that you allow two weeks of time for me to read them ahead of the due date. My goal is that you write the best paper possible, as doing so will allow you to engage more deeply with the material. Additionally, consider making use of Trinity's Writing Center. No one is "too good" at writing for editorial services—many or most of your professors (including me!) have their papers edited and critiqued, prior to publication!

Midterm Exam

This exam will cover material presented in class from Week 1 to Week 10. It will be a mix of multiple choice questions, short essays, and one long-form essay. Some of the questions will test basic factual recall, but most of the questions will require you to understand the mechanics of a theory or feature of legislative politics and apply it to a new situation.

I will organize an optional midterm exam study session two days before the exam date (TBD). Prior to that study session, I will circulate a list of course concepts that could appear on the exam. Your job is study the concepts on that document *ahead of time* and come prepared to ask specific questions about those concepts. Consequently, the review session is as useful as you make it: the more work you put in ahead of time, the greater benefit it will provide!

Final Project

The Final Project will be a long-form research essay responding to one of 3 pre-selected prompts. Instead of analyzing a specific event, these prompts will require you to comment on a specific positive or normative debate encountered during the course of the semester. To complete the project, you will choose an opinion on the debate, and then defend it using both course material and outside material you assemble from academic journals and books. You need not fully agree with one "side" of the argument: in fact, you may even suggest that the debate in question cannot be settled without additional information. Exceptional projects may even highlight specific examples of how future empirical or theoretical research might better resolve the debate in question.

There are two acceptable formats for completing this project. The first is a traditional paper: 10 pages, 12 point font, double-spaced (approximate 2,500 words). The other is a podcast-style project, completed with another person in the class. In the podcast, one of you will take on the persona of a scholar on one side of the debate, and the other will take on the persona of a scholar on the other side. Over the course of a 10-page script (which you will read and record), you will engage each other in a lively debate about the subject at hand, drawing upon scholarly research to support your claims, just as if you were writing a paper. The benefit of this format is that it encourages you to deeply engage with the mechanics of an author's idea or theoretical framework, and to think through possible implications of the author's idea. By the end of the podcast, you and your partner will come to some sort of resolution (similar to "thesis statement" in a paper), which could take many different forms (such as a hypothetical agreement to run a joint study that would adjudicate between the competing perspectives!). In the past, students have found this format to be both informative and enjoyable.

Schedule and weekly learning goals

The schedule is tentative and subject to change. Please note that **all readings listed with each date should be completed by the date under which they are listed!** To guide your reading, please refer to the reflection questions posted at the beginning of the week.

As you'll see, the semester is segmented into three basic sections: legislative behavior, legislative institutions, and legislative interactions with outside actors. The course is designed to guide you through the representational process, beginning with a normative discussion of representation, moving through the electoral process, working through legislative structure, and ending in implementation and outside challenges. Each week, we will begin by reading relevant material from the Adler, Jenkins, and Shipan (AJS) book, in order to gain a basic understanding of the week's topic. Then, we will shift focus and read one piece of modern research on the topic, and/or a current event story that is relevant to the topic at hand. During both portions of the week—but particularly the second—class discussion will be crucial for deep engagement with the course material. Please come prepared, as class will always be more enjoyable when it involves lively conversation.

Part 1: Legislative Behavior

Module 1, 08/26 - 08/31: Congress: Basic Goals and Present State

What should we hope that Congress accomplish? How well do experts believe Congress performs those functions? How do these functions compare to the Framers' intentions for the institutions?

Thursday:

- AJS, chapter 1.
- Davidson, Oleszek, and Lee, *Congress and Its Members*, pp. 4-9.

Tuesday:

- Hamilton, Alexander, James Madison, and John Jay. 1787-88. *The Federalist*. No. 51.
- Mayhew, D. 1973. *The Electoral Connection*. 49-73.
- Mann, T. and Ornstein, N., 2016. *It's even worse than it looks*. Basic Books. **Chapter 1.**

Module 2: 09/02 - 09/07 Representation

What is representation, and what might the ideal representative or institution look like? How well does Congress conform to this image?

Thursday:

- AJS, chapter 3.
- Hamilton, Madison, and Jay 1787-88. *The Federalist*. Nos. 52-53, 62.
- Davidson, Oleszek and Lee. *Congress and Its Members*. Chapter 5: "Hill Styles and Home Styles."

Tuesday:

- Canes-Wrone, B., Brady, D.W. and Cogan, J.F., 2002. Out of step, out of office: Electoral accountability and House members' voting. *American Political Science Review*, 96(1), pp.127-140.

- Bafumi, J. and Herron, M.C., 2010. Leapfrog representation and extremism: A study of American voters and their members in Congress. *American Political Science Review*, 104(3), pp.519-542.
- (optional) Ahler, D. and Broockman, D. 2018. “The Delegate Paradox: Why Polarized Politicians Can Represent Citizens Best.” *Journal of Politics* 80:4, 1117-1133

Module 3, 09/09 - 09/14: Elections

How well do elections serve their representational and accountability functions within Congress? What are the impediments to their effectiveness?

Thursday:

- AJS, chapter 4.

Tuesday:

- Carnes, N., 2018. *The Cash Ceiling: Why Only the Rich Run for Office—and What We Can Do about It*. Princeton University Press. Chapter 1.
- Kanthak, K. and Woon, J., 2015. Women don't run? Election aversion and candidate entry. *American Journal of Political Science*, 59(3), pp.595-612.
- Thomsen, D. 2014. “Ideological Moderates Wont Run.” *Journal of Politics* 76.
- Broockman, D., Carnes, N., Skovron, C. and Crowder-Meyer, M. 2020. “Why Local Party Leaders Dont Support Nominating Centrists.” *British Journal of Political Science*.

Module 4, 09/16 - 09/21:, 08/25 - 08/27: Legislative Participation and Effectiveness

How do members of Congress differ in their representational styles? How do these differences influence the how laws are made? Is one approach normatively superior to others?

Thursday:

- AJS, chapter 8, Part 2 (“Individual Effectiveness”).
- Hall, R.L. 1996. *Participation in Congress*. Chapter 2.

Tuesday:

- Hutchings, V.L., McClerking, H.K., and Charlies, G.U., 2004. Congressional Representation of Black Interests: Recognizing the Importance of Stability. *Journal of Politics*. Vol. 66.
- Grimmer, J. Appropriators not Position-Takers: The Distorting Effects of Electoral Incentives on Representation. *American Journal of Political Science*, 57(3).
- Crosson, J., Furnas, A., LaPira, T. and Burgat, C. 2020. “Partisan Competition and the Decline in Legislative Capacity among Congressional Offices.” *Legislative Studies Quarterly*.

Part 2: Legislative Institutions

Module 5, 09/23 - 09/28: The Historical Development of Congress

In what ways does Congress differ today from previous historical periods? Are the challenges facing the Congress today unique in congressional history? Is there a time in history that is particularly instructive for understanding our present dilemmas?

Thursday:

- AJS, chapter 2.

Tuesday:

- Schickler, E., 2000. Institutional Change in the House of Representatives, 1867-1998. A Test of Partisan and Ideological Power Balance Models. *American Political Science Review*.
- Lee, F. 2016. *Insecure Majorities*. University of Chicago Press. Chapter 1.

Module 6, 09/30 - 10/07: The Committee System

Why has Congress organized itself into committees—and why are these the committees it has settled upon? How powerful are these committees, and what are their primary goals?

Tuesday:

No class.

Tuesday:

- AJS, chapter 5.

Thursday:

- Shepsle, K.A. and Weingast, B. 1987. The Institutional Foundations of Committee Power. *American Political Science Review*, 81:1.
- Grimmer, J. and Powell, E. 2013. Congressmen [sic] in Exile: The Politics and Consequences of Involuntary Committee Removal. *Journal of Politics*, 75 (4).

Module 7, 10/12 - 10/14: Legislative Parties

What role do political parties play in organizing Congress? How do parties complicate members' goals, and why might members be willing to tolerate strong party power?

Tuesday:

- AJS, chapter 6.

Thursday:

- Cox, G.W. and McCubbins, M.D. 2005. *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives*. Cambridge University Press. **Chapter 1**.
- Cox, G.W., Kousser, T., and McCubbins, M.D., 2010. Party Power or Preferences? Quasi-Experimental Evidence from American State Legislatures. *Journal of Politics*, 75(4).
- Crowley, Michael, Oppressed Minority, *The New Republic*, June 23, 2003.

October 19: Midterm Examination

Module 8, 10/21 - 10/28: Policymaking in the U.S. Congress

Who controls the legislative agenda in Congress, and what ramifications does this have for how policy is made? How have recent contextual factors influenced Congress's ability to make policy?

Thursday:

- AJS, chapter 7.

Tuesday:

- Binder, S. 1999. The Dynamics of Legislative Gridlock, 1947-96. *American Political Science Review*, 93 (September).
- Reynolds, M.E., 2017. *Exceptions to the Rule: The Politics of Filibuster Limitations in the US Senate*. Brookings Institution Press. Chapter 1.
- Lee, F. 2016. *Insecure Majorities*. Chapter 7.

Thursday:

- AJS, Chapter 8 Part 1 ("Collective Effectiveness").

Part 3: Congress and Outside Actors

Module 9, 11/02 - 11/09 Congress, Interest Groups, and Policymaking

What are interest groups, and how can they distort or enhance representation? What role do they play in the policymaking process? Given the prevalence of interest groups, what does Congress see when it interacts with constituents? Do members of Congress get an accurate depiction of opinion when they have these interactions?

Tuesday:

- AJS, Chapter 12.

Thursday:

- Strolovitch, D.Z., 2006. Do Interest Groups Represent the Disadvantaged? Advocacy at the Intersections of Race, Class, and Gender. *Journal of Politics* 68 (4).
- Gilens, Martin, and Benjamin I. Page. 2014. Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens. *Perspectives on Politics* 12(3): 564-581

Tuesday:

- Skovron, C. and D. Broockman. 2018. "Bias In Perceptions of Public Opinion Among Political Elites." *American Political Science Review*.
- Miler, K.C. 2018. *Constituency Representation in Congress: The View from Capitol Hill*. Chapter 1.
- Crosson, J.M., A.C. Furnas, and G.M. Lorenz. 2020. "Polarized Pluralism: Organizational Preferences and Biases in the American Pressure System." *American Political Science Review*.

Module 10, 11/11 - 11/16: Congress and the President

How does the president attempt to influence the legislative process? Does Congress try to fight back—and under what conditions? Does the public have a strong perspective about presidential influence over legislation?

Thursday:

- AJS, Chapter 9.

Tuesday:

- Reeves, A. and Rogowski, J.C., 2016. Unilateral powers, public opinion, and the presidency. *The Journal of Politics*, 78(1), pp.137-151.
- Christenson, D.P. and Kriner, D.L., 2017. Constitutional qualms or politics as usual? The factors shaping public support for unilateral action. *American Journal of Political Science*, 61(2), pp.335-349.

Advocacy Plan Due (Monday, 11/15)**Final Project Assigned****Module 11, 11/18 & 11/30: Congress and the Bureaucracy**

Under what conditions does Congress delegate its policymaking power bureaucrats, and what are the associated pros and cons of doing so? What role do interest groups play in this relationship?

Thursday:

- AJS, Chapter 10.

Tuesday:

- Hall, R.L and Miler, K.C., 2008. What Happens After the Alarm? Interest Group Subsidies to Legislative Overseers. *Journal of Politics* 70:4.
- Fiorina, M. *Congress: Keystone of the Washington Establishment*. Introduction, Chapter 1, and Chapter 3.

****THANKSGIVING BREAK (FULL WEEK)******Module 12, 12/02 - 12/07: Congress and the Judiciary**

How does Congress attempt to influence the judiciary? What options do they have for doing so? Has this process changed over time, and why?

Tuesday:

- AJS, Chapter 11.

Thursday:

- Cameron, C., Gray, C., Kastellec, J., and J. Park. 2013. "Voting for Justices: Change and Continuity in Confirmation Voting, 1937-2010." *Journal of Politics*.
- Cameron, C., Gray, C., Kastellec, J., and J. Park. 2020. "From Textbook Pluralism to Modern Hyper-Pluralism: Interest Groups and Supreme Court Nominations, 1930-2017." *Journal of Law & Courts*.

Late Policy

Late papers will be penalized one letter grade every day they are late. Papers will *not* be accepted more than 3 days late.

Classroom Environment

Please note that the classroom is a space where participation of all students is welcome, protected, and expected, regardless of differences in race, sex, gender, nationality, disability, religion, ideology, or otherwise. Students will be respectful of each other both during section and while completing any assignment outside of class that requires group interaction. As noted above, I recognize that political science is a discipline in which we discuss ideologies, viewpoints, and situations about which reasonable people may passionately disagree. Being the case, I ask that you display the utmost respect for fellow peers and their ideas during class. If at any point you fail to treat one another with such respect, I reserve the right to deduct from your daily participation grade.

Please let me know if you feel the classroom lose such a level of respect at any time, so that we can address your concerns. Additionally, if you feel that your views are being disrespected in outside-the-classroom interactions related to this course, please do not hesitate to speak with me.

Cell Phones and Laptops

To limit disruptions, please turn off your cell phone when you come to class. If your cell phone does ring, I will ask you to turn it off and put it away. Repeated issues with cell phones will result in decreases in your participation grade. In fairness, if my cellphone goes off during class, I will bring doughnuts to the following session. If you are expecting an important phone call during section, please get in touch with me before class and we can arrange something. Text messaging is not permitted.

I have no problem with you using your laptop to take notes. However, if you do choose to use your computer, I ask that you please sit towards the front of the classroom and refrain from browsing Facebook / other social media, or otherwise distracting yourself with your computer. Doing so may affect your participation grade.

University Policies

Honor Code

All students are covered by a policy that prohibits dishonesty in academic work. Under the Honor Code, a faculty member will (or a student may) report an alleged violation to the Academic Honor Council. It is the task of the Council to investigate, adjudicate, and assign a punishment within certain guidelines if a violation has been verified. **Students are required to pledge all written work that is submitted for a grade: On my honor, I have neither given nor received any unauthorized assistance on this work and their signature. The pledge may be abbreviated pledged with a signature.**

Title IX/Sexual Misconduct Reporting

As a Responsible Employee who is committed to creating an environment where every member of our community can thrive, I want to let you know that I am a Mandatory Reporter. What that means is that I am required to report any instances of sexual misconduct, including sexual harassment, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, intimate partner violence, stalking, and related retaliation that I am aware of to the Title IX Coordinator. So, if you share information with me about any incidents that implicate the Sexual Misconduct or Anti-Harassment Policies, I am required to report all information to the Title IX Coordinator to make sure you have information about support resources and complaint resolution options. My report does not initiate the complaint process, and you are in control over how you choose to engage with our Title IX Coordinator. If you or someone you know

has experienced sexual misconduct, including sexual harassment, I encourage you to share this information directly with the Title IX Coordinator or one of the individuals who has been designated as a confidential resource on campus. Information about reporting is available [here](#).

Contacting Me

My office, office hours, and e-mail can be located at the top of the syllabus. The best way to contact me is to come to office hours (or by scheduling an appointment if necessary). Office hours are intended as a resource for you; they are a time where we can discuss questions about the material, assignments, or your experience in class. You can also contact me through e-mail. I will respond to e-mails within 24 hours on a weekday and within 48 hours on the weekend and holidays. As you might expect, an e-mail sent during school hours will have a faster turnaround than an e-mail sent at 2 a.m. the night before an exam. If you wish to contact me this way, please include “PLSI 3405” in the subject line of the e-mail.