

# **7. Congress**

**Breakout Sessions**

**POLS 1101**

**12:40pm-1:30pm Park Hall 145**

**& 1:50pm-2:40pm Leconte Hall 135**

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# Exam Hand Back

- **Add points wrong**
  - **WITHIN TODAY (Friday)**
- **Questions on why I lost points in short-answers**
  - **Tomorrow (Saturday)**
- **Appeal your grade**
  - **48 hours later (Sunday)**
  - **Do as told by the syllabus**
    - You must write a statement to have the assignment regraded saying why you believe you should have received more credit and you will need to give me your blue book.
    - If you appeal your grade, I (your TA) will need to regrade which could result in a higher grade, a lower grade, or no change at all.
    - Only submit an appeal if you are sure that you can make a strong case for a higher score!
    - If you are still unsatisfied with your grade after that, you can repeat the process with Professor Nicholson.

# The Origin and Powers of Congress

- The origin of Congress came as a balance of benefits between large and small states – the **Senate** for equal representation (small), the **House** for large ones.
- **How are members of congress elected?**
  - The Senate: 17<sup>th</sup> Amendment -> direct election by popular vote
  - The House: directly based on population -> **reapportionment** (after each census, the redistribution of representatives among the states based on population change)
- **Powers**
  - The Senate: to approve major presidential appointments and treaties with foreign nations
  - The House: the power of **impeachment** (the formal charging of a government official with serious crimes)

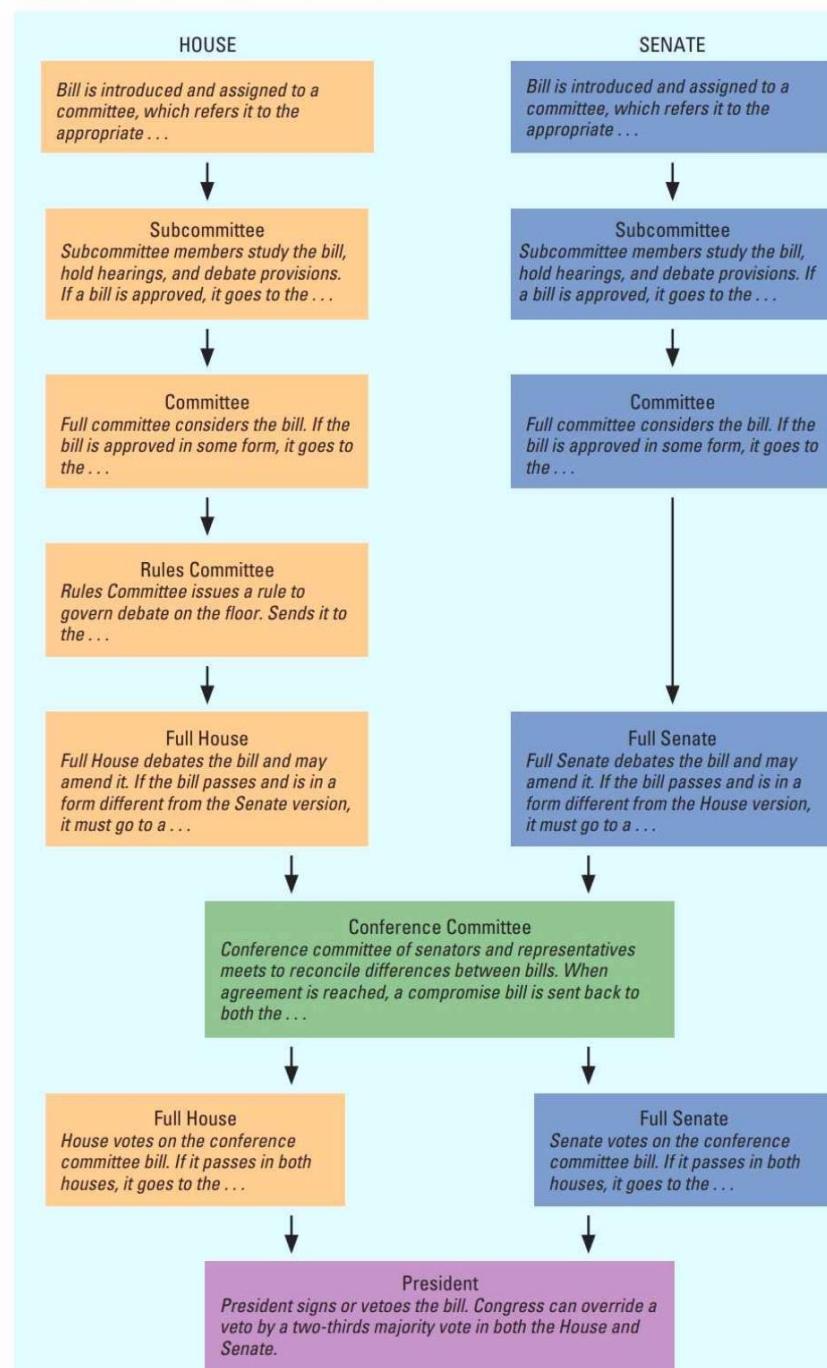
# Electing Congress

- The Incumbency Effect – Centralization of resources; **Seniority matters!**
  - Redistricting: Strategic redistribution of representatives - **gerrymandering**
  - Name recognition
    - Franking privilege: the right to send mass communications at taxpayer expense
    - Use of social media: **What do you think of political stars' use of social media? Is it good or bad / substantive or just a performance?**
  - Casework: Solving problems in person for constituents
  - Campaign financing
- Successful challengers: Also some kind of “centralization”
  - “Vulnerable incumbents bring out higher-quality challengers.”
- Whom do we elect? – Most are upper-class professionals.
  - Elite theory? **Does majoritarian democracy always lead to elite ruling?**
  - Descriptive representation: Legislature should resemble the demographic characteristics of the population it represents.

# How does Congress work?

- Agenda Setting
- Bill introduced
- Committee & subcommittee -> **specific expertise**
  - **Congress in session is Congress on public exhibition, whilst Congress in its committee-rooms is Congress at work.**
    - **Markup sessions:** the meetings at which subcommittees and committees actually debate and amend legislation.
    - **Why can members of Congress be usually willing to discuss and negotiate?**
- **Committees**
  - Standing committees (permanent)
  - Joint committee: made up of members of both the House & the Senate, for fact finding or publicizing issues
  - Select committee: for specific, (temporary) purposes
  - Conference committee: rare in practice

Figure 11.3 The Legislative Process



# How does Congress work? (cont'd)

- **Leadership**
  - The House: Speaker of the house, majority / minority **leader / whip**
  - The Senate: Vice president (rarely present), *President pro tempore* (honorary), majority leader (actual power holder)
- **Rules of procedure**
  - Major differences between the House & the Senate
    - **Amendments:** directly relevant to the bill at hand **v.** they can be irrelevant
    - **Floor debate governing:** Rules committee **v.** unanimous consent agreements
    - **Length of debate:** Only the speaker & minority leader can speak more than 1 hour **v.**
      - **Filibuster:** A delaying tactic used in the Senate that allows any senator to prevent a bill from coming to a vote.
      - **Cloture:** The mechanism by which a filibuster is cut off in the Senate.
      - **Hold:** A letter requesting that a bill be held from floor debate, which signals filibuster.
  - Great efforts in coordination -> centralize the authority of party leaders
    - **Is the centralization of power an inevitable result of high coordination costs?**

# How does Congress work? (cont'd)

- **Stakeholders in legislation**

- **Political Parties:** leading to majoritarianism
  - As a reward to loyalty, those who vote in line with the party can get better assignments.
  - **Partisan polarization** leads to harder procedures for a bill to be passed or revised.
    - The House majority -> **closed rule**, which only allows amendments to come from the committee that brought the bill to the floor of the chamber.
    - The Senate majority -> "**filling the amendment tree**", which allows the majority leader to propose all permissible amendments to a post-cloture bill on the floor, preventing the minority party from altering the bill.
- **President:** leading to majoritarianism
  - Extension of presidency in the legislative process ("chief legislator")
- **Constituents:** leading to pluralism
  - The diversity of America is mirrored by the geographical basis of representation in Congress. Constituencies push and pull Congress in many different directions.
- **Interest groups:** leading to pluralism
  - Lobbies

# Majoritarian & Pluralist democracy in Congress

- **Majoritarian**

- Representatives & senators are directly elected. Most committees reflect the general ideological profiles of the two parties' congressional contingents.
- One view: Congress members are **trustees** of their constituents. (They aren't obliged to vote according to their constituents' views if they think it wrong.)
- When legislators act as **trustees**, policymaking becomes less tied to the narrower interests of districts and states. (more **majoritarian**)
  - However, ... can be more tied to partisanship
- Both parties can have similar policy focus (e.g. reduction in deficits).

- **Pluralist**

- Another view: Congress members are **delegates** of their constituents. (faithfully reflect the majority will of constituents)
- When legislators act as **delegates**, congressional policymaking is more **pluralistic**.
- However, when it comes to distribution of benefits, legislators can turn to what they can do for their district or state.

# Discussion: Delegates or Trustees?

- Abortion legislation
- Climate Change & Environmental Regulation
- Marijuana Control
- Foreign Policy & War Powers
- Economic Policy & Taxation
- Civil Rights & Minority Rights
- .....

# Next week...

- Read materials on **Presidency** before class, and that will be helpful to participate in peer discussions.
- Feel free to email me if you have any questions!
- ENJOY YOUR WEEKEND!