

# **6. Congress**

**Breakout Sessions  
POLS 1101  
8:40am-9:35am Baldwin 322  
& 9:55am-10:50am Journalism 509**

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# Exam Hand Back

- **Adding points wrong**
  - **WITHIN TODAY (Friday), email or in-person talk after class**
- **Questions on why I lost points in short-answers**
  - **WITHIN TODAY (Friday), email or in-person talk after class**
- **Appealing your grade**
  - **24 hours later (Saturday), email**
  - **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.

# Midterm 1 Feedback

- **Grasp both key ideas and details!**
  - Multiple choice: 1) texts in slides; 2) general idea of the reading materials; 3) “confusing pairs” of key concepts; 4) basic understanding of “overlooked” concepts in the review sheet
- **Clear & Comprehensive Logic**
  - Stressing ALL of the three concepts: freedom, equality, order (Q1)
  - Stressing BOTH ways to formally amend the Constitution (Q2, national convention)
- **Use key items / theories**
  - Procedural democracy (3 principles, 1 point for each; only telling me “it focuses on the process” earned 1 point.); Substantive democracy (civil liberties; civil rights) (Q3)
  - Constitutional foundations of dual/cooperative federalism (Q5) - **but it's not your fault!**
  - Civil liberties / rights: the key difference is “what the government cannot take away” (negative rights) vs. “what the government must do to protect citizens” (positive rights) (Q7)

# In-class Discussion

(also helpful to review)

# Electing the 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
  - **Casework:** Solving problems in person for constituents
  - **Campaign financing**
- Whom do we elect? – Most are upper-class professionals.
  - Elite theory? **Why does majoritarian democracy lead to elite ruling?**
  - We probably want the “elite” representatives to speak for us, but are they trustable / really able to provide “substantive representation”?

# Political Representation

- **Concepts**
  - Descriptive representation: regarding “who you (representatives) are”
  - Substantive representation: regarding “what you prefer / do”
  - (Symbolic representation: regarding “how people feel about you”)
- Is descriptive representation causally related to substantive representation?
  - No!
  - Suppose a government agency hires more female managers, but these managers oppose paid family leave and flexible work arrangements.
- Can someone substantively represent a group they do not belong to?
- (Would you like to substantively represent a group you do not belong to?)

# Political Representation (cont'd)

- **What factors can influence the conversion of descriptive representation to substantive representation? (Policy Process Perspective)**
  - Problem Recognition
  - Agenda Setting
  - Policy Design
  - Policy Implementation
  - Policy Outcome / Feedback
- A city police department has significantly **increased the proportion of minority officers**, especially at the frontline and mid-level positions. However, public concern about **unfair policing, use of force, and lack of community trust** remains high.
- How, and at what stages, does descriptive representation translate – or fail to translate – into substantive change? Identify the pros & cons in each stage.

# Majoritarian & Pluralist Democracy in Congress

- **Majoritarian**

- 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 Protection
  - .....
- 
- For what kinds of issues do you want representatives to act as delegates / trustees? Do you have your own criteria for making a choice?
  - What drives you to have such a standard? Is the standard different in your group members?
  - Any other interesting findings in your group discussion that you'd like to share?

# 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!

# **More for Study & Review**

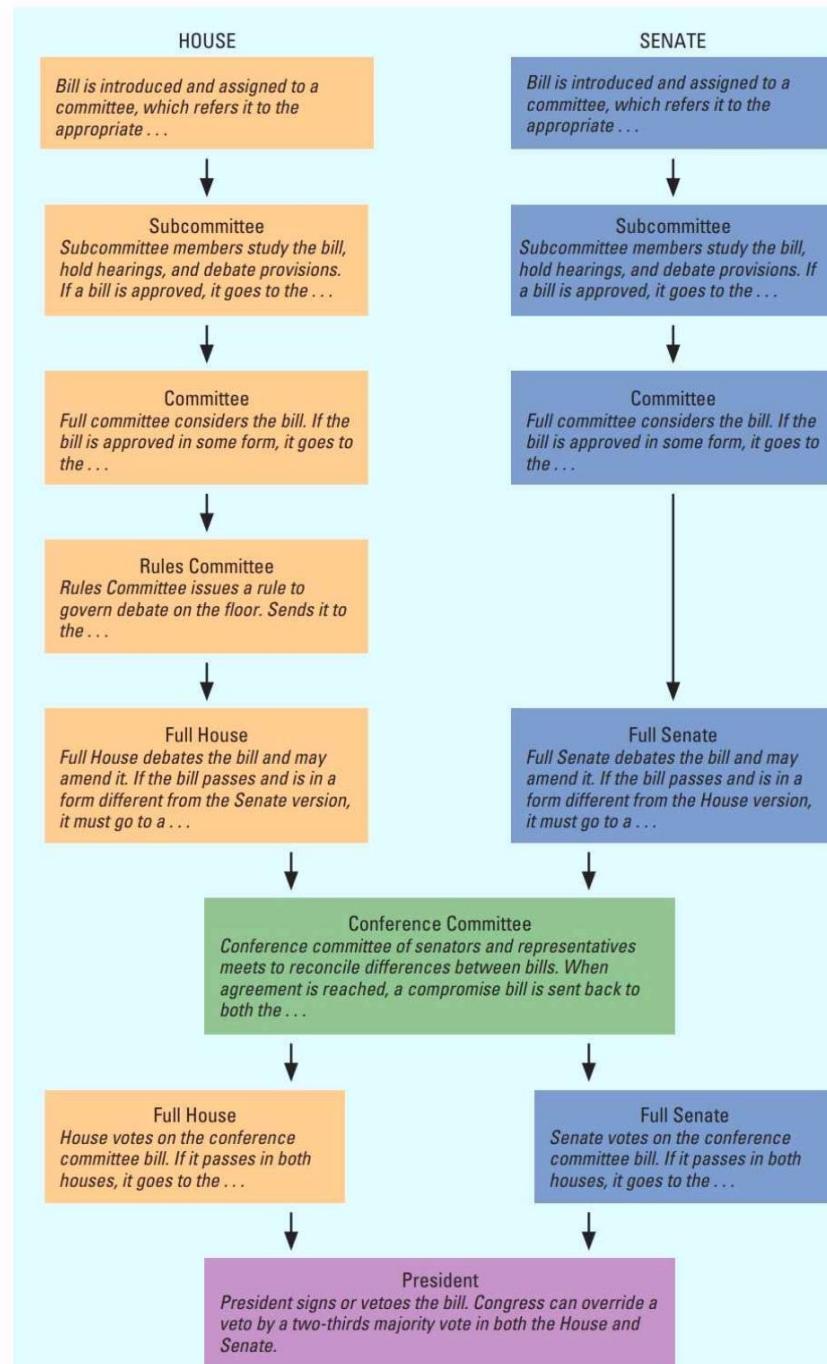
# The Origin and Powers of Congress

- 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)

# How Congress Works?

- 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 Congress Works? (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

# How Congress Works? (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