

# POS 6427: Legislative Process

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Class Hours: 11:45 AM to 2:45 PM

Class Room: Norman 1001

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## Course Description

This course introduces graduate students to some of the major themes in the American Legislative Process. This course offers a rigorous exploration of the intricacies of the American legislative process with a specific focus on the U.S. Congress. This class is designed to give you a broad overview of the legislative process in the United States and will help prepare you for future research, practical applications in both the private sector and policy making process.

## Course Goals

1. Provide an introduction to core research in the Legislative Process.
  - Learn how Congress is organized and which institutions shape the legislative process.
  - Understand the electoral connection between the actions of Congress and policy.
  - Grasp the inter-branch relationship between the policy making process including the President, the bureaucracy, and other actors.
  - Examine gaps in the representativeness of the legislative process, and how state policymaking diverges from Federal processes.
  - Contextualize current problems in American policymaking including polarization and gridlock.
2. Give students practical skills for future vocational roles in academia, industry, or the public sector.
  - Discuss and critique research in a professional and productive style.
  - Practice presentational skills for presenting research.
  - Allow students to begin building their own research agendas.
  - Identify holes in research for further exploration.

- Build critical evaluation skills, both written and verbal.

## Course Requirements

The most important requirement of the course is to read the assignments for each week **carefully** and **critically** before class. They will form the focus of our discussions in class. Be aware that some of your reading of some items will affect your reading of other items in the current week or a future week; we will discuss these links.

## Required Books/Literature

Cox, Gary W and Mathew D McCubbins (2007). *Legislative Leviathan: Party government in the House*. Cambridge University Press.

If you are interested in American Political Institutions, Congress, or the policy making process I **highly** recommend purchasing other books used in this class for future reference and personal use.

## Grading Policy

1. **Class Participation (30%)**: Participation is an integral part of the course. You are expected to come to each class having done the assigned readings and ready to discuss the material. Being present **does not** count as participating, I expect you to play an active role in class discussions.
2. **Reading Presentations (10%)**: Each week, one student will lead the class in in-depth discussion regarding one of that week's articles. (We will rotate students and divide up the weeks equally so that everyone presents the same number of times.) The student assigned for that week will be required to present the work as if it were their own – this is intended to simulate a conference presentation and give you practice in presenting an academic paper. The presentations should include visual aids (slides) and be approximately 12-15 minutes long. You are expected to motivate the paper, summarize the major points, explain the research design, results, and end with major takeaways and questions for further discussion. After the presentation, the rest of the class will have a chance to ask questions regarding the substance of the presentation.
3. **Short Review Paper (20%)**: Over the course of the quarter, you are to complete 1 short paper (2 pages double-spaced) in response to an assigned reading (this reading cannot be one that you also do a reading presentation on). For the reading of your choice, your paper should (a) identify and discuss the empirical, theoretical, or methodological contribution, and (b) explain any weaknesses or potential extensions that could provide paths for future research. Your paper is due by the start of the class in which we will be discussing the reading that is the subject of your paper.
4. **Final Paper and Presentation (40%)** There is much in the American institutions literature that is not represented here. Your final paper for this course will be an analytical literature review and in-class presentation on some aspect of the institutions literature that we did

not cover – or did not cover as deep as your own interest – in class. You are encouraged to choose a topic that is related to your own research interests. The deadline for this final paper is **April 28th by 11:59PM**.

- A few guidelines: Do not merely restate or summarize what has been done; put an analytical frame on the literature, and use that analytical approach to identify what is known and not known on the given subject. Your paper should be approximately 10 pages in length. This is a good opportunity to start exploring an area of research in which you are interested in working.

## Class Schedule

Students must read the following before Wednesday's class session, please let me know ahead of time if you will not be coming to class, you will still be responsible for submitting a memo.

### Week 1, January 10: Introduction: Institutional Foundations

Madison, James (1787). *The Federalist Papers No. 10, 51 and 52*.

Fenno, Richard F (1962). "The House Appropriations Committee as a Political System: The Problem of Integration". In: *American Political Science Review* 56.2, pp. 310–324.

Mayhew, David R (2004). *Congress: The Electoral Connection*. Yale University Press, pp. 1-77.

### Week 2, January 17 : Congress I: Electoral Foundation

Fenno, Richard F (1977). "US House Members in their Constituencies: An Exploration". In: *American Political Science Review* 71.3, pp. 883–917.

Jacobson, Gary C (1989). "Strategic Politicians and the Dynamics of US House elections, 1946–86". In: *American Political Science Review* 83.3, pp. 773–793.

Ansolabehere, Stephen, James M Snyder Jr, and Charles Stewart III (2001). "Candidate Positioning in US House Elections". In: *American Journal of Political Science*, pp. 136–159.

Carson, Jamie L, Joel Sievert, and Ryan D Williamson (2020). "Nationalization and the incumbency advantage". In: *Political Research Quarterly* 73.1, pp. 156–168.

Costa, Mia (2021). "Ideology, not affect: What Americans want from Political Representation". In: *American Journal of Political Science* 65.2, pp. 342–358.

### Week 3, January 24: Congress II: Organizational Structure

Cox, Gary W and Mathew D McCubbins (2007). *Legislative Leviathan: Party government in the House*. Cambridge University Press. Chapter 1 and 2

Weingast, Barry R and William J Marshall (1988). "The industrial Organization of Congress; or, Why Legislatures, like Firms, are not Organized as Markets". In: *Journal of Political Economy* 96.1, pp. 132–163.

Shepsle, Kenneth A and Barry R Weingast (1987). "The Institutional Foundations of Committee Power". In: *American Political Science Review* 81.1, pp. 85–104.

Krehbiel, Keith (1990). "Are Congressional Committees composed of Preference Outliers?" In: *American Political Science Review* 84.1, pp. 149–163.

Fournaies, Alexander and Andrew B Hall (2018). "How do Interest Groups seek access to Committees?" In: *American Journal of Political Science* 62.1, pp. 132–147.

#### **Week 4, January 31: Congress III: Political Parties**

Association, American Political Science (1950). "Toward a More Responsible Two-Party System: a Report of the Committee on Political Parties, American Political Science Association". In: (*Foreword and Summary of Conclusions and Proposals*).

Cox, Gary W and Mathew D McCubbins (2007). *Legislative Leviathan: Party government in the House*. Cambridge University Press. Chapter 4-5

Sinclair, Barbara (1992). "The Emergence of Strong Leadership in the 1980s House of Representatives". In: *The Journal of Politics* 54.3, pp. 657–684.

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

Krehbiel, Keith (1993). "Where's the Party?" In: *British Journal of Political Science* 23.2, pp. 235–266.

#### **Week 5, February 07: Polarization and Gridlock I: Gridlock and Consequences**

Krehbiel, Keith (1998). *Pivotal Politics: A Theory of US Lawmaking*. University of Chicago Press. Chapters 1 and 2

Binder, Sarah A (1999). "The Dynamics of Legislative Gridlock, 1947–96". In: *American Political Science Review* 93.3, pp. 519–533.

Thomsen, Danielle M (2014). "Ideological Moderates Won't Run: How Party fit Matters for Partisan Polarization in Congress". In: *The Journal of Politics* 76.3, pp. 786–797.

Clarke, Andrew J (2020). "Party sub-brands and American Party Factions". In: *American Journal of Political Science* 64.3, pp. 452–470.

#### **Week 6, February 14: Polarization and Gridlock II: Foundations of Polarization**

McCarty, Nolan, Keith T Poole, and Howard Rosenthal (2009). "Does Gerrymandering Cause Polarization?" In: *American Journal of Political Science* 53.3, pp. 666–680.

Theriault, Sean M and David W Rohde (2011). "The Gingrich Senators and Party Polarization in the US Senate". In: *The Journal of Politics* 73.4, pp. 1011–1024.

Hall, Andrew B (2015). "What Happens when Extremists win Primaries?" In: *American Political Science Review* 109.1, pp. 18–42.

Hill, Seth J and Chris Tausanovitch (2015). "A Disconnect in Representation? Comparison of Trends in Congressional and Public Polarization". In: *The Journal of Politics* 77.4, pp. 1058–1075.

Barber, Michael J (2016). "Ideological donors, Contribution limits, and the Polarization of American legislatures". In: *The Journal of Politics* 78.1, pp. 296–310.

### **Week 7, February 21: Presidency I: Presidential Power in the Legislative Process**

Neustadt, Richard E (1960). *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan*. Simon and Schuster. Chapter 1,2,3

Canes-Wrone, Brandice (2001). "The President's Legislative Influence from Public Appeals". In: *American Journal of Political Science*, pp. 313–329.

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". In: *The Journal of Politics* 70.1, pp. 1–16.

Rogowski, Jon C (2016). "Presidential Influence in an Era of Congressional Dominance". In: *American Political Science Review* 110.2, pp. 325–341.

### **Week 8, February 28: Presidency II: Interbranch Relations, Oversight, and Veto**

Guenther, Scott M and Samuel Kernell (2021). "Veto Threat Bargaining with a Bicameral Congress". In: *Political Research Quarterly* 74.3, pp. 628–644.

McCubbins, Mathew D and Thomas Schwartz (1984). "Congressional Oversight Overlooked: Police Patrols versus Fire Alarms". In: *American Journal of Political Science*, pp. 165–179.

Kiewiet, D Roderick and Mathew D McCubbins (1988). "Presidential Influence on Congressional Appropriations Decisions". In: *American Journal of Political Science*, pp. 713–736.

Lee, Frances E (2008). "Dividers, not Uniters: Presidential leadership and Senate partisanship, 1981-2004". In: *The Journal of Politics* 70.4, pp. 914–928.

Kriner, Douglas L and Andrew Reeves (2015). "Presidential Particularism and Divide-the-Dollar Politics". In: *American Political Science Review* 109.1, pp. 155–171.

### **Week 9, March 06: Bureaucracy**

Wilson, James Q (1989). *Bureaucracy: What government agencies do and why they do it*. Hachette UK. Chapters 1 and 2 (Honestly recommend reading the entire book)

Lewis, David E (2007). "Testing Pendleton's Premise: Do Political Appointees Make Worse Bureaucrats?". In: *The Journal of Politics* 69.4, pp. 1073–1088.

Clinton, Joshua D, David E Lewis, and Jennifer L Selin (2014). "Influencing the Nureaucracy: The Irony of Congressional Oversight". In: *American Journal of Political Science* 58.2, pp. 387–401.

Potter, Rachel Augustine (2017). "Slow-Rolling, Fast-Tracking, and the Pace of Bureaucratic Decisions in Rulemaking". In: *The Journal of Politics* 79.3, pp. 841–855.

Lowande, Kenneth and Rachel Augustine Potter (2021). “Congressional Oversight Revisited: Politics and Procedure in Agency Rulemaking’’. In: *The Journal of Politics* 83.1, pp. 401–408.

### **Week 10, March 13: Congress IV: Lobbying and Legislative Process**

Austen-Smith, David (1993). “Information and Influence: Lobbying for Agendas and Votes’’. In: *American Journal of Political Science*, pp. 799–833.

Hall, Richard L and Alan V Deardorff (2006). “Lobbying as Legislative Subsidy’’. In: *American Political Science Review* 100.1, pp. 69–84.

Powell, Eleanor Neff and Justin Grimmer (2016). “Money in Exile: Campaign Contributions and Committee Access’’. In: *The Journal of Politics* 78.4, pp. 974–988.

McCrain, Joshua (2018). “Revolving Door Lobbyists and the Value of Congressional Staff Connections’’. In: *The Journal of Politics* 80.4, pp. 1369–1383.

You, Hye Young (2023). “Dynamic lobbying: Evidence from Foreign Lobbying in the US Congress’’. In: *Economics & Politics* 35.2, pp. 445–469.

### **Week 11, March 20: Representation I: Policy Representation**

Stimson, James A, Michael B MacKuen, and Robert S Erikson (1995). “Dynamic Representation’’. In: *American Political Science Review* 89.3, pp. 543–565.

Lax, Jeffrey R and Justin H Phillips (2009). “Gay Rights in the States: Public Opinion and Policy Responsiveness’’. In: *American Political Science Review* 103.3, pp. 367–386.

Caughey, Devin and Christopher Warshaw (2018). “Policy Preferences and Policy Change: Dynamic Responsiveness in the American states, 1936–2014’’. In: *American Political Science Review* 112.2, pp. 249–266.

Butler, Daniel M and David W Nickerson (2011). “Can Learning Constituency Opinion Affect how Legislators Vote? Results from a Field Experiment’’. In: *Quarterly Journal of Political Science* 6.1, pp. 55–83.

Broockman, David E and Christopher Skovron (2018). “Bias in Perceptions of Public Opinion Among Political Elites’’. In: *American Political Science Review* 112.3, pp. 542–563.

### **Week 12, March 27: Representation II: Descriptive Representation**

Gay, Claudine (2002). “Spirals of Trust? The Effect of Descriptive Representation on the Relationship between Citizens and their Government’’. In: *American Journal of Political Science*, pp. 717–732.

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Anzia, Sarah F and Christopher R Berry (2011). “The Jackie (and Jill) Robinson effect: Why do Congresswomen Outperform Congressmen?’’ In: *American Journal of Political Science* 55.3, pp. 478–493.

Butler, Daniel M and David E Broockman (2011). “Do politicians racially discriminate against constituents? A field experiment on state legislators’”. In: *American Journal of Political Science* 55.3, pp. 463–477.

Lowande, Kenneth, Melinda Ritchie, and Erinn Lauterbach (2019). “Descriptive and Substantive Representation in Congress: Evidence from 80,000 Congressional Inquiries’”. In: *American Journal of Political Science* 63.3, pp. 644–659.

### **Week 13, April 03: No Class**

I have a conference I need to attend.

### **Week 14, April 10: State Legislative Process I: Policy Diffusion and Innovation**

Shipan, Charles R and Craig Volden (2008). “The Mechanisms of Policy Diffusion’”. In: *American Journal of Political Science* 52.4, pp. 840–857.

Butler, Daniel M, Craig Volden, Adam M Dynes, and Boris Shor (2017). “Ideology, learning, and Policy Diffusion: Experimental Evidence’”. In: *American Journal of Political Science* 61.1, pp. 37–49.

Parinandi, Srinivas C (2020). “Policy Inventing and Borrowing among State Legislatures’”. In: *American Journal of Political Science* 64.4, pp. 852–868.

Rogers, Steven (2017). “Electoral accountability for state legislative roll calls and ideological representation’”. In: *American Political Science Review* 111.3, pp. 555–571.

Grumbach, Jacob M (2023). “Laboratories of Democratic Backsliding’”. In: *American Political Science Review* 117.3, pp. 967–984.

### **Week 15, April 17: State Legislative Process II: Policymaking Differences**

Gerber, Elisabeth R (1996). “Legislative Response to the Threat of Popular Initiatives’”. In: *American Journal of Political Science*, pp. 99–128.

Hajnal, Zoltan L, Elisabeth R Gerber, and Hugh Louch (2002). “Minorities and Direct Legislation: Evidence from California Ballot Proposition Elections’”. In: *Journal of Politics* 64.1, pp. 154–177.

Cain, Bruce E and Thad Kousser (2004). *Adapting to Term Limits: Recent Experiences and New Directions*. Public Policy Institute of California San Francisco, CA. Read Summary

Carey, John M, Richard G Niemi, Lynda W Powell, and Gary F Moncrief (2006). “The Effects of Term Limits on State Legislatures: a New Survey of the 50 States’”. In: *Legislative Studies Quarterly* 31.1, pp. 105–134.

Gamm, Gerald and Thad Kousser (2010). “Broad bills or particularistic policy? Historical patterns in American state legislatures’”. In: *American Political Science Review* 104.1, pp. 151–170.

Gamm, Gerald and Thad Kousser (2021). “Life, literacy, and the Pursuit of Prosperity: Party Competition and Policy Outcomes in 50 States’”. In: *American Political Science Review* 115.4, pp. 1442–1463.

**Week 16, April 24: In Class Presentations**

**Final Paper Project Due April 28th at 11:59pm**

Late final papers will be deducted 10% for each 12-hour period they are late.