

The Oxford Handbook of
THE AMERICAN
CONGRESS

THE OXFORD HANDBOOK OF

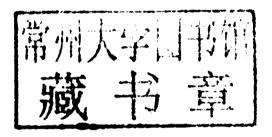
THE AMERICAN CONGRESS

Edited by

eric schickler

and

Frances e. Lee







Great Clarendon Street, Oxford, 0x2 6DP, United Kingdom

Oxford University Press is a department of the University of Oxford. It furthers the University's objective of excellence in research, scholarship, and education by publishing worldwide. Oxford is a registered trade mark of Oxford University Press in the UK and in certain other countries

© The several contributors 2011

The moral rights of the authors have been asserted

First published 2011 First published in paperback 2013

Impression: 1

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission in writing of Oxford University Press, or as expressly permitted by law, by licence or under terms agreed with the appropriate reprographics rights organization. Enquiries concerning reproduction outside the scope of the above should be sent to the Rights Department, Oxford University Press, at the address above

You must not circulate this work in any other form and you must impose this same condition on any acquirer

British Library Cataloguing in Publication Data
Data available

Library of Congress Cataloging in Publication Data

Data available

ISBN 978-0-19-955994-7 (Hbk.) ISBN 978-0-19-965052-1 (Pbk.)

Printed in Great Britain by Ashford Colour Press Ltd., Gosport, Hampshire

Links to third party websites are provided by Oxford in good faith and for information only. Oxford disclaims any responsibility for the materials contained in any third party website referenced in this work.

ABOUT THE CONTRIBUTORS

E. Scott Adler is associate professor of political science at the University of Colorado, Boulder.

Stephen Ansolabehere is professor of government at Harvard University.

Michael A. Bailey is Colonel William J. Walsh Professor of American Government in the Department of Government at Georgetown University.

Ross K. Baker is professor of political science at Rutgers University.

William Bendix is a Ph.D. candidate in political science at the University of British Columbia.

Richard Bensel is professor of government at Cornell University.

Sarah Binder is a senior fellow in governance studies at the Brookings Institution and is professor of political science at George Washington University.

Abby Blass is a Ph.D. candidate in government at the University of Texas, Austin.

David W. Brady is professor of political science and Bowen H. and Janice Arthur McCoy Professor in Leadership Values at Stanford University and Deputy Director and Davies Family Senior Fellow at the Hoover Institution.

Jamie L. Carson is associate professor of political science at the University of Georgia.

Gary W. Cox is professor of political science at Stanford University.

Douglas Dion is associate professor of political science at the University of Iowa.

C. Lawrence Evans is Newton Family Professor of Government at the College of William and Mary.

Diana Evans is professor of political science at Trinity College, Hartford, Connecticut.

Morris P. Fiorina is the Wendt Family Professor of Political Science and a Senior Fellow of the Hoover Institution at Stanford University.

Linda L. Fowler is professor of government and Frank J. Reagan '09 Chair in Policy Studies at Dartmouth College.

John B. Gilmour is associate director of the Thomas Jefferson Program in Public Policy Program and a professor of government at the College of William and Mary.

John D. Griffin is associate professor of political science at the University of Notre Dame.

Patrick Hickey is a Ph.D. candidate in government at the University of Texas, Austin.

Jeffery A. Jenkins is associate professor of politics at the University of Virginia.

Philip Edward Jones is assistant professor of political science and international relations at the University of Delaware.

Ira Katznelson is Ruggles Professor of Political Science and History at Columbia University.

Robin Kolodny is associate professor of political science at Temple University.

Frances E. Lee is professor of political science at the University of Maryland.

Beth L. Leech is associate professor of political science at Rutgers University.

Nolan McCarty is Susan Dod Brown Professor of Politics and Public Affairs in the Woodrow Wilson School and Department of Politics at Princeton University.

Mathew D. McCubbins is the Provost Professor of Business, Law and Political Economy at the University of Southern California.

Michael P. McDonald is assistant professor of government and politics in the Public and International Affairs Department at George Mason University.

Forrest Maltzman is professor of political science at the George Washington University.

David R. Mayhew is Sterling Professor of Political Science at Yale University.

Bruce I. Oppenheimer is professor of political science at Vanderbilt University.

Barry Pump is a Ph.D. candidate in the department of political science at the University of Washington, Seattle.

Paul J. Quirk is Phil Lind Chair in U.S. Politics and Representation at the University of British Columbia.

Jason M. Roberts is associate professor of political science at the University of North Carolina-Chapel Hill.

Stella M. Rouse is assistant professor of government and politics at University of Maryland-College Park.

Brian F. Schaffner is associate professor of political science at the University of Massachusetts, Amherst.

Eric Schickler is the Jeffrey and Ashley McDermott Chair in Political Science at the University of California, Berkeley.

Wendy J. Schiller is associate professor of political science and public policy at Brown University.

Charles R. Shipan is the J. Ira and Nicki Harris Professor of Social Science and Professor of Public Policy at the University of Michigan.

Randall W. Strahan is professor of political science at Emory University.

Tracy Sulkin is associate professor of political science at the University of Illinois at Urbana-Champaign.

Michele L. Swers is associate professor of government at Georgetown University.

Sean Theriault is associate professor of government at the University of Texas, Austin.

Craig Volden is professor of political science at the Ohio State University.

Gregory J. Wawro is associate professor of political science at Columbia University.

John D. Wilkerson is associate professor of political science at the University of Washington, Seattle.

Alan E. Wiseman is associate professor of political science and law at Vanderbilt University.

B. Dan Wood is professor of political science, Cornerstone Fellow and Director of the American Politics Program at Texas A&M University.

THE OXFORD HANDBOOKS OF

AMERICAN POLITICS

GENERAL EDITOR: GEORGE C. EDWARDS III

The Oxford Handbooks of American Politics is a set of reference books offering authoritative and engaging critical overviews of the state of scholarship on American politics.

Each volume focuses on a particular aspect of the field. The project is under the General Editorship of George C. Edwards III, and distinguished specialists in their respective fields edit each volume. The *Handbooks* aim not just to report on the discipline, but also to shape it as scholars critically assess the current state of scholarship on a topic and propose directions in which it needs to move. The series is an indispensable reference for anyone working in American politics.

Contents

Αŀ	yout the Contributors	ix
1.	PART I INTRODUCTION Introduction Eric Schickler and Frances E. Lee	3
	PART II STUDYING THE CONGRESS	
2.	Behavioral Approaches to the Study of Congress Bruce I. Oppenheimer	11
3.	Formal Approaches to the Study of Congress Craig Volden and Alan E. Wiseman	36
4.	Measuring Legislative Preferences NOLAN McCarty	66
5.	Touching the Bones: Interviewing and Direct Observational Studies of Congress Ross K. Baker	95
6.	Historical Approaches to the Study of Congress: Toward a Congressional Vantage on American Political Development IRA KATZNELSON	115
	PART III ELECTIONS	
7.	House and Senate Elections Jamie L. Carson and Jason M. Roberts	141

V1	CONTENTS
V I	CONTENTS

8.	Congressional Campaigns TRACY SULKIN	169
9.	Congressional Redistricting MICHAEL P. McDonald	193
10.	Campaign Finance in Congressional Elections ROBIN KOLODNY	215
P	ART IV REPRESENTATION AND RESPONSIVENES	SS
11.	Descriptive Representation: Understanding the Impact of Identity on Substantive Representation of Group Interests Michele L. Swers and Stella M. Rouse	241
12.	Bicameral Representation FRANCES E. LEE	272
13.	Dyadic Representation Stephen Ansolabehere and Philip Edward Jones	293
14.	Pork Barrel Politics Diana Evans	315
15.	Public Opinion and Congressional Policy David W. Brady	340
16.	Public Evaluations of Congress John D. Griffin	355
	PART V CONGRESSIONAL INSTITUTIONS AND PROCEDURES)
17.	Party Leadership RANDALL W. STRAHAN	371
18.	Congressional Committees C. Lawrence Evans	396

	CONTENTS	vii		
19.	The Supermajority Senate Gregory J. Wawro	426		
20.	Managing Plenary Time: The U.S. Congress in Comparative Context GARY W. COX AND MATHEW D. McCubbins	451		
21.	Congressional Reforms E. Scott Adler			
22.	The Congressional Budget Process John B. Gilmour	498		
	PART VI POLITICS AND POLICYMAKING			
23.	Party Polarization Brian F. Schaffner	527		
24.	Deliberation in Congress Paul J. Quirk and William Bendix	550		
25.	Roll-Call Votes SEAN THERIAULT, PATRICK HICKEY, AND ABBY BLASS	575		
26.	6. Lobbying and Interest Group Advocacy Ветн L. Leecн			
27.	The Ties That Bind: Coalitions in Congress John D. Wilkerson and Barry Pump	618		
28.	Legislative Productivity and Gridlock Sarah Binder	641		
	PART VII CONGRESSIONAL DEVELOPMENT			
29.	The Development of Congressional Elections Wendy J. Schiller	661		
30.	The Evolution of Party Leadership JEFFERY A. JENKINS	684		

31.	The Development of the Congressional Committee System Eric Schickler	712	
32.	32. Majority Rule and Minority Rights Douglas Dion		
33.	Sectionalism and Congressional Development RICHARD BENSEL	761	
P	ART VIII CONGRESS AND THE CONSTITUTIONA System	ΛL	
34.	Congress and the Executive Branch: Delegation and Presidential Dominance B. Dan Wood	789	
35.	Congressional War Powers LINDA L. FOWLER	812	
36.	The Amorphous Relationship between Congress and the Courts Michael A. Bailey, Forrest Maltzman, and Charles R. Shipan	834	
	PART IX REFLECTIONS		
37.	Reflections on the Study of Congress, 1969–2009 Morris P. Fiorina	861	
38.	Theorizing about Congress David R. Mayhew	875	
	me Index bject Index	894 911	

PART I

INTRODUCTION

CHAPTER 1

INTRODUCTION

ERIC SCHICKLER FRANCES E. LEE

No legislature in the world has a greater influence over its nation's public affairs than the U.S. Congress. This remains true, despite a weakening of legislatures relative to executives both in the U.S. and around the world. Article I of the Constitution places Congress at the center of American government, giving it chief responsibility for lawmaking and designing it as the most representative branch of the national government. Over time, the Congress may not have turned out to be the increasingly dominant "impetuous vortex" that James Madison described in *Federalist* 48, but it continues to stand as an autonomous and highly consequential institution in American politics. Made up of representatives and senators whose political fortunes are to a considerable extent separate from both presidents and political parties, Congress is a site of independent legislative entrepreneurship, confrontation with presidents, investigation of public concerns, deliberation on policy and administration, and from time to time, decisive action.

The Congress's centrality in the U.S. system of government has placed research on Congress at the heart of scholarship on American politics. Since the emergence of political science as an academic discipline in the late nineteenth century, generations of American government scholars working in a wide range of methodological traditions have sought to understand Congress, both as a lawmaking body and as a representative institution.

The purpose of this volume is to take stock of this impressive, extensive, and diverse literature, identifying areas of accomplishment and promising directions for future work. We have commissioned thirty-seven chapters by leading scholars in the field. Each chapter critically engages the scholarship on a particular aspect of congressional politics. Beyond simply bringing readers up to speed on the current

state of the literature, the chapters offer critical analysis of how each area of inquiry has progressed—or failed to progress—in recent decades. The chapters identify the major questions posed by each line of research and assess the answers that have been offered. The goal is not simply to tell us where we have been as a field, but to set an agenda for research on Congress for the next decade.

"Congress" means "coming together." In that sense, this volume offers a congress of its own. Like legislative assemblies, it capitalizes on division of labor and diversity of voice. It brings together accomplished scholars writing in areas of expertise able to provide authoritative treatment of key concerns. But it also benefits from multiplicity of perspective, representing scholars working within different methodological traditions. The book also seeks to achieve a balance between the enduring and the timely. In addition to broad-ranging chapters on basic questions, it also offers chapters focused on narrower topics of special contemporary importance, including partisan polarization; supermajority procedures in the U.S. Senate; and congressional war powers.

ORGANIZATION

Chapters two to six of this volume examine different approaches to the study of Congress. While most scholars employ a combination of approaches, we believe that it is crucial to assess the distinctive contributions, strengths, and weaknesses of each of the major methodological traditions. Arguably the two most prominent approaches have been behavioral studies and formal models. Indeed, one could well argue that congressional scholarship has been a key site for both the behavioral "revolution" and the rise of rational choice. The chapters by Bruce I. Oppenheimer ("Behavioral Approaches to the Study of Congress") and by Craig Volden and Alan E. Wiseman ("Formal Approaches to the Study of Congress") consider behavioral and formal analyses of Congress, with particular attention both to what has been learned from studies in these traditions and to how such studies can be advanced going forward. Both formal and behavioral studies frequently rely upon measures of legislators' preferences. The chapter by Nolan McCarty assesses the vast literature on estimating these preferences. McCarty's chapter identifies the key assumptions made in constructing measures of member ideal points and assesses the uses (and abuses) of these measures in scholarly work. While behavioral and formal approaches have been especially prominent in recent decades, interviews and direct observation have also figured prominently as approaches to the study of Congress. Ross K. Baker's chapter surveys the many challenges involved in observational research, while also testifying to its unique value and continued utility. While observational approaches have become less common in recent years, there has been a revival of historical work on Congress since the 1980s. Ira Katznelson's chapter traces the promise inherent in this historical

turn and what he sees as missed opportunities—thus far—in linking the study of congressional history to broader themes in American political development.

The "electoral connection" rests at the foundation of Congress's place in the American political system. We commissioned four chapters that consider aspects of congressional elections. Jamie L. Carson and Jason M. Roberts review the literature on House and Senate elections, covering such issues as incumbency advantage, candidate emergence, and partisan tides in election outcomes. While the literature on congressional campaigns has been slower to develop than that on election outcomes and incumbency, Tracy Sulkin's chapter demonstrates that considerable progress has been made in recent years on such topics as how candidates choose positions and issues in campaigns, the type and quality of information provided to voters, and the relationship between campaigning and governing. We also include chapters examining what is known about the processes and effects of two key aspects of the electoral system: Michael P. McDonald offers a careful look at basic and cutting-edge issues in congressional redistricting, and Robin Kolodny navigates the difficult waters of campaign finance.

A departure in this volume from past efforts to take stock of the Congress literature is an extended examination of "representation and responsiveness." More specifically, we commissioned a series of chapters designed to tap into the diverse meanings of representation. These include descriptive representation: Michele L. Swers and Stella M. Rouse examine the extent to which Congress "looks like America" and what this means for congressional politics and policymaking. A chapter on bicameral representation examines the effects of representing two different types of constituencies in two different chambers. Stephen Ansolabehere and Philip Edward Jones take stock of dyadic representation: they examine the strong connections—ties forged in both policy agreement and personal relationships—that link individual lawmakers to their constituencies. We include a chapter on allocative representation, because constituents consider their members' ability to bring home a fair share of government largesse an important aspect of representation, albeit one perennially decried by presidents and the nation's editorial pages. Diana Evans synthesizes the extensive literature on pork barrel politics in Congress, examining what scholars have learned about who gets what, why, and with what effects on legislative coalitions and electoral outcomes. David W. Brady focuses on collective representation, the aggregate responsiveness of Congress to national public opinion. Finally, John D. Griffin traces the factors that drive the public's evaluations of Congress, highlighting the extent to which public dissatisfaction with Congress stems from sources beyond discontent with the policies it enacts.

A crucial question is how the 535 members of Congress organize themselves and their institution once they arrive in Washington. Part V brings together six chapters on congressional institutions and procedures. Political parties and committees have long been the two cornerstones of congressional organization; the chapters by Randall W. Strahan and C. Lawrence Evans review the extensive bodies of work that have shaped our understanding of these core features. We also include more specialized chapters on important features of legislative organization. Gregory J. Wawro takes on

one of the most publicly salient—and politically important—recent developments: the increased frequency of obstruction in the Senate and the development of what has been called the "supermajority Senate," in which sixty votes are required to approve most major policy initiatives. Gary W. Cox and Mathew D. McCubbins provide a synthetic account of a core problem faced by any legislature: how to allocate plenary time, given the shortage of time relative to proposals that could potentially command support. They place the U.S. Congress in a comparative perspective, while underscoring important House—Senate differences. A recurrent theme in legislative studies has been efforts to reform the way Congress operates. E. Scott Adler's chapter reviews the scholarship on congressional reform drives and calls for scholars to apply their empirical and theoretical insights to the complex business of evaluating and recommending legislative reforms. Part V on congressional organization concludes with John B. Gilmour's chapter on the budget process, a subject that has been a particular focus of reformers over the years—and one that has come to occupy an increasing share of Congress's attention.

The main reason to care about congressional organization is that it shapes the way Congress makes policy, and, at least potentially, policy outcomes themselves. Six chapters focus on important facets of politics and policymaking. The dramatic increase in party polarization since the 1980s has marked a major transformation in congressional politics, with consequences reverberating throughout the political system. Brian F. Schaffner reviews the growing literature on the return of high levels of party polarization to Capitol Hill. Paul J. Quirk and William Bendix examine the processes, quality, and effectiveness of congressional deliberation. Sean Theriault, Patrick Hickey, and Abby Blass turn to how members make their most public decisions as they cast roll-call votes. Beth L. Leech synthesizes the literature on lobbying, highlighting how research regularly calls into question conventional wisdom on lobbyists' influence. John D. Wilkerson and Barry Pump focus on legislative entrepreneurship and coalition-building. A major question underlying each of these chapters is how the various features of the policymaking process impact Congress's ability to fulfill its lawmaking responsibilities. Sarah Binder's chapter, which concludes this part, tackles the "macro" question of explaining legislative productivity and gridlock.

Dramatic changes in congressional politics and policymaking in recent decades have coincided with renewed attention to the development of congressional institutions. We commissioned chapters on the development of three basic institutions: elections, party leadership, and the committee system. Wendy J. Schiller sheds light on how the politics and processes of congressional elections evolved over time and lays down an ambitious research agenda for extending scholarship in this area. Jeffery A. Jenkins sets in historical context the relatively powerful, institutionalized party leadership of the contemporary era, tracing what is known and still needs to be uncovered about its evolution over time. One of the central questions in historical work on Congress has been how the House came to adopt a system of majority rule that greatly limits the minority's ability to obstruct business, while the Senate grants very substantial protections to the minority. Douglas Dion's chapter analyzes the key