PLSC 277: The United States Congress

Prof. Shiro Kuriwaki*

Fall 2022	Yale University
Professor	Shiro Kuriwaki
Teaching Fellow	David Herman
Lecture	T/Th 10:30-11:20
Discussion Section	Th, 50 minutes

Note: This is a public version of the Fall 2022 course syllabus. It focuses on course organization and readings, while omitting details on university-specific information on dates, accommodations, and logistical notes. Future versions of the class will differ.

COURSE SUMMARY

The United States Congress is arguably the most powerful legislature in the world. Its actions – and inaction – affect taxes, healthcare, business, the environment, and international politics. To understand the nature of legislative power in Congress and in democracies more broadly, we ask: How do successful politicians become powerful? How do they navigate rules and institutions to their advantage? What is the proper role of the lawmaking in regulating private business? Should we limit legislative lobbying and put a cap on campaign contributions? Class discussions use case studies including the Civil Rights movement in the 1960s, the Tax Reform Act under Reagan, and the Affordable Care Act under Obama. Exercises include coding and data analysis. The goal is to equip students with a broad understanding of the principles of politics, economics, public policy, and data science.

Prerequisites: No prior knowledge about U.S. law or history is necessary. Prior experience (or concurrent enrollment) in programming, coding, or data science is beneficial, but not a prerequisite. Students without coding experience should be prepared to spend extra time on coding during the first half of our class.

Course Structure and Assessment

Students will be assessed based on four components:

- Participation (20%): Attendance, discussion, and occasional reading responses

- Problem Sets (20%): Data analysis of election statistics, MC ideology (NOMINATE scores), FEC data, maps in Dave's Redistricting App

- Midterm Paper (25%): Analysis of ACA provisions and Congressional negotiations based on the Cohn ACA case

- Final Exam (35%): Short answer questions and long essay based on the *Gucci Gulch* 1986 case (50-50)

Books

These books should be purchased by the student:

- Our textbook: *Analyzing Congress* (2015), by Charles Stewart III. 2nd Edition.
- For the midterm paper: *The Ten Year War: Obamacare and the Unfinished Crusade for Universal Coverage* (2021), by Jonathan Cohn. (TTYW)
- For the final exam: *Showdown at Gucci Gulch: Lawmakers, Lobbyists, and the Unlikely Triumph of Tax Reform* (1988), by Alan Murray and Jeffry Birnbaum. (Gucci Gulch)

Electronic versions of other readings will be made available through Course Reserves. They include:

- *Master Of The Senate: The Years of Lyndon Johnson*. (2003), by Robert Caro
- *Racial Realignment: The Transformation of American Liberalism, 1932–1965* (2016), by Eric Schickler
- *Insecure Majorities: Congress and the Perpetual Campaign* (2016), by Frances Lee
- *The Waxman Report: How Congress Really Works*. (2010), by Henry Waxman
- "Why is there so Little Money in American Politics?" (2003), by Stephen Ansolabehere, John de Figueiredo, and James M. Snyder Jr. *Journal of Economic Perspectives*
- *Why Cities Lose: The Deep Roots of the Urban-Rural Political Divide* (2019), by Jonathan Rodden.
- "Should Blacks represent Blacks and Women Represent Women? A Conditional Yes." (1999) *Journal of Politics*, by Jane Mansbridge

Schedule

The course is roughly divided into three parts:

I Power: Who is powerful in Congress? What rules makes them powerful? (Weeks 0 - 3)

II COMPROMISE: Re-election incentives for polarization, lawmaking, and negotiation (Weeks 4-7)

III REFORM: Debates in money in politics, election law, electoral system (Weeks 8-11)

The detailed schedule below lists topics, readings, and assignments for each class. Lectures are numbered by week and number, weekly discussion sections labelled by "D".

Class	Topic	Keywords, Readings, Discussion Questions	Due
0.1	**Course Intro**	Why study Congress? Congressional authority, US policy outcomes in comparative perspective • Glassman, "Why Congress doesn't always do the right thing," *New York Times*, Feb. 2018	
1.1	**The Median Voter**	Majority rule equilibrium, Open rule, Median voter theorem • Stewart textbook, Ch. 1, especially "The Politics of Lineland"	
1.2	**The Decisive Vote**	Negative agenda control, Veto points • Stewart textbook, Ch. 1 and part of Ch. 8 "Committees in Congress" – The Setter Model • In-class discussion: Jeff Flake and the Kavanaugh Judiciary Vote (C-SPAN, 12 min)	
D1	ggplot intro		Problem set 0 (House and Senate maps in R)
2.1	**Voting with Two Dimensions**	McKelvey Chaos Theorem • Stewart textbook, Ch. 1, especially "The Politics of Flatland"	
2.2	**Committees**	Closed rule, agenda-setting models, logrolling • Caro, *Master of the Senate*, Ch. 3 "Seniority and the South" (Content warning: a quote includes racial slur) • Waxman, *How Congress Really Works*, Ch. 2 "California State Assembly to Congressional Subcommittee Chairman" (especially p.24 - 34 on Howard Smith and Paul Rogers) • Stewart textbook, Ch. 1 and 8	

D2		Problem set 1 (Senate NOMINATE and Re-alignment)

3.1	**Political Ambition**	Read one of

Read one of

- Clinton biography, *First in His Class* (by David Maraniss) Ch. 13 "Law and Politics at Yale", Ch. 18 "Running with the Boy"

- Pelosi biography, *Pelosi* (by Molly Ball). Ch. 1 – 4 (her parents, her childhood, and winning the 1976 special election)

- John Lewis memoir, *Walking with the Wind* Ch. 2 "A Small, Safe World," and Ch. 19–20 ("The New South", "Old Ghosts".)

Questions: What did they do before being elected? Once elected, how do people try to grow their power?

3.2	**Case: LBJ and the Southern Veto**	The New Deal Coalition, Jim Crow, seniority, the Civil Rights Movement

The New Deal Coalition, Jim Crow, seniority, the Civil Rights Movement

- Caro, *Master of the Senate*, Introduction "The Presence of Fire" (Content warning: a quote includes racial slur)

- Schickler, *Racial Realignment*, Ch. 1 "Introduction" and Ch. 8 "Beyond the Roll Call."

- Caro, *Master of the Senate*, Ch. 17 "The Nothing Job" and Ch. 21 "The Whole Stack"

Why did the parties realign? Why was LBJ powerful? Or was he powerful?

D3	Discussion of Schickler	

4.1	**Re-election**	How often do Members lose? How do they stay in office?

How often do Members lose? How do they stay in office?

- Mayhew, *Electoral Connection* (1974), Part I "The Electoral Incentive"

Continued on the next page

4.2	**Re-election Implications**	What rules of the game would MCs make if interested in re-election?

- Mayhew, *Electoral Connection* (1974), Part II "Processes and Policies"

- "As Earmarks Return to Congress, Lawmakers Rush to Steer Money Home" New York Times, April 2022 |
| D4 | | |
| 5.1 | **Polarization: Party Incentives** | What is causing polarization in Congress? The 1980 and 1994 election. Messaging votes.

- Watch Lee interview (15 min), "Why presidential leadership can't solve gridlock"

- Lee, *Insecure Majorities*, Ch.9 "The Perpetual Campaign and the US Constitutional System," Ch. 3 "The Logic of Confrontation" |
| 5.2 | **The End of Bipartisanship** | Does the rise of messaging votes lead to the decline of actual lawmaking?

- Waxman, *How Congress Really Works*, Epilogue (2010 Climate Bill and ACA)

- Curry and Lee, *The Limits of Party*, Ch. 5 "Bipartisanship and the Decline of Regular Order"; Skim Ch. 2 "The Persistence of Bipartisan Lawmaking" Ch. 2 |
| D5 | Case: The Clean Air Act |
- Waxman, ch. 5 (the Clean Air Act) |
| | | |

Continued on the next page

6.1	**Case: The Healthcare Industry**	What is the business model of insurance? Health providers? Adverse selection and moral hazard

- Cohn, *Ten Year War*, Chs. 1 – 7 (Roughly 1992 to 2008)
- Reinhardt, *Priced Out*, Ch. 4 "Who Actually Pays for Health Care?"
- Gawande, "The Cost Conundrum", *New Yorker*, Feb. 2009

6.2	**Case: ACA negotiations**	Senate and House proposals, the filibuster pivot, the conference committee. Reid, Pelosi, Lieberman, Nelson, Snowe

- Cohn, *Ten Year War*, Ch. 8 – 17, especially Ch. 14 "Death Panels," Ch. 15 "Madam Speaker," Ch. 16 "March or Die", Ch. 17 "A Big F***ing Deal"
- Recommended documentary: PBS Frontline, Pelosi's Power (up to ACA part at 50:00)

6.3	**ACA Case recap**	Midterm Paper (ACA analysis)

7.1	**Policy Persistence**	Republican reactions to the ACA, 2010-2021.

- Cohn, *TTYW*, Chs. 22 – 26, Conclusion, especially Ch. 22 "Shock", 26 "Thumbs-Down"

7.2	**Relationship with the Judiciary**	Statutory vs. constitutional rulings, statutory interpretation, *NFIB v. Sebelius*

- Cohn, *TTYW*, Ch. 19 "This Honorable Court" and Ch. 20
- Liptak, "Gridlock in Congress Has Amplified the Power of the Supreme Court", New York Times, July 2022

8.1	**Money in Politics: Rules**	The FEC, *Buckley*, Hard money, PACs, independent expenditures, *Citizens United*

- Stewart textbook, chapter 6

8.2	**Money in Politics: Discussion**	Consumption vs. investment goods, Correlation vs. causation, the dollar value of policy
		• Ansolabehere, de Figueiredo, and Snyder, "Why is there so little Money in American Politics", *Journal of Economic Perspectives* (2003)
		• Michael Franz, "Cost of Campaigns, 1888-2018" (2019)
D8	Problem Set	<mark>Problem set 4 (FEC data and election results)</mark>
9.1	**Lobbying: Rules**	The Lobbying Disclosure Act, Opensecrets.org, Ethics Rules, Foreign Lobbying
		• Adler, Jenkins, and Shipan textbook, *The United States Congress*, 2nd ed. Ch. 12 "Congress and Interest Groups"
9.2	**Lobbying: Discussion**	
		• Hall and Deardorff, "Lobbying as a Legislative Subsidy," *American Political Science Review* (2006)
		• Optional: Waxman, *How Congress Really Works*, Ch. 9 "The Tobacco Wars"
D9	Discuss Ansolabehere et al. and Hall and Deardorff	
10.1	**Districting: Rules**	Equal population, contiguity, communities of interest
		• Stewart textbook, Ch. 6 "Regulating Elections" part 1
10.2	**Racial Gerrymandering: The Future of the VRA**	VRA Section 2, Opportunity to elect, racially polarized voting, *Shaw v. Reno*,
		• SCOTUSblog, *Merill* v. *Milligan* explainer
		• Pildes, "Is Voting Rights Law now at War with itself", *North Carolina Law Review* (2002), only first and last parts
D10	Debate Pildes	

Continued on the next page

11.1	**Partisan Gerrymandering**	Urban and rural divides, unintentional gerrymandering, single member districts, proportional representational	
		• Rodden, *Why Cities Lose*, Ch. 1 and Ch. 6 "Political Geography and the Representation of Democrats"	
			Pset 5 (Dave's Redistricting App in Alabama)
11.2	**Electoral Systems: Discussion**	Proportional representation: open vs. closed lists, runoff voting, ranked choice voting in Alaska	
		• Stewart textbook Ch. 6, especially on Guinier, "Tyranny of the Majority"	
		• Slides on Ranked Choice Voting	
D11	Discuss Descriptive Representation	What are the costs of descriptive representation? In what situations do the benefits win out?	
		• Mansbridge, "Should Blacks Represent Blacks and Women Represent Women? A Conditional Yes", *Journal of Politics* (1999)	
12.1	**Tax Policy: Rules**	Deductions, tax expenditures, loopholes. Reagan's Tax Cuts. The logic of bipartisanship	
		• Birnbaum and Murray, *Gucci Gulch*, Ch. 1 "Showdown"	
12.2	**Course Review**		
		• Mansbridge, "What is Political Science For?" (2014)	
		• Lowi et al., *American Government*, "Five Principles of Politics"	
D12	**Tax Policy Case**	*Gucci Gulch*, Ch. 6 "The Phoenix Project"	
	Exam	Cumulative Exam, Gucci Gulch case (entire book)	Final Exam

ESSAY PROMPTS

The prompts for the midterm paper and final exam essay this semester were as follows:

- **ACA case**: "It is January 19, 2010. Imagine that the US Senate Special Election in Massachusetts is barely won by Martha Coakley, the Democrat, instead of Scott Brown, the Republican. In this assignment, consider how the 111th Congress might have legislated the Affordable Care Act (ACA, or Obamacare) in the remainder of 2010 under this hypothetical scenario. Explain what actually happened to the law, how a Coakley victory would have changed the outcome, and why. For example, which provisions of the law might have changed, and why? Would major players have negotiated differently, and why?"

- **Tax Reform case**: "The Tax Reform Act of 1986 passed under a divided Congress and a Republican President. What features of the policy, Members of Congress' background and political calculations, and Congressional rules made such a bipartisan deal possible in in 1986? Do you think a bipartisan tax deal of this scope is possible under the upcoming Congress (with a Democratic President and Senate, and Republican House)? Explain based on the case presented in *Gucci Gulch* and any other relevant material from class."