

## The Role of Congress in the Current Polarized Age: Unified Decision-Maker or Partisan Arena?

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The U.S. Congress occupies a central place in American representative democracy. Recently, however, the public has perceived Congress to play a lesser role than it does in reality partly because Congress' own rules and internal organizations make it hard for the public to understand how Congress works. Given this situation, this paper offers some basic information about Congress, especially regarding the interaction between institutional development and polarization, for non-specialists of scholarly political science. This paper emphasizes three points. First, institutions and party organizations in Congress have been creations of politics since the first Congress. The so-called "Textbook Congress," characterized by weak parties and strong committees, has given way in recent decades to a more partisan and polarized Congress since the 1970–80s. Second, polarization and partisanship has been changing an overall function of Congress. From a comparative framework that classifies legislatures as "transformative legislatures" and "arenas," the main function of Congress is gradually shifting from a unified decision-maker to a partisan arena. And third, today's polarization and partisanship are also altering the discipline of Congressional studies. Economics-oriented studies dominated in 1980–90s. However, those studies were designed to explain the Textbook Congress. With the waning of the Textbook Congress, multiple new theories and methods began emerging in the 2000s. In particular, a combination of scientific and historical studies is promising because the shift from the Textbook Congress to today's Congress has been occurring slowly and steadily over time.

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## INTRODUCTION

Article I, Section 1 of the United States Constitution vests all legislative power of the U.S. federal government in Congress. The framers of the Constitution underscored the importance of Congress by making it, not the presidency, the subject of the first article of the Constitution. The Constitution bestows sweeping powers on Congress, among them to enact federal laws and the federal budget. Congress occupies a central place in American representative democracy because citizens in Congressional districts directly elect their members of Congress (hereinafter “members”).

Recently, however, the public has perceived Congress to play a lesser role than it does in reality. One reason for this is the growth and increasing power of the executive branch throughout the 20th century, rendering the president the primary figure in American politics in the eyes of many. Further, the very authority and autonomy with which the Constitution imbues Congress to create its own rules, procedures, precedents, and norms obfuscates the ability of the public to understand how Congress works.

Over its 234 year history, Congress has evolved and developed institutionally as it has pursued its original functions of making national policy and of representing the voters. The history of Congress can be summarized as the ongoing process of the institution maintaining a balance between making policy that requires compromise among members and representing voters who often do not prefer such compromises.

Political parties (hereinafter “parties”), more specifically, party organizations within Congress, have played a central role in this process. Beginning in the 1960–70s and continuing to the present day, the political trend in Congress has been one of intra-party similarity and inter-party difference in members’ ideology. This phenomenon is usually referred to as “party polarization,” “ideological polarization,” or, simply, “polarization.”

Polarization has created strong party organizations within Congress, thereby in turn inducing further polarization. Many researchers and commentators argue that this polarization has led to partisan conflicts that have undermined the Congress’s performance in making national policy, and significantly diminished voters’ confidence in the institution.

However, some of these arguments are merely impressionistic and lack any theoretical basis and/or empirical evidence to support them. Indeed, polarization does not lead to poor performance in *all* aspects of Congress’ functions. There is necessarily a trade-off between the competing functions of being a forum for intense debate which is usually partisan, and of

collective decision-making, which is usually more bipartisan and requires inter-branch engagement. Given this conflict, what is the primary role of Congress today?

This paper will describe and analyze the relationship between polarization and development of institutions and party organizations in Congress, and the resulting impact on the overall function of Congress. My intended audience are scholars in the broad field of American Studies, who are not familiar with intricacies of American political institutions and scholarly political science.<sup>1</sup> This paper makes three main arguments in three separate sections.

First, Congress today is very much a creation of history and politics. The institutions and party organizations in Congress have developed gradually since the framers of the Constitution created the body and set forth its authority and parameters 234 years ago. In Section I, I will offer basic information about the history of Congress, especially its internal institutions and the operation of parties within Congress. I will demonstrate how Congress in the modern era, the so-called “Textbook Congress,” characterized by weak parties and strong committees during the years after World War II, has given way to the currently more partisan Congress as parties have become more ideologically polarized and party organizations have become stronger since the 1970–80s.

Second, polarization and partisanship of recent decades has been gradually changing the overall function of Congress from one I describe as a “unified decision-maker” to that of a “partisan arena.” In Section II, I will examine changes in Congress from a comparative framework that classifies legislatures as so-called “transformative legislatures” and “arenas.” A comparative perspective between the American presidential system with its separation of powers between the legislature and the executive, and classic parliament systems like that of the United Kingdom in this context is vital to understanding fully Congress’ current evolution from a unified decision-maker into a partisan arena. This paper goes beyond a simple dichotomy between the presidential and the parliamentary systems and considers ways that Congress resembles a parliament. As part of my analysis, I will devote particular attention to the strength of parties in Congress and their relationships with their members, the other party, voters, and the presidency.

Third, I will discuss how polarization and partisanship in Congress today is altering the very discipline of Congressional studies itself within the field of political science. In Section III, I will offer a brief review of political science literature. Economics-oriented studies dominated in 1980–90s.

However, these studies were basically designed to explain the Textbook Congress. As the era of the Textbook Congress has been ending, multiple theories and research methods have emerged since the 2000s based on behavioral science, data science, and historical studies. In particular, studies based on so-called American Political Development (APD) seems very useful for the very reason that the current Congress is a creation of history. I conclude the paper by offering some reflections and suggestions for future research.

### I. A SHORT HISTORY OF INSTITUTIONS AND PARTIES IN CONGRESS

The function of Congress today is primarily the product of historical developments within the parameters set forth at ratification of the Constitution, not specific dictates set forth in the document itself. I will begin with a summary of the history of institutions and parties in Congress.<sup>2</sup>

Multiple and varied interests have driven most institutional changes.<sup>3</sup> In this paper, however, I focus the relative strength parties in Congress (e.g., party leaders and organizations) have had over their members over time, because the balance of power between party leaders and individual members has always mattered throughout history.

In the prototypical parliamentary system, the majority of members are under the control of the parliamentary executive, who is selected from the ruling party or coalition to head the government, and the members of the minority party or parties oppose the majority. The main function of such legislatures is what this paper refers to as a “partisan arena,” in which ruling and opposition party members engage in partisan battles in order to be responsive to partisan voters and to attract voters more generally for the next election.

However, members of the U.S. Congress essentially act independently. Members write bills, speak both inside and outside the Capitol, and are free to vote as they see fit. At the same time, Congress functions to help resolve members’ regional, societal, and partisan conflicts, and then finally reaches a single decision with a form of enacting laws and other policies. This function is what this paper calls a “unified decision-maker.”

Members form party organizations within Congress as long as they have incentives to do so. Members of each party elect their leaders and delegate some of their individual authority to the party to pursue their collective goals such as making law and policy and furthering their own reelections.<sup>4</sup>

Currently, party “leadership” or “leaders” consist narrowly of the

Speaker of the House from the majority party, Leaders or Floor Leaders, and Whips from both parties in both the House and Senate.<sup>5</sup> Each party in each house of Congress has the highest decision-making body, known as a “party caucus” or “party conference” (hereinafter “caucus”). They are: the House Democratic Caucus, House Republican Conference, Senate Democratic Caucus, and Senate Republican Conference.<sup>6</sup> These caucuses elect Leaders, Whips, and candidates for the House Speaker.<sup>7</sup> The formal role of the Speaker of the House is presiding over the House, especially the floor (i.e., plenary sessions). However, the Speaker usually acts politically akin to the Prime Minister in a parliamentary system, using his/her authority to set the legislative calendar and rules for the floor, and control other important matters so as to enhance the interests of the majority party. Leaders represent their party organizations and engage in coordination and negotiation with the other chamber of Congress, the other party, and the executive branch. Whips are ranked second to Leaders. The Whip’s main responsibility is mobilizing members of their party to vote in favor of the party’s position in floor votes.

Importantly, history has shown us that the role of these party leaders has changed over time. The U.S. Constitution neither defines the internal structure of Congress nor anticipated the emergence of parties. Indeed, in the very early years of Congress, there were almost no rules or organizations in Congress with which we are currently familiar today. Almost all characteristics of Congress today are the creation of politics since the first Congress in 1789. Rules and organizations take various forms: public laws, internal rules in each chamber, internal rules of party caucuses, precedents, and unwritten customs.<sup>8</sup> The historical development of these rules and organizations can be divided into three periods: 1) the infancy of parties in Congress 2) the “Textbook Congress,” and 3) today’s polarized and partisan Congress. The transition from period 2 to 3 is the main topic of this paper.

#### Period 1: The Infancy of Parties in Congress

The first period of the institutional development of Congress was marked by the strengthening of the power of the majority party, especially the Speaker of the House of Representatives. In initial decades, party leadership was generally weak, and the role of the Speaker was not very political. However, after the Civil War (1861–1865), the Congressional workload increased significantly, and greater partisanship emerged. These two factors

provided members of the majority party an incentive to delegate powers to the Speaker.<sup>9</sup>

The watershed was the 1890 adoption of the so-called “Reed’s Rules,” named after Speaker Thomas Reed (R-ME).<sup>10</sup> One of the most important rules pertained to the minority party’s then-existing dilatory tactic of abusing the quorum call by having its members disappear at the time of a vote. Just after Reed gained the Speaker’s position, he and Republicans adopted a new rule that enabled the Speaker to end this practice. Other new measures that further strengthened the Speaker’s power included granting the Speaker the prerogative to decide members’ committee assignments and the authority to control the agenda on the floor through the Rules Committee.<sup>11</sup>

In the 1890s and the 1900s, Speakers were often called “Czars.” During that time period, both parties also formally created the positions of Leaders and Whips who carried out duties and wielded power that had belonged informally to committee Chairs since the mid-19th century.<sup>12</sup>

But the period of the “Czar” Speakership ended suddenly. In March 1910, when a coalition of progressive majority Republicans from the Midwest and the West and minority Democrats revolted against Speaker Joseph Cannon (R-IL) and moved to diminish the power of the Speaker’s office.<sup>13</sup> Over Cannon’s opposition, the coalition passed a resolution to remove the Speaker from the Rules Committee and to deprive the Speaker of the authority to make committee assignments. The new rules became fixed when Republicans subsequently lost their majority in the 1910 election and Cannon lost the leadership of his party.

## Period 2: The “Textbook Congress”

The term “Textbook Congress” appeared in an article by political scientist Kenneth A. Shepsle in 1989.<sup>14</sup> The phrase “textbook” refers to a broad description of Congress in a typical political science textbook. The most important characteristic of the so-called Textbook Congress is that Congressional committees led by an independent Chair dominated the legislative process and pursued particularistic interests shared by bipartisan committee members.<sup>15</sup> The era of Textbook Congress commenced after the end of the strong Speakership, but defining its duration precisely is somewhat difficult because it both began and ended slowly. The broadest view is that it began with the revolt against Speaker Cannon and ended in the 1980s or the mid-1990s. There is a consensus that the peak of the

Textbook Congress was in the 1950s and 60s.

Three primary factors led to the emergence of the Textbook Congress. The first was the aftermath of the revolt against Speaker Cannon.<sup>16</sup> After the revolt, the power of committee assignment moved from the Speaker to each party's caucus. To avoid intra-party conflicts, the parties developed a "seniority system," an informal rule wherein members chose their committee assignments based on their seniority, with the longest-consecutive serving members choosing their committee assignments first. Seniority also determined the members' ranking on the committee, resulting in the most senior majority committee member automatically occupying the Chair. The seniority system also enabled members who belonged to the same committee for a long time to develop a degree of policy specialization, which enhanced the capacity and power of each committee.

Second, the strength of the executive branch increased significantly during the New Deal and World War II, and Congress in response undertook measures to increase its own policymaking capacity. The Legislative Reorganization Act (LRA) of 1946, which created the committee system in effect today, was the main countermeasure Congress enacted. The act strengthened the power of Congressional committees by consolidating standing committees, streamlining their jurisdictions, creating subcommittees whose Chairs were generally appointed by committee Chairs, and allowing committees to hire permanent staff.

Third, Democrats held large and stable majorities in both the House and Senate beginning with the New Deal. The phrase "New Deal coalition" refers to an informal coalition of groups who supported the New Deal and Democratic Party beginning in 1932 and is closely associated with the Democratic dominance of Congress during this time. However, there was an internal divide among Democrats, and Southern Democrats often formed coalitions with Republicans on many important issues.

The combination of the seniority system, strong committees, and a permanent Democratic majority gave members substantial independence from party leaders. This was especially the case for Southern Democrats. They were elected with virtually no competition from Republicans because the South was solidly Democratic at the time. These Southern Democrats tended to have seniority that enabled them to occupy committee Chairs. Party leaders still had some institutional authority even after the 1910 Revolt, but its use was circumscribed because the party was internally divided.<sup>17</sup> The main task of leaders at that time was to settle disputes among ideological and/or regional factions. Party leaders were left to rely

instead on development of their personal networks, their ability to engage in informal persuasion, and other political skills. House Speaker Sam Rayburn (D-TX) and Senate Majority Leader Lyndon Johnson (D-TX) were particularly renowned for their mastery of such skills and their political acumen.

### Period 3: Today's Polarized and Partisan Congress

The “new institutionalism” in political science, which I will discuss in detail in Section III, posits generally that institutions shape the behavior of actors who operate within them. However, the new institutionalism does not claim that institutions automatically determine actors' behavior and its outcomes. Indeed, institutions may have little or no influence on outcomes if there is a time lag between creation of the institution (or a significant change in its nature) and actors' making use of the institution. And sometimes institutional changes even cause unintended consequences.

Both of these are the case in the current partisan era of Congress, where party leaders today are pursuing their partisan goals through the use of institutional authority that was established for other, nonpartisan purposes during the Textbook Congress or before. Polarization, usually defined as inter-party heterogeneity and intra-party homogeneity of members' ideology, has also been a driving force of institutional changes in Congress over the last 50 years.<sup>18</sup> Polarized members have been delegating increasing authority to party leaders. Leaders entrusted with this greater power have made use of existing institutions or created new rules to further strengthen party organizations. A cycle of polarization and increasingly stronger parties has emerged. Its mechanism differs between the House<sup>19</sup> and Senate.<sup>20</sup>

#### *The House*

The historical developments that created today's polarized and partisan Congress began in the House with two waves of institutional changes. The first wave began in the early 1970s.<sup>21</sup> At the beginning of the decade, Congress passed the Legislative Reorganization Act of 1970, which sought to modernize the way Congress operated. Some of the act's provisions attempted to weaken the power of committee Chairs through measures such as new rules in committees and giving some rights to minority committee members.

Soon thereafter, insurgent young and liberal Democratic members instigated further reforms within the House Democratic Caucus in order



to increase the power of individual members and weaken the power of conservative Southern Democrat committee Chairs, who used their positions to block important legislation such as that related to racial issues. The Democratic Caucus adopted important rules that ended the era of strong committees and the seniority system. Under the new rules, the caucus would elect committee chairs, subcommittees were strengthened, and the Speaker gained the authority to select members of the Rules Committee from the majority party. After the 1974 Congressional elections, the Democratic Caucus actually voted to oust three sitting committee Chairs. However, the insurgent Democrats' actions to elevate the role of individual members had the unintended effect of contributing to today's Congress characterized by strong parties.

House Republicans led by Newt Gingrich (R-GA) initiated the second wave of institutional changes within the House in the 1980s.<sup>22</sup> Gingrich formed an informal group named the Conservative Opportunity Society (hereinafter "COS") in 1983. Gingrich and COS began pursuing conservative policies and waging partisan battles against Democrats. Gingrich and his conservative colleagues gradually gained prominence among House Republicans by using broadcasted floor speeches. Their successes including engineering the ouster of Democratic Speaker Jim Wright (D-TX) and attacking Republican president George H. W. Bush and mainstream Republicans over Bush's deficit reduction plan.

Then as part of their campaign strategy in the 1994 midterm elections, Gingrich, who had risen to the position of Minority Whip, and a number of his fellow House Republicans issued a set of policy proposals they titled *Contract with America*<sup>23</sup> (hereinafter "*Contract*"). Almost all Republican candidates signed the *Contract*, and Republicans won the majority and took control of the House for the first time since 1954. Gingrich became the first Republican Speaker of the House in decades.

Congressional reforms were part of the *Contract*. For example, the Republicans changed House rules to set limits on the number of terms an individual could serve as the Chair of a particular committee or subcommittee. Members could occupy that role for only three Congresses (i.e., six years), weakening their individual power.

### *The Senate*

In contrast to the House, where the partisanship of the majority party and its leaders is most evident, partisan use of minority rights, led by minority party leaders, has played a critical role in shaping the character

of today's Senate. Central to the party leaders' ability to exercise political power is the filibuster rule and some other countermeasures. The term filibuster is popularly understood to refer to a Senator's ability to make an extraordinarily long speech at the floor. Such a filibuster by a fictional senator in the 1939 film *Mr. Smith Goes to Washington* cemented the practice in the collective American imagination. In reality, however, filibuster is a very general term that refers to any type of dilatory tactic employed by minority senators.<sup>24</sup> It is additionally worth noting that the word "minority" here does not necessarily mean members of the minority party. Even a single Senator is able to obstruct legislation that all other Senators supported.

As historical background, the Senate in the 19th century was generally a majoritarian institution.<sup>25</sup> However, unlike the House, the Senate did not create a rule at that time that restricted a minority member's ability to obstruct the actions of the majority. Lack of such a rule was institutional inertia that might have unintentionally created a normative perception, or perhaps more a myth, that the Senate was the chamber of individualism and deliberation.<sup>26</sup> The filibuster developed in this context.

The origin of today's filibuster rules goes back over 100 years. In 1917, the Senate adopted Article 22 of the Standing Rules of the United States Senate which allows the floor to end a filibuster if a two-thirds majority of Senators vote for a so-called "cloture" motion.

Cloture was rarely invoked until the 1970s when the Senate undertook rule changes. Such new rules included allowing the floor to proceed with other legislation during a filibuster in 1972 and lowering the threshold to three-fifths in 1975. These rule changes rather made filibuster less potentially costly, which actually led to its more frequent use.<sup>27</sup> In the 1970s, battles over filibuster and cloture were mainly over special interests of individual Senators. In some ways, it was merely an extension of the negotiation process from that of the subcommittee and committee stages.

Over the 1980–90s, however, the filibuster transformed from an individual members' right into a powerful partisan weapon. Polarization was the driving force that fundamentally changed the characteristics of filibuster. With assertive partisan use of the filibuster, a unified minority party in the Senate with 41 or more seats could effectively block the majority party's legislation. The so-called "60-vote Senate" emerged.<sup>28</sup> The heroic filibuster of *Mr. Smith Goes to Washington* became an anachronism.

Majority parties developed measures to counteract minority parties' use of the filibuster. One such measure was the use of what is known as the

“budget reconciliation” process.<sup>29</sup> Under this process, which was created as part of the Congressional Budget Act of 1974 to speed up the budgetary process, legislation requires only a simple majority for passage if it is sufficiently related to the budget and meets several other conditions. As polarization proceeded and securing 60 votes became more difficult, the majority party began using this procedure for important legislation, most prominently the Affordable Care Act of 2010, tax cut laws in 2001, 2003, and 2017, and economic recovery laws in 2021 and 2022.

Another measure to attack the filibuster is much more straightforward: simply lowering the threshold of the passage of cloture from 60 to the simple majority. In the early 2000s, majority leaders began referring to this possibility with the sensational phrase, the “nuclear option.” Faced with Republicans led by Minority Leader Mitch McConnell (R-KY) blocking numerous nominees, Democrats led by Majority Leader Harry Reid (D-NV) in 2013 evoked the nuclear option for confirming all nominations except Supreme Court justices.

In response, Republicans in control of the Senate with McConnell as Majority Leader in 2017 reduced the number of Senators required to confirm a Supreme Court Justice to a simple majority. All new justices since 2017 (indeed four of the nine justices currently on the Supreme Court) have been confirmed with only simple majorities. They are Justices Neil Gorsuch (2017), Brett Kavanaugh (2018), Amy Coney Barrett (2020), appointed by President Trump, and Ketanji Brown Jackson (2022), appointed by President Biden. The nuclear option has indeed proved true to its name, as the opposition party has used the same weapon when it has become the majority party. As such, preemptive attack and retaliation have destroyed the tradition of individualism and deliberation in the Senate.

## II. THE CHANGING ROLE OF CONGRESS

The interaction between polarization and institutional development inside Congress has an impact on Congress as a whole.<sup>30</sup> The main function of Congress has been shifting gradually from “unified decision-maker” to that of a “partisan arena.”

“Arenas” versus “Transformative Legislatures”

The typology of legislative bodies in political science literature was articulated by Nelson Polsby in 1975 to posit two extreme types of

legislatures on opposite sides of a continuum from “transformative legislatures” to “arenas.”<sup>31</sup> Polsby described the so-called “transformative legislature” as one that:

possesses the independent capacity, frequently exercised, to mold and transform proposals from whatever source into laws. The act of transformation is crucial because it postulates a significance to the internal structure of legislatures, to the internal division of labor, and to the policy preferences of various legislators. Accounting for legislative outputs means having to know not merely who proposed what to the legislature and how imperatively but also who processed what *within* the legislature, how enthusiastically—and how completely.<sup>32</sup>

By contrast, Polsby described “arenas” that:

serve as formalized setting for the interplay of significant political forces in the life of a political system; the more open the regime, the more varied and the more representative and accountable the forces that find a welcome in the arena.<sup>33</sup>

Polsby’s typology was based on contemporaneous observations of the U.S. Textbook Congress and the U.K. Parliament and lacked a theoretical basis. The intention of the typology was to go beyond the simple dichotomy between the parliamentary and presidential systems. Polsby tried to place any legislative body in a democratic (“specialized” and “open” as he terms it) political system somewhere on the continuum of transformative legislatures to arenas. Variables that determine where a legislature is located on the continuum are: 1) how broad a coalition majority party leaders are willing to work with; 2) the degree of centrality of party organization; and 3) how fixed and assured the composition of legislative majorities are on successive specific issues.<sup>34</sup> A legislature is more transformative if its majority allows larger coalitions, parties are decentralized, and successive majorities on policy issues are less fixed.

This typology is very dated and has a number of shortcomings. Most importantly, it fails to account for the possibility that legislatures can undergo significant changes over time. The U.S. Congress today operates very differently from what Polsby observed in the 1970s. And since the end of the 20th century, the British Parliament has deviated from the “adversary politics” of half a century ago.<sup>35</sup>

However, many studies still refer to this typology likely because it successfully extracts something essential to understanding legislatures. I would claim it is most useful to consider Polsby's descriptions of transformative legislatures and arenas as Weberian "ideal types" and then to apply the typology to observations of the actual U.S. Congress. Indeed, Polsby himself wrote, "I find it useful to contemplate these two classic cases as tending toward the ends of a continuum rather than as halves of a dichotomy, as is often proposed."<sup>36</sup>

### Applying the Typology to the Current Congress

The U.S. Congress will never become fully like the U.K. Parliament because the U.S. presidential system and British parliamentary system fundamentally differ. However, the Constitution only sets forth Congress' basic structure, and prescribes nearly nothing about how Congress must actually function. Accordingly, members and parties for more than two centuries have been able to undertake highly flexible rulemaking and operate very differently at different times. Indeed, Congress has gradually shifted its main function from a unified decision-maker to a partisan arena, without altering the basic structure of the government. The driving force for this metamorphosis is changes in the way parties in Congress operate. Applying Polsby's three independent variables to evaluate whether a legislative body more resembles a transformative legislature or an arena, we find that in the Congress of today: 1) majority party leaders are less tolerant of the minority party; 2) party leaders have more centralized authority; and 3) parties are ideologically polarized.

These changes affect the way parties in Congress related to four sets of actors: 1) their members, 2) the other party, 3) voters, and 4) the president. All of these changes indicate that the role of Congress is shifting from that of a unified decision-maker, the main characteristics of Polsby's "transformative legislature," to a partisan arena. In other words, changes with respect to parties in Congress explain the shift from the "Textbook Congress" toward the current Congress by a gradual transition from one ideal type to another.

First, party leaders as opposed to rank-and-file members, have become influential in shaping and enacting legislation in recent decades. A standard lawmaking process, the so-called "regular order," had been established during the Textbook era.<sup>37</sup> Under the regular order, independent members would negotiate with each other and make compromises that resulted in

successful legislation.

The regular order allowed each member (especially committee Chairs) not only to write a bill, but also to block unfavorable bills in committee, on the floor through amendments, and at conference committee meetings in which they represented their chamber. But members had no incentive to obstruct the interests of other legislators as long as their own interests were secured. The seniority system and strong committee system guaranteed that such interests were met. This manner of functioning guaranteed that the Textbook Congress operated as a *unified* decision-maker, which served multifarious interests.

Although the regular order still operates today to some degree, it is becoming a thing of the past, especially when it comes to important legislation. Barbara Sinclair calls the new processes “unorthodox lawmaking.”<sup>38</sup> Under the unorthodox lawmaking process, the regular order is not always followed. For example: bipartisan members may form a group called a “gang” to draft a bill outside of committees; party leaders and the Rules Committee allow fewer floor amendments to the bill than would have been allowed under the regular order; partisan battles over a filibuster and cloture dominate the Senate floor; the majority party avoids conference committees as a measure to resolve differences on bills passed by the House and Senate;<sup>39</sup> and leaders of both parties and both chambers, occasionally with members of the executive branch, hold an informal meeting called a “summit.” In short, party leaders have replaced committee Chairs as the legislators who control the legislative process. Currently, party leaders even control the flow of information in order not to let their own members know details of the bills.<sup>40</sup> Even in cases in which the ongoing legislative process attracts public attention, both majority and minority leaders control their own members’ behavior by offering incentives and rewards.<sup>41</sup>

Second, partisan battles unrelated to ideology and policy debates have increased in their number and intensity. When raw partisanship pervades, it is important not to mistake partisanship for ideological polarization and thus overestimate ideological polarization.<sup>42</sup> Many researchers have demonstrated the rise of various partisan activities. Although records of roll call votes on the floor are often used as evidence of ideological polarization, many of these votes in fact are merely procedural.<sup>43</sup> Ideologically extreme members, who come from safe electoral districts, are more likely than other members to hold press conferences where they deliver extreme messages, thereby furthering public perception of substantial ideological divides between the parties.<sup>44</sup> The voting behavior of one party’s members also

becomes more partisan as a reaction to the other party's partisan voting.<sup>45</sup> The majority party often promotes bills as a way of appealing to their own voters, even if they are unlikely to pass.<sup>46</sup>

One reason for increasing partisanship is the narrow gap between the parties in terms of seats held, giving both parties a meaningful chance to win a majority in any given election.<sup>47</sup> A party's prospect of winning the majority in Congress also has additional political implications, further raising the stakes at each election. For example, a party that is expected to be in the minority after a given election faces difficulty in fundraising, preventing incumbents from retiring, and recruiting new candidates.<sup>48</sup>

Third, campaign organizations in Congress now have relationships not just with their members in Congress, but directly with voters.<sup>49</sup> Each party in each chamber of Congress has its own collective campaign organization, known as a "hill committee."<sup>50</sup> Although incumbent members and other Congressional candidates still communicate independently with their constituents, these hill committees have become involved in partisan campaign strategies in each district. Hill committees raise huge amounts of money to spend on campaigns and decide how and to which candidates to allocate the money.<sup>51</sup>

Furthermore, party leaders sometimes craft substantive policy proposals representing their views and positions as a Congressional party. These sets of policy proposals resemble manifestos in European legislative elections. Newt Gingrich's Republican *Contract with America* campaign strategy in 1994 and Nancy Pelosi's (D-CA) Democratic party campaign in 2006 are examples of successful policy-based campaigns.

Fourth, parties' relationships with the president have become increasingly partisan. One of the purposes of institutional reform in Congress during the Textbook era was to increase Congress' power vis a vis the executive branch. However, as partisanship and polarization has grown, it has become extremely difficult for the two parties in Congress to reach compromises on legislation. Instead, the president's party when it is in the majority in Congress tends to pursue enacting the president's campaign pledges into law. When the opposing party controls Congress, it generally acts as a foil to the president and prevents his agenda from being enacted. As a result, bills on which the president expresses his position are likely to be more partisan than those without presidential intervention.<sup>52</sup>

Since the presidency of Bill Clinton, a typical pattern of unified followed by divided government has emerged. Typically, a new presidency begins with a unified government. The president and his party succeed in enacting

significant legislation without the support of the minority party. This legislative success in the first two years of the presidency mirrors that of the ruling parties in parliamentary democracies. However, the president's party generally loses one or both houses of the Congress in the midterm election, creating divided government.<sup>53</sup> Thereafter, the president and Congress pass virtually no important legislation throughout the remainder of the president's administration.<sup>54</sup>

### III. EXPLAINING TODAY'S CONGRESS FROM A THEORETICAL PERSPECTIVE

Finally, I will offer a literature review on political science theories explaining how the Congress works. The word *theory* here refers to a scientific framework to explain a general pattern of events and their causes.<sup>55</sup> Today's polarization and partisanship in Congress are forcing political scientists to reshape theories and methods they use to conduct Congressional studies.

#### Rational Choice Institutionalism and the Textbook Congress

Studies of Congress have been the forerunner in the field of political science since the early to mid-20th century. Initial studies were so-called "behavioral science" studies. These studies described what was taking place in and around Congress through a loosely applied sociological and psychological framework with primitive data analyses and/or case studies of members' behavior and legislative processes.

In the 1970–80s, drastic changes took place in political science when an economics-oriented framework called "rational choice theory" emerged. At nearly the same time, various social sciences, including political science, experienced the emergence of "new institutionalism," which argued that institutions shape and explain actors' behavior and its consequences.

There are two main lines of new institutionalism. One is "historical institutionalism" that stresses the role history and norms play in creating institutions. The other is "rational choice institutionalism" (hereinafter "RCI"), a combination of rational choice theory and new institutionalism. Under RCI, institutions shape rational actors' behavior. This framework became highly influential across the broad discipline of political science. Studies of Congress are at the center of this trend.

The basic logic underlying RCI in studies of Congress is as follows. First, a researcher makes a set of assumptions about members' goals.



The most commonly employed assumption is that the member's goal is reelection, which was initially suggested by David Mayhew in 1974.<sup>56</sup> All other objectives the member may have, such as policy priorities, pursuit of ideology, and advancement of one's personal career are subsumed by the goal of reelection.

Second, the researcher posits that members act based on their rational calculations of the consequences of their actions, thereby enabling researchers to deductively predict members' behavior, their interaction with other members (often called "equilibrium," a term used in economics), and the consequences of members' actions. In this process, researchers often construct mathematical models, based on those developed in economics. Models based on spatial theory and/or game theory are most frequently used.

Third, the institutional structures are treated as the "rule of the game" that shape rational members' behavior and determine the consequences of their actions. These institutions are the committee system, seniority system, floor rules, bicameralism, and the presidential veto. And fourth, researchers test theories empirically using quantitative data analyses. Frequently used data include measures of members' ideology, their social attributes, Congressional profiles (e.g., seniority, committee assignments, and roll call votes), characteristics of Congressional districts, and policy outputs.

The seminal application of mathematical models to Congress was made by Shepsle in 1979.<sup>57</sup> Shepsle demonstrated that the committee system during that Textbook era offered an "equilibrium" of members' interactions that enabled Congress to induce stable legislative outputs. However, Shepsle concluded ten years later that polarization had destroyed the equilibrium that the committee system offered.<sup>58</sup> A new theory was needed to explain a new equilibrium with stronger parties.

A second generation of RCI developed that relied on the "principal-agent" framework between members and their party. This version of RCI posits that members delegate some portion of the power to party leaders to achieve members' political goals. In this way, members collectively act as "principals" who have control over their party leaders as their "agents."

Several types of these second generation RCI theories emerged. One was "Conditional Party Government Theory," which argued that party leaders become stronger as members became more polarized and have an incentive to delegate more.<sup>59</sup> Another framework, "Majority Cartel Theory," emphasized the power of majority party leaders to control legislative agendas. This was especially the case for the House,<sup>60</sup> but leaders in the

Senate also had the same advantage to some extent.<sup>61</sup>

These “party theories” became standard in the 1990s. The description of historical events in Section I is also based on these party theories. Severe partisanship enabled House Speakers in the 1890s to institutionalize their power bases. Joseph Cannon lost because his party was internally divided. The Textbook Congress emerged and survived because it was advantageous to Southern Democrats. In more recent years, parties and their leaders became stronger again because parties began to become ideologically polarized.

### Still the Century of Rational Choice Institutionalism?

Studies based on these party theories attempted to explain the significant role of parties in Congress while maintaining the foundational assumption that individual members’ actions are based on their desire to be reelected. Under party theories, the power of parties in Congress is constrained by the authority to which members delegates to them. However, the enormous strength of parties in Congress today casts serious doubts on the viability of party theories and more fundamentally RCI itself for explaining today’s Congress.

New research trends began in the 2000–2010s. One still follows the basics of RCI, but casts doubt on its ability to provide deductive explanations based on the goals of individual members. The advantage of rational choice theories is their ability to explain various events by employing simple assumptions. However, if current parties are in fact stronger than party theory assumed they were, maintaining the assumption of members’ reelection seems complicated. Instead, beginning with the assumption that a party has collective goals such as maximizing seats, winning the majority status, and enhancing a party’s reputation appears more straightforward and realistic.<sup>62</sup> These new studies are better able to explain recent phenomena such as “unorthodox lawmaking” and partisan battles irrelevant to ideology, described in Section II above. They may also suggest that previous party theories have serious weaknesses if members no longer act as principals who are able to effectively control party leaders as their agents.

More radically, it may be time to depart from RCI itself for two reasons. First, RCI is an import from economics. But economics itself is loosening the assumption of rationality, with the advent and development of “behavioral economics,” that applies the discipline of psychology

to economics. Second, the age of “data science” is coming. The rapid development of information and communications technology increasingly enables researchers to conduct data-driven studies. The evolution of behavioral economics and data science has had a considerable impact on Congressional studies since the 2000–2010s. There are at least three new research trends.

First, studies based on behavioral science, which had long fallen out of favor except for several studies such as that of Frank Baumgartner and Brian Jones and their successors, have reemerged.<sup>63</sup> The rise of partisanship as well as ideological polarization has renewed the relevance and importance of long-forgotten behavioral science concepts such as power, society, norm, and personality to Congressional research.

Second, research using data science in Congressional studies is increasing. New data and analytical techniques, such as computational text analyses and network analyses are now available.<sup>64</sup> Third, and most importantly for this paper, studies based on what is known as APD (American Political Development) are finally taking place. APD is a subfield of political science that focuses on the historical development of American politics, political institutions, society, and public policy with the goal of applying scientific analysis to events.<sup>65</sup>

Although historical development of institutions is one of the main concerns of APD and the discipline largely overlaps with historical institutionalism, review articles on this topic explain how political science scholars had considered APD to be incompatible with studies of the institution of Congress.<sup>66</sup> Early works of APD ignored the importance of Congress because the main concerns of those studies were state-building and policy development led by the broader society. At the same time, RCI-based studies dominated research on Congress and explained the Textbook Congress without reference to historical contexts. However, APD-based studies of Congress are and should be taking place as evidenced by a seminal work by Eric Schickler in 2001 and other works that followed. Indeed, as long as the slow and steady movement away from the Textbook Congress and to a partisan and polarized Congress continues to occur, both theoretical and historical approaches are extremely valuable to understanding today’s Congress. Studying institutions and party organizations in Congress lies at the intersection of APD and Congressional studies.

## CONCLUSION

In this paper, I have attempted to demonstrate the importance of understanding Congress both theoretically and historically. I have reviewed changes over time in institutions and party organizations in the U.S. Congress, with particular attention to the transition from the Textbook Congress to the current partisan Congress and its impact on the overall function of Congress in American democracy. I have also summarized political science literature on the topic. My main argument is that Congress is currently moving closer to functioning as a partisan arena rather than a unified decision-maker, even as the core institutional structure of the American presidential system, as opposed to a parliamentary system, remains. I will conclude the paper with three brief reflections pertaining to future research.

First, as is typical of much of political science literature, I have not addressed normative arguments in this paper. It is very easy for an observer to *criticize something* about politics from a freely selected normative standpoint. Today, many people complain about heated partisanship in Congress. However, if we remember 70 years ago when mainstream political scientists criticized Congress for failing to make responsible decisions and advocated a “responsible party government” led by strong parties,<sup>67</sup> we can also easily find *something good* in today’s partisan Congress. The transition of Congress’ function from one of a unified decision-maker to more of a partisan arena might create a normative conflict between a type of parliamentarism operating in Congress today and a Madisonian balance of power set forth in the U.S. Constitution. I leave it to researchers of normative political theory and/or the U.S. Constitution to reconcile this conflict.

Second, as this paper has reviewed the function of Congress both theoretically and historically over time, I believe researchers should take care at least for now not to overestimate the importance of former President Trump’s relationship to Congress. Through the lens offered in this paper, Trump’s relationship with Congress for the four years of his administration resembled that of an executive operating in a parliamentary system. Trump attempted to fulfill his campaign promises to voters, not by seeking bipartisan compromise, but by relying solely on the slim Republican majority in both houses of Congress only in his first two years in office. Trump engaged in coercive political tactics such as privately punishing Republican members on Twitter, endorsing primary election challengers

to members whom he disliked, and otherwise forcing Republican Congressional leaders to follow him. We do not yet know whether Trump's political tactics will become a new norm for the Republicans with his successors or whether Trump more represents an exception to existing norms that will again prevail after he has gone.

Third, from a pedagogical standpoint, it is time to consider whether political science textbooks need to be revised to reflect the new historical and theoretical understandings of Congress. The thirty to fifty years since the height of the Textbook Congress is enough time to warrant revisions. However, even as the transformation of Congress from a unified decision-maker to a partisan arena has been taking place, many of the essentials of the Textbook Congress still remain. "Layering," a key concept in APD literature and a book by Schickler, seems to describe the transition from Textbook Congress to the current Congress most precisely.<sup>68</sup> Accordingly, explanations of Congress in today's texts appear not to need wholesale replacement.

Throughout American history, Congress has been in an ongoing process of reforming and transforming itself. Understanding history and theory, and the integration of the two can reveal to us what is exceptional and what is systematic in Congress. I hope this paper provokes some new ideas, perspectives, and ways of thinking for researchers who are interested in American government but not intimately familiar with the complexities of Congress and the intricacies of the legislative process.

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#### NOTES

<sup>1</sup> There is a huge political science literature on parties in Congress. However, because this paper aims to offer a general overview to non-specialists, I have limited the number of references in the paper to a minimum.

<sup>2</sup> The historical facts described in this section can be found in detail in Eric Schickler and Ruth Bloch Rubin, "Congress and American Political Development," in *The Oxford Handbook of American Political Development*, eds. Richard Valley, Suzanne Mettler, and Robert Lieberman (Oxford: Oxford University Press, 2014), 259–285.

<sup>3</sup> Eric Schickler, *Disjointed Pluralism: Institutional Innovation and the Development of the U. S. Congress* (Princeton: Princeton University Press, 2001). Schickler summarizes these multiple interests into five categories: individual members' electoral security, the

capacity of Congress as a whole, institutional power bases, partisan interests, and policy goals.

<sup>4</sup> See e.g., David W. Rohde, *Parties and Leaders in the Postreform House* (Chicago: University of Chicago Press, 1991); John H. Aldrich, *Why Parties?: A Second Look* (Chicago: University of Chicago Press, 2011).

<sup>5</sup> Congressional party organizations have developed various other positions that rank below these specific leadership positions. The actual roles of these positions have also changed over time, some of which are mentioned in this paper.

<sup>6</sup> Note that there are also informal groups of members that are also called “caucuses,” such as the Blue Dog Coalition and House Freedom Caucus. These types of caucuses are distinct from party caucuses. The purpose of these types of caucuses is to pursue common policy or ideological goals.

<sup>7</sup> The House Speaker is formally elected on the floor. However, the majority party caucus virtually has the authority to select the Speaker because majority members are normally supposed to vote on the floor according to the decision at the caucus.

<sup>8</sup> The rules of the House of Representatives are adopted at the beginning of each Congress. This means that the basic procedures of the House may change every two years, reflecting the intention of the majority party. In contrast, the Standing Rules of the Senate change whenever the floor adopts a resolution.

<sup>9</sup> Schickler and Bloch Rubin, “Congress and American Political Development,” 264. Historically, the period of years around the end of the 19th century recorded the highest level of partisanship. Polarization today equals that of the earlier period. The often-cited DW-NOMINATE score, a summary of members’ floor roll call votes, provides excellent documentation of the ebb and flow of partisanship in Congress. See the official website for NOMINATE data (<https://voteview.com/parties/all>).

<sup>10</sup> Schickler and Bloch Rubin, “Congress and American Political Development,” 265.

<sup>11</sup> Ibid.

<sup>12</sup> Creation of these leadership positions proceeded slightly slower in the Senate than in the House, with several of these positions being created in the Senate in the 1910s. For details, see Congressional Research Service, “Party Leaders in the United States Congress, 1789–2019,” *CRS Report*, September 4, 2019, RL30567 (<https://crsreports.congress.gov/product/pdf/RL/RL30567/29>).

<sup>13</sup> Schickler and Bloch Rubin, “Congress and American Political Development,” 265.

<sup>14</sup> Kenneth A. Shepsle, “The Changing Textbook Congress,” in *Can the Government Govern?*, eds. John E. Chubb and Paul E. Peterson (Washington D.C.: Brookings Institution, 1989), 238–267.

<sup>15</sup> Schickler and Bloch Rubin, “Congress and American Political Development,” 262.

<sup>16</sup> Ibid, 266.

<sup>17</sup> Ibid.

<sup>18</sup> There are many different sources of today’s polarization. They include: the movement for civil rights, the subsequent dominance of the Republican party in the South, the increased influence of advocacy groups, and the proliferation of mass media. Even though many of the origins of current polarization are societal, institutional changes in Congress are also an important factor as this paper seeks to demonstrate. Indeed, I argue that there is an interactive relationship between polarization in actors’ ideology and partisanship in Congress.

<sup>19</sup> Rohde, *Parties and Leaders in the Postreform House*.

<sup>20</sup> Nathan W. Monroe, Jason M. Roberts, and David W. Rohde, eds., *Why Not Parties: Party Effects in the United States Senate* (Chicago: University of Chicago Press, 2008).

<sup>21</sup> See e.g., Schickler and Bloch Rubin, “Congress and American Political Development,”

267–268; Rohde, *Parties and Leaders in the Postreform House*.

<sup>22</sup> For detail about reforms by Gingrich and Republicans, see Schickler, *Disjointed Pluralism*, 242–246, 272–276.

<sup>23</sup> Ed Gillespie and Bob Schellhas, eds., *Contract with America: The Bold Plan by Rep. Newt Gingrich, Rep. Dick Army and the House Republicans to Change the Nation* (New York: Times Books, 1994).

<sup>24</sup> The most comprehensive studies of the filibuster are Gregory J. Wawro and Eric Schickler, *Filibuster: Obstruction and Lawmaking in the U.S. Senate* (Princeton: Princeton University Press, 2006), Gregory Koger, *Filibustering: A Political History of Obstruction in the House and Senate* (Chicago: University of Chicago Press, 2010), and Congressional Research Service, “Filibusters and Cloture in the Senate,” *CRS Report*: April 7, 2017, RL30360 (<https://crsreports.congress.gov/product/pdf/RL/RL30360>).

<sup>25</sup> Wawro and Schickler, “Filibuster: Obstruction and Lawmaking.”

<sup>26</sup> Schickler and Bloch Rubin, “Congress and American Political Development,” 269.

<sup>27</sup> Koger, *Filibustering*.

<sup>28</sup> Barbara Sinclair, “The “60-Vote Senate”: Strategies, Process, and Outcomes,” in *U.S. Senate Exceptionalism*, ed. Bruce I. Oppenheimer (Columbus: Ohio State University Press, 2002), 241–261.

<sup>29</sup> The author published another article (written in Japanese) that analyzes the use filibuster and budget reconciliation process. See Shunta Matsumoto, “A Use of Budget Reconciliation to an Important Legislation: Comparative Case Studies of George W. Bush, Obama, and Trump Administration,” *Meijo Law Review* 72-3 (2023): 29–54 (Part 1 of 2) and 72-4 (2023): 131–157 (Part 2 of 2).

<sup>30</sup> This paper confines itself to the effect of polarization on the function of Congress in the American democratic system. The impact of polarization on substantive policy is a very important research subject. For instance, Nolan McCarty, Keith T. Poole, and Howard Rosenthal, *Polarizer America: The Dance of Ideology and Unequal Riches* (Cambridge: The MIT Press, 2006) claim that polarization increases inequality. Space limitations prevent exploration of this critical topic because it would be impossible to present all the necessary research from disciplines such as economics, sociology, and policy science here.

<sup>31</sup> Nelson W. Polsby, “Legislatures,” in *Handbook of Political Science, Vol. 5*, eds. Fred I. Greenstein and Nelson W. Polsby (Boston: Addison Wesley, 1975), 257–319.

<sup>32</sup> *Ibid.*, 277.

<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*, 292, 296. The precise terms Polsby used are “parliamentary organizing majorities,” “parliamentary party management,” and “successive policy majorities.”

<sup>35</sup> For adversary politics, see e.g., S.E. Finer ed., *Adversary Politics and Electoral Reform* (London: Anthony Wigram, 1975).

<sup>36</sup> Polsby, “Legislatures,” 280–281.

<sup>37</sup> See Walter J. Oleszek, “The ‘Regular Order’: A Perspective,” *CRS Report*: November 6, 2020, R46597 (<https://sgp.fas.org/crs/misc/R46597.pdf>).

<sup>38</sup> Barbara Sinclair, *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress, 5th ed.* (Washington D.C.: CQ Press, 2017).

<sup>39</sup> See also Hong Min Park, Steven S. Smith, and Ryan J. Vander Wielen, *Politics over Process: Partisan Conflict and Post-Passage Processes in the U.S. Congress* (Ann Arbor: University of Michigan Press, 2017).

<sup>40</sup> James M. Curry, *Legislating in the Dark: Information and Power in the House of Representatives* (Chicago: University of Chicago Press, 2015).

<sup>41</sup> Major studies that discuss this point are: Steven S. Smith, *Party Influence in Congress*. (Cambridge: Cambridge University Press, 2007), Kathryn Pearson, *Party Discipline in*

the *U.S. House of Representatives* (Ann Arbor: University of Michigan Press, 2015), and Gregory Koger and Matthew J. Lebo, *Strategic Party Government: Why Winning Trumps Ideology* (Chicago: University of Chicago Press, 2017).

<sup>42</sup> Sean. M. Theriault, *Party Polarization in Congress* (Cambridge: Cambridge University Press, 2008).

<sup>43</sup> Ibid.

<sup>44</sup> Justin Grimmer, *Representation Style in Congress: What Legislators Say and Why It Matters*. (New York: Cambridge University Press, 2013).

<sup>45</sup> Koger and Lebo, *Strategic Party Government*, chapters 6–7.

<sup>46</sup> Jeremy Gelman, *Losing to Win: Why Congressional Majorities Play Politics Instead of Make Laws* (Ann Arbor: University of Michigan Press, 2020).

<sup>47</sup> Frances E. Lee, *Insecure Majorities: Congress and the Perpetual Campaign* (Chicago: University of Chicago Press, 2016).

<sup>48</sup> Jacob F. H. Smith, *Minority Party Misery: Political Powerlessness and Electoral Disengagement* (Ann Arbor: University of Michigan Press, 2021).

<sup>49</sup> Eric S. Heberlig and Bruce A. Larson, *Congressional Parties, Institutional Ambition, and the Financing of Majority Control* (Ann Arbor: University of Michigan Press, 2012).

<sup>50</sup> They are: the Democratic Congressional Campaign Committee (DCCC), National Republican Congressional Committee (NRCC), Democratic Senatorial Campaign Committee (DSCC), and National Republican Senatorial Committee (NRSC).

<sup>51</sup> Heberlig and Larson, *Congressional Parties*.

<sup>52</sup> Frances E. Lee, *Beyond Ideology: Politics, Principles and Partisanship in the U.S. Senate* (Chicago: University of Chicago Press, 2009).

<sup>53</sup> Congress during the administrations of George W. Bush was an exception to this pattern. Instead of losing one or both of the houses of Congress in the first midterm election, the Republican Party maintained unified government for six years until the 2006 midterm elections (with the exception of their losing control of the Senate between June 2001 and November 2002).

<sup>54</sup> The Clinton presidency was a partial exception to this dominant pattern. Clinton failed in getting his top legislative priority, health care reform, passed by Congress both during the first two years of his administration when government was unified. However, some important legislation was enacted with bipartisan support during the six years of divided government (e.g., NAFTA and welfare reform).

<sup>55</sup> Part of this section is an extension of the theoretical portion of an article I previously published in Japanese. See Shunta Matsumoto, “Are Party Leaders Still an Agent of Its Members?: The Evolution of Party Leadership and Polarization in the U.S. Congress,” *Meijo Law Review* 69-3 (2020): 79–104 (Part 1 of 2) and 69-4 (2020): 55–90 (Part 2 of 2). The present paper adds an argument about relationships between RCI-based (i.e., economics-oriented) studies and other studies such as behavioral science, data science, and APD.

<sup>56</sup> David R. Mayhew, *Congress: The Electoral Connection* (New Haven: Yale University Press, 1974).

<sup>57</sup> Kenneth A. Shepsle, “Institutional Arrangements and Equilibrium in Multidimensional Voting Models,” *American Journal of Political Science* 23-1 (1979): 27–59.

<sup>58</sup> Shepsle, “The Changing Textbook Congress.”

<sup>59</sup> Rohde, *Parties and Leaders in the Postreform House* and Aldrich, *Why Parties?*

<sup>60</sup> Gary W. Cox and Matthew D. McCubbins, *Legislative Leviathan: Party Government in the House*, 2<sup>nd</sup> ed. (Berkeley: University of California Press, 2006).

<sup>61</sup> Chris Den Hartog and Nathan W. Monroe, *Agenda Setting in the U.S. Senate: Costly Consideration and Majority Party Advantage* (New York: Cambridge University Press, 2011).



<sup>62</sup> Lee, *Insecure Majorities*, and Koger and Lebo, *Strategic Party Government*. This point is also a criticism of Majority Cartel Theory that addresses the power of party leadership only in terms of the majority party.

<sup>63</sup> Frank R. Baumgartner and Bryan D. Jones, *Agendas and Instability in American Politics* (Chicago: University of Chicago Press, 1993).

<sup>64</sup> See e.g., Grimmer, *Representation Style* (computational text analyses) and James H. Fowler, "Connecting the Congress: A Study of Cosponsorship Networks," *Political Analysis* 14-4 (2006): 456–487 (network analyses).

<sup>65</sup> E.g., Karen Orren and Stephen Skowronek. 2004. *The Search for American Political Development* (New York: Cambridge University Press).

<sup>66</sup> Ira Katznelson and John S. Lapinski, "At the Crossroads: Congress and American Political Development," *Perspectives on Politics* 4-2 (2006): 243–260; Schickler and Bloch Rubin "Congress and American Political Development"; see also Jenkins, Jeffery A, "Studying Congress Historically," in *New Directions in Congressional Politics*, ed. Jamie L. Carson (New York: Routledge, 2012), 11–24.

<sup>67</sup> American Political Science Association, "Toward a More Responsible Two Party System: A Report," *American Political Science Review* 44-3 (1950), Supplement.

<sup>68</sup> Schickler, *Disjointed Pluralism*.