

The Constitution and Congress

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Fall 2004

Road map

- Pre-constitution
- Politics of the constitutional convention
- Key features of the Constitution pertaining to Congress

Pre-Constitution

- Self-governance came over to American from East Anglia
- Colonies had legislatures
 - SJC
 - House of Burgesses

The First Congress

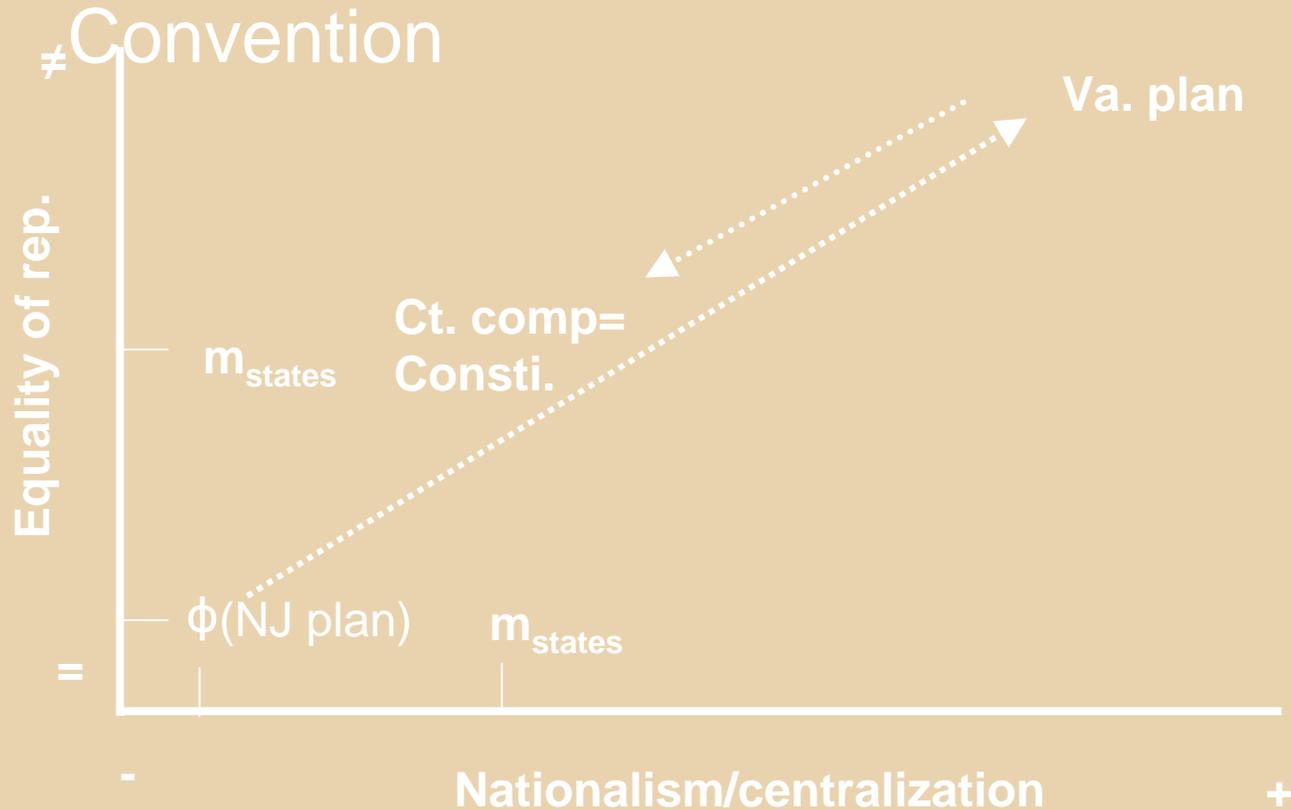
- Continental Congresses, 1774-1781
 - Council of independent state governments
 - Coordinate state action
 - Attempted to provide national services
 - Post Office
 - Foreign Affairs
 - Etc.

The Second Congress

- Congress of the Confederation, 1781-1789
 - Authorized under the *Articles of Confederation*
 - Basic structure
 - Equality of states
 - Congress was the “united states in Congress assembled”
 - Weaknesses
 - Lack of popular moorings
 - Lack of compulsion on states or individuals
 - Weak floor rules
 - Committees given no special standing

The Politics of the Constitutional Convention

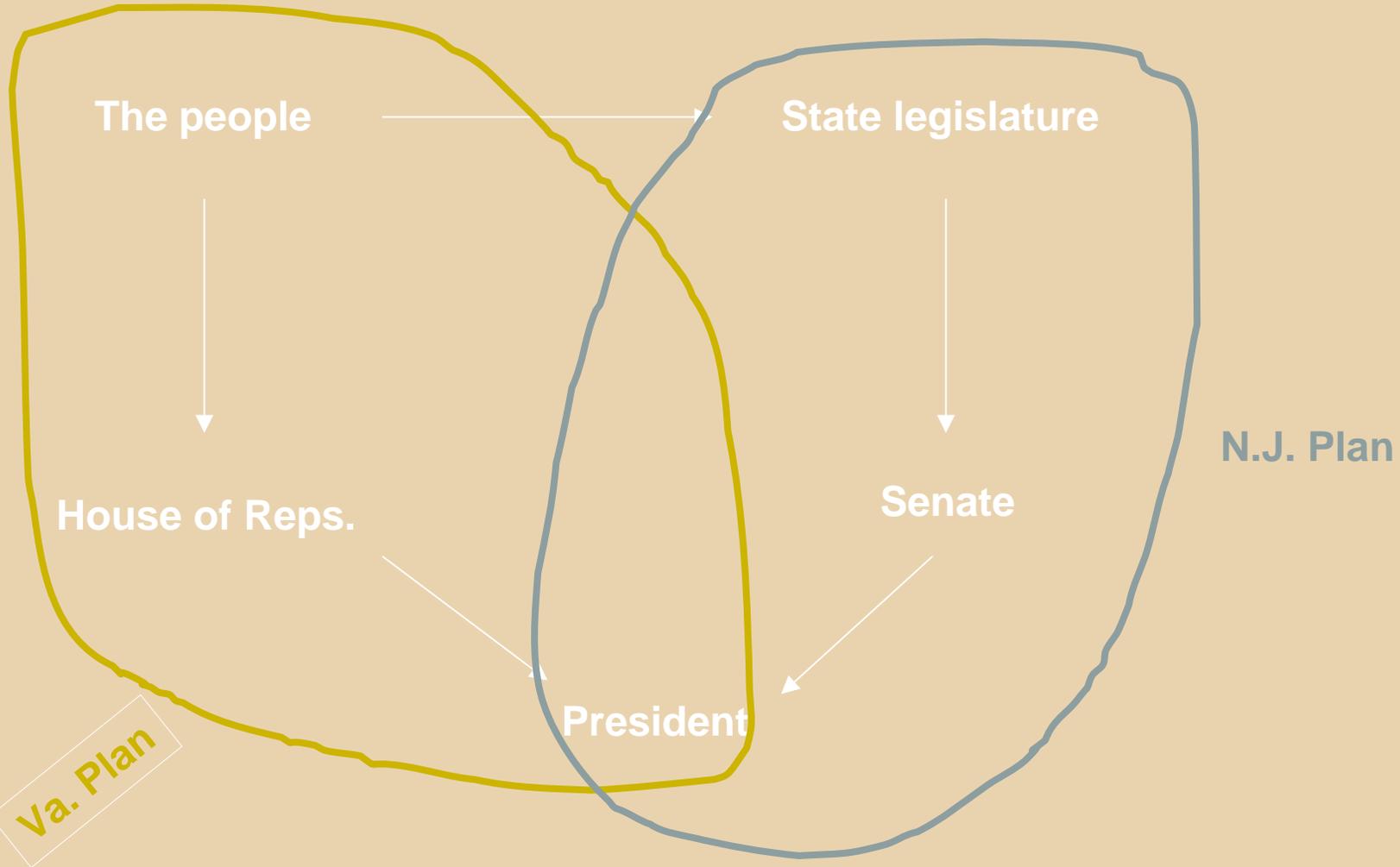
- 1787
- General flow of the Convention



What the Compromise Gave Us

- Virginia
 - **Population-weighted representation**
 - *Unicameral legislature*
 - *National nullification* → **Strong national government**
 - *Congress elects Senate & President*
- N.J. (Status quo)
 - **Equal representation of states**
 - *Coalition, not nation*
 - *Congress elects President (no Senate)*
 - *State sovereignty* → **Shared sovereignty**

The Constitution: The Schematic



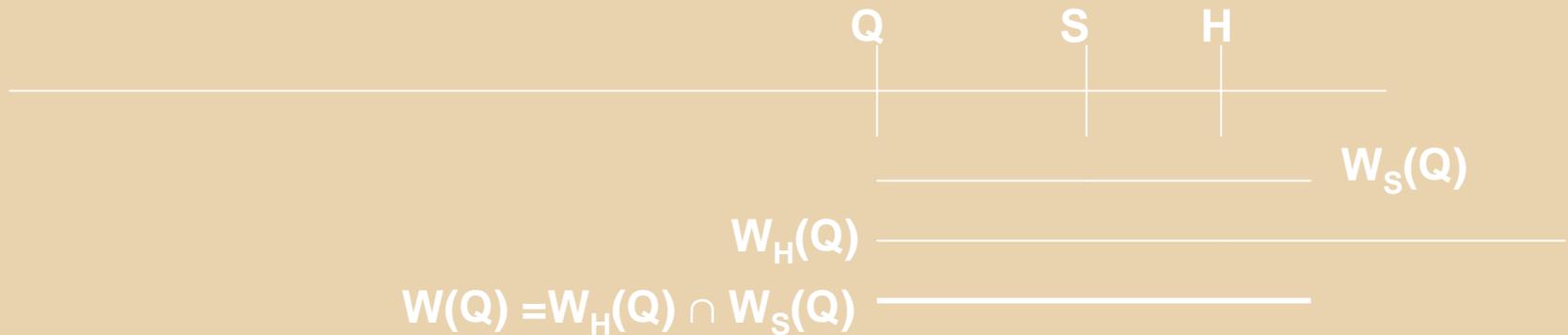
Key Features of the Constitution for Congress

- Membership
- Powers
 - Free trade and one foreign policy
 - Congress and the president sovereign
 - House and Senate autonomous as institutions
- Walk through constitutional features

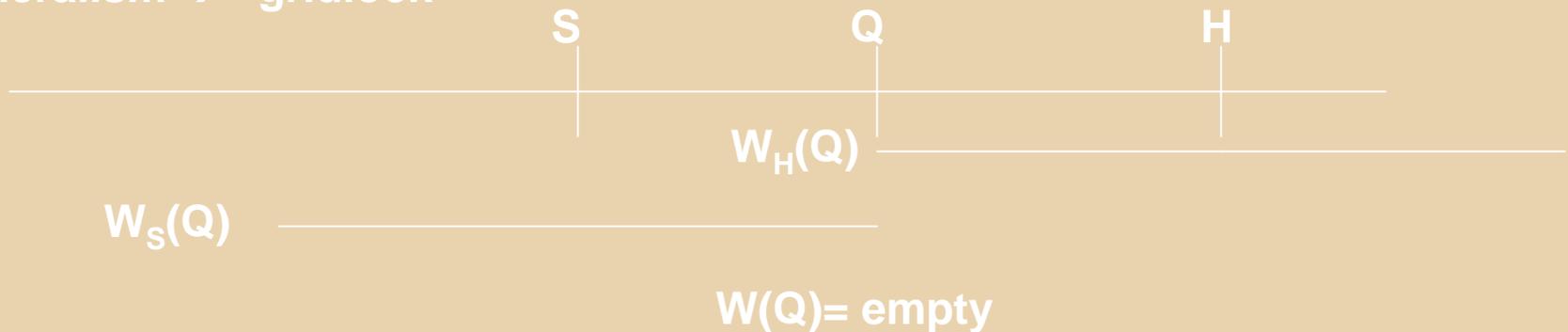
Walk through Article I

Formal analysis of bicameralism

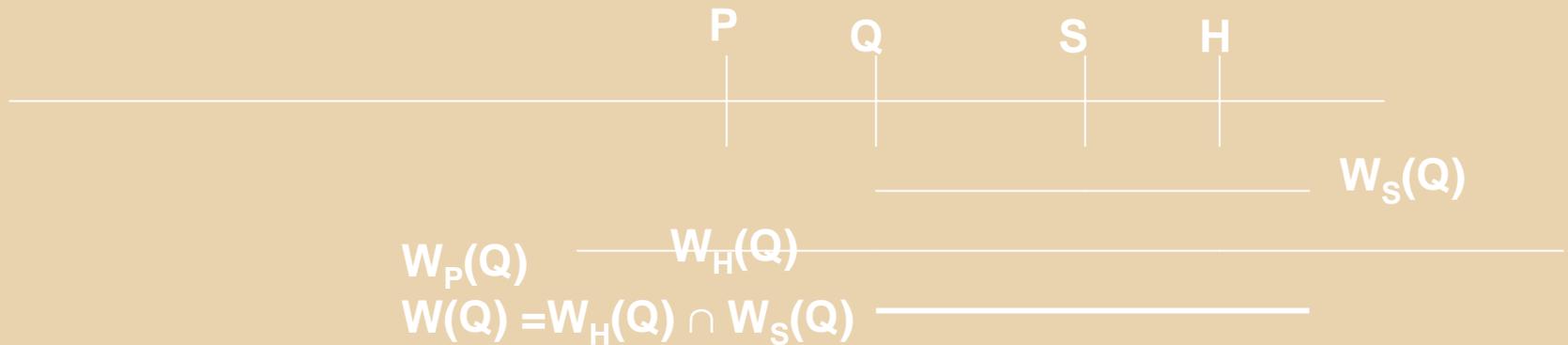
Bicameralism → greater “power” to more “conservative” body



Bicameralism → “gridlock

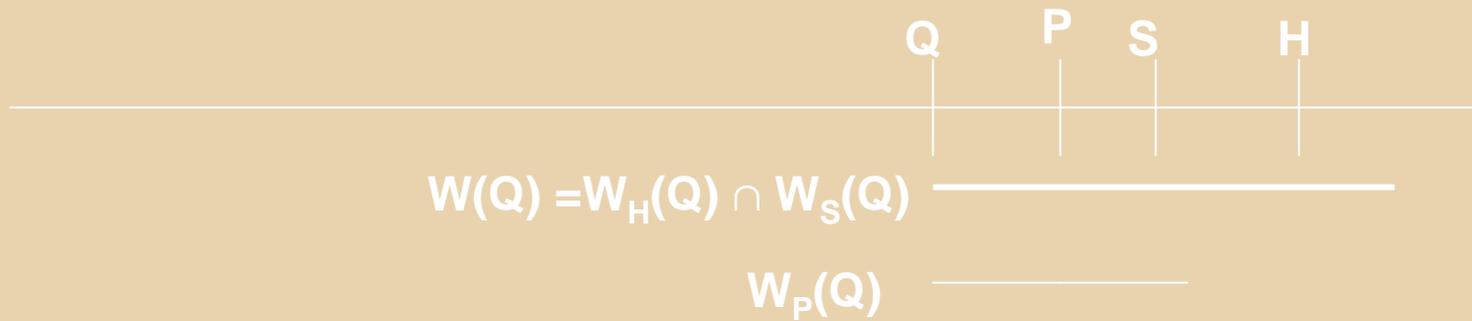


Presidential veto: “Tricameralism”



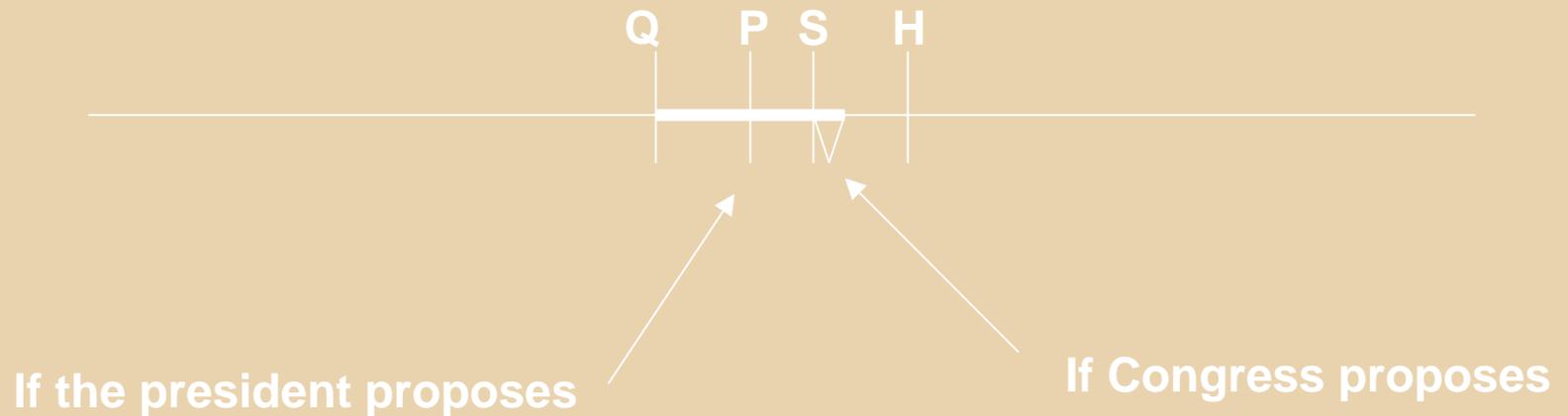
If president is on one side of the status quo and both chambers are on the other side, tricameralism induces gridlock

Presidential veto: Tricameralism



If the president is within the win set of the two chambers, the president is a “conservative” force

The effect of the “presentation clause”



Adding the veto pivot

No bill with $\frac{1}{2}$ requirement



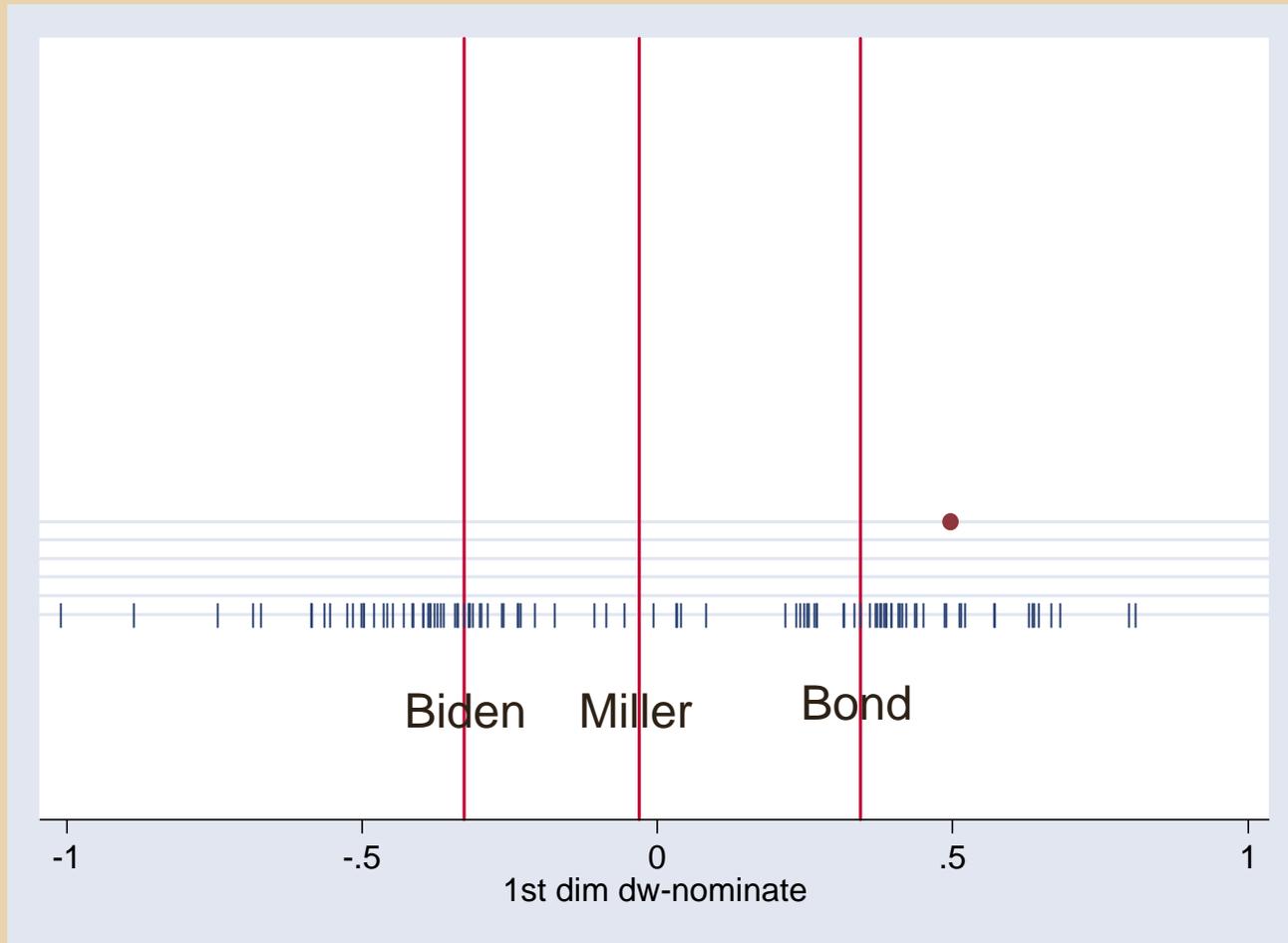
Strategic bill 1 with $\frac{2}{3}$ requirement



No bill 1 with $\frac{2}{3}$ requirement



What difference it makes: Bush



What difference it made: Clinton

