The Constitution and Congress

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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

![Diagram showing the relationship between Nationalism/centralization and Equality of representation.](image)
What the Compromise Gave Us

• Virginia
  – Population-weighted representation
  – Unicameral legislature
  – National nullification $\rightarrow$ 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 $\rightarrow$ Shared sovereignty
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 $\rightarrow$ greater “power” to more “conservative” body

$W_Q = W_H(Q) \cup W_S(Q)$

Bicameralism $\rightarrow$ “gridlock”

$W(Q) = \emptyset$
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”

If the president proposes
If Congress proposes
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