Road map

• Pre-constitution
• Politics of the constitutional convention
• Key features of the Constitution pertaining to Congress
• Stewart’s take on “Congress and the Constitutional System”
  – The Founders were masterful reformers
  – The Founders were lousy prognosticators
Pre-Constitution

• Self-governance came over to American from East Anglia

• Colonies had legislatures
  – Great and General Court
  – 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.

"Congress voting the Declaration of Independence" by Edward Savage. This image is in the public domain.
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

*This image is in the public domain.*
The Politics of the Constitutional Convention

• 1787
• General flow of the Convention
What the Compromise Gave Us

• Virginia
  – Population-weighted representation
  – *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

- The people
- State legislature
- House of Reps.
- Senate
- President
- N.J. Plan
- Va. Plan
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 “centrist” body

\[
W(Q) = W_H(Q) \cap W_S(Q)
\]

Bicameralism $\rightarrow$ “gridlock”

\[
W(Q) = \text{empty}
\]
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

Bill 1

No bill 1 with $\frac{2}{3}$ requirement
What difference it makes: Obama