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At the Crossroads: Congress and American Political Development

Ira Katznelson and John S. Lapinski

This essay starts with an observation, proceeds to an exhortation, and concludes with a set of suggestions. Congress has been situated on the outside edge of the subfield of American Political Development (APD) despite the institution's centrality both to the political history of the United States and to political science as a discipline. Apart from an important but limited number of works—including a long-term research enterprise on the role of sectionalism conducted by Richard Bensel, a study of the antebellum Senate by Elaine Swift, an assessment of the alliance between farmers and workers in the half-century after 1877 by Elizabeth Sanders, a major work on institutional transformations in the House and Senate by Eric Schickler, and a small number of emergent inquiries¹—“scholars in the American Political Development tradition,” as Keith Whittington has noted, “have never fully integrated Congress, as they have other important institutions such as the bureaucracy, the presidency, political parties and the courts.”²

This comparative neglect has weakened APD unnecessarily as an intellectual and methodological project, and has stunted its important research program on liberalism, state-building, periodization, and policy history.³ We write to encourage APD to engage more fully with “mainstream” scholarship on Congress while taking care to do so without losing its own particularity or its comparative

advantages.⁴ This is a promising moment for a venture of this kind. Congressional scholars have been thinking more and more in historical terms, and a considerable body of relevant literature, just to the side of APD, by such leading scholars as David Mayhew, David Brady, R. Douglas Arnold, and Charles Stewart awaits better integration with that intellectual tradition.⁵ Much APD work, moreover, even when eliding Congress as a major research site, is ready with a range of suitable, if often implicit, suggestions for how to proceed.

Yet even as the gap between APD and the study of Congress shows signs of closing, a serious degree of separation remains. Unless overcome, this division will continue to make APD vulnerable to excessive enclosure and disciplinary marginality. Reciprocally, more of an engagement of congressional scholarship with APD can offer legislative specialists the chance to broaden their questions, methods, and research programs, allowing them to move more capably in directions that are both rigorous and deeply historical.

There is more than one way to advance the program of making the study of Congress as an institution and as a site for discussion, behavior, and choice about public policy a more constitutive part of APD. Congress both convenes and enhances a public sphere of deliberation. Following the lead of Joseph Bessette and Mayhew,⁶ we can probe how individual members, groups of representatives, and the House and Senate as bodies consider and debate policy alternatives. As a key part of the separation of powers system, it is possible to trace the dynamics of what Samuel Huntington once labeled a ‘Tudor polity,’ and how these institutional concatenations have been transformed over time. Of the various potential pathways to closer ties between APD and Congress, the one we find most promising, in part because it offers a passageway to the others and in part because it links up rather directly to relevant studies in public policy, would revive a once-prominent political science literature on the substance of lawmaking. How, this now largely dormant body of work wished to know, does the content of matters under legislative consideration shape how members act. With its focus on the character, institutions, timing, and language of

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American history, APD is especially well-poised to lead a revitalization of this scholarly genre. In so doing, we suggest, APD can deepen its own scholarship while offering fresh and powerful contributions to studies of Congress and, more generally, to our understanding of American politics.

APD's Purposes

APD encompasses two closely related purposes. First, as a disciplinary orientation, it designates a political science subfield with a characteristic approach to historical analysis and the selection of problems. Part of the larger family of Historical Institutionalism, this body of writing is distinguished by a rich engagement with the past, by doubts about the constancy of models, generalizations and political behavior across time, and by joining normative and positive theory. APD's commitment to truth-seeking, foundations, and empirical rigor, which it shares with these currents, in turn places it at odds with many non-positivist approaches to language and signification that are far more skeptical about systematic political studies, thinking them to be covert expressions of power. APD stands apart, as well, from political history by being more explicitly informed by conceptual categories, model-building exercises, concerns drawn from the lineage of political thought, and systematic considerations of temporality.⁷ Though distinctive, APD has not been autarchic. Rather, it has engaged in back and forth exchanges with each of these intellectual communities and traditions, all the while insisting on principles of engagement—historical specificity, complex but not open causation, and a thick specification of actors and preferences placed inside determinate situations.

Working within this family of approaches, APD also has sought as a second goal, indeed as its principal objective, to bring the content of American history “into sharper relief”.⁸ To this end, APD scholars primarily have worked in four genres. Some explore critical periods through simplification; that is, by highlighting a small number of factors they hypothesize to be critical and to treat these analytically and causally. This is what Stephen Skowronek has accomplished for Progressivism, Richard Bense for the Civil War and Reconstruction as well as the Gilded Age, Gretchen Ritter and Elizabeth Sanders for Populism, and David Plotke for the New Deal. Others steer a critical subject through key moments, or even the whole of, American history. In this manner, Desmond King, Rogers Smith, Daniel Kryder, and Richard Valelly have probed race and membership; Dan Tichenor and Aristide Zolberg have illuminated immigration; Marie Gottschalk, Jacob Hacker, and Theda Skocpol have clarified the history and dynamics of social policy; and Amy Bridges and Victoria Hattam have examined working class formation. A third vein, including Skowronek's work on the presidency, Eric Schickler's writing on Congress, and Daniel Carpenter's on the

executive branch traces the development of key institutions in the medium and long term. Last, there is a sizeable body of APD writing on political speech and ideas, including important contributions by J. David Greenstone and Eldon Eisenach.⁹

APD's practitioners have returned again and again to a small number of vital substantive themes—especially the character, contours, and limits of the liberal political tradition and the qualities of the national state in a political system that rarely even utters that term, except, of course, as a statement about federalism.¹⁰ Reviving and advancing an intellectual conversation pioneered in the 1950s,¹¹ they have asked which political ideas and ideologies, especially those associated with the western liberal tradition, have shaped the development of the American regime. Associating with the effort to ‘bring the state back in’,¹² they also have sought to understand how the national government, despite very modest beginnings, developed as a modern national state. Concerned to understand not only what government is but what it does, they also have probed the reciprocal links connecting politics to policy, the relationship of ideas and interests, the impact of sequencing and path dependence, configurations of causal processes, and the sources of preferences when situated historically.¹³ To probe the conjunction of liberalism and state, APD has stressed the importance of systematic approaches to temporality, including distinctions between “critical” and more normal moments, and the mechanism of policy feedback.

APD can boast many advances on these tracks, even as a still-young venture. These include more and better work on American political history than much of the history profession, especially during the long period, now coming to a close, when political studies were thought to be old-fashioned, even passé, by many younger historians. APD can claim at least partial credit for a growing interest in historical evidence and dynamics by colleagues in political science who are inclined to deductive modeling and large-N studies. It also has provided an empirical spine for fresh readings of American political thought. Notwithstanding these achievements, APD currently confronts a quandary as its distinct purposes have become defined less clearly. Restricting its scholarship to existing research sites and tools, moreover, is unlikely to advance APD beyond the gains to understanding its studies of the executive branch, the judiciary, and the welfare state have contributed to date.

The subfield effectively advanced analytical political history when historians of the United States were turning away from political subjects, and when political scientists were seeking to identify behavioral regularities or distinguish portable models of strategic action without much regard for the singular traits of specific times and places. APD's monopoly on interesting political history has ended. Many historians, especially talented younger

scholars, have taken a decided turn back to politics and the state,¹⁴ while a growing number of Americanists in political science have learned APD's lesson that history must be a constitutive element in good causal scholarship.¹⁵ Paradoxically, by encouraging the return of historians to political history and by prompting attention to historical questions by other students of American politics, APD now is under pressure to better explain how its own qualities validate the particular contributions it might continue to make at the intersection of history and political science.

There is more than one promising substantive direction and more than one attractive methodological initiative that might be taken to move APD forward and bring its special qualities to bear on a wider arc of issues and institutions. The boundaries of APD have been stretched by exciting recent work on the political anthropology of voting, the identities of political agents, the heterogeneity of institutions, the political geography of social movements and political repression, international influences, and attention to agency and preferences as partners to APD's more familiar stress on structural causation.¹⁶

As a part of this effort to identify and carry out new ventures within the distinctive ambit of APD, this essay advances the case for how bringing Congress to the center can help secure and extend the tradition's core intellectual attainments. Our goal is to show why, from the vantage of APD, this intellectual extension is desirable, and how it might be accomplished.

In the core of the paper, we review the main substantive zones of work in APD—on temporality, liberalism, state, and policy feedback—to demonstrate the costs of leaving Congress out and the potential gains of bringing Congress in. The secondary place of Congress within APD, we show, has been paradoxical and expensive: paradoxical because political representation, as a concept and as an institutional practice, offers a rich site to probe both temporality and the qualities of political liberalism in the United States; expensive because Congress has been a constitutive part of the American state, especially in its role in the policy process and the Senate's joint role with the executive in shaping the administrative state through its constitutionally-mandated authority in offering advice and consent.

The remedy of emplacing Congress at the heart of the enterprise will not succeed without some decisive moves. Any serious engagement between congressional scholarship and the central concerns of APD, we argue, should be based on a robust and systematic approach to the content of lawmaking. This is a line of inquiry that has lost the pride of place it enjoyed a generation ago as more recent scholarship has tilted away from a focus both on how the subjects and contours of policy issues help establish the political factors that shape lawmaking, and how Congress produces the statutes that affect the character of the national state and the political regime.

For APD, a compelling return to the substance of lawmaking is the *sine qua non* for making Congress a constitutive feature for the analysis of the most pressing questions on its own research agenda. But this restoration will not succeed unless it can overcome the main bottlenecks that stymied this enterprise in the past: the absence of theoretically-grounded and empirically-useful classifications of legislative content, and carefully-honed testable propositions about how and when the substance of policy actually can affect lawmaking. With such substantive tools, we conclude, APD can undertake a confident conversation with recent theory-building and empirical scholarship by students of Congress, make connections with these literatures that are consistent with its own larger purposes, and move the center of gravity of congressional scholarship closer to its own big themes.¹⁷ The gains produced by a more Congress-oriented APD thus might pay dividends in more than one place.

Barriers to Partnership

There is, of course, a massive literature from which APD can learn and borrow. As presidential studies have languished and judicial research has remained a specialized and segmented subject, Congress has become the main site for substantive attention and scientific advance for students of American politics.¹⁸ We know vastly more than ever before with growing precision and sophistication about the electoral connection, the purposive orientations of members, the role of information, legislative organization, rules, and procedures, delegation, gridlock and divided government, and roll-call behavior.¹⁹ Yet APD's relative failure to engage both with Congress as an institution and with the burgeoning literature on legislative behavior was not produced by intellectual obtuseness. As a boundary marked by barriers of comprehension, approach, and practice, the space dividing Congress scholarship from APD is not easy to cross. The questions, points of reference, favored methodologies, views about valid inference and explanation, even modes of communication and criteria for evaluating scholarship often diverge. At issue is not how to erode these differences separating the assumptions and axioms of congressional work and the epistemological orientations of APD, but how mutual adjustments might make it possible for such divisions to become challenges rather than impassable obstacles.²⁰

Like other historical institutionalists, APD scholars approach causality primarily by focusing on two tiers of nested embeddedness. Institutions are understood to be implanted within historical dynamics and processes, often large-scale and trans-individual, which shape their development. In turn, both individual and collective actors are set within these institutions that powerfully shape and constrain preferences and behavior.²¹ When APD

scholars look at congressional scholarship, they primarily see articles and books that, instead, privilege individual-level preferences and behavior in ways that do not sufficiently take institutions into account, and that largely are silent on the substance of public enactments. Nearly three decades ago, a few maverick scholars argued that if we were to make further progress in understanding Congress, it would be necessary to move away from then-popular social-psychological analyses of the behavior of members of Congress to look instead at the incentives and disincentives offered by key institutional rules, including the separations of powers system, associated constitutional powers, the internal organization of the House and Senate, and the franchise. For this intellectual movement, David Mayhew's focus on the electoral connection proved seminal.²² Congress, especially the post-1945 House of Representatives, soon became a laboratory to test theories that model individual political behavior.²³ This tightness of concentration led both to large-N research programs based on roll calls and to the creation of close-fitting deductive models connecting Congress as an institution to the choices taken by its individual members.

Even when APD scholars have read this work appreciatively, they have been struck by its limited temporal reach and quest for trans-historical generalization. Despite a recent turn to historical cases and data by some congressional scholars,²⁴ much of the time they have seen the realization of the disquiet Mayhew recorded nearly four decades ago when he observed that "a concern with methodological refinement has been accompanied by a diminishing interest in the study of historical events," and that "in the latest works applying mathematics to legislative voting, the detachment of political science from history is almost complete."²⁵ The most important recent models of congressional behavior lack either a constitutively causal historical dimension or underscore powerful similarities of party and ideology across time, rather than explore the complexity and variety of American history.²⁶ APD scholars also have observed how the emphasis on the individual member can elide or obscure such factors as party and region that are so central to understanding American political history.²⁷

They also have noted how an ignored or flattened treatment of historical diversity has shunted aside the impulse central to Mayhew's first book, *Party Loyalty Among Congressmen*,²⁸ which insisted that studies of representation should proceed in tandem with attention to the substantive content of policymaking placed in historical context.²⁹ As a result, the collective outputs of legislative performance and the manner in which they have shaped subsequent historical developments have been downplayed in the burgeoning congressional literature. More than any other feature of current congressional studies, it is the absence of policy content that so often makes con-

gressional studies seem distant to practitioners of APD. After all, without attention to the substantive features of representation, it is not possible to connect close assessments of congressional behavior to outcomes that shape the contours of the American regime. Nor is it possible to evaluate normatively what Congress has achieved as a collective choice mechanism and thus assess how interests are represented and, more broadly, how well liberal democracy is working.

Even where congressional scholarship has come closest to the concerns of APD—that is, when it has focused on how congressional institutions have been formed by, and in turn shape, the preferences and actions of members, and how Congress affects the equity, efficiency, and qualitative content of the polity—there remains a sense of disappointment at the literature's limits, including a failure to connect sufficiently to larger historical trends, to other institutions,³⁰ and to the substantive content of legislative accomplishment.³¹

Themes of Engagement

Reservations or disappointments about these restrictions should be an invitation to do better, rather than serve as justifications or excuses to neglect Congress. APD will not effectively advance its own agenda without placing Congress at the center of future studies of temporality, liberalism, state-building, and policy feedback. Even more, without this reallocation of emphasis, APD risks enclosing on itself, and thus losing the disciplinary influence its powerful research program deserves.

Temporality

As a first example, consider how APD's stress on temporality has been inhibited by the relatively modest notice it has given to Congress. The main hinge of APD work on periodization first was provided by studies of electoral behavior, demarcating distinctive party systems based on oscillations of electoral stability and change. Seeking to extend the scholarship of V.O. Key on critical elections, Walter Dean Burnham thematized electoral realignments as the main mechanism by which an unchanging regime could accommodate environmental transformations. As the world changed, pressures brought to bear on politics altered. When existing party alignments do not accommodate them, political entrepreneurs emerge, he argued, who, by introducing new issues into the political arena, force a realignment of partisan forces. American history, thus could be divided, he hypothesized, into electoral phases.³² Inevitably, such work entailed an understanding of more than elections and partisanship since it opens up to just the big questions about institutions, norms, and behavior that are central to APD.

Once scholars in this tradition began to think about periodization as concerned with critical junctures marked

by large-scale changes not exhausted by studying electoral transformations, about which there are good grounds for unease, the subject of temporality opened up for even richer explorations. There may not be one master temporal dynamic but multiple patterns characteristic of different institutional realms, and slow-moving processes may intersect swift moving developments to produce relatively open historical conjunctures; different institutions moving at their own tempo can interconnect to produce key outcomes that each, on its own, might not. Thus, as the dynamics of the presidency may differ from those of the Supreme Court, or the private sector from the public, it is the combination of their temporalities that often produces key outcomes. Further, policy legacies from times past can shape and constrain future possibilities.³³

Issues of periodization and temporality, in short, are rich, vexing, and complicated. All the more reason not to set to the side the massive body of evidence offered by congressional debates and decisions about preferences and policies. If, for example, as Clubb, Flanigan, and Zingale have argued,³⁴ enduring partisan change comes about only when “critical election” voting results are quickly followed by policy changes which secure the realignment and cause it to persist by offering continuing incentives to the new majority coalition of voters, then charting changes to policymaking becomes a central task. This process unfolds in Congress, as the agenda alters and as choices are taken about which policies within this repertoire should be enacted.³⁵

Among other possibilities, the scrutiny of congressional behavior affords a critical body of evidence about other subjects of keen interest to APD. Have temporal shifts occurred? What is their content? How are partisanship and policy substance connected? Of relevant structural features that influence behavior and performance, which are malleable and endogenous? How are changes within the congressional arena linked to other institutional settings? One of the more promising points of intellectual contact lies in the area, central to APD, of understanding how institutions evolve and affect policy making (as distinct from behavioral variables that predict policy outcomes). This phenomenon also is very important to congressional scholars, who have entered into a robust conversation that asks what explains the emergence of rules in both the House and the Senate that enhance or detract from partisan objectives. Recently, Schickler has examined rule changes in the House of Representatives that are partisan in nature.³⁶ He tests competing explanations—an “ideological balance of power model” (i.e., a median voter based theory) versus conditional party government theory.³⁷ The participants in this conversation are interested in how rules in Congress, primarily in the House, evolve over time.³⁸ This interest is motivated by the profound impact that congressional rules can have on the policy-making process.³⁹ Changes in rules, moreover, often are associated with forces outside Congress, and thus can help us trace

both the impact of larger temporal dynamics on Congress and how shifts inside the institution affect larger political phenomena. By identifying and parsing such temporal orders from a congressional vantage, especially those revolving around partisanship, APD’s inquiries about periodicity would deepen and could help reexamine its prevailing judgments about periodization. Working on labor, agrarian policy, trade, transportation, and other issues in Congress, for example, Sanders shows how 1896 was less significant as a point of inflection than work on elections has hypothesized, as she mounts impressive empirical evidence based in legislative behavior to upend “the widely accepted view that 1896 marked the end of agrarian-led reform”.⁴⁰

Liberalism

APD’s focus on the status of liberalism has been characterized by a continuing, perhaps compulsive, engagement with a text published well before it emerged in the early 1980s as a distinct subfield, Louis Hartz’s extended essay on *The Liberal Tradition in America*.⁴¹ Claiming that liberalism has been the most important underlying force in American history, Hartz famously argued that its standing and power were constituted by the non-appearance of feudalism on American soil. Lacking an adversary, the contractual, individualist, and constitutional liberalism identified most closely with John Locke gained free sway in the United States and quickly came to possess the power to snuff out either pre- or anti-liberal impulses of various kinds. Though hardly a celebrant of these qualities, Hartz claimed that meaningful stories about the American regime must be contained inside the boundaries of this exceptional history that had flattened the country’s politics to this single dimension, as both “left” and “right” were contained within a common liberal world, a world of one regime and one big ideology that have defined the poles of partisan politics.

Was Hartz right? Has a single tradition aligning and confining American politics within a single dimension dividing one kind of political liberal from another been the main hallmark of political thought and practice (on this reading, conservatives in the American lexicon are a particular kind of liberal)? Much of APD has tried to figure out the standing of what Hartz called “the moral unanimity” of the country’s “nationalist articulation of Locke”.⁴²

It is possible to identify two discrete positions regarding this claim. The first has been to discover sources of diversity and thus of change contained within a persistent and encompassing liberal political culture. Borrowing from Wittgenstein, David Greenstone’s *Lincoln Persuasion*, as a leading instance, reread Hartz’s unidimensional claim as defining not the end of conflict but as recognizing relatively fixed norms of speech and action that define what he called a boundary condition, “a set

of relatively permanent features of a particular context that affect causal relationships within it” even as it remains subject to dispute.⁴³ Much as institutions can make some moves possible and others impossible within a given set of rules, liberalism as a capacious but circumscribed set of ideas makes some cognitions and behavior “natural” while relegating other forms of thought and conduct to the zone of the not-imagined and not-done. From this revised Hartzian perspective, to say that liberalism has been overriding is not the same as to argue that it has been uniform or unchanging.

A second move, forcefully advanced by Rogers Smith, argues that American politics has not been characterized or contained by a single liberal dimension, but rather, by multiple traditions, especially those he has identified as liberalism, republicanism, and ascriptive forms of Americanism, especially racism.⁴⁴ “At its heart,” he has written, “the multiple-traditions thesis holds that the definitive feature of American political culture has been not its liberal, republican, or ‘ascriptive-Americanist’ elements, but, rather, [a] more complex pattern of apparently inconsistent combinations of the traditions, accompanied by recurring conflicts.”⁴⁵ On this view, in short, politics in the United States has been conducted in more than one dominant dimension. In collaboration with Desmond King, Smith has further expanded upon this idea to show how American politics might be studied by using a framework that classifies American political history as being captured by the dimensions they call a “white supremacist order” and an “egalitarian transformative order.”⁴⁶

Hartz styled his book as a work of political theory. APD’s line of writing about the status of the western liberal tradition also has proceeded for the most part at the level of the history of political thought, including its articulation in jurisprudence. Greenstone was concerned primarily with the poles of rhetoric deployed within debates about slavery. Smith built his critique of Hartz mainly on a massive body of the discourse in court decisions concerning laws about citizenship.

Generously put, none of APD’s influential works about the liberal tradition foregrounds Congress. This is a good deal more than a casual observation, for Congress offers scholars four sets of evidence, all of which are germane to the long-standing quest to make sense of the status of liberalism in America. The record of its deliberations, kept for more than two centuries, presents a remarkable compilation of discourse by political representatives. Less systematic than the considered prose of senior judges but more focused and learned than most mass journalism or popular discussion, this archive of speech is vastly underexploited. Congress also has been a site of regular, ritualized, and recorded political behavior. Of course we have many studies of roll call voting, but precious few have self-consciously linked this fantastic archive to the liberalism question, or, for that matter, to APD’s other themes

of state building and policy feedback. The third body of information proffered by Congress is the statutes it has created. Here, both the outlines and details of public policy express and shape the character of the state’s public philosophy. Finally, there is the development of Congress as an institution acting for and giving meaning to political representation by inviting citizens to signify by various means what they would like legislators to do and by providing the means for legislators who receive such signals to subject them to critical evaluation and reach authoritative decisions.

Of course, empirical studies of Congress work on just these materials, but rarely with self-conscious attention to the questions APD has put front and center. Consider as an example the curious homology between this tradition’s body of writing and argumentation about Hartz’s claims and path-breaking empirical scholarship concerning congressional behavior. We especially have in mind the massive project of analysis represented by the long-term research of Keith Poole, Howard Rosenthal, and their collaborators. Best known for their “parsimonious model that accounts for the vast majority of the missions of individual roll call decisions during the 200 years of roll call voting in the House of Representatives and the Senate,” they have argued that “for most of American history,” a small number of exceptional moments aside, there has been a simple and stable “one-dimensional” structure to this political behavior, notwithstanding the two-dimensional space (party/ideology and race/region) that potentially, and sometimes actually, organizes the preferences of members of Congress.⁴⁷ Somewhere, in light of the persistent power of Poole and Rosenthal’s first and dominant dimension, which neatly falls within the ambit of a left-right continuum that is enclosed within liberal political space, Louis Hartz must be beaming.

This claim has been challenged on both methodological and substantive grounds. Applying a linear probability model of choice to a four-decade period following 1947, James Heckman and James Snyder “overwhelmingly reject” one, or even two, dimensional models. Instead, they note important variations by subject areas, such that “a multidimensional model is definitely required to adequately predict votes on certain issues, such as abortion, agricultural programs, defense spending and foreign aid”.⁴⁸ Of course, there is no ready translation from the identification of multiple empirical dimensions and the specific traditions that Rogers Smith has identified as operating across the years of American history. Still, now it is he who is smiling.⁴⁹

This controversy was intersected, it might be noted, by the earlier body of work concerned with policy substance in Congress. David Mayhew and Aage Clausen, for example, found that variations in classes of policy can produce quite different political coalitions, tapping into quite distinct sets of preferences, thus empirically confirming an

insight argued more abstractly by Lowi that variations in policy can reshape politics.⁵⁰ Though none of these authors questioned the Hartz hypothesis about the hegemony of liberalism explicitly, and while each left open whether the variations they associated with the content of policy ascended to his synoptic level of analysis, they suggested that congressional studies might be placed in a productive relationship with basic questions about the character of the country's political tradition and key features of its political development.

But here lies the rub. From the side of theorists like Hartz, Greenstone, and Smith, there is no systematic empirical work on congressional behavior. This is distressful not for any general principle that would want to link political theory to empirical observation, though that usually is a good idea, but because the most original and central pivot of the liberal tradition is political representation, based on consent, as a critical institutional means not only to place the preferences of civil society within the state but to prevent tyranny.⁵¹ Equally, from the side of empirical students of Congress, including Poole, Rosenthal, Heckman, and Snyder, there rarely is even the slightest acknowledgment of the Hartzian debate or of the stakes for their work of scholarship on the contested place of liberalism in the American tradition.

In consequence, both literatures are only partially realized. APD's continuing evaluation of American political thought and ideology has missed the chance to engage with the country's most liberal and representative institution. Surely, when we consider Smith's challenge to Hartz, as an important instance, it would be at least as noteworthy as the study of deliberation in the courts to consider how Congress undertook in debate and behavior to define the properties, contours, limits, and advances of American liberalism. It has been in Congress, after all, where legislative compromise almost always is necessary, so that historically specific resolutions to the complex and historically variable relationship entwining liberalism and racism often have been crafted within the framework of congressional representation.

Likewise, empirical studies of Congress frequently miss the stakes of significant debates and enactments. So much scholarly attention has been paid to the organization, relationships, and patterns of change inside the institution that the links between the substance of policy and the content of the liberal regime have been placed out of view and usually out of mind. This is an entirely unnecessary impoverishment, especially as these are themes that lie dormant, ready to be accessed, within the tradition of empirical scholarship on Congress.

State

APD's other main substantive theme has been that of state building. Here, the seminal text is Stephen Skowronek's

Building a New American State. This book skillfully sought to overcome the gap separating the existence of the United States as a modern sovereign state from the cultural "absence of a sense of the state that has been the great hallmark of American political development."⁵² Grounding his treatment in Europe-centered scholarship on the state and political development by d'Entrevés, Poggi, Tilly, and Skocpol, among others, Skowronek effectively placed issues of American exceptionalism on a new plane by inserting the country's growth of national administrative capacities from the end of Reconstruction to the 1920s within a template of stateness designated by this literature.⁵³

Congress does appear in this story, but not as a primary focus, especially once the book moves beyond its treatment of the state of courts and parties within which Congress is a core institutional element. Intriguingly, when Congress is most fully addressed as a site of party competition, the institution is presented as a pre-modern check on statebuilding, and thus helps serve as the basis for categorizing the antebellum state as 'weak,' a classification Skowronek shares in common with most APD scholarship on the subject.⁵⁴ Though this book offers an important corrective to an earlier omission of state executive capacity, there is something unpersuasive about how Congress is downplayed. By leaving out the hub of the country's most distinctive institutional feature, the powers of its national legislature as conferred by the separation of powers, the book elides that aspect of the comparative-historical scholarship on European states that has focused not only on their powers but on their regime qualities; and it fails to show how a government marked by an uncommonly strong legislature might, in consequence, possess special strengths.⁵⁵

The main tradition of work in which Skowronek and other APD students of statebuilding have chosen to situate their writing on the United States has tended to focus on how, in early modern Europe, "centralized monarchies . . . represented a decisive rupture with the pyramidal, parcellized sovereignty of the mediaeval social formations, with their estates and liege-systems."⁵⁶ The centralization and militarization of sovereignty marked by the growing discretionary powers of the monarch, the separation of property from political authority, a distinction between the ruler as a person and the executive as an institution, and the development of state finance, administrative bureaucracies, policing capacities, and professional armies with heightened destructive capacities composed centerpiece themes in this significant body of work. Such scholarship was disposed to treat parliaments merely, as Charles Tilly put the point, as one of a number of "groups which resisted state-making."⁵⁷ One consequence was to set aside the kinds of questions pioneered in this research tradition by Barrington Moore who contrasted forms of dictatorship, including absolutist kingships without parliaments, from a parliamentary route to modern democracy.⁵⁸ In

this fashion, administrative abilities have trumped a focus on representative institutions in defining what “state capacity” as a concept should, or might, mean.

Here lies a neglected opportunity. Writing in the vein of comparative historical literature that focuses “on the long-run conditions favoring the rise of democracy and dictatorship”, Thomas Ertman has identified the “independent influence of strong representative assemblies on administrative and financial institutions” as a key variable in European state formation, and Margaret Levi has stressed the positive difference the development of Parliament made for tax strategies in Britain, thus linking the importance of representation and consent with central themes in liberal political theory.⁵⁹ If, as Wim Blockmans puts it, “representation means literally to make present an absent”, the key questions become not only how representative institutions were initiated, sustained, and expanded or contracted in scope and responsibility, but who was represented by whom and with what content.⁶⁰ From this perspective, the division of Europe between sites for liberal democracy and dictatorship depended on whether monarchies were limited or unlimited in their exercise of sovereignty; that is, whether the crown could be legally overridden or had to accommodate to local and national representative bodies.⁶¹

By eliminating the king altogether, the United States answered this question dramatically, in favor of the West’s strongest tilt in the direction of representation. This inclination, students of English state building have come to understand, itself can be an instrument of state strength.⁶² Especially important in this regard is the account John Brewer has offered to explain how the late seventeenth and eighteenth century English state managed to be active and effective, both in raising resources at home and in expanding the rule of its increasingly far-flung Empire, not in spite but because of its liberal parliamentary development. Within England, he explains, the growing assertiveness of liberal principles and parliamentary prerogatives reshaped government: “limited its scope, restricted its ambit, and, through parliamentary scrutiny, rendered its institutions both more public and accountable.” The outcome was a fiscal and military state made “stronger rather than weaker, more effective rather than more impotent” because “parliamentary consent lent greater legitimacy to government action.” The result was paradoxical. A state that lacked some traditional features of “strong states” was effective for exactly those reasons.⁶³

Representation and consent, therefore, seem to be important components of theory that attempts to gauge the pervasiveness and character of the central state. Richard Biesel implicitly articulated this idea in writing about state capacity in the area of political economy, arguing that control over such policy is dominated by the congressional committee system.⁶⁴ He further claimed that the rules of the game within Congress motivate members and

their respective committees, to “expand federal authority within their policy jurisdictions,” primarily for electoral reasons as they represent their electoral constituencies.⁶⁵ Thus, he wrote, we observe an “expansion of the central government in conjunction with the maturing committee system” within Congress.⁶⁶ Supported by mountains of empirical evidence, Congress scholars similarly have long held that policy is heavily influenced by congressional committees. Specifically, the Congress literature has convincingly shown that committees possess gatekeeping authority, proposal power, and act as liaisons for the exchange of information.⁶⁷ With the exception of Biesel’s work, the relationship between these features of congressional organization and activity and the development of the capacity of national political authority, however, is almost entirely not explored. This partition of scholarly attention could be overcome if APD attended to debates in the Congress literature about how committees claim jurisdiction over specific policy areas and, more generally, if it paid more attention to the role legislative structure plays in shaping, advancing, or influencing state capacity.

Policy Feedback

Theda Skocpol grounded her revisionist account of the American welfare state in *Protecting Soldiers and Mothers* in a three-pronged “polity-centered” political perspective. Breaking with social determinism, she treated politicized social identities as the outcome of interaction between such political causes as state and party structures and social factors including class relations and patterns of culture. Second, focusing on federalism, she hypothesized that the degree of success enjoyed by actors was shaped by the “fit” between its identities and institutional organization and that of governmental institutions, the party system, and the wider rules of the game. Finally, she insisted that policy transforms politics through feedback effects. “We must make social policies the starting points as well as the end points of analysis: As politics creates policies, policies also remake politics.”⁶⁸ In this model, policy feedback operated both by transforming state capacities and by changing the goals and capabilities of groups. Together, these developments promote or retard future expansion of a current line of policy and shape the probabilities that new lines of public policy might be adopted. Across time, policies and their design, she indicated, shape both politics and subsequent policies via feedback loops characterized by a mix of incentives and abilities.

Helping to advance this focus on policy feedback, Pierson observed in a notable review essay that this suggestive agenda for research based on the axiom that public policies constitute bundles of resources and incentives that are politically resultant invites fuller specification. Among other questions, he identified these: How widespread are policy feedback effects, and when and in which institutional

settings are they most likely to occur? When and how do some policies make political actors stronger and others weaker? When does policy feedback reinforce the status quo and when does it break with it? At which junctures do the effects of policy learning incrementally or more radically alter the settings, instruments, and goals of public policy? What is the frequency with which the various feedback mechanisms appear in American politics? What is their impact on the formation of coalitions? Do the same processes obtain across areas of public affairs? How can theory best be developed to connect types or clusters of policies to political outcomes? In conclusion, Pierson argued, “we need to ask more precise questions about how policies matter and under what conditions.”⁶⁹ It is not enough, he cautioned, to illustrate the notion of policy feedback by intensively studying specific instances. It is important to move “to the next phase: establishing the scope of particular mechanisms, and the specific characteristics of policies and the broader context that are likely to make particular mechanisms central.” To grapple with these issues, he counseled, we need to complement case analysis with large-N information and analysis.⁷⁰ He also believed that studying public policies was important, in that these laws and statutes themselves were institutions that influenced later policy making.

As in the instances of temporality, liberalism, and state formation, the neglect of Congress as a research site for APD looms large here as well. Policy feedback, if (and when) it exists, certainly is centered in Congress and is specific to distinct policies. For that reason, Theodore Lowi argued some four decades ago that the content of policy must be made constitutive of analyses of the policy process. It is critical, he persuasively suggested, to classify policymaking areas “to suggest generalizations sufficiently close to the data to be relevant and sufficiently abstract to be subject to more broadly theoretical treatment,” and to probe, via such an approach, how “a political relationship is determined by the type of policy at stake, so that for every policy there is likely to be a distinctive type of political relationship.”⁷¹ Persuasive studies of policy feedback require attention to this kind of recursive relationship in Congress between policy content and policy feedback.

Although the questions pushed to the fore by Pierson, and explored implicitly by those working in the Congress subfield, have an affinity with a long-term and historical orientation to the study of congressional deliberations, behavior, and enactments, a research program with this focus remains underdeveloped within APD.⁷² Two reasons stand out. For one, there are linguistic differences. Most Congress scholars write about reversion points and the status quo rather than use terms more familiar to historical institutionalists.⁷³ Second, with the important exception of the research program of Baumgartner and Jones, congressional scholarship largely has turned away from such work on policy substance.⁷⁴ As a result, one of the

most fertile potential connections between studies of Congress and APD has not been developed. The price exacted is not limited to the area of policy feedback but extends to APD’s other main sites of inquiry.

The Substance of Representation

Among the strategies available to APD if it is to effectively enplace Congress at the center of its research is an effort to revive the sleeping substantive tradition in congressional studies. At its heyday, this research program treated the substance of policy as both an independent and dependent variable. In the first mode, an effort was mounted to understand how shifts from one type of issue to another shaped voting blocs and political coalitions by tapping into different party and constituency pressures. This approach peaked with the publication of Clausen’s *How Congressmen Decide*, where he argued that “congressmen develop categories which subsume specific legislative motions so that a common response can be made to all items of legislation included in a more general category.”⁷⁵ On this view, members begin their process of decision-making by assessing the area of policy content into which the legislation falls. Lowi’s theoretical framework to make sense of how categories of policy produce distinctive types of politics underpinned this body of empirical work.⁷⁶

In this literature, policy also was considered as a dependent variable, as substantive outcomes fashioned under the impact of such large-scale developments as wars, economic crises, and social conflicts, sometimes expressed in partisan realignments. As a leading example, David Brady probed how critical elections managed to transform congressional parties and thus produce policy changes that clustered in given substantive areas at specific historical moments.⁷⁷

The potential connection to APD’s main concerns is obvious, but the chance to make the link was missed. Just as APD was getting launched in the early 1980s as a self-conscious enterprise that could have profited from a better understanding of when and how the substance of congressional policymaking shapes lawmaking, the literature that had sought to understand how the content of a potential statute directly or indirectly affects the way members frame their voting decisions hit a wall.

In retrospect, we can see that there were two primary forms of weakness. The first concerns problems of measurement and specification caused by time-bound policy classifications, unguided by theory, that were based on too small a number of highly aggregated policy categories. The most influential, a five-tier approach to policy coding created by Clausen as a feature of his search for policy domains characterized by unidimensionality and stability in the period spanning 1953 to 1964, generated research showing the distinct existence and effects of economic

and social welfare policy dimensions in roll call voting and indicating how the content of policy affected a shift from partisan to regional voting between the 1930s and 1950s.⁷⁸ The utility and precision of this widely-adopted approach, however, was constrained by period-specific substantive categories more appropriate for the post-Second War period than others in American history. For this reason, David Brady and Joseph Stewart's work on the policy import of realignment (1982) created two additional "time-bound" classifications for the Civil War era and the 1890s. For each period, they replicated the method Clausen had used to identify the five issue areas he found to be central in the 1950s and 1960s; not surprisingly, the lists across periods have virtually no overlap. This approach to historicity solves the problem of porting inapplicable categories to various time periods, but it leaves scholars dependent on a single and controversial periodization template based on electoral realignments.⁷⁹ The punctuated character of the Brady-Stewart approach, moreover, precluded the consistent measurement of the substantive ebb and flow of legislation by policy categories because it left out routine periods and produced an incomplete time series across policy domains.

Even more limiting, however, was the small number of categories deployed by Clausen and the research program his classification spawned. The full range of policy subjects considered by Congress was pressed literally into a handful of classes. The resulting degree of aggregation inevitably produced suspect findings. By inserting labor votes inside the category of social welfare, for example, the scheme obscured the distinctiveness of behavior in roll calls about unions and labor markets during the era of the 1930s and 1940s, at precisely the historical moment the classification was said to be most robust. The same problem, of course, applied when the scheme was utilized to study legislative performance with policy serving as a dependent variable. The boxes into which it could place enactments held too many different kinds.⁸⁰

To overcome these barriers, working with our colleague Rose Razaghian we have designed a new scheme of classification that is more fine-grained, theoretically directed, and systematically organized than prior approaches. Working in nested tiers, this approach has been developed to probe each of the key aspects of APD—the distinctive qualities of state formation; taking stock of the American liberal tradition (without making *a priori* assumptions about its place in the realm of American ideas and ideologies, but with an acknowledgment of political representation, the central institutional arrangement in political liberalism, for the basic contours of the polity); sensitivity to variations in the content of policy at different historical moments as a way of advancing thinking about periodization; and identifying how mechanisms of policy feedback work across various policy zones.⁸¹

The last of these goals intersects the second main drawback of the older substantive literature on Congress, its insufficient specification of mechanisms that can account, in Lowi's terms, for when and how "a political relationship is determined by the type of policy at stake, so that for every policy there is likely to be a distinctive type of political relationship."⁸² It is not enough to simply demonstrate one or another correlation strongly suggesting that distinct coalitions are characteristic of different areas of policy. How, we need to know, does such a relationship, where it exists, actually work? Such a quest must begin at the micro level with members of the House and Senate as the irreducible units of congressional action, but with the recognition that they possess more than one goal. These include, as Fenno and Mayhew, among others, have observed, getting reelected, representing their districts, passing good laws, advancing one or more ideological positions, promoting the fate of their political party, and furthering personal projects, as well as their reputations and position in the legislature, all the while being concerned to protect the prerogatives of the body in which they serve.⁸³ Policy content is not a given as a motivating element, but only can be said to have causal status when the substance under consideration interacts with these aspects of representation and helps shape how legislators order these preferences with regard to specific issues. A strong version of the "policy makes politics" position might claim an unmediated effect on these sources of behavior. A more measured version, the kind we prefer, would focus especially on how the content of a policy issue interacts with the personal preferences, constituency situation, and party orientation of members under specific historical circumstances.⁸⁴

Typologies of policy and lawmaking, no matter how theoretically interesting and empirically useful, can only be aids, albeit important ones, for accounts of how individual representatives and clusters of members—grouped by party or region or ideology or other relevant features—assess, judge, decide, and choose how to act with regard to the repertoire of policy options on offer at a given historical moment. A turn to Congress and policy substance thus presents both APD and the wider discipline with the chance to treat legislative institutional arrangements as hinges joining matters of structure and agency together; and to link this enriched analysis to the biggest and most challenging questions about the character of the American polity and its history of change, resistance, and transformation.

A concerted effort led by APD to overcome the principal barriers that once limited the literature on the substance of representation, in short, can repay big dividends for our understanding of American politics—past, present, and future. Working with a particular appreciation for temporal dynamics and the operation of policy feedback, APD can utilize its kitbag of subjects and tools to probe

how the content at issue in lawmaking intersects with the legislative process to produce policy outcomes that define the character of the country's political regime. A generation ago, APD and congressional studies missed the opportunity to join forces on the terrain of policy to advance our understanding of liberalism and the state. This chance need not, and certainly should not, be missed again.⁸⁵

Notes

- 1 Richard Bensel 1984, 1990, 2000; Swift 1996; Sanders 1999; Schickler 2001; Farrier 2004.
- 2 Whittington 1999, 44. Two of APD's most rightly celebrated books, Theda Skocpol's *Protecting Soldiers and Mothers* (1992) and Rogers Smith's *Civic Ideals* (1997), contain not even one index entry for Congress. Of course Congress does come into view in these volumes—how could it not?—but only episodically and unsystematically. Still, many APD projects, of course, touch on or deal with Congress, but mainly as a setting for the play of actors, mechanisms, and processes originating and gaining force elsewhere. When Congress has entered into APD, it has done so for the most part because the institution's role in producing historically significant laws, treaties, and appointments is inescapable. Examples include books by John Coleman (1996) and John Gerring (1998) on political parties, Robert Lieberman (1998) on race and public policy, Scott James (2000) on the history of regulation, and Daniel Carpenter on innovation in the Executive Branch (2001). Of these, Carpenter's provides the richest and most supple treatment of how the creation and mobilization of constituencies, in this case by federal agencies, shaped and advanced legislative action.
- 3 Whittington believes that the lack of a conversation is partially attributed to the positive theory of institutions revolution that took place within the Congress subfield that did not engage with historical institutionalism. See Whittington 1999.
- 4 Of course there is a great deal of work in the Congress subfield that addresses issues of political development in the United States that falls outside the usual ambit of APD. This work would include seminal studies about institutional development in the U.S. Congress. See Polsby 1968; Cooper and Brady 1981a; Stewart 1989. But this body of scholarship has not meshed with the primary analytical, conceptual, and normative issues that have driven the APD subfield. Problems of linkage and translation also are present in the way recent congressional scholarship has turned to history as source of data to test hypotheses first generated by studies of the recent past rather than to use such material to explore the issues on APD's core agenda.
- 5 Mayhew 1966, 1991; Brady 1988; Arnold 1990; Stewart 1989.
- 6 Bessette 1994, Mayhew 2000.
- 7 Jacobs, Novak, and Zelizer 2003; Orren and Skowronek 2002, 2004; Pierson and Skocpol 2002. This distinctiveness has been reinforced over the past two decades by a rich network of journals, conferences, and organizations that have helped APD form a specialized epistemic community inside the discipline.
- 8 Orren and Skowronek 2004, ix.
- 9 Skowronek 1982; Bensel 1990, 2000; Ritter 1997; Sanders 1999; Plotke 1996; King 1995; Smith 1997; Kryder 2000; Valelly 2004; Tichenor 2002; Zolberg and Benda 2001; Zolberg 2006; Gottschalk 2000; Hacker 2002; Skocpol 1996; Bridges 1997; Hattam 1993; Skowronek 1993; Schickler 2001; Carpenter 2001; Greenstone 1993; Eisenach 1994.
- 10 Nettl 1968.
- 11 Hartz 1955.
- 12 Tilly, 1975; Evans, Rueschemeyer, and Skocpol 1985.
- 13 Skocpol 1992; Pierson 1994; Lieberman 2002; Orren and Skowronek 2002; Pierson 2000; Katznelson 1997; Pierson and Skocpol 2002; Katznelson 2003; Katznelson and Weingast 2005.
- 14 Jacobs, Novak, and Zelizer 2003.
- 15 Binder 1997; Bates et al. 1998; Schickler 2001; Carpenter 2001.
- 16 Bensel 2004; Hattam 2004; Orren and Skowronek 2004; Kryder 2004; Katznelson and Shefter 2002; Katznelson and Weingast 2005.
- 17 Examples of these assumptions include a unidimensional policy space for theoretical work. Quantitative analysis of roll call votes assumes away selection bias, but perhaps the decision to record a vote is endogenous.
- 18 Polsby and Schickler 2002.
- 19 An oblique measure of this scholarly success is an incipient rebellion by students of the other branches of the federal government who would like more emphasis placed elsewhere. See Carpenter and Whittington 2003. The sheer number of articles and books has become so massive and its influence on legislatures as political institutions so dominant that it has tended to overwhelm more comparative work on political representation in liberal democracies. See Mezey 1993; Gamm and Huber 2002.
- 20 A marriage between studies of Congress and APD, we hasten to add, will not, indeed should not, produce scholarship that looks just like other work on legislative behavior and lawmaking. There is nothing inherently objectionable about this division, for without such distinct intellectual networks it is hard to see how a discipline as diverse as political science can progress.

- 21 The Congress literature over the last two decades (work associated with the positive theory of institutions genre) has focused almost exclusively on the effect of institutions on individual behavior. Rules and institutions are usually treated as exogenous constraints.
- 22 Mayhew 1974.
- 23 A key component of this literature explores how the rules of the game (primarily members of Congress must stand for re-election, in a winner takes all system, with somewhat weak political parties) induce political preferences. Interestingly, APD scholars like those in mainstream congressional studies are fascinated by induced preferences because they imply a specificity of historical situation, and thus must be located in time and place. For a discussion that distinguishes imputed, caused, and induced preferences in essays written by historical institutionalists and rational choice institutionalists, see Katznelson and Weingast 2005.
- 24 Stewart 1989; Binder 1997; Jenkins 1999.
- 25 Mayhew 1966, 3–4.
- 26 Krehbiel 1998; Poole and Rosenthal 1997; Cox and McCubbins 2005.
- 27 Krehbiel argues that although political parties are important, they are an unnecessary element for studying lawmaking because they are not “outcome consequential.” See Krehbiel 1998, 228. His work maps preferences of individual members of Congress into a one dimensional policy space, showing how party provides little, if any, explanatory power for understanding the policy process. Krehbiel has remained silent on whether party might matter in other areas, including elections (e.g., mobilization efforts) as well as serving as an agenda setter.
- 28 Mayhew 1966.
- 29 Nearly a quarter of a century after publishing his first book, Mayhew has reintroduced the importance of historical context into the study of policy making in *America's Congress* which systematically records the actions of Members of Congress in the “public sphere” over a two hundred year period (1789–1994; 1st to 103rd Congresses).
- 30 Recent attention with congressional studies has been given to the interplay between Congress and the President in crafting policy. See Cameron 2000 and Krehbiel 1998, but see Chamberlain 1946 for a historical analysis.
- 31 In turn, APD does not seem terribly attractive to most scholars of Congress. Its penchant for macroscopic analysis, tendency to privilege structural over agency-centered explanations, and its small-N research designs make it appear insufficiently scientific or rigorous to scholars schooled in large-N behavioral studies or tightly deductive model-building. To the extent they gain familiarity with APD, mainstream scholars often see eclectic approaches difficult to falsify and motivated less by a cumulative program than by substantively important issues studied one by one. Although this is hardly a fair account of APD or the larger school of Historical Institutionalism of which it is a part, these are issues that concern its own practitioners. See Pierson 1993, Thelen 1999, Immergut 1998.
- 32 Key, 1955; Burnham 1970.
- 33 Collier and Collier 1991; Mayhew 2002; Orren and Skowronek 1994; Shefter 1977; Pierson 2004; Skowronek 1993; James 2000; Hacker 2002; Katznelson 1981; Weir 1992; Finegold and Skocpol 1995; Pierson 1993.
- 34 Clubb, Flanigan, and Zingale 1980.
- 35 Brady 1988; Erikson, Mackuen, and Stimson 2002; Mayhew 2002; Cox and McCubbins 2005.
- 36 Schickler 2001.
- 37 Binder 1996; Rohde 1991; Cox and McCubbins 1993; 2005.
- 38 The dependent variable is not the same across all these studies, nor is the time period examined. Binder, for example, focuses on rules changes that explicitly privilege or harm minority rights across the period of 1789–1994. In contrast, Schickler studies rules changes that are strictly partisan in nature (which is larger than the subset of changes examined by Binder) and focuses on the period from 1867–1998. The periods examined are important as the dynamics of rules change in the antebellum period was quite different from later changes (during the antebellum period the internal structure of Congress was far less developed, modern mass political parties did not exist for a large portion of the period, and the Presidency as an institution was still being defined). With its rich historical orientation, APD is well-suited to add such particularity and specificity to Congress-related work.
- 39 Gary Cox and Mathew McCubbins (2005) argue that the Reeds Rules (pre and post) divide the House of Representatives into two regimes. In the pre-Reed Rules House, political parties did not have agenda control over policy and thus were not effective. In the post-Reed era (51st, 53d-present Congresses), political parties have had near complete control over policy making, thus effectively shutting out minority parties from power.
- 40 Sanders 1999, 148.
- 41 Hartz 1955.
- 42 Hartz 1955, 10–11.
- 43 Greenstone 1993, 42, 45.
- 44 Smith 1993, 1997.
- 45 Smith 1993, 558.

- 46 King and Smith 2005. King and Smith make the case that studying Congress using this framework would be a very useful exercise.
- 47 Poole and Rosenthal argue that their evidence “suggests a marginal role for (at most) a second dimension—and a weak one at that”. See Poole and Rosenthal 1997, 53. Nonetheless, they understand the importance of the second dimension for some issues and moments in history. This is shown through the fact that they call the two dimensional their preferred model because the second dimension occasionally is quite important for predicting roll call votes.
- 48 Heckman and Snyder 1997, 160.
- 49 It is possible to read Poole and Rosenthal’s results as lending support to King and Smith’s work on racial hierarchies, but such is not the case. Poole and Rosenthal find a lack of the presence of race (at least in the second dimension) during the period from turn of the century to the New Deal. They write, “After the turn of the century, there is no consistent pattern on the second dimension in either the House or the Senate until after WWII, when civil-rights issues split the Democratic party and created the three-party system we discussed above” (48). In other words, as the Jim Crow South was being constructed, Poole and Rosenthal find no evidence in that behavior in Congress helped support this profound development. By contrast, both King and Smith suggest a more continuous presence of white supremacy with some progress being made to chip away at this racial order in particular key moments.
- 50 Mayhew 1966; Clausen 1973; Lowi 1964.
- 51 Manin 1997; Przeworski, Stokes, and Manin 1999.
- 52 Skowronek 1982, 3.
- 53 d’Entrevés 1967; Poggi 1978; Tilly 1975; Skocpol 1979.
- 54 Bensel 1990; for a discussion, see Katznelson 2002.
- 55 Brewer 1989; North and Weingast 1989.
- 56 Anderson 1974, 17.
- 57 Tilly 1975, 22.
- 58 Moore 1966.
- 59 Downing 1992, 9; Ertman 1997, 6; Levi 1988.
- 60 Blockmans 1998.
- 61 Finer 1997, 6; Morgan 1988.
- 62 Braddick 2000, Hoppitt 2000.
- 63 Brewer 1989, xix, xx.
- 64 Bensel 1984: 172.
- 65 This preference, of course, has not been uniform across region in light of the particular kind of one-party electoral connection enjoyed during the Jim Crow years by southern Democrats.
- 66 Bensel 1984, 172.
- 67 Shepsle and Weingast 1987; Krehbiel 1991; Adler and Lapinski 1997; Adler 2002.
- 68 Skocpol 1992, 58.
- 69 Pierson 1993, 627.
- 70 Ibid., 628.
- 71 Lowi 1964, 688.
- 72 Carpenter’s consideration of specific policy domains opens the door to just such a research program. See Carpenter 2001.
- 73 An example is Keith Krehbiel’s pivotal politics model. The likelihood a given policy will pass into law is dependent upon the politics of the specific issue area because each policy area possesses a unique status quo (or reversion point) and it is this location in policy space that determines whether we observe new legislation becoming a public statute. See Krehbiel 1998. Other important work deals with how and when Congress grants bureaucracies broad discretionary authority. See Epstein and O’Halloran 1999; Huber and Shipan 2002. This relates to policy feedback as broad discretionary powers allow the bureaucracy to change policy, and thus alter the status quo.
- 74 Baumgartner and Jones 1993, 2005.
- 75 Clausen 1973, 8; also see Clausen and Cheney 1970.
- 76 Lowi 1964, 1970, 1972.
- 77 Key 1955; Brady 1978; Cooper and Brady 1981a, b; Brady and Stewart 1982; Brady and Sinclair 1984; Brady 1988.
- 78 Clausen 1967, 1973; Clausen and Cheney 1970; Sinclair 1978. Clausen later extended his coding to cover the years of 1969–70 to remove “doubt [of] the validity of projecting behavior patterns observed in the past onto the present”. See Clausen 1973, 5.
- 79 Sinclair 1978.
- 80 Katznelson, Geiger, and Kryder 1993; Poole and Rosenthal 1997, 111. There are, of course, other extant approaches to coding. These, however, tend to err on the other side, projecting long, often very long, inductive lists. As an important instance, the remarkable personal effort to code every roll call vote between the 1st and 98th Congresses by Keith Poole for his joint work with Howard Rosenthal arranges them by utilizing an extensive but unsorted inventory of policies. This approach yields such anomalies as categories for World War I and the Korean War but not for World War II, and an oddly non-equivalent set of classifications, placing ‘Mediterranean pirates,’ ‘slavery,’ and ‘public works’ on the same scale. See Poole and Rosenthal 1997, 259–262. The problem with such inductive lists developed in an *ad hoc* manner is that they have neither an implicit nor an explicit theoretical rationale and, thus, when applied over time, manifest a certain lumpiness in their categories and unevenness in analysis. Another impressive research program that falls under the inductive list approach is the Policy Agendas

Project by Frank Baumgartner and Bryan Jones. The design they adopt is two-tiered, marked by 19 major topics and 225 subtopics. This codification was developed inductively by first working on congressional hearings, and has been designed specifically (and, given its historically-specific character, exclusively) for the post-1946 legislative environment. See Baumgartner, Jones and MacLeod 1998; see also Baumgartner and Jones 1993. So even this fine project replicates a rather common feature of congressional coding schemes: restriction of substantive categorization to categories based on the substance of discussion, debate, and legislation at particular historical periods, and, in consequence, a lack of portability across the full swath of American political history.

- 81 A key aspect of this approach has been our refusal to follow the conventions that force policy substance into a single level of aggregation or choose between deduction and induction in shaping classifications. Sometimes, it makes sense for scholars to classify by coding at a very concrete and specific level, then move up a ladder of generality by combining these categories or, alternatively, by starting with large categories and then move down the ladder toward more particularity and historical specificity. For these reasons, our approach appears in tiers. The first, with only four categories, seeks to capture basic features of state policy found in all modern states and adjudicated by legislatures in all representative democracies. The third, with sixty-nine categories, is intended to be an inclusive set of 'experience-near' classifications at a comparable level of analysis that contain the full range of policies in American history. As a hinge between these there is a fourteen category middle tier that acts as a buckle connecting the deductive and analytical first tier with the inductive and descriptive third. It is both a specification of the theory underneath the coding at the first level and a more summative statement of policy activity than the third. For a summary, see Katznelson and Lapinski 2006.
- 82 Lowi 1964, 688.
- 83 Fenno 1978, 2003; Mayhew 1974; 2000.
- 84 An important work along such lines, on whose shoulders we wish to stand, is Arnold's 1990 effort to show how members conduct a cost/benefit analysis of each policy on the agenda, one at a time on a case by case basis in terms of how support or opposition might impact electoral probabilities. Fusing Mayhew's electoral connection to the idea that substance matters, Arnold identified a key causal mechanism that determines member of Congress support or opposition for particular policies within Congress. In so doing, Arnold also built on Fenno's

insight that the preferences of members of Congress are complex, serve multiple constituencies and place different weights on personal ideology, party pressure, and constituent opinion. See Fenno 1978, 2003. These preferences are important for Arnold's story, as he uses them to answer such questions as why Congress enacts the policies that it does; the conditions under which Congress approves proposals that serve organized interests or that deliver narrowly targeted geographic benefits; and the conditions that shape when Congress breaks free of parochial concerns to enact bills that serve more diffuse or general interests. These are just the right kinds of questions to be asking to advance links between systematic studies of Congress and the concerns of APD via the substance of representation. But it is possible and desirable, we believe, to push harder and farther in theorizing about how policy content does or might matter. Arnold's case by case analysis does not expect to observe similar costs and benefits for policies like agricultural subsidies that cluster together in the same policy issue area (costs and benefits, he argues, associated with specific policies such as dairy subsidies, may differ significantly from other agricultural commodity subsidies such as sugar). See Arnold 1990, 123–128. Focusing on policies concerned with taxation, the economy, and energy, he shows how particular components of a given bill matter to his theory, rather than the wider area of substance within which they are placed. We suggest that it also makes sense to explore, at a slightly higher level of abstraction, how the issue topic at hand may matter in such broader fashion both at a particular historical moment and across time.

- 85 Many of the features characteristic of mainstream studies of congress that helped induce APD to keep its distance in the past—including the absence or flattening of history and the 'inside baseball' qualities of work on details of the legislative process whose larger purposes often can seem obscure—are a good deal less prominent today than even a short time ago. Moreover, the effort to emplace the substance of representation at the center both of APD and legislative studies can draw from relevant advances that have been made to specify mechanisms of lawmaking by congressional scholars who have become increasingly interested in policy outcomes. See Clinton and Lapinski 2005a and b; Cox and McCubbins 2005; Adler and Lapinski 2006.

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