

# The Center Page

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## Toward a Social Theory of Congress

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What is the role of norms in congressional behavior? Seminal works in congressional studies, such as Matthews (1960) and Fenno (1966), examined how norms become institutionalized in Congress, setting the terms of behavior considered appropriate among lawmakers. Intermittent work over the next three decades applied a rational choice and game theoretic approach to this conceptualization of norms, examining norm adherence or rejection as a strategic choice entailing costs and benefits (e.g., Coleman 1990, March and Olsen 1989, Sinclair 1989, Weingast 1979). However, as institutions, the roles of parties, and distributive politics have occupied congressional scholars, relatively little recent attention has been given to congressional norms. Writing in 1995, Heinz Eulau stated, “The systematic study of norms is one of the more neglected areas of research” in legislative studies (Eulau 1995, 585). This statement remains true today. I argue that it is time to bring norms back in to the study of Congress.

Simply stated, the theory I am putting forward is that norms have both a causal and a constitutive effect on congressional behavior. On the one hand, if we examine norms as institutions, we can see how they act as constraints on a rational lawmaker’s decision making, akin to other material constraints such as electoral imperatives or the strategic requirements of obtaining power in Congress and achieving policy goals. On the other hand, norms have an ideational basis in which shared ideas shape lawmaker identities, preferences, and actions. In this sense, norms are not simply an additional causal variable that explains congressional behavior. They are constitutive of the very idea of what it is to be a lawmaker and the behaviors considered appropriate as a member of Congress. In Congress itself two major normative contexts have dominated the period since World War II: a normative context of cooperation and a context of conflict. Understanding the material and ideational aspects of both cooperation and conflict provides insight into both the rational and strategic grounds of such behavior as well as the overall ideational

context from which preferences originate and norms of appropriate behavior are formed.

In proposing a social theory of Congress, I am explicitly adopting and applying concepts and language of constructivism in international relations to the field of congressional studies. It is curious that this discussion has not occurred before now, irrespective of whatever merits or shortcomings it will be found to have. Virtually every field in the social sciences and the humanities over the past half-century has undertaken some form of “postmodern turn.” Within political science itself, the fields of international relations, comparative politics, political theory, and American political development have each had productive even if contentious debates regarding the material and ideational determinants of political behavior and outcomes. Meanwhile, although Americanists are no strangers to protests over the dominance of behavioralism, congressional studies, amidst a tremendously productive period of data-driven and rational choice research, has all but tabled discussion of norms.

A social theory of Congress articulates how norms matter both materially and constitutively in congressional behavior. Shared ideas (e.g., a norm of cooperation) and material factors (e.g., electoral or institutional constraints) interact to create preferences. Preferences, in this regard, are social structures. Ideas are “constitutive” because they are shared among social actors and form the basis upon which identities and interests are formed and by which related rational, strategic, and consequentialist decision-making and action occurs. This is not to dismiss the role of parties, ideological conflict, or institutions in accounting for congressional behavior and policy outcomes. The rational choice framework upon which partisan theory is based is both theoretically productive and a necessary component of explaining the US Congress. I propose that a more robust theory of Congress includes both materialist and ideational approaches to norms and the origins of preferences in Congress. If, as Sarah Binder suggests, “history and norms become embedded into institutions and then come to shape lawmakers’ preferences and priorities,” the nature and effects—both causal and constitutive—of norms warrant additional study (Binder 2015, 7).

In my approach to this topic, I examine how ideas and identities shape norms of cooperation and conflict. Partisanship, in a social theory of Congress, is an identity and norms pertaining to the idea of partisanship manifest themselves in the behavior that members of Congress accept as appropriate. Rather than assuming norms exist a priori and function as one among many preferences in a rational choice framework, a social theory of Congress looks to how norms shape understandings of the nature of being a lawmaker and help constitute preferences themselves. Partisan teammanship, for example, has been understood a causal driver of congressional behavior where lawmakers seek strategic advantages of their party over another party (e.g., Lee 2009). In contrast, the approach argued

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here treats partisanship as constitutive—lawmakers are partisan because they share an idea of what it means to be partisan and what norms of behavior are appropriate to partisan identity. Partisan teamanship in a social theory of congress is a norm irrespective of strategic gains of partisan behavior. Therefore, while a partisan strategic material framework remains causally explanatory, partisanship is what lawmakers make of it.

Moving forward in this research, my focus will be to provide clearer definitions of key terminology, to identify empirical research strategies for interpreting norms, and to examine cases where norms play a constitutive role. For the latter, my initial focus is the filibuster, conference committees, and issues in US foreign policy. Finally, a social theory of Congress offers insights about change in congressional behavior. While the institutional and electoral barriers that drive partisan polarization seem stubbornly unalterable, if partisanship has an ideational component then changes in congressional norms offer hope for overcoming gridlock. ■

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