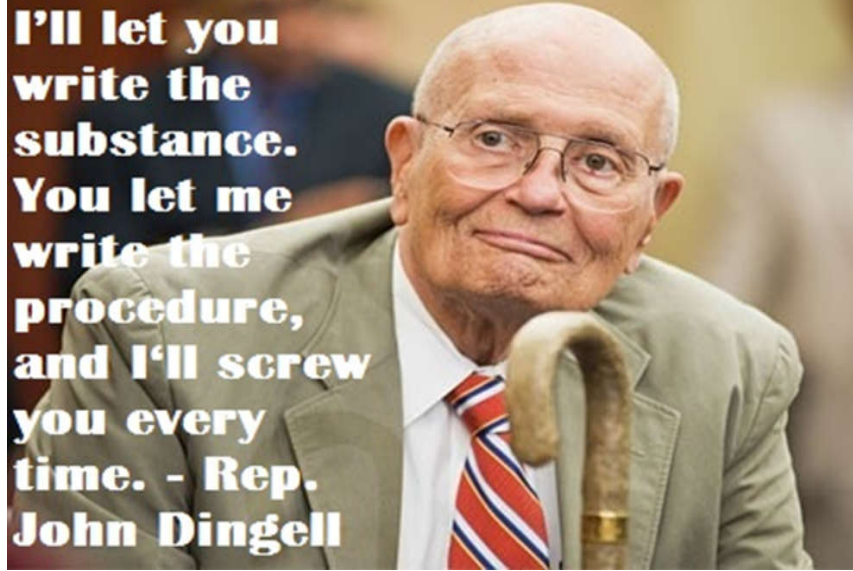


**I'll let you  
write the  
substance.  
You let me  
write the  
procedure,  
and I'll screw  
you every  
time. - Rep.  
John Dingell**



### **“Why Rules?”**

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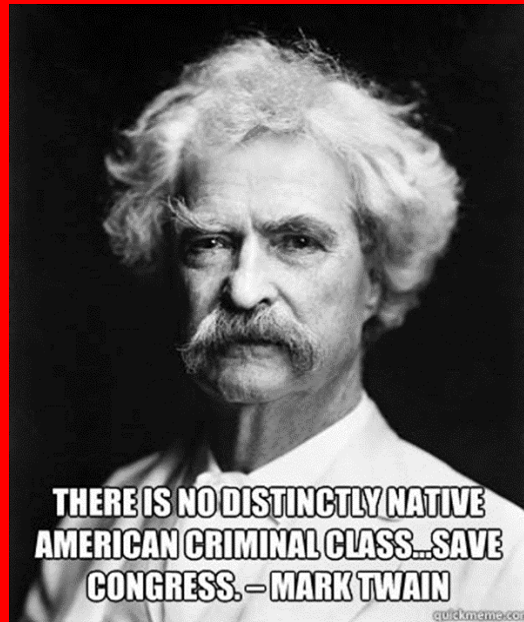
## Outline

### I. Introduction

### II. Why Rules?

- a. Cox (2000)
- b. Exogenous v. Endogenous
- c. Why Do Rules Matter?
- d. When Do They Matter?
- e. Effect of Them?

### III. Conclusion



## Exogenous v. Endogenous Rules

Exogenous Rules – Rules inherited by a legislative body that can not be altered by it. In the U.S. context, these are generally established by the Constitution.

Endogenous Rules – Rules that were established by the legislative body and can be altered by it.

As Cox (2000) notes, political scientists often treat rules as exogenous. From a modeling standpoint, doing so is simpler.

However, Riker (1980) posits that “[w]hen rules can be overturned by the very actors whose behavior is supposedly constrained by them, doubts are legitimately raised about how effective those rules can be.”

This point is contested by subsequent scholarship.



Above: In 1960, Senate Majority Leader Mike Mansfield (D-MT) persuaded Democrats supporting civil rights legislation to back off of an effort to decrease the cloture threshold. Unwilling to sacrifice incoming President John F. Kennedy's legislative agenda, he argued "we ought to face up to the realities of the situation and recognize that the Democratic President will have a program he will want to put through."

## Why Rules?

### Why Rules?

1. Protect minority rights
2. They can temper passions from factions—people are more likely to engage in violence if they feel cheated
3. Lawmaking is often dependent on continuity
4. Protect majorities from themselves
5. Help maintain faith in institutions

Below: "...it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power, are the forms and rules of proceeding..." – Thomas Jefferson Jefferson's *Manual of Parliamentary Practice*



Left: UGA WR Tyler Simmons being incorrectly called off-sides after blocking a punt in the 2018 National Championship Game against Alabama. How did this call make you feel at the time?

## When are Rules Likely to Matter?



### When?

1. Exogenous
2. They benefit majorities
  - a. But how do we define majorities?
3. The costs of changing them are high
  - a. Costs meaning the time and effort required. As well as any transaction costs.
  - b. Electoral costs? No.
4. Benefits of altering the rules are highly salient.

## What are the Effects of Rules?

Centralization: In the contemporary U.S. Congress, control over rules and procedural rights has been centralized to party leaders over the past thirty to forty years.

This has led to:

- (1) Proximate effects related to the distribution of staff and other resources.
- (2) Increased agenda control has allowed leadership to restrict policy choices that could be made.
- (3) Framing effects related to voting and omnibus lawmaking. These agenda control powers allow leaders to pack the content of bills so members can explain votes in a variety of different ways.

What impact – if any – has centralization had on accountability?



## Questions, Concerns, Angry Rants?



If so, please e-mail me!