



"Conclusion"  
 Prof. Anthony Madonna  
 POLS 4790H Spring 21  
 4/27/2020  
 University of Georgia

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### Course Updates (4/27/21)

#### MEMBER SPOTLIGHT SECTION

Returned (unless you e-mailed them). These were quite strong, though straight A's were fairly rare. Average in the upper 80s. High floor.

#### PROCESS SECTION

Through 10 of 60. Should be done Thursday.

#### LECTURES

Posted!

#### REMAINING MEETINGS

For the next few weeks...

#### E-MAILS & MEETINGS

Behind! Sorry, I will have these shortly.




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### Course Updates (4/27/21)



4/20/21  
 "House Rule Choice/House Rule Choice II"

4/22/21  
 "Congressional Negotiations"

4/26/21  
**Aftermath Section DUE!**

4/27/21  
 Tearful Goodbye

4/29/21  
**EXAM 2!**

5/7/21  
**Final Legislative History Due!**

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## Midterm Exam 2 – POLS 4790

**Midterm Exam #2** – The final class midterm is Thursday, April 29<sup>th</sup>. It is ***NOT*** cumulative, so feel free to forget all the things I taught you in the first half of this class.

For POLS 4790H, it will cover Marbury v. Madison, Game Trees, Clinton (1994); Ideological Scaling; Senate History and Development; Parties in Congress, Cooper and Brady (1981), Krehbiel (1995), Binder et al. (1999), Finocchiaro and Rohde; Congressional Staffing; House Rule Choice, Schickler and Rich (1997); Cox and McCubbins (1997); Senate Process and the Evolution of the Filibuster, Wawro and Schickler (2004), Madonna (2011); Congressional Negotiations, Binder and Lee (2013); Lincoln; and Using Legislative History Resources.

This exam is open book and open note. I'll be e-mailing a link to it to you at 9:30 am. You will have until 9:30 am on Friday, April 30<sup>th</sup> to complete it. Most of you will be able to finish it in under an hour. So you're welcome to take it at any time in that 24 hour window. The exam is being given through qualtrics.



## Aftermath Section

### AFTERMATH SECTION

For their legislative history project, students are required to complete an "Aftermath Section" that analyzes post-enactment events related to the enactment. This might include the law being amended by a subsequent piece of legislation, being altered by a series of Supreme Court decisions or its enforcement by the President and bureaucracy. The aftermath section is due on ***Monday, April 26th at 11 pm.***

You have been assigned a specific question or set of questions to focus on in your aftermath section in your prompt sheets. **PLEASE READ THESE!** So you shouldn't be following the exact aftermath section format from the "Writing a Legislative History" slides. Again, pull up your prompt sheet, find the number assigned to you (under Assignments) and locate that number on the aftermath questions section. Then answer those questions as best you can.

Median word count on this section from past classes was 850 and the average word count was 950. Median word count for an A was 1266 and the average word count for an A was 1638. The median number of citations was 5, the median number of citations for an A was 5. Does this mean you have to hit these numbers? Of course not, we had As that were much shorter and low grades that were much longer. But students have asked about length on these sections.

Students are strongly encouraged to consult [BioGuide](#), Historical Newspapers, [ovez](#), JSTOR and google scholar for additional information on this section. Please also consult the prompt sheet for suggested sources.



Above: Your Aftermath section will also be "inspired by real events," whatever the hell that means. It should also be good enough to earn "four stars" from Morning Star.

## Aftermath Section

### AFTERMATH SECTION: OVERVIEW AND STRUCTURE

A good example of an aftermath section can be found in the Anti-Drug Abuse Act case on the Congress Project website:

<https://www.thecongressproject.com/anti-drug-abuse-act-of-1986>

Questions to be answered in an Aftermath section: When did the President sign it into law? Did the papers quote the President's discussion of it?


Was the law amended by a subsequent law? Was it overturned in a later Supreme Court case? Bureaucratic rules?

How do contemporary scholars view the law? Was it effective? Citations from google scholar will help here.

Perhaps more so than any other section, the length of the Aftermath section will vary greatly depending on the enactment. As with the Background section, students should pay attention to any "Key Questions" that were provided with by the instructor. If there's something in the **Key Questions** the instructor suggests be address in the Aftermath section, please address it.



Above: Maryland basketball star Len Bias, whose death helped motivated the passage of the act.



Above: Senator Charles Mathias (R-MD) (above) informed Majority Leader Bob Dole (R-KS) he would filibuster the bill with a death penalty provision in it and he was "prepared to spend Christmas [in the Senate]" to do so.

### Aftermath Section

**AFTERMATH SECTION: STRUCTURE**

In the Anti-Drug Abuse Act case, the Aftermath section largely follows the questions detailed above. The first sentence notes when President Reagan signed the law. It's followed by newspaper coverage of the signing.

The following paragraph briefly detailed the passage of subsequent legislation amending the 1986 bill.

Finally, much of the Aftermath section focused on problems caused by the legislation, as identified by scholars and political observers. The idea here was to identify the positive or negative qualities the law is most known for.

In the case of the Anti-Drug Abuse Act, the most notable aspect of the law was the provision calling for "mandatory minimum sentences for possession of even smaller amounts of crack cocaine with the crack-to-powder ratio at 100 to one."

Finally, the Aftermath section concludes with contemporary events, highlighting its relevance. Specifically, it notes that: "Attempting to correct their severely flawed and racially biased legislation, Congress passed, and President Barack Obama signed into law the Fair Sentencing Act of 2010 (S. 1789; 111 PL 220). The New York Times reported that "Congress addressed the issue by passing the Fair Sentencing Act of 2010, which reduced the sentencing disparity to 18 to one."

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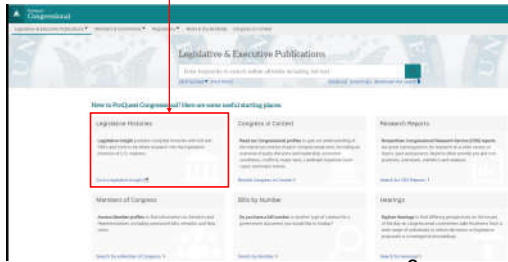
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### Additional Sources: ProQuest Congressional

2) ProQuest Congressional offers a wide-range of congressional documents from 1789 to present. It also includes fairly robust legislative histories that includes related bills, regulatory histories and assorted references. To find it, select "ProQuest Congressional" from "Articles and Databases" off of the University Library Website. Then select "Legislative Insight." A list of congresses will be on your left. Select your relevant Congress and find your bill.



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### General College Tips



- Study Abroad!
  - It's worth the money.
- Yes. You have to buy the book.
  - Or at least you should.
- Minimize debt.
  - If you don't need the credit card, don't take it.
- CURO.
  - Differentiate yourself if you are thinking about a postgraduate degree.
- Not every class you take has to be vocational.
  - And it may end up vocational.
- You get what you give
  - The value of your education depends more on your work than mine.
- Challenge yourself. It's harder after college.
  - It's easy to insulate here.
- Book "bucket list".
- Be careful with what you post online.
  - It will be taken out of context.
- Slow down.
  - It's ok to take a year.

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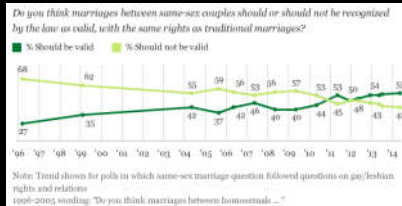
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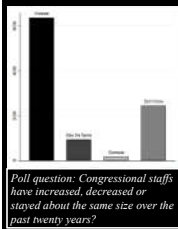
## 1. Effecting Policy



If you want to effect policy, you can't disengage after an election.

- This system was designed to frustrate policy-makers.
- The details of the lawmaking process ARE IMPORTANT.
- The trains running on time is also extremely important
- While the system is slow, it is responsive to public opinion.
- For example, politicians "evolving" on gay marriage

## 2. Reforming Congress



There is no silver bullet for Congress. "Reforming" it first requires consensus on what to do with it.

- Strengthen it? Or make it subservient to the executive? Benefits/costs of both approaches.
- Put any changes in the broader context of American separation of powers.
- Path dependency plays an explanatory role for many contemporary congressional institutions.
- Rules protect minorities, but they also provide majorities with coverage. Don't let them pass the buck.
- If you don't want to fund Congress, you need to accept the fact that interest groups and the other branches will step in.
- There is an enormous and important difference between ideological polarization and partisan polarization.


## 3. Understanding Policy

You need to pick your policy battles and understand status quos.

- Most people don't know what the current policy is, and oppose a change based on what they see in the bill.
- Some issues fire up voters despite being largely symbolic from a policy standpoint. People flock to conflict.
- Be **WARY** of "belt tightening"—it's often detrimental to future generations.
- Priorities are often more important than policies. Understand what Congress can do, what they might do and what they likely will do.
- Much like institutions, there's often a path dependent process for policies. Many influential policies today are the result of unintended consequences.



### Kansas and Status Quos



"Kansas looks at shuffling funds to close new budget gap," John Hanna, [The Kansas City Star](#), June 4, 2016

Kansas is looking at shuffling funds within state government to cover a projected short-term, \$45 million deficit before its current budget year ends on June 30, an aide to Republican Gov. Sam Brownback said Friday.

Spokeswoman Eileen Hawley said Brownback's budget staff may divert fees held in dozens of special funds by state agencies into the state's main bank account. Hawley said the governor doesn't expect to cut spending to close the gap — and doing so would be difficult anyway so close to the end of the fiscal year, with most agencies' funds already spent.

Tax collections fell \$74.5 million short of expectations in May, creating the deficit in the state general fund. It is the state's main bank account, financing about \$6.2 billion in spending on aid to public schools and general government programs during the current and next fiscal years.

Tax collections have failed to meet expectations 10 of the past 12 months and 22 of the past 30 months. Brownback has said he wants to examine the revenue-projecting process and announced Friday that Sam Williams of Wichita will lead the effort.

The state already has diverted funds from highway projects and cut higher education spending to balance the current budget. Last month, Shawn Sullivan, the governor's budget director, announced \$97 million in spending reductions for the fiscal year beginning July 1.

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### Equal Access Act

In 1983, conservatives got concerned about restrictions on prayer in schools. Accordingly, members of the House, working with President Reagan, introduced HR 5345. That bill provided protections for only religious groups that wanted to meet on high school premises. Critics asserted it was an "unconstitutional attempt" to bring religion into the classroom. HR 5345 did not receive a special rule for HR 5345 and tried to pass it via suspension in the House, which requires 2/3rds support. They fell 11 votes short.



However, a version of the bill was proposed as an amendment to S 1285, a bill that provided improvements to math and science education. Faced with a filibuster, the amendments sponsors—Senators Jeremiah Denton (R-AL) and Mark Hatfield (R-OR) opted to modify the measure. This modification was a compromise that provided protections for all "student groups." The Senate then substituted S 1285 for HR 1310—which had already passed the House. The House then adopted Hres 554 (introduced on page 20682, passed on page 20932) via suspension on a voice vote (so no PQ motion on the rule), which made it in order to offer two motions to suspend the rules to concur in Senate amendments to HR 1310. Those motions to concur were agreed to via roll call on pages 20951 and 20956. The bill was then signed into law.

Interestingly, that modification would prove to be particularly important. While the original intent of the bill was to protect religious groups, the Equal Access Act is probably most known for providing protections for LGBT student groups. These groups sued high schools in the 90s and early 2000's when they were barred from meeting on campus under that act.

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### 4. Information

Understand the source of your information and evaluate it critically.



- Different sources have different goals, motivations and publishing processes. These result in different types of work.
- Always be wary of statistics and information that isn't sourced. Be wary of straw men.
- Framing is important. Look out for it.
- Be on the look out for statistical tricks. "As much as," "nearly," "100%" increase.
- Ask yourself: Does the information being presented match the broader theoretical point? Does the information necessitate the recommended policy remedy? Is that remedy even possible?

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## Ideologies and Parties

— President Donald Trump is a Republican. But often, and more so than any president in memory, he lacks a consistent political ideology. During the campaign, Trump took five different positions on abortion in three days. On other issues, his policy preferences have been clear as mud:



"I don't want to have guns in classrooms, although in some cases, teachers should have guns in classrooms, frankly," he told Fox News in 2016. He's quick to engage in public feuds with members of his own party. He's willing to rebuke his own attorney general, and has shown willingness to work with Democratic leaders Nancy Pelosi and Chuck Schumer on legislation to protect undocumented immigrants who came to the country as children.

And that makes this period of history extremely interesting for political scientists and psychologists to study. "We've never had a federal elected official, let alone the leader of a party or the president of the United States, who is so easily moved from one position to another without offering any sort of justification or apology or explanation," Michael Barber, a political scientist at Brigham Young University, says.

Researchers like him have long tried to understand the power of leaders and the willingness of the public to hold them accountable. And rarely do they get a real-life experiment like Trump to help them answer some huge questions at the heart of democracy: How much power do presidents have in swaying public opinion? Will the base always follow even if a president swings wildly from one position to another?

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## Ideologies and Parties



In January, Barber and his BYU colleague Jeremy Pope designed an experiment to take advantage of that fact. They wondered: Are Trump's supporters ideological, or will they follow him wherever his policy whims go? Right after Trump's inauguration, they ran an online experiment with 1,300 Republicans.

The study was pretty simple. Participants were asked to rate whether they supported or opposed policies like a higher minimum wage, the nuclear agreement with Iran, restrictions on abortion access, background checks for gun owners, and so on. These are the types of issues conservatives and liberals tend to be sharply divided on. Barber and Pope wondered: Would Republicans be more likely to endorse a liberal policy if they were told Donald Trump supported it?

[An experimental group was given policy questions and] were told Trump supported a liberal position. The control group of the experiment saw [policy] question[s] that] didn't mention Trump. And another arm of the experiments tested what happened when Trump was said to support conservative policies.

The answer: "On average, across all of the questions that we asked, when presented with a liberal policy, Republicans became about 15 percentage points more likely to support that liberal policy" when they were told Trump supported it, Pope says. (Past experiments with liberal participants have found a similar effect: Liberals are more likely to support conservative policies when told their leaders support conservative policies.)

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## 5. Evaluating Politicians

Understand how politicians operate within this system.

- "Acceptable bullshit" caused by primaries, public opinion...
- Overpromising is rational
- Everyone is a hypocrite on rules, federalism, etc.
- Legislation is COMPLICATED. Bills will be long and compromises are necessary. Nobody gets everything that they want and most bills will have some negative consequences.



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## Apathy and Ignorance are Rational

### The Washington Post

Only 36 percent of Americans can actually name the three branches of government the Constitution created.

Only 38 percent of Americans knew the Republican Party controls the U.S. House of Representatives, while 17 percent think Democrats are still in charge. The number of people who knew Republicans were in charge has dropped 17 percent since the last time [the pollster] asked, back in 2011, right after Republicans reclaimed control.

An identical number, 38 percent, know Democrats run the Senate, while 20 percent believe Republicans control the upper chamber. Only 27 percent knew it takes a two-thirds majority of the House and Senate to override a presidential veto.



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## Overpromising is Rational

— Presidents consistently overpromise and underdeliver. What they need to say to get elected far outpaces what they can actually do in office. President Obama is a perfect example. His 2008 campaign didn't just promise health-care reform, a stimulus bill, and financial regulation. It also promised a cap-and-trade bill to limit carbon emissions, comprehensive immigration reform, gun control, and much more. His presidency, he said, would be change American could believe in. But it's clear now that much of the change he promised isn't going to happen — in large part because he doesn't have the power to make it happen.



You would think voters in general and professional media pundits in particular would, by now, be wise to this pattern. But they're not. Each disappointment wounds anew. Each unchecked item on the to-do list is a surprise. Belief in the presidency seems to be entirely robust to the inability of any particular president to make good on their promises. And so the criticism is always the same: why can't the president be more like the Green Lantern?

According to Brendan Nyhan, the Dartmouth political scientist who coined the term, the Green Lantern Theory of the Presidency is "the belief that the president can achieve any political or policy objective if only he tries hard enough or uses the right tactics." In other words, the American president is functionally all-powerful, and whenever he can't get something done, it's because he's not trying hard enough, or not trying smart enough.

Nyhan further separates it into two variants: "the Reagan version of the Green Lantern Theory and the LBJ version of the Green Lantern Theory." The Reagan version, he says, holds that "if you only communicate well enough the public will rally to your side." The LBJ version says that "if the president only tried harder to win over congress they would vote through his legislative agenda." In both cases, Nyhan argues, "we've been sold a false bill of goods."

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## 6. No Heroes



There can be no heroes in Congress or American politics.

- Ok...Especially in Congress
- Money and the amount of attention given to campaigns ensure that.
- Put quotes in context—but be careful...
- Corrupt dirtbags are underrated. "What can this corrupt dirtbag do for me?"
- Resist the urge to group them all together. Everyone is flawed, but some flaws are substantially worse.
- Be wary of "great men and women" and individual-centric solutions.
- Elections are ugly. Stay away from the personal and focus on the substantive.

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## “Great Men”

“The Founders” couldn’t foresee everything and were rarely in agreement.

“I shall continue to believe that ‘great men’ are a lie and that there is very little difference in that superstition which leads us to believe in what the world calls ‘great men’ and in that which leads us to believe in witches and conjurers.” – Benjamin Rush, to John Adams



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## 7. Politics is Complicated

Politics is complicated. So you can—and should—defer sometimes, but challenge yourself too.

- Get out of the echo chamber, it makes you soft
- Understand that opinion leaders have differing motivations (often financial)
- You don’t have to have an opinion on everything. And it is ok to be wrong.
- Not every issue needs to be part of something bigger. Sometimes “shit happens”
- At the same point, tragedies are often the result of politics. Expect policy debates after them



*“Politics is more complicated than physics.” – Albert Einstein*



*“Shit Happens.” – Abraham Lincoln*

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## Social Media and Echo Chambers



“Social Media Deepens Partisan Divides. But Not Always,” Claire Cain Miller, [New York Times](#), November 20, 2014

If there seems to be an unbridgeable gulf between conservatives and liberals in the United States, social networking sites might be partly to blame, according to a new study.

Social media like Twitter and Facebook can create an echo chamber in which people are exposed only to opinions in line with their own, according to the study, which analyzed Twitter usage during the 2012 election. Both conservatives and liberals were disproportionately exposed to like-minded information, and like-minded tweets reached them much more quickly than those from people who disagreed with them.

This effect matters because people increasingly rely on social media as a main source of news, and services like Twitter and Facebook are more aggressively filtering and shaping what people see based on their interests.

“Two users of Twitter might be exposed to very different content based on which accounts they choose to follow, while two people reading the local newspaper might read different stories but at the end of the day it’s the same content they’re exposed to,” said Brian Knight, an economist at Brown University who co-authored the paper with Yosh Halberstam, an economist at the University of Toronto.

Overall, the Internet has not turned out to be the echo chamber that many people feared it might be, as my colleague Brendan Nyhan has written about in *The Upshot*. Social scientists have discovered that even though the Internet has vastly expanded the range of publications people can read and the ease with which they can find them, most still tend to read a variety of centrist viewpoints.

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## 8. Engagement and Jobs



Political engagement isn't "all or nothing" and entry political jobs are often tedious.

Politics is complicated, but accessible. Engage it: volunteer for a campaign, get into a debate/discussion about an issue that's important to you, watch a political program read a useful book, get a political job.



Networking sucks for everyone, but it's necessary. Keep your internship connection (this takes work). Be prepared for long hours and poor pay early. Also, success comes from playing the long game. Don't get discouraged.

Do menial tasks well. And don't discount local politics.

Jobs are great. But—If a superior asks you to do something you don't want to do—GET OUT.

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## Conclusion



Questions?

Thanks for a great class. When we're back on campus, please swing on by to introduce yourself! I'll be in my zoom room all week as well. Don't hesitate to use me as a reference if needed.

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## Questions, Concerns, Angry Rants?



Don't hesitate to e-mail me.

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