

Box 3.6

Examples of congressional caucuses

Blue Dog Coalition

- A group of mainly southern House Democrats who are fiscally conservative
- Formed 1995 in the wake of significant Republican gains
- Gives a voice to conservative, moderate, centrist Democrats
- Influential in passing welfare reform (1995–96)
- From 37 members in 2003–04, had fallen to just 18 in 2017–18

Congressional Black Caucus

- Formed in 1971 exclusively for African-American members of both houses
- Originally had 13 members
- In 2017–18 had 47 members — 2 Senate Democrats, 44 House Democrats, 1 House Republican (Mia Love, Utah)
- Although it claims to be bipartisan, only five black Republicans have ever joined the CBC
- Currently Senator Tim Scott (R-SC) is not a member

Congressional Hispanic Caucus

- Formed in 1976 to support policies that benefit the Hispanic and Latino communities
- Began as a bipartisan group, but the Republican members left in the late 1990s and formed their own caucus — the Congressional Hispanic Conference

House Freedom Caucus

- Founded in 2015 as a group of around 40 conservative House Republicans
- Many also belong to the Republican Study Committee, a much larger conservative Republican caucus in the House with over 170 members
- Supports 'limited government, the Constitution and the rule of law, and policies that promote the liberty, safety and prosperity of all Americans'
- Closely allied with the Tea Party movement
- Members of the caucus were at the centre of the movement to force House Speaker John Boehner to resign in September 2015
- Paul Ryan announced his willingness to stand to replace Boehner as Speaker only after the Freedom Caucus officially endorsed him

The Tuesday Group

- A group of around 50 moderate House Republicans
- Founded in 1995 following the Republican takeover of the House and to counter-balance a large number of conservative Republicans who were newly elected to the House in the 1994 midterm elections
- Its predecessor was called the Wednesday Group, which was founded in the early 1960s
- Closely allied with another caucus — the Republican Mainstream Partnership — of moderate Republicans drawn from both chambers
- In 2007, the group set up its own political action committee (PAC) to help members improve their chances of re-election

Comparing Congress with the UK Parliament

Structural differences

The fundamental difference between a presidential and a parliamentary system is the relationship between the legislature and the executive. So the best way to understand the differences between the US Congress and the UK Parliament is to start with the geography of Washington and London.

- In Washington, the Capitol — the building that houses the Senate and the House of Representatives — and the White House are both imposing buildings that stand just over a mile apart on the same thoroughfare. The

White House is just 16 blocks down Pennsylvania Avenue from Capitol Hill. Commentators often refer to the president and Congress as being at 'both ends of the Avenue', although strictly speaking Pennsylvania Avenue stretches well to the east of the Capitol and well to the west of the White House.

- In London, the Palace of Westminster — a grand term if ever there was one — which houses the House of the Lords and the House of Commons, dominates the Westminster scenery. The prime minister's residence and office space at 10 Downing Street is no more than a fairly modest terraced house in a Whitehall cul-de-sac. What this tells us is that while in Washington Congress is an equal partner in a system of 'separated institutions sharing powers', in London Parliament dominates in a system based on the doctrine of parliamentary sovereignty.

There are therefore some fundamental structural differences between Congress and Parliament. Members of Congress are constitutionally prohibited from simultaneously holding office in the executive branch. Likewise, the president and vice president are selected independently of Congress for fixed terms of office and are removable by Congress only by impeachment. All other executive branch members, including the president's cabinet, are entirely separate from Congress. This means that the administration cannot fall because the president loses a vote in Congress. Even were the president to be impeached by the House and then found guilty by the Senate and removed from office, the vice president would automatically step up to replace him. This means that members of Congress from the president's party do not feel under any obligation necessarily to support the president's policies.

As Cal Jillson (2016) expresses it:

Because the separation of powers system is designed to uncouple the fate of executives and legislators, divided government is not just possible, it is common, [and] in the minds of many Americans, is not a bad thing. Rather it is just another way to separate, check and balance political power.

In contrast, in the UK 'the stability of the government hinges on the strength and cohesion of the majority party or coalition' (Jillson, 2016). The government can fall by a vote in the House of Commons. These are important structural differences between Washington and Westminster that account for many of the contrasts between Congress and Parliament.

Composition of Congress and Parliament

The composition of Congress and Parliament can be understood by seeing how the two institutions reflect the different cultural backgrounds of the two countries. Congress is very much a reflection of its federal system of government. Representation is based on the 50 states — in the Senate, by equal representation regardless of population; in the House, by representation proportional to each state's population. But every constituency bears the name of a state. In the Senate, Ben Sasse is the senator from Nebraska; in the House Adrian Smith is the member for the third district of Nebraska.

But in Parliament, MPs represent constituencies based mostly around the historic counties, cities and towns of the UK — with MPs, for example, representing South Suffolk, Birmingham Edgbaston, and Colchester. The Suffolk town of Ipswich, for example, has sent a representative to Parliament since 1386. Meanwhile, the House of Lords still reflects the culture of a nation that dates back centuries to a time when lords, barons, earls and

knights — and bishops of the Church of England — held considerable sway over vast swathes of the country, and when the hereditary principle, and the established church, were dominant. Thus Congress and Parliament still reflect the two significantly different cultures of the two nations.



Lincoln, the oldest constituency in the UK having been established in 1265, returned Karen Lee, Labour, as its MP in 2017

Powers and functions of Congress and Parliament

Legislation

In terms of their legislative powers, whereas the two houses in Congress enjoy equal power, in Parliament it is the House of Commons that dominates (see Table 3.13). Whereas in Congress both houses must agree on the final version of a bill before it is passed to the president for signing, in Parliament the House of Lords can propose amendments to legislation but in the end the Commons will usually get its way. And if needed, the House of Commons can use its power under the Parliament Act of 1949 to override the objections of the Lords.

Table 3.13 Legislative function of Congress and Parliament compared

Congress	Parliament
No government programme of legislation exists	A government programme of legislation dominates the agenda
Level of party discipline is lower	Higher levels of party discipline
Thousands of bills are introduced in any one session	A limited number of bills are introduced in any one session
Individual members introduce numerous pieces of legislation	Individual members introduce few pieces of legislation
Few of these bills are passed into law	Most bills are passed into law
Committee stage comes before the floor debate	Committee stage comes after the second reading
Standing committees are permanent and policy specialist	Standing committees are non-permanent and non-specialist
Bills are usually considered by both houses concurrently	Bills are considered by the two houses consecutively
The two chambers have equal powers	The lower chamber dominates
The president has a significant veto power	The royal assent is no longer withheld

Furthermore, because of the structural differences we have just outlined, Congress is a *real* legislature while Parliament is not. According to Philip Norton (1985), Parliament merely 'legitimises legislation'. Or to paraphrase Andrew Heywood (2002): legislation is passed *by* Congress, but it is merely passed *through* Parliament. In the view of the former clerk of the House of Commons Robert Rogers, bills in Parliament 'are not "draft legislation", they are what the government wants — the government's shopping list'. In Congress, the president's administration can afford no shopping lists, just wish lists. In Parliament, the Queen's speech — written for her by her government — states that 'My government will...'. In Congress, the president's State of the Union Address *asks* Congress if it would be good enough to *consider* his ideas.

Oversight

The differences between Congress and Parliament in their oversight of the executive branch are largely a consequence of the structural differences between the two systems of government. In the USA, Congress and the executive are entirely separate; in the UK, Parliament and the executive are intertwined. In the USA, the administration survives regardless of anything that does — or does not — occur in Congress. In the UK, the survival of the government usually depends on its maintaining the support of the House of Commons.

The extent of oversight is also affected by the structural differences between the two systems. So, for example, the fact that the Senate has oversight of all judicial and numerous executive appointments within the federal government gives Congress a reach in oversight quite unknown to the UK Parliament. Likewise, the Senate's power to ratify treaties gives another significant extension of its oversight powers that Parliament does not have. In addition, the House of Representatives' power to impeach any public official within the federal government, and the Senate's power to try such cases of impeachment, gives yet another arm of oversight unknown to Parliament. Congress also has more control over the budget than does Parliament.

Finally, Congress has the specific power to declare war, although this has not been used in over seven decades. In the UK, the power to commit armed troops to conflict abroad is one of the remaining royal prerogatives — that is, powers that are derived from the Crown rather than from Parliament. But under David Cameron's premiership, the power of Parliament in this area was significantly enhanced and it would now be politically very difficult for future governments to take any significant military action without prior specific approval from Parliament.

Table 3.14 Methods of oversight in Congress and Parliament compared

Congress	Parliament
Standing committee hearings	Question Time (including Prime Minister's Question Time)
Select committee hearings	Select committee hearings
Confirmation of appointments (Senate)	Liaison Committee hearings
Ratification of treaties (Senate)	Correspondence with ministers
Impeachment, trial, removal from office	Tabling of early day motions
	Policy debates
	Office of the Ombudsman
	Votes of no confidence

But not only do the structural differences between the two systems affect the extent of oversight; they also determine the different methods by which such oversight is conducted (see Table 3.14). Because of the strict separation of powers between the legislature and the executive, there can be no face-to-face oversight of the executive branch conducted on the floor of either the House or the Senate. There is, therefore, no congressional equivalent to Parliament's Question Time for the simple reason that there would be no executive members present to give the answers.

All such face-to-face oversight can take place only in the committee rooms of Congress. That is where executive branch officials are summoned to appear to answer questions of either standing or select committee members. But even then it is a tradition that presidents are not summoned to appear before congressional committees because they are not answerable to them. In a presidential system, the president is answerable directly to the people — those who elected him. Only three incumbent presidents have chosen to give evidence in person to a congressional committee (see Table 3.15), the last being President Gerald Ford on 17 October 1974.

Table 3.15 Incumbent presidents who have given testimony to congressional committees

President	Year	Committee	Subject of testimony
Abraham Lincoln	1862	House Judiciary Committee	Premature leak to the press of his State of the Union Address
Woodrow Wilson	1919	Senate Foreign Relations Committee*	Treaty of Versailles and the League of Nations
Gerald Ford	1974	Subcommittee on Criminal Justice, House Judiciary Committee	Reasons for his pardon of former president Richard Nixon

*Testimony taken at the White House

In Parliament, opportunities for oversight abound. These opportunities have been significantly strengthened and extended with the development of a robust select committee system over the past two decades. MPs also have quite a galaxy of oversight methods which they can use (see Table 3.14). But activity does not always equal effectiveness. Most observers conclude that Parliament is controlled by the government more than government is controlled and checked by Parliament.

Representation

When it comes to members of Congress and members of Parliament fulfilling their representative functions, then the rational choice approach helps us to understand the subtle differences between the two and to see the way self-interest goes some way to shaping the way legislators in the two systems fulfil their representational function.

Gaining re-election is obviously an important priority for any elected official — unless they hold on to their job, they will not be able to achieve any of their desired policy objectives. So who controls the electoral destiny of legislators in Washington and at Westminster? In Congress, constituents play a much more important role than party. Indeed, one could argue that party plays little or no role at all, other than providing a voting cue by virtue of the party label. It will be disgruntled constituents who might decide to back a challenger to the incumbent member of Congress in a congressional primary, as voters in Florida's third congressional district did in 2016 and thereby unseated 12-term Democrat Corrine Brown. But for members of the UK House of Commons, it is the party that performs the function of candidate selection. Before the 2015

general election, Conservative Party members in the South Suffolk constituency deselected their sitting MP Tim Yeo, who had represented the constituency for over 30 years. So whereas Brown was felled by her constituents, Yeo was felled by his party.

Legislators in both Congress and Parliament will also be mindful of the frequency with which they will face their constituents. This is another structural difference. Therefore members of the US House of Representatives who have to face their voters every two years will probably need to be more attentive to their constituents than members of the UK House of Commons or their Senate colleagues who respectively serve five- and six-year terms. In January 2010, the House Majority Whip James Clyburn criticised his colleagues in the Senate, saying that 'they tend to see themselves as a House of Lords and don't seem to understand that those of us who go out there every two years stay in touch with the American people, and we tend to respond to them a little better'.

Comparing each of the two houses

Both Congress and Parliament are bicameral. But one could say that this is about as far as the similarities go. Whereas Congress is composed of two mostly equal chambers — although, as we saw earlier, the upper house (the Senate) might be regarded as more powerful and prestigious — Parliament is dominated by the lower house, the House of Commons. Of course, this has not always been the case and until the passage of the 1911 Parliament Act both houses enjoyed equal power. Indeed, for roughly three-quarters of the nineteenth century, the prime minister was drawn from the House of Lords. But with the extension of the franchise in both countries through the nineteenth and early twentieth centuries, both nations had to face the issue of how much power it was still appropriate for an unelected second chamber to hold. The different ways in which they solved this problem tell us a good deal about the impact that a nation's culture — its shared beliefs and attitudes — can have on its government and politics.



In the UK system, Parliament is dominated by the House of Commons

The bicameral system under which the UK is governed today dates back to medieval times when knights representing the shires and boroughs — in the House of Commons — began to meet separately from the church hierarchy and nobles — in the House of Lords. The House of Lords was initially the more powerful house, but that changed after the Civil War and the country's 11 years without a monarch. After the hereditary House of Lords thwarted the will of the elected House of Commons over the 1909 budget, Asquith's Liberal government set about removing significant powers from the upper house by the 1911 Parliament Act. Three decades later, Attlee's Labour government went even further. The hereditary peers remained, but they lost a good deal of their power. A century later, 92 hereditary peers and 26 bishops of the Church of England still remain as members of the House of Lords.



The US Constitution begins with the words 'We the People'

But the USA dealt with the problem in the opposite way. Rather than having its powers stripped away, the indirectly elected Senate was given a directly elected mandate by the passage of the Seventeenth Amendment in 1913. The following year saw the first direct elections to the Senate. The solution was the one you would expect in a nation whose culture embraces the concept of popular sovereignty, and whose Constitution not only begins with the words 'We the People' but also contains a prohibition on 'titles of nobility'. A directly elected Senate and an appointed, and still partly hereditary, House of Lords provide one of the clearest illustrations of the different cultures of these two democracies.

Table 3.16 Comparing strengths and weaknesses of the lower chambers

US House of Representatives	UK House of Commons
<p>Strengths</p> <ul style="list-style-type: none"> ■ Has initiative power on all money bills ■ Draws up articles of impeachment ■ Power of standing committees ■ Strong constituency links because of two-year term 	<p>Strengths</p> <ul style="list-style-type: none"> ■ Powers ■ Presence of the executive ■ Power of backbenchers ■ Select committees ■ Prime Minister's Question Time
<p>Weaknesses</p> <ul style="list-style-type: none"> ■ Executive branch members can appear only in committees, not on the floor ■ President rarely if ever gives direct evidence ■ Shares legislative power with the Senate ■ Short election cycle ■ Gridlock, partisanship and possibility of divided government 	<p>Weaknesses</p> <ul style="list-style-type: none"> ■ Party strengths unreflective of votes at general election ■ 'Punch and Judy' politics, especially at Question Time ■ Overly dominated by the government ■ Unrepresentative in terms of gender ■ Strong parties can mean weak constituency representation

Table 3.17 Comparing strengths and weaknesses of the upper chambers

US Senate	UK House of Lords
<p>Strengths</p> <ul style="list-style-type: none"> ■ Exclusive power over confirmation of appointments ■ Exclusive power over treaty ratification ■ Sole power to try cases of impeachment ■ Regarded as recruitment pool for the presidency and vice presidency ■ Six-year terms ■ Equal power in legislation with the House 	<p>Strengths</p> <ul style="list-style-type: none"> ■ Membership is in some ways more representative of UK society ■ Expertise and experience of members ■ Lack of strict party discipline ■ Quality of debate ■ Members not subject to the whim of constituency pressures ■ Continuity
<p>Weaknesses</p> <ul style="list-style-type: none"> ■ Executive branch members can appear only in committees, not on the floor ■ President rarely if ever gives direct evidence ■ Shares legislative power with the House ■ Gridlock, partisanship and possibility of divided government 	<p>Weaknesses</p> <ul style="list-style-type: none"> ■ Lack of a democratic mandate ■ Has mostly only delaying powers regarding legislation ■ Seen as a chamber of political failures and retirees ■ Government often lacks a majority ■ Presence of Anglican bishops

Table 3.18 Comparing Congress and Parliament: similarities and differences

Similarities	Differences
Both are bicameral	Congress: both houses elected; Parliament: only one house elected
Different parties may control each house	Congress: two equal houses; Parliament: lower house dominates
President/prime minister's party may not control both houses	Congress: only two parties represented; Parliament: multiple parties, especially in the House of Commons
Both houses in both institutions have a role in passing legislation and in oversight of the executive	Congress: executive branch excluded; Parliament: executive branch included
Much work done away from the chambers in committees	Terms of office: 2 years in House of Representatives; 5 years in House Commons; 6 years in Senate; lifetime in House of Lords
Oversight function conducted by the standing committees in Congress and by the select committees of the House of Commons	Size of upper houses: Senate — 100; House of Lords — around 800 (lower house also significantly larger in UK)
All elections are on first-past-the-post system	Senate has oversight powers unknown to the House of Lords (e.g. confirmation of appointments)
	Each American has three representatives in Congress (two in the Senate, one in the House); each British person has only one representative in Parliament

When comparing the strengths and weaknesses of the respective lower and upper chambers (Tables 3.16 and 3.17), it is important to remember that some factors may be argued as being both potential strengths and weaknesses. For example, it is doubtless a strength of the Senate that it has the power to confirm numerous presidential appointments, but the partisan way that process often occurs is a weakness. It is doubtless a strength of the House of Commons that it can call the prime minister to account in person on a weekly basis, but the fact that Prime Minister's Question Time often descends into what could be described as 'Punch and Judy' politics is a weakness.

The Senate and the House of Lords have at least one element in common: each includes a significant number of former members of the lower house. But the reasons for the movement from the lower to the upper houses are quite different. In Congress, moving from the House to the Senate is a much-sought-after promotion. At each election cycle, a significant number of House members seek election to the Senate. Indeed, former House members make up around half the membership of the Senate. But in Parliament, movement from the Commons to the Lords indicates either political retirement or failure — or both. Most self-respecting MPs try to avoid it for as long as possible. The difference in status between the two chambers in their respective systems is shown by this curious statistic, that only once — in 1880 — was an incumbent member of the House of Representatives elected as president, and that's even longer ago than when the last peer served as UK prime minister.

It is often suggested that the office of the British prime minister has, over recent decades, been 'presidentialised'. This is a highly contentious claim that we will examine in the following chapter. But in one important respect, it would be possible to say that the UK Parliament has been 'congressionalised' by the introduction and development of a powerful set of department-related select committees in the House of Commons. In their oversight role, they have come to mirror in both expertise and political clout the standing committees of Congress.

So to conclude, Congress illustrates the dispersed power within the American political system. In Congress, power is dispersed between the two chambers and, within each chamber, among the multitudinous committees. Parliament, on the other hand, illustrates the concentration of authority within the British political system. As Malcolm Shaw (2013) concluded, 'Parliamentary authority is concentrated in one chamber, on one side of that chamber, on the front bench of that side, and to an increasing extent in one man [or woman] on that bench — the prime minister.'

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