

belonging to a community. But these allow the evolution of behaviors and the place for innovation.

*See also:* Collective Behavior, Sociology of; Collective Beliefs: Sociological Explanation; Compliance and Obedience: Legal; Control: Social; Influence: Social; Law: Anthropological Aspects; Law, Sociology of; Legitimacy, Sociology of; Norms; Status and Role, Social Psychology of; Status and Role: Structural Aspects; Values, Sociology of

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## Congress: United States

Among the world's national legislatures, the United States Congress stands out as far and away the most powerful. It is distinctive in its independence from the executive, its complex internal organization and procedure, and a capacity to develop its own legislative proposals.

Congress is composed of two chambers: a Senate, in which each state has two senators; and a House of Representatives, in which the number of representatives from each state is determined by population. There are 100 senators and 435 representatives. To become law, bills must be passed by both chambers and be signed by the president. Bills vetoed by the president can become law, provided two-thirds of

both the House and Senate vote to override; but that is rare. Senators are elected for 6-year terms, with a third of senate seats being filled every 2 years. Representatives are elected to 2-year terms, and all come up for re-election simultaneously.

### 1. Congressional Elections

Senators are elected at large from their states, while representatives are elected from single member districts (see *First Past the Post*, in *Politics*, and, by contrast, *Proportional Representation*. Also see *Apportionment: Political*). The 2-year terms of Representatives are the shortest term of any national legislature. The authors of the Constitution intended the House to be the 'people's' chamber, and meant to keep them on a short leash. The 2-year term does this most effectively. Members of the House are for practical purposes always running for reelection, and they must constantly pay attention to constituency concerns. Indeed, it is widely accepted that the desire of members to be reelected has a vast influence on congressional structure and policy making (Mayhew 1974, King 1997).

#### 1.1 Primary Elections

In nearly all places in the United States, party nominations of candidates for Congress are done by means of primary elections, not by party committees or conventions. In other words, the party organizations have almost nothing to do with who runs for Congress under their banner. This system provides members of Congress with a degree of freedom from their party not enjoyed by members of the European parliaments. Members of Congress who fail to follow their leaders are not subject to the ultimate sanction of being denied renomination by their party. Instead of being constrained to satisfy their party, members of Congress are most concerned about pleasing their constituents (see *Primary Elections*).

#### 1.2 Incumbency Advantage

Members of Congress enjoy a substantial 'incumbency advantage' that enables them to be reelected at high rates. Typically, 90 percent or more of House incumbents who seek re-election win. Senate incumbents are somewhat less successful, but still manage to be reelected with great regularity. Incumbency advantage stems from the greater name recognition that incumbents enjoy compared to challengers, from their ability to do favors for constituents, and, perhaps most importantly, from their superior ability to raise money to finance their campaign. Congressional campaigns have become extremely expensive in recent decades,

with the victorious House candidates spending on average \$664,000 in 1998, and victorious Senate candidates spending on average \$4.8 million (see *Political Money and Party Finance*). According to Jacobson, there is a self-fulfilling quality to the high reelection rate of congressional incumbents. The seeming invulnerability of incumbents, and the daunting challenge of raising the money necessary to mount an effective challenge, discourage many would-be challengers, leaving incumbents to face incompetent, underfunded challengers who have little or no chance of winning, thus further inflating re-election rates (Jacobson 1997).

## 2. Internal Organization

The United States Congress has a complex internal organization that has a great influence on how it translates the preferences of its members into legislation. Congressional organization is dominated by two partially competing institutions—committees and parties. Congress emerged more or less in its current, modern form at the end of the nineteenth century by means of a process of institutionalization (Polsby 1968). Boundaries were established as once rapid turnover declined; internal complexity developed as standing committees became more firmly established; and universalistic decision-making criteria developed as seniority took hold (see *Institutionalization*).

### 2.1 Committees

Both the House and the Senate have a set of standing committees with fixed legislative jurisdictions. Normally, all legislation, once introduced by a representative or senator, is referred to a committee with jurisdiction over its subject matter. All members of Congress are assigned to committees. Senators have three or four committee assignments, while representatives have one or two. The party organizations in Congress make assignments to committees, but generally members are placed on committees where they have some interest. Some committees have more important jurisdictions than others, and members naturally seek to be assigned to those committees. Seats on committees with jurisdiction over spending and taxation are among the most sought after, and the hardest to get.

Committees have great influence in shaping legislation and in determining what legislation will reach the floor—a bill is seldom considered by the entire House or Senate chamber unless it has been recommended favorably by the committee with jurisdiction. Committees do not have the power to force Congress to adopt legislation that its majority does not prefer, but they can block legislation a majority would favor, and thus they serve as an important veto point in the legislative process.

In both the House and the Senate, the chairperson of each committee is normally chosen according to a norm of seniority, whereby the member of the majority party with the longest continuous service on that committee is selected as its chairperson. The seniority norm is violated occasionally, especially when the majority party has just experienced a large influx of new members who have little commitment to seniority. This was the case in both 1975 and 1995, occasions on which the seniority norm was violated in three instances.

There is substantial debate among scholars about the consequences of delegating power to committees. One prevalent view holds that, because the members of a committee may not reflect the views of the entire chamber, they write legislation that advances their own interests, and not those of Congress as a whole. Another view holds that the chamber as a whole would not allow itself to be cheated in this way, and has tools to keep its committees in line and working for the benefit of the whole institution (see *Delegation of Power: Agency Theory*).

The committee system of Congress is commonly believed to strengthen Congress vis-à-vis the executive branch by encouraging its members to specialize. As issue specialists, members of Congress can better resist the executive branch, develop their own legislative proposals, and transform proposals submitted by the executive (Polsby 1975).

### 2.2 Party Organization

Nearly all members of Congress belong to the Democratic or Republican parties. Party is an extremely important aspect of congressional action, but political parties do not command the same degree of loyalty in Congress that they do in most other national legislatures. Party leaders in the House and Senate have a great deal of influence over the agenda, helping to determine what legislation will come to the floor, and when.

Recent party leaders have been motivated by varying conceptions of the leader's role. Newt Gingrich, Speaker of the House from 1995–8, saw it as his responsibility to articulate a vision for the Republican party, and he expected his party to follow him. This was an unusually expansive notion of congressional party leadership, and one which his party was not willing to support indefinitely. His replacement, Dennis Hastert, also a Republican, has returned to a more traditional leadership posture of seeking to identify a set of positions that unite his party, and endeavoring to pass bills that accomplish those purposes. Parties and their leaders sometimes try to enforce party discipline by threatening wayward members with loss of committee assignments, chairmanships, or loss of other perquisites, but this is unusual, and sometimes drives dissidents into the

waiting arms of the other party. The leaders' job might be better described as discovering rather than creating an agenda for the party.

The power of party leaders is limited by the willingness of party members to grant them power. With the members of Congress always eager to appeal to their own unique states and districts, they are reluctant to grant party leaders much power, for that might limit their own ability to pursue initiatives beneficial to their constituents.

To a substantial degree, the power of committees and party leaders is contradictory. To the extent that party leaders are able to increase their power, they do so at the expense of committees and committee chairs. When party leaders seek, as Gingrich did, to determine themselves what the agenda of the House will be, and what legislation will look like, they arrogate to themselves powers that committees and their chairpersons cherish.

### 2.3 Legislative Procedure

Because of their very different sizes, the House and Senate have fundamentally different procedures. In both, however, the rules of procedure have a profound impact on the legislative product. The House of Representatives, with its large size, cannot tolerate as much individual expression of its members as the Senate can, and its procedure is designed to ensure that the majority prevails. Consequently, the minority party and individual members often feel that they have been crushed by a legislative steamroller. The smaller Senate can more readily accommodate the peculiarities of its members, and accordingly it allows far more freedom for debate and amendment.

*2.3.1 House procedure.* After important bills are reported favorably from committee, they normally go to the Rules Committee. The Rules Committee drafts a resolution, called a 'special rule,' that, on adoption by the House, determines the conditions under which the bill will be debated, amended, and voted upon. The power and flexibility of special rules to alter, amend, and waive the rules of the House is staggering. Special rules can either make no amendments in order (a closed rule), or place no restrictions on amendments (an open rule). Alternatively, they can make a specified list of amendments in order, they can declare amendments adopted without a vote, or they can amend amendments without the permission of the amendment's author. Special rules can alter or waive the rules of the House for the purposes of considering a particular bill. In short, special rules are infinitely flexible, limited only by the creativity of the Rules Committee, allowing the majority to do nearly anything it wants. Rules written by the Rules Com-

mittee must be adopted by a majority vote of the House. In general, the majority party members work closely with their party leaders to ensure that the position preferred by the party is able to prevail, and that potentially troublesome amendments are either forbidden, or considered in such a way that they will do the least possible harm to majority party control.

### 2.4 Senate Procedure

While action in the House is structured closely by its extensive rules, the Senate, by contrast, has relatively few rules and frequently ignores what rules it has. The Senate gives individual senators an almost unbelievably large amount of discretion and power. This has the predictable consequences sometimes of paralyzing the Senate. The House works by assembling majorities and voting, but the Senate must work by a process of accommodating the individual senators, not by forming majorities, but by working to overcome the objections of individual senators.

The central feature of Senate procedure, around which all else is organized, is the possibility of the filibuster. Filibusters are efforts to defeat bills, not by voting them down, but by means of delay. The goal of filibusterers is to convince supporters of legislation that it will take so much time to pass the bill that they would be better off dropping it and moving on to something else.

Filibusters are possible because of three glaring omissions from Senate rules. The Senate lacks any means of limiting debating time; it lacks a 'germaneness' rule for interventions and amendments; and it lacks a previous question motion. Because the House rules have all of these key features, dilatory tactics are not possible there. The usual filibustering tactics include so-called 'extended debate,' whereby senators talk endlessly, and not necessarily about the bill in question, offering numerous amendments, which need not be germane to the bill, and offering numerous motions, such as suggesting the absence of a quorum, intended only to delay action. Filibusters can be ended by means of the 'cloture' process. If 60 senators are willing to vote for cloture, debate can be ended, but only after all amendments have been disposed of, and all senators have had an additional opportunity to speak for an hour.

Because even a single determined senator can cause a lengthy delay, losing the Senate the opportunity to consider other important legislation, the focus of Senate activity is not on breaking filibusters through cloture, but rather on avoiding them altogether. In advance of bringing legislation to the floor, bill sponsors often engage in extensive discussions with their colleagues in an effort to anticipate and satisfy objections. Most legislation passes the Senate with only minimal objection, in part because of efforts to build consensus early.

### 3. Congress and the President

By dividing the legislative and executive powers into separate branches, the authors of the US Constitution sought to encourage friction and disagreement in government. This plan has worked well for over two centuries, as Congress remains determinedly independent. Congressional independence is nowhere better demonstrated than in its handling of the federal budget. By statute, the president is required to submit to Congress each year a detailed budget proposal. Nothing, however, requires Congress to pay much attention to presidential proposals. Commonly in recent years the president's budget has been declared 'dead on arrival' at Capitol Hill, and Congress has gone on to draft its own, different budget, relying on its budget process, its committees, and its own budget agency. The president has influence over members of Congress, especially those from the president's own party; however, even members of the president's party are influenced strongly by their constituencies.

### 4. Congress and Foreign Policy

Congress defers to the executive branch to a great extent in foreign policy, but with important exceptions. Even though the Constitution gives Congress the power to declare war, power over warmaking drifted away from Congress to the president over the twentieth century, in part because of a need for speed and secrecy, and in part because of an unwillingness in Congress to challenge the president over the war power. In trade policy, Congress has since the 1930s mostly ceded trade negotiation power to the executive branch, but periodically becomes involved in trade issues such as automobiles or steel, especially when domestic jobs are threatened by imports.

### 5. Democratic Accountability

Ideally, individual members of Congress should be held accountable for the collective actions of Congress, but this does not necessarily occur (Arnold 1990). While members of Congress sometimes campaign for reelection by proclaiming the major legislative accomplishments of Congress, often they detach themselves from the institution as a whole and seek reelection for particular services rendered to the district or state. Adopting pork barrel projects such as dams, roads, and parks can help to make individual members popular, but the appearance of waste and venality can make Congress less popular. Fenno argued that representatives and senators distance themselves from Congress as an institution and seek to promote themselves separately, often at the expense of Congress as a whole (Fenno 1978). The accountability

of Congress to voters is inherently difficult because Congress acts as an institution, but its members are judged individually.

*See also:* Accountability: Political; Democratic Party; Electoral Geography; Electoral Systems; Legislatures: United States; Majoritarianism and Majority Rule; Parliamentary Government; Parliaments, History of; Presidency: United States; Republican Party; Third Parties: United States

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## Conjoint Analysis Applications

### 1. Introduction

This article provides a general discussion of CA applications and identifies and reviews principal contributions, streams of research, and applications within the overall field. CA is a generic term for methods developed to model and measure preferences and trade-offs that share several common features:

(a) independent variables or 'attributes' that explain preferences are identified and defined (e.g., bus travel times and fares; MHz and prices of PCs);

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