

1 **Going Nowhere: A Gridlocked Congress**

2 Sarah A Binder

3 2000 Brookings Review

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5 Gridlock is not a modern legislative invention. Although the term is said to have
6 entered the American political lexicon after the 1980 elections, Alexander
7 Hamilton was complaining more than two centuries ago about the deadlock rooted
8 in the design of the Continental Congress. In many ways, gridlock is endemic to
9 our national politics, the natural consequence of separated institutions sharing and
10 competing for power.

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12 But even casual observers of Washington recognize tremendous variation in
13 Congress's performance. At times, congressional proWess is stunning. The Great
14 Society Congress under Lyndon Johnson, for example, enacted landmark health
15 care, environment, civil rights, transportation, and education statutes (to name a
16 few). At other times, gridlock prevails, as when, in 1992, congressional efforts to
17 cut the capital gains tax and to reform lobbying, campaign finance, banking,
18 parental leave, and voter registration laws (to name a few) ended in deadlock.

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20 What accounts for such uneven performance? Why is Congress sometimes
21 remarkably successful and other times mired in stalemate? For all our attention to
22 the minutiae of Congress, we know little about the dimensions and causes of
23 gridlock. How much do we have? How often do we get it? What drives it up and
24 down? Such questions are particularly acute today, as Democrats and Republicans
25 trade barbs over the do-nothing 106th Congress. Despite the first budget surplus in
26 30 years, Congress and the president remain deadlocked over numerous high-
27 profile issues (including Social Security, Medicare, managed health care, and
28 campaign finance reform), and they show few prospects of acting on these and
29 other salient issues before the 2000 elections.

30 **An Elusive Concept**

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32 Some argue that gridlock is simply a constant of American political life. James
33 Madison bequeathed us a political system designed not to work, a government of
34 sharply limited powers. But surely the framers (dissatisfied with their governing
35 experiment after the Revolution and fearful of rebellious debtors in the states)
36 sought a strong national government that could govern—deliberately and
37 efficiently, albeit insulated from the passions of popular majorities. Gridlock may
38 be a frequent consequence of the Constitution, but that does not mean the framers
39 preferred it.

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41 Others might object to labeling legislative inaction as "gridlock." If a government
42 that "governs least governs best," then policy stability should be applauded, not
43 derided as gridlock. But views about gridlock tend to vary with one's political
44 circumstance. Former Senate Majority Leader Bob Dole put it best: "If you're
45 against something, you'd better hope there's a little gridlock." Legislative action,
46 after all, can produce either liberal or conservative policy change. "Gridlock"
47 might simply be an unfortunate choice of words, a clumsy term for Washington's
48 inability to broach and secure policy compromise (whether liberal or conservative

common

competence

small details

serious

significant

handed down

although

ridicule

49 in design). If so, understanding the causes of gridlock should interest any keen
 50 observer or participant in national politics, regardless of party or ideology.

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52 **Evaluating Gridlock**

53 Getting a handle on gridlock is tricky. Typically, scholars assess Congress's
 54 productivity, counting up the number of important laws enacted each Congress.
 55 When output is low, we say that gridlock is high, and vice versa. But measuring
 56 output without respect to the agenda of salient issues risks misstating the true level
 57 of gridlock. A Congress might produce little legislation because it is truly
 58 gridlocked. Or it might be unproductive because it faces a limited agenda. With
 59 little on its legislative plate, surely Congress should not be blamed for producing
 60 meager results. We can evaluate Congress's performance only if we have some
 61 idea of the size of the underlying policy agenda.

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TABLE 2. CONTRIBUTORS TO POLICY GRIDLOCK, 1951-96

| INDEPENDENT VARIABLE | CHANGE IN INDEPENDENT VARIABLE (FROM — TO) | SIMULATED CHANGE IN LEVEL OF GRIDLOCK |
|---|--|---------------------------------------|
| Divided government | unified — divided | +8% |
| Percentage of "centrists" | 19% — 34% | -10% |
| Policy distance between House and Senate | .07 — .30 | +13% |
| Filibuster threat | 0 — 7.5 | +6% |
| Budget situation (surplus/deficit as percentage of federal outlays) | -19% — -2% | -2% |

Note: The simulated changes in gridlock are based on statistical estimates from a grouped logit model in which the level of gridlock is the dependent variable. Additional independent variables include a set of controls (not shown) for ideological diversity across members, time spent in the minority for each new majority party, and the public mood. Changes in gridlock are simulated by varying the values of each independent variable between the values in column 2 (i.e., one standard deviation below and above its mean value for continuous variables and between 0 and 1 for divided government). For parameter estimates and details on measurement, see Sarah A. Binder, "The Dynamics of Legislative Gridlock," *American Political Science Review*, vol. 93 (September 1999): 519-533.

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64 But neither institutional nor electoral features of Congress are immutable. True, we
 65 are likely stuck with a bicameral system, despite calls from Governor Jesse
 66 Ventura (Reform-MN) and others to consider the unicameral alternative. But the
 67 impact of the filibuster can be lessened by reforming Senate rules to make it easier
 68 to invoke cloture or by eliminating the noxious practice of anonymous holds.
 69 Elections, of course, are the ultimate recourse for voters dissatisfied by partisan
 70 polarization and the conduct of Congress. Nudging Congress back to the center by
 71 sending more centrist legislators to Washington would be one way to alleviate
 72 gridlock. Still, diagnosing the ills of a body politic is one thing; rousing the patient
 73 to seek treatment is another.

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absolute
 unlimited debate
 vote to end a
 filibuster

Teacher's Guide

Name of Text: Going Nowhere: A Gridlocked Congress, [Sarah A. Binder](#)

Question Composers: Tierney Cahill, John Linton, Phillip Kaiser, Christine Hull

Related Standards:

- NV State Social Studies, 2008 [9-12]: C16.1, C15.2, C14.9, C14.10
- Common Core History/Social Science Reading: RH.1, RH.2, RH.4, RH.10
- Common Core History/Social Science Writing: WHST.1, WHST.2, WHST.4, WHST.9, WHST.10
- Common Core Speaking and Listening: SL.1a, SL.1b, SL.1c, SL.1d, SL.2, SL.4

| Text Dependent Questions | Teacher Notes and Possible Textual Evidence for Student Answers |
|---|---|
| <p>1. Using lines, 1, 5, 18 and 21, how would the author define “Gridlock”?</p> | <p>a. Rationale- We are purposefully calling attention to the title which gives the tone of negativity. The question is getting across that this is not a new issue, and the terms used to define it are varied but all have a negative tone.</p> <p>b. <i>Possible Answers</i>- Students will likely restate the wording used in Line 1:<i>Going Nowhere</i>, in Line 5: <i>this is not something new</i>, and in line 18: <i>deadlock</i>, and <i>mired in stalemate</i> in line 21.</p> |
| <p>2. What point is the author making using the series of questions in lines 20-24? How does this series of questions draw attention to the nature of gridlock?</p> | <p>a. Rationale- We are asking students to pay attention to the questions and see that there are many aspects of gridlock; the answer to why we have gridlock is multidimensional.</p> <p>b. <i>Possible Answers</i>- for the first part of the question students should likely draw on the questions to see that there are many reasons for gridlock and we have not necessarily taken the time to study what causes gridlock.</p> |
| <p>3. The author argues multiple perspectives for why gridlock is an elusive concept; provide evidence to explain these using lines 32-49.</p> | <p>a. Rationale-We are asking this question to draw attention to the word elusive and why the concept of gridlock is elusive. We also hope this helps the author’s point that the concept has not been studied and must be on multiple points. This will lead to a discussion about her data points in the chart on the following page.</p> <p>b. <i>Possible Answers</i>-In lines 32-34 Madison’s political system was designed not to work, (lines 34-37) but on the other hand, the Framers “sought a strong</p> |

Text Dependent Questions

Teacher Notes and Possible Textual Evidence for Student Answers

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| | <p>national government that could govern deliberately and efficiently.” The other point students will likely refer to is in line 42 that the government that “governs least, governs best” makes our political system stable. Students will likely point to Senator Dole’s quote in lines 44-48 that if you are against something you might want there to be gridlock, in order to facilitate a possible compromise.</p> |
| <p>4. According to the author, why is evaluating gridlock tricky?</p> | <p>a. Rationale-This question is a transition question before students dive into the chart. The purpose of this question is to draw attention to the typical excuses for gridlock, versus the possible causes for it. This question is also a way of defining how gridlock is evaluated.</p> <p>b. <i>Possible Answers</i>-Student answers may vary, but they should mostly direct their responses to lines 53-61. They will range from the way scholars assess Congress’ productivity and limited agenda, all typically based on the number of laws enacted by Congress each year.</p> |
| <p>5. Using Table 2 explain how the change in the five independent variables contributes to the level of policy gridlock?</p> | <p>a. Rationale- Drawing attention to this chart shows students the variables and helps them to evaluate the chart.</p> <p>b. <i>Possible Answers</i>-</p> <ul style="list-style-type: none"> i. As the government becomes more divided (divided government refers specifically to political party control of the executive branch and legislative branch) the level of policy gridlock goes up. ii. As the number of centrist legislators goes up, the level of policy gridlock goes down. iii. As the policy distance between the house and senate goes up (divided political control), the level of policy gridlock goes up. iv. As the filibuster threat goes up (Senate Only), the level of policy gridlock goes up. v. As the deficit level goes down, the level of policy gridlock goes down <p>*Teaching Tip- depending on the level of your students and when you teach this lesson, you may want to guide them to the answer for the “divided government” variable to help them evaluate the chart.</p> |
| <p>6. According to the author, what changes might be made to reduce policy gridlock; use lines 64-73 to support your answer.</p> | <p>a. Rationale-The author is proposing that this is not a fatal flaw in our system; instead, there are some possible solutions to freeing up some of the gridlock.</p> <p>b. <i>Possible Answers</i>-Students will likely refer to: 1. the institutional change of moving to a unicameral legislative body, 2. a change in senate rules to eliminate the filibuster and eliminate anonymous holds, and 3. voting more centrists into office.</p> |

Writing Prompt:

According to Sarah Binder, “understanding the causes of gridlock should interest any keen observer or participant in national politics, regardless of party or ideology” (lines 49-50). How can understanding the causes and effects of gridlock support her argument?

Checklist identifying key points that will assist in measuring student success and/or difficulty with the close reading and/or writing prompt

This writing prompt gives students the opportunity to synthesize their learning as well as argue for their opinion after reading the article. Students should use evidence from the beginning of the article to define “gridlock” and then begin to describe how Binder shows what gridlock means based on data. Students should refer to the chart as well throughout their argument. Students should also identify benefits and drawbacks of gridlock, and cite specific examples.