Understanding the Congress & Public Trust Map

The capacity of Congress to function must improve for the sake of the health of our democracy. Congress’ inability to take up the substantive issues of the day and its constant partisan conflict are eroding what trust remains of the American people in the institution, further undermining their broader faith in government as a whole.

It is vital, therefore, that Congress reform itself to become a more capable and responsive legislative body. Just as important, more than only the most ideologically extreme and strongly partisan voices need to be heard through the static of our current shrill political discourse so that all can be incorporated by and influence congressional decision-makers.

Improving the function of a representative body offers different challenges than reforming the practices of a bureaucratic agency or corporation. Congress, fundamentally, is an assembly of 535 political entrepreneurs, each with his or her own motivations, concerns, and pressures from constituencies back home. On top of that, competition for partisan gains shapes nearly every decision of consequence within both congressional chambers.

Bringing meaningful change to the first branch of the federal government, therefore, requires an understanding of the complex interactions – between members and their staff; back benchers and party leaders; partisan media and wary incumbent officeholders; industry lobbyists and Capitol Hill offices, to name a few – that shape what Congress produces.

Using the work of our partners at the Madison Initiative of the Hewlett Foundation as a base, the Democracy Fund’s Governance Program developed a map of the congressional system to help understand the ways in which different dynamics are contributing to the institution’s dysfunction.

A STORY OF DYSFUNCTION

The Democracy Fund began this project with a framing question: How is Congress fulfilling or failing to fulfill its obligations to the American people? Early on, we concluded that the institution was largely failing to do so. The broader and more substantive question was, why? What were the most significant dynamics contributing to this dysfunction? And what could be done to address them?

Of course, Congress is not failing completely in its responsibilities. By focusing on dysfunction within the current system, our goal was to produce a document that could help uncover useful intervention points for improving the institution that would not rely on complete systemic changes to the legislative branch or require a wholesale reinvention of American politics.
CORE STORIES WITHIN THE MAP

Three interrelated narratives, represented by the red and orange loops on this map, organize our detailed analysis of current congressional dysfunction.

The red loop explores how Congress receives and internalizes a variety of policy requests and how its performance in processing the demands placed upon it affects public satisfaction and trust in the institution.

This core story begins with an observation (in red) that Congress is struggling to keep up with the mounting demands and pressures coming at it from a diverse, wired society. Members are struggling to represent their constituents as they endeavor to process competing policy and political demands. The hyper-partisan political climate in both chambers has greatly weakened the institution's capacity to function. Weakened congressional capacity further erodes public trust and satisfaction in the institution. This risks driving segments of the public away from political engagement altogether, robbing Congress of different points of view while intensifying the impact of the loudest and shrillest partisan voices it hears.

The decline of congressional capacity and the growing dissatisfaction with congressional performance are intensified by the stories contained by the two orange core story loops.

Dissatisfaction, along with important demographic shifts within the two-party system, drives increasing intensity of electoral competition for partisan advantage in Congress. Governing majorities – particularly in the House – rarely have turned over so rapidly in U.S. history as they have in the last 20 years, leading the minority party to consistently focus on the belief that its return to power is just around the corner.
This competitiveness has led the parties to stake out clear ideological differences between one another, forcing their partisan constituencies farther and farther apart philosophically. As the parties and their constituents have fewer ideas in common, hyper-partisan behavior increases within the electorate and among those elected to Congress, winnowing the possibility for compromise and dragging down congressional function. The disengagement of citizens with little appetite for such partisan warfare has intensified hyper-partisanship within the institution.

The narrative captured in this loop helps explain the partisan gridlock that has ground legislative operations in Congress nearly to a halt. But even if its leaders were interested in advancing substantive legislation, dissatisfaction with congressional performance also has affected the institution’s ability to formulate thoughtful policy solutions.

The second orange reinforcing core story loop captures this narrative, beginning with the observation that increased public dissatisfaction with Congress has led members to demonize the institution as they try to run against Washington from an insiders’ position. In practical terms, this political trope has led Congress to slash its own appropriations, reducing the size and quality of its staff and legislative support services. These reductions have weakened member and committee offices’ expert capacity to craft policy, increased the influence of outsider experts who often also proffer campaign donations, and further weakened Congress’ ability to represent the will of ordinary citizens.
SUPPORTING LOOPS

The remaining loops on the map describe how other factors in the system intensify these central narratives. They include factors acting inside Congress (light blue) as well as external factors (royal blue).

Political-industrial complex

This loop describes the financial forces in contemporary congressional campaigns that reinforce the intensity of competition for majorities.

Increased competition for majorities, along with changes to campaign finance, has driven more and more money into elections. Just as important, the recent increase in portability of campaign funds has effectively nationalized the electoral map, not only for parties’ campaign committees, but also for large-money donors. Nationalization of the electoral map drives greater competition for control of Congress, forcing members to spend an increasing amount of time raising money and developing relationships with donors nationwide.

Rhetoric of permanent campaign

With the increased ideological sorting of parties, party-nominated candidates are more likely to adhere to partisan orthodoxy on major issues. The emphasis on ideological differences between the parties also diminishes the importance of district-specific or event state-specific issues, making elections more likely to be referenda on the positions of either party as a whole. As a result, members have reinforced their commitment to their party’s ideological principles by ramping up media outreach or introducing legislation that stakes out political turf with little hope of becoming law (so-called “messaging legislation”). These efforts increase the ideological sorting of parties taking place broadly among the electorate.
**Echo chambers**

The increase in the ideological sorting of parties has created a robust and growing marketplace for partisan news and opinion. The reach of these outlets is augmented by the ability of voters to easily share material on social media. Because of this growth in partisan news and social media, congressional offices increasingly interact with audiences who consume information in a partisan echo chamber. In this media environment, offices face a heightened demand to speak directly to consumers of partisan news. This shift in attention reinforces the ideological perspectives of many partisan constituents, as well as members of Congress, and further defines the ideological positions behind a partisan identity.

**Ideological influencers**

In this section, two intertwined loops explore how the growing prominence of ideological elites intensifies the ideological sorting of parties. Partisan echo chambers have boosted the reach of ideological elites in the marketplace of political ideas. As a result, these elites are in a better position to scold members of Congress for ideological deviance or to champion favorites.

Similarly, the ideological sorting of parties has created a fear in many incumbents’ minds that taking (or appearing to take) a moderate stance on issues may invite a primary challenge from a more ideologically committed opponent. This fear leads many incumbents to align themselves with ideological elites or to seek their support, further intensifying the ideological drift of the parties away from the center.

**Demands for loyalty**

Hyper-partisanship in Congress reinforces party discipline on roll call votes and in setting the legislative agenda. This drive for loyalty increases intraparty conflict as factions within the caucuses argue over the best courses of action to maximize political advantages and to live up to partisan ideals. Members risk being accused of disloyalty — and denied campaign finance resources and leadership positions — for aggressively...
pursuing policy solutions with members from the other side of the aisle. These penalties diminish the number and quality of bipartisan working relationships and further reinforce hyper-partisan behavior.

This demand for loyalty also is connected to the growing role of party leaders in setting the legislative agenda. As the capacity of Congress to function as a lawmaking institution has fallen because of members’ inability to work together, leadership has taken on more control of the legislative process. Their increase in control can mean fewer opportunities for compromise-seeking members to chart their own policy courses, as their work would unlikely make headway and could generate disciplinary action by their own leaders. Leadership’s weakening of cross-aisle working relationships therefore further reduces the capacity of Congress to legislate effectively.

**Weakening of committees**

Leadership’s more powerful role further weakens congressional capacity by undermining the power of committees. Whereas committees and subcommittees have historically enjoyed their own staff and significant latitude to develop proposals and seek legislative compromises, autonomy has been reduced and control shifted into the hands of party leadership. This shift has weakened another potential generator of bipartisan cooperation.
Weakening of congressional oversight

As congressional capacity decreases, the White House takes more responsibility for agenda setting. The political linkages between the executive and legislative branches are thereby intensified as congressional leadership calculates moves relative to the success or failure of the presidency. Because of these intensified linkages, congressional perspective on oversight has shifted toward more political ends. When congressional majorities share the party of the president, committee chairs are reluctant to conduct regular oversight hearings for fear of dredging up embarrassing information that may harm the White House politically. When government is divided, congressional leaders are more likely to use oversight as a political weapon against the president, and federal agencies are less likely to share information that committees request in oversight investigations.

As the independence of oversight from partisan politics decreases, so does the number of authentic oversight hearings – even if adequate staff is trained to execute the hearings successfully. These hearings are a crucial venue for effective congressional oversight – without them, overall institutional capacity to examine the conduct of the federal bureaucracy diminishes. Because oversight is a key constitutional responsibility of Congress, the capacity of the institution further suffers.

Reduced independence of oversight from partisan politics also negatively impacts the effectiveness of outside watchdog groups, which further diminishes authentic oversight hearings. A more partisan congressional environment encourages some watchdog groups to act in kind, mobilizing only around investigations that can harm political opponents. Increased partisanship in oversight also lessens the flow of information to nonpartisan watchdog groups from Congress, negatively impacting their effectiveness.
Political incentives for authentic oversight

The political and policy linkage of the executive branch to Congress can cut both ways in terms of oversight, however. The melding together of political fortunes of the branches under united-party government has unique consequences. The greater the perception of misconduct by the executive branch, the louder outside political groups and government watchdogs will call for robust investigation of White House conduct, which increases political pressure for committees to do so. Outside groups’ effort and attention drive greater attention to executive branch conduct in the press, further intensifying the pressure on the White House. For Congress, the political cost of appearing complicit with presidential misdeeds can lead to renewed authenticity of oversight, mitigating some of the damage of other negative reinforcing loops.

Interpersonal impact of oversight

The weakening of independent oversight from partisan politics negatively affects bipartisan working relationships in Congress – particularly among the members of various committees whose collaboration on oversight is essential for execution. This breakdown creates a loop that is negative and reinforcing, and further weakens the independence from partisanship.
**Gotcha reporting**

This set of loops explores the role that traditional inside the Beltway media plays in magnifying congressional dysfunction. With reduced resources, expertise and reporting capacity, and with congressional capacity for policy simultaneously weakening, Capitol Hill journalism has shifted attention toward interpersonal and interparty conflict. This shift in focus and tone has led many member offices to limit reporters’ access in an effort to avoid the game of “gotcha.”

The constriction of information flow to traditional mainstream media outlets – facing their own reduced capacity and expertise – has created an environment in which congressional offices “communicate” with other lawmakers by sending messages through or leaking information to an already resource-starved media. Conflict-driven coverage relies on unnamed sources and lower editing standards, opening journalists up to manipulation by those inside the system. Unattributed comments create a dysfunctional track of communication through the media that can impact the course of negotiations on legislation and undermine the ability of members to negotiate in good faith and reach agreement.
Changes to congressional offices and staff

These loops explore shifts in the professional qualities and experience of Capitol Hill aides caused by the reduction in resources and strategic adjustments in their work.

Fewer resources drive greater turnover in congressional offices. It’s not just about salary: for wonks interested in working on policy, the recent decline in resources also means the best opportunities for professional development may exist outside Congress. Low pay attracts less experienced staff and the mindset that a job on the Hill is simply a means to a higher-paying job elsewhere in Washington.

Members are increasingly hiring aides directly from campaigns. With less (or no) congressional experience, such staff tends to be driven more by partisan and ideological motivations and goals than by a desire to master policy or develop legislative expertise. Their presence on congressional staffs, combined with ideological shifts elsewhere in the system, has contributed to an increased focus on ideology across Congress and a reduction in policy expertise.

With declining official budgets, and less legislation being produced, members have found that hiring additional communications staff over policy staff is a more effective choice. This shift toward messaging makes particular strategic sense given leadership’s current dominance over the legislative process. The greater focus on messaging over legislating also addresses – and reinforces – the political needs that arise from the intensification of electoral competition and the ideological sorting of parties.
**Intensification of political communications**

As described in the primary core story, eroding satisfaction with congressional performance can intensify the demands and pressures placed upon the system. Members of the public who remain engaged do not simply give up on their interests and concerns; they find more aggressive ways to call for action by Congress.

The internet’s power to organize and aggregate many voices at once has changed the nature of advocacy, intensifying the demands and pressures Congress faces. Internet communication has made it cheaper and easier to activate ideologically-focused constituencies and swamp congressional offices with messaging, while keeping these constituencies engaged and active on issues. These new strategies have given rise to advocacy organizations that exist almost entirely online and often are founded around a core ideological perspective rather than the issue areas of traditional mass-membership advocacy groups. Some organizations also exist principally to raise money to underwrite political advertisements.

The organizing and communications power of the internet also makes it easier to activate grassroots public participation in responding to congressional action or inaction.

**The role of money**

Although the map only occasionally mentions the role of money as an explicit factor in the congressional system, money plays a role in many of these factors. The factors directly affected by the influence of money on the system – either through its role in campaign finance, the business of political communication, or lobbying and constituent influence – are denoted by a green halo to help visualize their impact on congressional function and dynamics.
THE DEMOCRACY FUND INVITES YOU TO USE AND IMPROVE THIS MAP.

The Congress & Public Trust systems map is an open-source tool that welcomes engagement by former members of Congress, hill staffers, lobbyists, journalists, academic scholars, government and nonprofit agencies, funders, and others. Through user involvement, we expect this map to be made more accurate, complete, and practical as a vehicle for improving the health of Congress and understanding the ways in which different forces and dynamics are contributing to the institution's dysfunction.

You can explore the map and its elements at democracyfund.org/congressmap. As you do, we hope you will tell us how to better describe and illuminate the dynamics of the Congress & Public Trust system. Please contact us at congressmap@democracyfund.org to share your feedback or related resources for the map.