



Bicameralism: The Two Houses of the Legislature and How They Differ

WHAT IS BICAMERALISM?

Bicameralism is a political arrangement in which the legislative branch of government is divided into two separate houses, each with a distinct leadership, membership, and terms of office. Bicameralism is a defining feature of the American political system and is found at both the federal and state levels. Currently, 49 states have bicameral legislatures; the exception is Nebraska.

BICAMERALISM IN THE AMERICAN SYSTEM OF GOVERNMENT

Bicameralism is part of the system of checks and balances that characterizes the American political system. The design of the federal government consists in the creation of political institutions and processes that make it difficult for any one majority group or faction to unite and impose its will on a minority. The Founding Fathers consciously designed a form of government in which power was divided among different branches of government, and within the legislative branch power was further divided between a separate senate and house of representatives. “Ambition must be made to counteract ambition,” said James Madison in *Federalist*, No. 51.

Indeed, the key rationale for the Founding Fathers in creating a bicameral legislature was to align the interests of the members of each house of the legislature with the power of that house and to use that power as a check on the political ambitions of the other house. As Madison put it in *Federalist*, No. 62, the existence of two separate houses within the legislature “doubles the security to the people by requiring the concurrence of two distinct bodies in schemes of usurpation or perfidy, where the ambition or corruption of one would otherwise be sufficient.” The promise of bicameralism is that by making the operation of government more difficult and cumbersome the rights of the people are better preserved.

BICAMERALISM IN WISCONSIN

Following the federal government model, the Wisconsin Constitution divides legislative power between a senate and an assembly. Originally, in Wisconsin, senators served for two years, while representatives to the assembly served for one year. In 1881, the Wisconsin Constitution was amended to provide for four-year terms for senators and two-year terms for representatives. The

Wisconsin Constitution also provides that membership of the assembly may not be less than 54 nor more than 100 representatives and that the number of senators may not be more than one-third nor less than one-fourth of the membership of the assembly. There are currently 99 representatives and 33 senators.

Party competition. In Wisconsin, each senate district consists of three assembly districts. As a result, every Wisconsin resident is represented by two members of the legislature—one in the senate, the other in the assembly. It is not uncommon for the same resident to be represented in the legislature by members of different political parties. In this regard, bicameralism can be a force for moderation. Bicameralism allows for political party competition between the different houses of the legislature, not simply between executive and legislative branches of government or only within one house of the legislature. This is especially the case if one political party is in the majority in one house and another political party is in the majority in the other house. Significantly, it is competition between the houses in this situation that makes political party policy differences more salient to the public and makes for a responsible electorate in which

voters can rationally choose among competing political parties based on clear public policy differences.

Political stability. Bicameralism diffuses political power among different political institutions, thereby making it difficult for any one interest group or faction to dictate its policy preferences in the lawmaking process. In Wisconsin, in order for a law to be enacted, it is necessary that a majority of the membership of each house of the legislature pass the same legislation. If Wisconsin had a unicameral legislature, an interest group would only have to direct its efforts toward winning majority support in one house. But a bicameral legislature requires that an interest group persuade a majority of members in two different houses to pass the same legislation. Bicameralism not only makes the enactment of laws more difficult and time-consuming, but also moderates the substance of the legislation because different political parties may be a majority in each of the houses and must accommodate each other. All things equal, bicameralism promotes compromise and stability.

Political participation. Bicameralism fosters citizen access to, and participation in, the lawmaking process. Typically, in order for a bill to become law, the bill upon introduction is first referred to a standing committee in its house of origin. Public hearings are conducted on the bill and, if a majority of the committee approves the bill in executive session, it is reported out of committee and may then be scheduled for a vote by the full house. If the bill is passed by one house, it is then messaged to the other house and, as is often the

case, there the process repeats itself with referral to a standing committee in the second house.

Political participation is invariably increased in a bicameral legislature because citizens have an opportunity to attend and participate in public hearings on the legislation in both houses, as well as to lobby members in both houses who serve on the two standing committees. This is very important for citizens or groups who believe that they may be adversely affected by certain legislation in that they can make their case, as it were, before two standing committees in two different houses. Bicameralism will not prevent the enactment of laws clearly supported by majorities in both houses of the legislature, but it can ensure that majorities in both houses are better apprised of the public policy reasons against enactment.

Political knowledge. Bicameralism increases the level of political expertise and knowledge in the legislature. The committee system in each house of the legislature and the operation of certain joint committees that have jurisdiction over given public policy areas ensure that senators and representatives to the assembly will have public policy expertise in overlapping areas.

This is important for two reasons. First, each house will develop experts among its membership in distinct public policy areas, and these experts will chair or serve on committees to which legislation is referred. Policy expertise can therefore be parceled out among the members of a house. Second, the experts in each of the two houses may have competing partisan visions or substantive

approaches in dealing with the same public policy area or problem. This ensures that no single approach will necessarily dominate consideration of a public policy issue in the legislature. By fostering expertise in more than one house of the legislature, bicameralism can contribute to more informed legislation.

SUMMARY

Bicameralism is a historic feature of the American political system and is incorporated into the constitutional foundation of the Wisconsin system of government. Bicameralism manifests itself in a separate senate and assembly sharing legislative power, each with a distinct leadership, membership, and terms of office. Bicameralism fosters political party competition, provides for political stability, increases political participation, and makes for more informed lawmaking. In every way, the promise of bicameralism is realized in Wisconsin.

Governing Wisconsin: "Bicameralism"

Study Questions

1	Name the houses of the Wisconsin Legislature. How many members currently make up each house?	
2	How many people represent you in the state legislature? How many represent you in Congress?	
3	What opportunities do citizens have to participate in the legislative process?	
4	The essay says, "bicameralism can be a force for moderation." How can bicameralism promote moderation?	
5	If the legislature consisted of a single house (unicameral), would this strengthen or weaken the powers of the governor?	
6	Imagine the governor wanted to pass a law raising the driving age from 16 to 18. How would this idea move through the legislature to become a law? What obstacles might occur along the way?	

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Study Questions in the Cognitive Domain

1	Name the houses of the Wisconsin Legislature. How many members currently make up each house?	The houses of the state legislature are the senate, made up of 33 senators, and the assembly, made up of 99 representatives.	Cognition
2	How many people represent you in the state legislature? How many represent you in Congress?	Two people represent you in the Wisconsin Legislature: one state senator and one state representative. Three people represent you in Congress: two U.S. senators and one U.S. representative.	Comprehension
3	What opportunities do citizens have to participate in the legislative process?	Citizens can attend public hearings before standing committees in each house, they can lobby committee members, and they can write or call their representatives before major votes.	Application
4	The essay says, "bicameralism can be a force for moderation." How can bicameralism promote moderation?	Before enactment, each legislative proposal must pass both houses; if each house is run by a different political party, the houses must compromise with each other to pass laws. This usually means neither party gets exactly what it wants, and proposals become more moderate.	Analysis
5	If the legislature consisted of a single house (unicameral), would this strengthen or weaken the powers of the governor?	On one hand, a unicameral legislature would weaken the governor's power because it would be easier to override a veto; the override would need only to pass in one house. On the other hand, if the governor and the unicameral legislature were the same party, it would be easier to pass significant changes to state policy.	Synthesis
6	Imagine the governor wanted to pass a law raising the driving age from 16 to 18. How would this idea move through the legislature to become a law? What obstacles might occur along the way?	The governor presents the bill to a house, then the bill goes to committee, to floor vote, and to the next house, where it goes through the same process, and then back to the governor for signing. The bill might be opposed by retailers who rely on teenage labor and by teenagers who want to maintain their driving privileges.	Evaluation