# Legislative Branch (Congress)

* Congress, the legislative branch of government, makes the nation's laws
* Congress has vast but not unlimited powers
* Each state has equal representation in the Senate, while votes in the House are apportioned based on population

Ever wonder who makes the laws? Who has the power to declare war? Who decides how much of your paycheck gets taken away for taxes? Who comes up with brilliant ideas like officially renaming french fries, "[freedom fries](http://www.cnn.com/2003/ALLPOLITICS/03/11/sprj.irq.fries/)," or declaring March 11th to be "[National Funeral Director and Mortician Recognition Day](http://www.opencongress.org/bill/110-sr390/text)"?

The answer to all of the above is Congress, the legislative branch of our federal government, where congressmen and senators elected directly by the people meet to make the country's laws.

[Woodrow Wilson](http://www.whitehouse.gov/history/presidents/ww28.html) once said, "Anyone who is unfamiliar with what Congress actually does and how it does it...is very far from a knowledge of the constitutional system under which we live."[1](http://www.shmoop.com/legislative-branch/citations.html#1)

That's true. On the other hand, [Will Rogers](http://www.willrogers.org/), another great American, once observed, "If I studied all my life, I couldn't think up half the number of funny things passed in one session of Congress."[2](http://www.shmoop.com/legislative-branch/citations.html#2)

They're probably both right. Read on to discover what Congress actually does and how it does it—and why sometimes what it does seems a bit odd.

### Check Out These Resources

* [Congress](http://www.shmoop.com/legislative-branch/congress.html)
* [House of Representatives](http://www.shmoop.com/legislative-branch/house-of-representatives.html)
* [Senate](http://www.shmoop.com/legislative-branch/senate.html)
* [Congress Video & Audio](http://www.shmoop.com/legislative-branch/congress-video-audio.html)
* [Congress Photos](http://www.shmoop.com/legislative-branch/congress-photos.html)

# Why Should I Care?

This is a tale of two Congresses.

Well, this is a tale of one Congress—but one Congress with two very different personalities.

The first Congress is an idealistic place—the beating heart of American democracy. [James Madison](http://www.shmoop.com/player/history/us/the-federalists-hamilton-washington-adams/james-madison.html) called it "the first branch" of government, the place where the people's representatives meet in virtuous pursuit of the public interest.

The Senate, with its tradition of unlimited debate, fancies itself the "world's greatest deliberative body." The House lacks such a snappy nickname but takes pride in being the most democratic institution of the national government.

The entire Congress serves as the modern embodiment of an ancient republican ideal stretching back to [Plato](http://plato.stanford.edu/entries/plato/) and [Aristotle](http://plato.stanford.edu/entries/aristotle/), an ideal reflected even in the [classical form of the Capitol building](http://upload.wikimedia.org/wikipedia/commons/0/0a/US_Capitol_South.jpg) itself. Congress is our living temple of democracy.

This is the Congress that provided a platform for some of the greatest orators in American history—like Daniel Webster, Henry Clay, and John C. Calhoun, the trio of legendary lawmakers who were as powerful as most presidents in the early nineteenth century.

This is the Congress that reconstructed the United States into one nation following the devastation of the [Civil War](http://www.shmoop.com/intro/history/us/the-civil-war.html).

This is the Congress that overcame deep partisan divisions to pass the landmark bills that continue to shape the world we live in—the [Social Security Act](http://www.ssa.gov/history/35actinx.html) of 1935, which for the first time gave most Americans a chance to enjoy retirement in old age; the [GI Bill](http://www.ourdocuments.gov/doc.php?flash=false&doc=76) of 1944, which gave millions of middle-class war veterans unprecedented opportunities for higher education and homeownership; the [Civil Rights Act](http://www.ourdocuments.gov/doc.php?doc=97) of 1964, which ended Jim Crow racial discrimination; and the Reagan tax cut of 1981, which fueled a new prosperity in the markets by sharply lowering tax burdens on businesses and individuals.

This is the Congress we can all be proud of.

But then there's the second Congress, the one that seems less like a temple of democracy than a capitol of stupidity, corruption, and destructive partisanship.

This is the Congress where one senator [beats the tar](http://www.senate.gov/artandhistory/history/minute/The_Caning_of_Senator_Charles_Sumner.htm) out of another [with a gold-headed cane](http://www.senate.gov/artandhistory/history/resources/graphic/xlarge/sumner_caning_xl.jpg), right there on the floor of the world's greatest deliberative body.

This is the Congress where legislators focus on the most critical issues facing the nation—like finding time to [honor](http://www.joelavin.com/2003/11/congress.html) 50 glorious years of [Marshmallow Peeps](http://www.shmoop.com/legislative-branch/www.marshmallowpeeps.com).

This is the Congress where a corrupt lawmaker can be arrested after police find [$90,000 in bribe money wrapped in tinfoil inside his kitchen freezer](http://www.cnn.com/2006/POLITICS/05/21/jefferson.search/index.html) (but give him credit for redefining the whole idea of "cold hard cash").

This is the Congress that led [Mark Twain](http://www.cmgww.com/historic/twain/about/bio.htm) to quip a century ago, "Suppose you were an idiot. And suppose you were a member of Congress. But I repeat myself."[3](http://www.shmoop.com/legislative-branch/citations.html#3) (And this is the same Congress that makes Twain's words often ring just as true today.)

In this tale of two Congresses, the temple of democracy and the capitol of idiocy are, in fact, one and the same. This is our legislative branch, the sole lawmaking body of our representative democracy. It is—and always has been—a peculiar mix of the ridiculous and the sublime.

How did the framers of the Constitution design the legislative branch to serve as the voice of the people's will in pursuit of the public interest? How well does the Congress fulfill these democratic ideals in practice? What powers does Congress have, and how does it use them? And is it fair for so many of us—like Mark Twain—to view the legislative branch with such cynicism and disdain?