

CHAPTER XIV

THE HOUSE AT WORK

AN Englishman expects to find his House of Commons reproduced in the House of Representatives. He has the more reason for this notion because he knows that the latter was modelled on the former, has borrowed many of its rules and technical expressions, and regards the procedure of the English chamber as a storehouse of precedents for its own guidance.¹ The notion is delusive. Resemblances of course there are. But an English parliamentarian who observes the American House at work is more impressed by the points of contrast than by those of similarity. The life and spirit of the two bodies are wholly different.

The room in which the House meets is in the south wing of the Capitol, the Senate and the Supreme Court being lodged in the north wing. It is more than thrice as large as the English House of Commons, with a floor about equal in area to that of Westminster Hall, 139 feet long by 93 feet wide and 36 feet high. Light is admitted through the ceiling. There are on all sides deep galleries running backwards over the lobbies, and capable of holding two thousand five hundred persons. The proportions are so good that it is not till you observe how small a man looks at the farther end, and how faint ordinary voices sound, that you realize its vast size. The seats are arranged in curved concentric rows looking towards the Speaker, whose handsome marble chair is placed on a raised marble platform projecting slightly forward into the room, the clerks and the mace below in front of him, in front of the

¹ Both the Senate and the House of Representatives have recognized Jefferson's *Manual of Parliamentary Practice* as governing the House when none of its own rules (or of the joint rules of Congress) are applicable. This manual prepared by President Jefferson, is based on English precedents.

clerks the official stenographers, to the right the seat of the sergeant-at-arms. Each member has a revolving arm-chair, with a roomy desk in front of it, where he writes and keeps his papers. Behind these chairs runs a railing, and behind the railing is an open space into which some classes of strangers may be brought, where sofas stand against the wall, and where smoking is practised, even by strangers, though the rules forbid it.

When you enter, your first impression is of noise and turmoil, a noise like that of short sharp waves in a Highland loch, fretting under a squall against a rocky shore. The raising and dropping of desk lids, the scratching of pens, the clapping of hands to call the pages, keen little boys who race along the gangways, the pattering of many feet, the hum of talking on the floor and in the galleries, make up a din over which the Speaker with the sharp taps of his hammer, or the orators straining shrill throats, find it hard to make themselves audible. Nor is it only the noise that gives the impression of disorder. Often three or four members are on their feet at once, each shouting to catch the Speaker's attention. Others, tired of sitting still, rise to stretch themselves, while the Western visitor, long, lank, and imperturbable, leans his arms on the railing, chewing his cigar, and surveys the scene with little reverence. Less favourable conditions for oratory cannot be imagined, and one is not surprised to be told that debate was more animated and practical in the much smaller room which the House formerly occupied.

Not only is the present room so big that only a powerful and well-trained voice can fill it, but the desks and chairs make a speaker feel as if he were addressing furniture rather than men, while of the members few seem to listen to the speeches. It is true that they sit in the House instead of running frequently out into the lobbies, but they are more occupied in talking or writing, or reading newspapers, than in attending to the debate. To attend is not easy, for only a shrill voice can overcome the murmurous roar; and one sometimes finds the newspapers in describing an unusually effective speech, observe that "Mr. So-and-So's speech drew listeners about him from all parts of the House." They could not hear him where they sat, so they left their places to crowd in the

gangways near him. "Speaking in the House," says an American writer, "is like trying to address the people in the Broadway omnibuses from the kerbstone in front of the Astor House. . . . Men of fine intellect and of good ordinary elocution have exclaimed in despair that in the House of Representatives the mere physical effort to be heard uses up all the powers, so that intellectual action becomes impossible. The natural refuge is in written speeches or in habitual silence, which one dreads more and more to break."

It is hard to talk calm good sense at the top of your voice, hard to unfold a complicated measure. A speaker's vocal organs react upon his manner, and his manner on the substance of his speech. It is also hard to thunder at an unscrupulous majority or a factious minority when they do not sit opposite to you, but beside you, and perhaps too much occupied with their papers to turn round and listen to you. The Americans think this an advantage, because it prevents scenes of disorder. They may be right; but what order gains oratory loses. It is admitted that the desks encourage inattention by enabling men to write their letters; but though nearly everybody agrees that they would be better away, nobody supposes that a proposition to remove them would succeed.¹ So too the huge galleries add to the area the voice has to fill; but the public like them, and might resent a removal to a smaller room. The smoking shocks an Englishman, but not more than the English practice of wearing hats in both Houses of Parliament shocks an American. Interruption, cries of "Divide," interjected remarks, are not more frequent — when I have been present they seemed to be much less frequent — than in the House of Commons. Approval is expressed more charily, as is usually the case in America. Instead of "Hear, hear," there is a clapping of hands and hitting of desks. Applause is sometimes given from the galleries; and occasionally at the end of a session both the members below and the strangers in the galleries above have been known to join in singing some popular ditty.

There is little good speaking. I do not mean merely that

¹ The House decided in 1859, at the end of one Congress, that the desks should be removed from the Hall (as the House is called), but in the next succeeding session the old arrangement was resumed.

fine oratory, oratory which presents valuable thoughts in eloquent words, is rare, for it is rare in all assemblies. But in the House of Representatives a set speech upon any subject of importance tends to become not an exposition or an argument but a piece of elaborate and high-flown declamation. Its author is often wise enough to send direct to the reporters what he has written out, having read aloud a small part of it in the House. When it has been printed *in extenso* in the *Congressional Record* (leave to get this done being readily obtained), he has copies struck off and distributes them among his constituents. Thus everybody is pleased and time is saved.¹

That there is not much good business debating, by which I mean a succession of comparatively short speeches addressed to a practical question, and hammering it out by the collision of mind with mind, arises not from any want of ability among the members, but from the unfavourable conditions under which the House acts. Most of the practical work is done in the standing committees, while much of the House's time is consumed in pointless discussions, where member after member delivers himself upon large questions, not likely to be brought to a definite issue. Many of the speeches thus called forth have a value as repertories of facts, but the debate as a whole is unprofitable and languid. On the other hand the five-minute debates which take place, when the House imposes that limit of time, in Committee of the Whole on the consideration of a bill reported from a standing committee, are often lively, pointed, and effective. The topics which excite most interest and are best discussed are those of taxation and the appropriation of money, more particularly to public works, the improvement of rivers and harbours, erection of Federal buildings, and so forth. This kind of business is indeed to most of its members the chief interest of Congress, the business which evokes the finest skill of a tactician and offers the severest temptations to a frail conscience. As a theatre or school either of political eloquence or political wisdom, the House has been inferior not only to the Senate but to most European assemblies. Nor does it enjoy much consideration at home. Its debates are very shortly reported in

¹ I was told that formerly speeches might be printed in the *Record* as a matter of course, but that, a member having used this privilege to print and circulate a poem, the right was restrained.

the Washington papers as well as in those of Philadelphia and New York. They are not widely read except in very exciting times, and do little to instruct or influence public opinion.

This is of course only one part of a legislature's functions. An assembly may despatch its business successfully and yet shine with few lights of genius. But the legislation on public matters which the House turns out is scanty in quantity and generally mediocre in quality. What is more, the House tends to avoid all really grave and pressing questions, skirmishing round them, but seldom meeting them in the face or reaching a decision which marks an advance. If one makes this observation to an American, he replies that at this moment there are few such questions lying within the competence of Congress, and that in his country representatives must not attempt to move faster than their constituents. This latter remark is eminently true; it expresses a feeling which has gone so far that Congress conceives its duty to be to follow and not to seek to lead public opinion. The harm actually suffered so far is not grave. But the European observer cannot escape the impression that Congress might fail to grapple with a serious public danger, and is at present hardly equal to the duty of guiding and instructing the political intelligence of the nation.

In all assemblies one must expect abundance of unreality and pretence, many speeches obviously addressed to the gallery, many bills meant to be circulated but not to be seriously proceeded with. However, the House seems to indulge itself more freely in this direction than any other chamber of equal rank. Its galleries are large, holding 2500 persons. But it talks and votes, I will not say to the galleries, for the galleries cannot hear it, but as if every section of American opinion was present in the room. It adopts unanimously resolutions which perhaps no single member in his heart approves of, but which no one cares to object to, because it seems not worth while to do so. This habit sometimes exposes it to a snub, such as that administered by Bismarck in the matter of the resolution of condolence with the German Parliament on the death of Lasker, a resolution harmless indeed but so superfluous as to be almost obtrusive. A practice unknown to Europeans is of course misunderstood by them, and sometimes provokes resentment. Bills

are frequently brought into the House proposing to effect impossible objects by absurd means, which astonish a visitor, and may even cause disquiet in other countries, while few people in America notice them, and no one thinks it worth while to expose their emptiness. American statesmen keep their pockets full of the loose cash of empty compliments and pompous phrases, and become so accustomed to scatter it among the crowd that they are surprised when a complimentary resolution or electioneering bill, intended to humour some section of opinion at home, is taken seriously abroad. The House is particularly apt to err in this way, because having no responsibility in foreign policy, and little sense of its own dignity, it applies to international affairs the habits of election meetings.

Watching the House at work, and talking to the members in the lobbies, an Englishman naturally asks himself how the intellectual quality of the body compares with that of the House of Commons. His American friends have prepared him to expect a marked inferiority. They are fond of running down congressmen. The cultivated New Englanders and New Yorkers do this out of intellectual fastidiousness, and in order to support the rôle which they unconsciously fall into when talking to Europeans. The rougher Western men do it because they would not have congressmen either seem or be better in any way than themselves, since that would be opposed to republican equality. A stranger who has taken literally all he hears is therefore surprised to find so much character, shrewdness, and keen though limited intelligence among the representatives. Their average business capacity is not below that of members of the House of Commons. True it is that great lights, such as usually adorn the British chamber, are absent: true also that there are fewer men who have received a high education which has developed their tastes and enlarged their horizons. The want of such men seriously depresses the average. It is raised, however, by the almost total absence of two classes hitherto well represented in the British Parliament, the rich, dull parvenu, who has bought himself into public life, and the perhaps equally unlettered young sporting or fashionable man who, neither knowing nor caring anything about politics, has come in for a county or (before 1885) a small borough, on the strength of his family estates. Few

congressmen sink to so low an intellectual level as these two sets of persons, for congressmen have almost certainly made their way by energy and smartness, picking up a knowledge of men and things "all the time." In respect of width of view, of capacity for penetrating thought on political problems, representatives are scarcely above the class from which they came, that of second-rate lawyers or farmers, less often merchants or petty manufacturers. They do not pretend to be statesmen in the European sense of the word, for their careers, which have made them smart and active, have given them little opportunity for acquiring such capacities. As regards manners they are not polished, because they have not lived among polished people; yet neither are they rude, for to get on in American politics one must be civil and pleasant. The standard of parliamentary language, and of courtesy generally, has tended to rise during the last few decades; and scenes of violence and confusion such as occasionally convulse the French chamber, and were common in Washington before the War of Secession, are now rare.

On the whole, the most striking difference between the House of Representatives and European popular assemblies is its greater homogeneity. The type is marked; the individuals vary little from the type. In Europe all sorts of persons are sucked into the vortex of the legislature, nobles and landowners, lawyers, physicians, business men, artisans, journalists, men of learning, men of science. In America five representatives out of six are politicians pure and simple, members of a class as well defined as any one of the above-mentioned European classes. The American people, though it is composed of immigrants from every country and occupies a whole continent, tends to become more uniform than most of the great European peoples; and this characteristic is palpable in its legislature.

Uneasy lies the head of an ambitious congressman,¹ for the chances are at least even that he will lose his seat at the next election. It was observed in 1788 that half of the members of

¹ The term "Congressman" is commonly used to describe a member of the House of Representatives, though of course it ought to include senators also. So in England "Member of Parliament" means member of the House of Commons, though it covers all persons who have seats in the House of Lords.

each successive State legislature were new members, and this average has been usually maintained in the Federal legislature, rather less than half keeping their seats from one Congress to the next. In England the proportion of members re-elected from Parliament to Parliament is much higher. Any one can see how much influence this constant change in the composition of the American House must have upon its legislative efficiency.

I have kept to the last the feature of the House which Europeans find the strangest.

It has parties, but they are headless. There is neither Government nor Opposition; neither leaders nor whips. No person holding any Federal office or receiving any Federal salary, can be a member of it. That the majority may be and often is opposed to the President and his cabinet, does not strike Americans as odd, because they proceed on the theory that the legislative ought to be distinct from the executive authority. Since no minister sits, there is no official representative of the party which for the time being holds the reins of the executive government. Neither is there any unofficial representative. And as there are no persons whose opinions expressed in debate are followed, so there are none whose duty it is to bring up members to vote, to secure a quorum, to see that people know which way the bulk of the party is going.

So far as the majority has a chief, that chief is the Speaker, who has been chosen by them as their ablest and most influential man; but as the Speaker seldom joins in debate (though he may do so by leaving the chair, having put some one else in it), the chairman of the most important committee, that of Ways and Means, enjoys a sort of eminence, and comes nearer than any one else to the position of leader of the House.¹ But his authority does not always enable him to secure co-operation for debate among the best speakers of his party, putting up now one now another, after the fashion of an English prime minister, and thereby guiding the general course of the discussion.

The minority do not formally choose a leader, nor is there usually any one among them whose career marks him out as

¹ The Chairman of the Committee on Appropriations has perhaps as much real power.

practically the first man, but the person whom they have put forward as their party candidate for the Speakership, giving him what is called "the complimentary nomination," has a sort of vague claim to be so regarded. This honour amounts to very little. In the forty-eighth Congress the Speaker of the last preceding Congress received such a complimentary nomination from the Republicans against Mr. Carlisle, whom the Democratic majority elected. But the Republicans immediately afterwards refused to treat their nominee as leader, and left him, on some motion which he made, in a ridiculously small minority. Of course when an exciting question comes up, some man of marked capacity and special knowledge will often become virtually leader, in either party, for the purposes of the debates upon it. But he will not necessarily command the votes of his own side.

How then does the House work?

If it were a Chamber, like those of France or Germany, divided into four or five sections of opinion, none of which commands a steady majority, it would not work at all. But parties are few in the United States, and their cohesion tight. There are usually two only, so nearly equal in strength that the majority cannot afford to dissolve into groups like those of France. Hence upon all large national issues, whereon the general sentiment of the party has been declared, both the majority and the minority know how to vote, and vote solid.

If the House were, like the English House of Commons, to some extent an executive as well as a legislative body — one by whose co-operation and support the daily business of government had to be carried on — it could not work without leaders and whips. This it is not. It neither creates, nor controls, nor destroys, the Administration, which depends on the President, himself the offspring of a direct popular mandate.

"Still," it may be replied, "the House has important functions to discharge. Legislation comes from it. Supply depends on it. It settles the tariff, and votes money for the civil and military services, besides passing measures to cure the defects which experience must disclose in the working of every government, every system of jurisprudence. How can it satisfy these calls upon it without leaders and organization?"

To a European eye, it does not seem to satisfy them. It votes the necessary supplies, but not wisely, giving sometimes too much, sometimes too little money, and taking no adequate securities for the due application of the sums voted. For many years past it has fumbled over both the tariff problem and the currency problem. It produces few useful laws, and leaves on one side many grave practical questions. An Englishman is disposed to ascribe these failures to the fact that as there are no leaders, there is no one responsible for the neglect of business, the miscarriage of bills, the unwise appropriation of public funds. "In England," he says, "the ministry of the day bears the blame of whatever goes wrong in the House of Commons. Having a majority, it ought to be able to do what it desires. If it pleads that its measures have been obstructed, and that it cannot under the faulty procedure of the House of Commons accomplish what it seeks, it is met, and crushed, by the retort that in such case it ought to have the procedure changed. What else is its majority good for but to secure the efficiency of Parliament? In America there is no person against whom similar charges can be brought. Although conspicuous folly or perversity on the part of the majority tends to discredit them collectively with the public, and may damage them at the next presidential or congressional election, still responsibility, to be effective, ought to be fixed on a few conspicuous leaders. Is not the want of such men, men to whom the country can look, and whom the ordinary members will follow, the cause of some of the faults which are charged on Congress, of its hesitations, its inconsistencies and changes, its ignoble surrenders to some petty clique, its deficient sense of dignity, its shrinking from troublesome questions, its proclivity to jobs?"

Two American statesmen to whom such a criticism was submitted, replied as follows: "It is not for want of leaders that Congress has forborne to settle the questions mentioned, but because the division of opinion in the country regarding them has been faithfully reflected in Congress. The majority has not been strong enough to get its way; and this has happened, not only because abundant opportunities for resistance arise from the methods of doing business, but still more because no distinct impulse or mandate towards any particular settlement of

these questions has been received from the country. It is not for Congress to go faster than the people. When the country knows and speaks its mind, Congress will not fail to act." The significance of this reply lies in its pointing to a fundamental difference between the conception of the respective positions and duties of a representative body and of the nation at large entertained by Americans, and the conception which has hitherto prevailed in Europe. Europeans have thought of a legislature as belonging to the governing class. In America there is no such class. Europeans think that the legislature ought to consist of the best men in the country, Americans that it should be a fair average sample of the country. Europeans think that it ought to lead the nation, Americans that it ought to follow the nation.

Without some sort of organization, an assembly of three hundred and fifty men would be a mob, so necessity has provided in the system of committees a substitute for the European party organization. This system will be explained in the next chapter; for the present it is enough to observe that when a matter which has been (as all bills are) referred to a committee, comes up in the House to be dealt with there, the chairman of the particular committee is treated as a leader *pro hac vice*, and members who knew nothing of the matter are apt to be guided by his speech or his advice given privately. If his advice is not available, or is suspected because he belongs to the opposite party, they seek direction from the member in charge of the bill, if he belongs to their own party, or from some other member of the committee, or from some friend whom they trust. When a debate arises unexpectedly on a question of importance, members are often puzzled how to vote. The division being taken, they get some one to move a call of yeas and nays, and while this slow process goes on, they scurry about asking advice as to their action, and give their votes on the second calling over if not ready on the first. If the issue is one of serious consequence to the party, a recess is demanded by the majority, say for two hours. The House then adjourns, each party "goes into caucus" (the Speaker possibly announcing the fact), and debates the matter with closed doors. Then the House resumes, and each party votes solid according to the determination arrived at in caucus. In spite of these expedients, surprises and scratch votes are not uncommon.

I have spoken of the din of the House of Representatives, of its air of restlessness and confusion, contrasting with the staid gravity of the Senate, of the absence of dignity both in its proceedings and in the bearing and aspect of individual members. All these things notwithstanding, there is something impressive about it, something not unworthy of the continent for which it legislates.

This huge gray hall, filled with perpetual clamour, this multitude of keen and eager faces, this ceaseless coming and going of many feet, this irreverent public, watching from the galleries and forcing its way on to the floor, all speak to the beholder's mind of the mighty democracy, destined in another century to form one half of civilized mankind, whose affairs are here debated. If the men are not great, the interests and the issues are vast and fateful. Here, as so often in America, one thinks rather of the future than of the present. Of what tremendous struggles may not this hall become the theatre in ages yet far distant, when the parliaments of Europe have shrunk to insignificance?