

to voting elsewhere in the country) may be considerable, but conjecture should not be substituted for a deeper analysis of Canadian general elections.

Perhaps it is worth emphasizing, in conclusion, that the number of votes between the first and second Liberal, for example, in any election, is a measure only of minimum variation in party support. To argue otherwise is to assume that *all* the voters who voted for the man who ran second, also voted for the one who came first—so that the only “delinquent” party supporters are represented by the surplus of the first total over the second. In actual fact, the

number of electors in a constituency who vote for *both* Liberals, or both Conservatives, might be very small without there being a wide variation in the total votes received by the two representatives of each party. A single elector in a two-member constituency, voting in a four-man contest, can do so in ten ways (for any one of the candidates alone, and for any of six possible combinations of two votes) and the total vote in the constituency could conceivably include an equal number of each of these ten ways of voting, yet the two Liberals, or the two Conservatives, might still poll nearly equal totals.

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## Revamping Congress

By DON ROWAT

**T**O other peoples of the world who look hopefully to the United States for a successful example of democracy in operation, Congress presents a rather strange spectacle. As the representative arm of government, it could be expected to appear as the mighty engine that drives the great democracy purposefully and steadily toward its ends under the enormous power of a free people. Yet what, to them, is the actual picture? Congress turns down international treaties. Its reactionary members have a field day holding up progressive measures. Democrats are always deserting their party to vote Republican or vice versa. The President never seems to get any sort of unified program through its two Houses. If the House of Representatives fails to tear it to pieces with its Committees, then the Senate is sure to bludgeon it to death with its words. In short, it nearly always seems to be using its extensive power for the wrong purposes.

Evidence that Congressmen themselves are beginning to worry a little about this state of affairs is the recent Report of the Joint Committee on the Organization of Congress, presented to both Houses on March 4, 1946, by Senator LaFollette and Representative Monroney. About a year ago this Committee was set up jointly by the Senate and the House of Representatives to find out how Congress could be “streamlined” to meet the demands of war and the problems of reconstruction. It was created, the Report recalled, in response to “a widespread Congressional and public belief that a grave constitutional crisis exists in which the fate of representative government is at stake”.\* Evidence of the importance attached to the subject are the facts that this was only the seventeenth Joint Committee established in the last hundred years and that Congress had appointed to it its most experienced leaders from both Houses and both parties. Operating like a Canadian Royal Commission, the Committee held hearings for months and heard evidence from individuals, organizations, politicians at all levels of government, and the best

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\*Senate Report No. 1011, p. 1.

political scientists in the country, including a report from the American Political Science Association.

But the recommendations that came out of all this (the most important being that majority and minority committees be formed in both Houses to work out the legislative policy of the two parties) were disappointing. For what is wrong with Congress is too political and too fundamental to be rectified by the recommendations of a single committee whose terms of reference restricted it to relatively minor improvements in the day-to-day work of Congress. Proposals that would be far-reaching enough to remedy the situation, would not be accepted by Congress as it exists to-day. Proof of this is the fact that the Committee evaded two of the most controversial issues: the tradition of granting committee chairmanships by seniority rather than ability (90 per cent of the real legislative work is done in committee); and the over-expanded power of the House Rules Committee (which by no means contains all the important leaders of the House). Despite its conviction that "a grave constitutional crisis exists", the Committee found itself unable to cope with the fundamental problem.

### Basis of the Problem

To understand why Congress has so far failed to face up to the real issue, one must look beyond that body to the more subtle changes that have been going on in American political life for the last fifty years. In the old days the traditional tug-of-war within Congress, and between Congress and the President, presented no particular problem. In fact, it was considered to be a good thing—a more democratic way to get things done. And it was. With a deep-seated fear of executive authority, the representative arm of government was made strong to keep the President from turning into a dictator. It would be the bulwark of a democratic people. The executive, however, had to be given

some power. Two bodies of 431 and 66 members each could not be expected to carry into action what had been decided. This could best be left to a single authority—the President. He was not made responsible to Congress, however. To prevent the people from being subjected to the momentary whims of the majority in the legislature, to lend stability to the excesses of democratic government, the executive was made independent. He would represent the long view, the more sober judgment of the nation.

For over a century the system worked well, and despite a good deal of wrangling at times, Congress seemed to get things done. But chiefly because there was little to do. At that time government played only a very small part in the affairs of the average citizen; and as a nation the United States was not particularly concerned with world affairs. Since the Civil War, however, with the veritable industrial revolution that took place in the United States and throughout the world, matters have changed. For the suddenly increased specialization of function and of labor called for an equal and opposite drawing together of organization and control, of ideas, and of knowledge, both within the nation and among nations. The national government had to step in more and more to direct and control economic activities "affected with a public interest" in order to ensure the pursuit of happiness for the whole people.

Congress, however, found itself ill-equipped to direct and to control. It had been designed for the relatively simple task of legislating to keep law and order. Here were aspects of life that required a generally consistent mode of treatment based upon detailed knowledge and long study. In a general sort of way Congress could say what it thought should be done and leave the rest to the President and his rapidly growing staff of advisers—who were more permanent and had more knowledge and experience for dealing with such matters. Gradually the practice grew up of the President recommending more and more legislation for Congress to consider. The latter,

of course, still had complete control of the situation—at least theoretically. For it could either amend or reject the legislation, or substitute its own.

But if it wanted to substitute its own, where would it get any coherent set of plans? Members of Congress came from all over the country, represented local areas and interests, and were not equipped by either previous experience, knowledge, or habit of contact for working together. In the old days, it is true, national political parties — then regarded as a necessary evil — had arisen to ensure that *some* degree of co-ordination would be gained in their legislative work, and to help gain at least some degree of working relationship with the President. But this situation has changed and political parties have been of little avail in helping Congress draw up a program of its own. For now the President seems to represent the people as a whole, whereas Congress only represents them in bits and pieces. Hence a vote by the electorate for a member of a party is partly regarded by them as also a vote for the leader of the party. And to the average Congressional member of the President's party this seems to imply that to oppose the President is to oppose the will of the nation. To this extent, then, members of Congress are less likely to oppose the proposals of the Chief Executive. The cohesive power of political parties, though not supplying enough co-ordinating influence for Congress to make its own plans and draw up its own program of legislation to meet the needs of the modern world, *does* supply the means by which Congress will the more easily accept the plans and programs of the President. In this sense party cohesion has prevented the representative form of government from breaking down completely in face of the growing need for coherent, well-informed legislative action.

### The Democratic Process To-day

But if one man and his staff plan the program of legislation for the whole nation, how can Americans be sure that

the democratic process of compromise and adjustment among the competing interests of the varied individuals, associations, groups, and sections, will work itself out properly?

Partly, the process takes place, as it used to, on the floors of Congress. But perhaps the biggest part goes on informally, and if not secretly at least in a confused and inadequately publicized fashion, within and between political parties and with the administration *outside* Congress. True, it may centre around Congress between elections, but even then it seldom uses that body as an institution for its purposes. Hence, even though representative government has theoretically moved one step nearer the people—to the political parties—the result in the eyes of the American people has been a decline in the prestige and importance of Congress. Even before it reaches Congress, the program of the President seems already to have attained that delicate point of balance and optimum agreement, peculiar to democracies, where it is not too distasteful to a few, disagreeable to some, yet broadly agreeable to all.

The trouble is that nobody can be quite sure. Especially is this true since the President seems to represent only one political party. True, his program will have been adjusted to take account of both the views and the power of the opposing party. But who can say what the program would have been had not its members been sitting in Congress ready with the threat of opposition? Moreover, the whole process is complicated by the fact that the President is not the undisputed leader of his party: Who can say that the various interests within the party have exerted their proper weight in the drawing up of the program? It is further complicated by the fact that "pressure groups" have grown up to press their claims upon government with a disproportionate weight that varies with the strength of their organization rather than the absolute number of their membership. Thus it is claimed that the consumer, completely unorganized

in the present struggle over inflation, is being trodden under foot by management and labor.

Such, then, represents the real working of government at Washington as it exists to-day. Congress and President have in a sense been transposed. In practice, it is the President who plans most of the important changes in legislation necessary to preserve the happiness of the whole people. And Congress usually only amends here and there the well-prepared program of legislation suggested by the President and his "administration." It rarely tries to substitute its own. The situation varies, of course, with the strength of leadership at the White House. But generally it can be said to be true. That the system puts a premium upon Presidential leadership can also be said to be true—as the present political confusion in Washington under the supine leadership of President Truman amply shows.

### **Dangers of the Present System**

It may be true that political parties are the mainsprings of democratic action and that a good deal of the give-and-take of politics—both in planning programs of action and in carrying out the details—must go on in the realities of party life. But in the American system one cannot help looking with some trepidation upon the disorganized, unstable, way in which adjustments between interest groups come about in the half-light of informal arrangements outside Congress—where the real leaders of the party are not held responsible to the people because nobody is quite sure who the responsible leaders are. More than anything else, this explains the present chaotic nature of Congressional opposition to the President's program. The popular explanation that it can be attributed to a few reactionaries in each House is too simple. The truth is that a real difference of opinion exists as to who within the parties shall have the right to formulate and influence the legislative program. Since the Chief Executive at no time consistently holds undisputed

leadership of his party, an area of political power is left in the penumbra, undefined; and since constitutional convention has never built up prescribed rules of political action to fill the gap, this power shifts and sways with dangerous instability.

Many Congressmen and others who are not too much worried about the modern need for "programmatic" legislation—of which that for preventing inflation is a good example—are openly alarmed at the turn of affairs. They claim that the presidency has too much power, that a dictatorship is in the offing, and that Congress must do nothing less than regain all its "lost" powers if freedom is to be preserved. Just how Congress will go about organizing itself so as to substitute its own program for that of the Chief Executive is never clearly explained. Nevertheless, this group is important enough to have considerable success in opposing the legislative program—either simply because it is that of the Chief Executive or, more likely, because this argument provides a convenient excuse for opposing legislation which they find disagreeable for other reasons. Public displeasure with this group's activities overflows to Congress as a whole. Congress is said to be obstructionist; it is thwarting the will of the nation. The result is a lessening of confidence in Congress as an institution of government. Unfortunately it plays into the hands of the wrong forces. For in proportion as the value of the representative arm of government falls in the estimation of the American people, they are moving away from the democratic tradition.

### **The Case for Organized Leadership**

Some Congressional leaders, however, are prepared to accept the march of events, to admit that the clock cannot be turned back to the "good old days" of Congressional supremacy. They see that the President and the administration must supply at least the basic data for the legislative program. But they also realize that good ideas do not come exclusively from the administration—

as the early years of President Roosevelt's New Deal clearly show.

How better to remedy the situation, they say, than to make sure that the leaders of the parties are also the leaders of Congress? Why not reorganize Congress under capable leadership, not so much that it may oppose the President as that it may work along with him the more effectively? Thus compromises among interest groups would be reached in the clear light of day, in the "fish bowl" of Congress. The most important matters of policy would be decided in the open by responsible leaders of both Congress and the parties. To so increase the strength of leadership in Congress would be to increase the power of the leaders to take an over-all national point of view and to resist extravagant demands made upon the federal government by local and sectional interests and by organized pressure groups. It would also necessitate greater forbearance on the part of the individual Congressman who now insists upon preserving his independence of opinion and action. Under the new arrangement, if his independent view had any merit, his prestige would be bound to rise and he would soon find himself in a position to influence, if not become a leader of, his party.

Who can say that the system would not be more in tune with the needs of modern government than the incoherent babbling of 531 voices in Congress? Possibly there *are* this many different viewpoints on any one question. But who will say that some are not more important and more relevant to the national interest than others? In practice, the more important interests and the more relevant points of view have always been given recognition through the informal hierarchy of party leadership. Why not, the Congressional leaders say, formalize this leadership within Congress so that it operates in an organized fashion? To prevent measures being introduced willy-nilly at the pleasure of committee chairmen and the momentary whims of Congress, why not set up some sort of

legislative cabinet to co-ordinate the policy and direct the affairs of the legislature?

### Proposals for Reorganization

Various suggestions have been made as to what type of body this should be. Some would go only as far as the La-follette Monroney Report in recommending majority and minority policy committees in both Houses, to replace the present informal steering committees which, as the Report observes, "seldom meet and never steer." Others, however, feel that nothing less than a joint committee of the leaders of the two Houses and both parties would even begin to meet the situation. It would have power to direct both the work of committees (which would be reduced in number and broadened in function to correspond roughly with the executive departments), and the course of legislation in the Senate and the House.

Still others insist that if complete co-ordination of legislative policy among the Senate, the House, and the administration is to be assured, a much more drastic reorganization is necessary. A joint legislative-executive cabinet containing only the leaders of the President's party must be organized. And to ensure that the majority in Congress will not be hostile to the policy of the President as a minimum, the term of the House must be extended to four years to coincide with that of the President. This would be a simple and desirable change whose results would be fairly predictable. But since the Senate has so much power in the American system, co-ordination could not be complete until the terms of both President and House had been extended to six years—the term of the Senator.

It is hard to say precisely what form the system of organized leadership should take. Although no doubt some important lessons could be learned from British parliamentary experience, the debate as to whether it should be drawn on parliamentary lines is, for the present, premature. Of immediate importance is

general recognition of the fact that it must be worked out. Once this has been achieved, what devices should be used, can then be made a subject for study and experimentation.

One thing seems clear. Such a system would probably necessitate a sharper alignment of parties than exists at present. Those who opposed the program on broad principle and could not "go down the line" with the leaders and the President, would have to move to another party. Those in the present opposition who generally favored the program, would wish to participate in its formulation; hence, would transfer to the party in power. This might, of course, aid the rise of the third national party in America which European political scientists have been predicting for the last thirty years—one like the C.C.F. Party in Canada, whose lines would be drawn more clearly on the basis of economic interest.

### The Price of Failure

Existing political parties have so far managed to save the situation through the power of their informal leaders to subject local and sectional views to the larger needs of the nation. Now Congress must either formalize its leadership or surrender control to the parties and to the President through his leadership of the party in power. Yet it is precisely because parochialism continues to persist in Congress that the first attempt of the leaders—represented by the Joint Com-

mittee on the organization of Congress—came to so little. Individual members are not yet sufficiently impressed with the realities of the situation to make the sacrifices they must if Congress is to continue to play a vital part in the affairs of the nation. Perhaps in course of time they will be. The fact that the Committee was appointed at all indicates the first faint stirrings of realization, and offers at least a glimmer of hope. If, on the other hand, Congressional leaders fail in their attempt, the needs of modern government will demand that leadership of the party in power be transferred to the executive side of government—where, as the Committee Report points out, "only one man out of the 3,000,000 Federal employees is elected by and is responsible directly to the people."

There would be little to fear in such a situation if one could be assured that leadership within the parties would gain and lose power in an organized fashion—provided, of course, that freedom of association, of opinion, and of election were to continue throughout the country. But, if the existing political parties are not prepared to provide this assurance, few would care to predict what sort of confusion would follow. Should, as is likely, the pressure of events become so inexorable as to convince the public, that action though disciplined political parties is the only solution to the confusion resulting from inconsistent national policies, no forms and conventions will exist to ensure the responsibility of party leaders to the people.

**EDITOR'S POSTSCRIPT:** Since the above article went to press the LaFollette-Monroney sponsored Legislative Reorganization Bill has been passed by Congress and received the Presidential consent. The Bill was based on the recommendations of the Joint Congressional Committee discussed in Mr. Rowat's article and quite a few of these recommendations have been adopted. In particular the jungle of committees, while not yet apparently to be hacked down, is at least to be tidied up by coordinating House and Senate Committees with each other and with the administrative agencies. Also for each standing committee four expert assistants have been provided to be appointed "on merit." On the other hand, two important deletions have been made, both by the House: (1) the provision for majority and minority policy committees in both houses (which, by reason of the stability they would have instituted, would have gone a long way towards bridging the present gap between President and Congress), and (2) the provision for an administrative assistant for each Senator and Member. Senator LaFollette, in an article published in the *New York Times* of August 4, has hailed the Act as a step in the right direction marking important progress.