

tions at this moment, and it is therefore incumbent on a reviewer not to allow any defective statement of importance to pass without challenge.

I can only mention the striking chapter on the growth and development of the Constitution, the elaborate analysis of State and municipal governments, the account of political parties and their workings, the description of "the machine," and the account of "the war against bossdom." But perhaps the crowning part of Professor Bryce's work is his chapter on "How Public Opinion Rules in America," and the chapters connected with it. His account of American national characteristics is much the most acute and discerning that has ever been made.

What then are the traits which this accomplished observer credits us with? He sets it down at the outset that the Americans are a good-natured people, and adds, "Nowhere is cruelty more abhorred." Of our humor he says felicitously that Americans "are as conspicuously purveyors of humor to the nineteenth century as the French were purveyors of wit to the eighteenth." Professor Bryce is impressed with American hopefulness, and with the unanimity of our faith in a democratic system of government and our notion that the majority must in the long run be right. He ranks us as one of the most educated peoples in the world, but holds that the education of the masses is of necessity superficial. He says that the ordinary American voter is "like a sailor who knows the spars and ropes, but is ignorant of geography and navigation." He pronounces the Americans "a moral and well-conducted people," and also "a religious people." Under the last head he notes our philanthropic and reformatory zeal, which he thinks commendable but often indiscreet. "Religion apart," he says, "they are an unreverential people." Ridicule he finds to be a terrible power in this country. "In the indulgence of it even this humane race can be unfeeling."

He notes that we are a busy people, but he does not find this wholly to our advantage.

It results in an aversion to "steady and sustained thinking." We are a commercial people, shrewd, and hard to convince, and yet—he notes the paradox—an impressionable people on the side of imagination and the emotions, and "capable of an ideality surpassing that of Englishmen or Frenchmen." Professor Bryce almost overstates the fact that we are "an unsettled people." In many of our States the bulk of the population seems to him "almost nomadic." Notwithstanding our propensity to move, we are "an associative because a sympathetic people. Although the atoms are in constant motion they have a strong attraction for one another." To this he attributes "the immense strength of party" in America. He pronounces us a changeful people, not in opinions, but in moods. "They are liable to swift and vehement outbursts of feeling." "They seem all to take flame at once." And yet he finds us a conservative people, and he reconciles this apparent contradiction with great clearness and adds: "They are like a tree whose pendulous shoots quiver and rustle with the lightest breeze, while its roots enfold the rock with a grasp which storms cannot loosen."

Though Americans winced under the animadversions of the late Matthew Arnold, they will not hesitate to read with interest, and even with conviction, the severe strictures which are found in parts of Professor Bryce's book. This no doubt comes of a certain tact and intellectual good-breeding, if I may so speak, in Professor Bryce, which allays beforehand any exasperation of national vanity. This indeed is one of the most marked traits of his work. He is never more friendly and sympathetic than when propounding the most disagreeable truth.

Without forgetting many noble essays in this kind—Madame de Staël's Germany, Castelar's Italy, Taine's treatment of Italy and England, Emerson's English Traits, and others—I cannot forbear saying that I do not believe that the portrait of any nation was ever drawn at full length with so much fidelity and felicity as in these volumes.

*Edward Eggleston.*

## RULES OF THE HOUSE OF REPRESENTATIVES.



THE question of the transaction of business in the House of Representatives has become one of serious import to the country. For the last dozen years there has been a steady determination on the part of powerful men to reduce the business of that body to a minimum. Several men who have occu-

ried important positions, and who have at times received the applause of the injudicious under pretense that what has been called private business is but jobbery and knavery, have done all in their power to obstruct and block that kind of business. To such a pass has this obstructive policy come that all sensible men advise their constituents to do business with the United States with the same care that should be used with any individual whose



antecedents show him to be adverse to paying except under compulsion. These matters, however, concern individuals, and the sufferers are in comparison so few that what they endure has small chance of recognition.

But the blocking of the public business by a set of rules which can be wielded by two or three men has aroused and interested the country; for the rights of all are immediately concerned. To gratify the natural curiosity of those who desire to know how 325 men, each the flower of a flock of 30,000 voters, could make regulations to deprive themselves of power and could year after year submit to such deprivation is one object of this article. Another object is to help induce the people of the United States to insist upon the restoration of republican government in the House of Representatives.

Ever since the slavery question came to trouble the peace of the country the rules of the House have been framed with the view of rendering legislation difficult. The South was anxious that there should be ample means at its disposal to stop any measure detrimental to its cherished institution. Hence when the revision of rules by the 46th Congress was made, the foundation was sufficiently bad, and experience has shown the superstructure to be still worse. Several causes contributed to this result. The situation of the Republican party was such that all power given to minorities seemed to inure to its advantage. Mr. Randall, then as at all times the strong figure in whatever transaction he participates, was the real governing force. He had passed his life in the minority trying to prevent things from being done, and was therefore more anxious that the new machine should have perfect back action than that it should have forward movement. The old system which Mr. Blaine surrendered to him after the fatal campaign of 1874 was by no means perfect, but it had a certain liberty of action and was not a perpetual invitation to blockade and filibuster. In those days there used to be what was called a "morning hour," wherein committees reported bills and put them on their passage. Each committee had this hour for two days, and could continue until finished any measure pending when the second hour closed. This hour was flexible—not merely a literal hour of sixty minutes, but one which might continue the whole day, if the House so desired. Hence there was no chance to clog business; for whatever business was entered upon must be finished, and there were eager committees waiting for their turn.

When Mr. Randall came into the chair he changed all this by ruling that the "morning hour" was sixty minutes, and sixty minutes only. This changed a flexible conduit for busi-

ness which could not be crowded to a cast-iron tube which could be packed to stoppage by sixty minutes' work a day. Under the new revision in 1878 even this tube was plugged up and no bills could be passed during this hour. They could be reported, but not acted upon. For action the new system provided three calendars—one for public bills appropriating money, one for public bills not appropriating money, and the third for private bills. It was intended that each calendar should be taken up at a proper time, and the bills disposed of each in its turn. This was apparently a clear and beautiful system, logical and practical, but the trouble with it was that it refused to march. It did not work. It had one fatal defect: it was based on the idea that the House did all its work—that the ten thousand bills were all passed upon—before the body adjourned. If, like the legislature of Maine, the Congress of the United States said yea or nay to every bill and every petitioner, the plan would have been a good one, for the question when a bill shall be considered is of small consequence if it is sure to be considered. But, unfortunately for the plan, the business of the United States is rather more varied and abundant than the business of Maine, and Congress says yea or nay to only eight per cent.—or one in sixteen—of its bills and practically to none of its petitioners. Hence only the first two or three pages of each calendar could in practice be reached; and as those bills were the first that got there,—trivial matters very often, which required little investigation, while the important matters requiring study were beyond reach, being too low down on the list,—the House had no incentive to go to the public calendars, and never did. The only method of picking out important public measures was by suspension of the rules, and that required a two-thirds vote. Thus by the rules of 1880 the majority were robbed of their power, and "two to one" was required for action. The only other course was by unanimous consent. As this could be refused by one man it followed that the veto power, which in its essence is only the power to demand "two to one," was conferred on each member of the House. In addition there was a curious restriction as to appropriation bills whereby no amendment could be made except one which decreased the sum appropriated. The House could order less spent, but never more. In other words, in a growing country, the House, representing the people directly, refuses itself the power of meeting the growth of the country, and devolves it upon the Senate, and for the sole purpose of saying on the stump, "Look how economical the House is, and how the Senate spends!" This restriction has been



carried still farther in the present rules, and is a species of strait-jacket which, though voluntarily imposed, is as great a proof of unsound mind as if some asylum had ordered it.

In 1885 an attempt was made to give the House some relief by establishing a second "morning hour" in which bills could be passed, but it has resulted in worse than nothing. One hour is wasted in presenting bills which might just as well be put into a box. Another hour is wasted in attempting to pass bills which if resisted for two successive days one hour a day, thereupon go to the unfinished calendar, which is the tomb of the Capulets. When one considers that a single roll-call takes half an hour, he can easily see what chance a bill has in the second morning hour, even with four to one in its favor. When rules are planned to waste two hours out of five the nation can easily see that the art of "how not to do it" is by no means confined to the Circumlocution Office.

In addition to this deliberate and intentional waste of two hours, one rule puts into the hands of every member the power of stopping the proceedings altogether. The achievements of Mr. Anderson and of Mr. Weaver are fresh in the recollection of all. Each one could and did stop the action of the House. It so happened that the proceedings of Mr. Weaver, solitary and alone, stopped the House in the midst of its constitutional duty of determining its own membership. The rules therefore have abrogated the Constitution. Mr. Weaver was not in the least to blame for so acting, for he was only using the rules to recover for a bill in which he was interested the status which it had lost by the same improper use of power, which the House, under dictation of party caucus, had impliedly sanctioned. This was done under the fifth clause of Rule XVI., which says that the motion to adjourn, the motion to fix a day when the House shall adjourn, and a motion for a recess, shall always be in order. Under this rule one or other of these motions can always be before the House, and when they are before the House nothing else ever can be.

The system of avoiding action on important measures by means of these clogging rules has done much to demoralize the House. No man or set of men can often indulge in indirections without acquiring timid habits. Whether the House has timid habits or not it is not proper to say, for I have no desire to draw a railing indictment against so respectable a body. But there are times just prior to elections when the House seems to be but little inspired by the example of the Spartans at Thermopylae. Not only does courage seem to fail, but the sense of responsibility also. If the minority can dictate, the majority have no longer the

responsibility for action, and become infirm of purpose.

Why is this system maintained? How can it have lasted so long? At first sight it would seem as if the picture drawn of the rules of the House could not be true. It is certainly very improbable to an outsider. To understand this apparent contradiction you must again recur to the fact that the House does but eight per cent. of its business, hence to a conservative man, a natural objector, the power to say what measures shall not come up is much greater than the right shared with the majority to determine that a particular measure shall or shall not be presented for action. In addition this negative power also arises from knowledge of the rules and is the especial perquisite of the old member, who thereby possesses inordinate relative control.

To add still more to the confusion as to legislation there have been for years no joint rules to govern the mutual action of the two houses. The tendency of all sound parliamentary law is to further the business which is most nearly finished. For example, a conference report has priority over even a motion to adjourn; hence under any sound system a House bill which has been to the Senate and there passed with amendments ought to be more easily reached than a bill which has been merely introduced by a member. But under the present system the reverse is the fact, and, except by unanimous consent, the bill must take its dreary round of committee and calendar, where it has pot-luck with the rest.

Any description of the difficulties which the House of Representatives has to encounter would be incomplete without reference to the physical surroundings. A hall which measures on the floor 90 feet by 140 and has outside of these limits galleries seating 1500 people; which requires, if a speaker intends to be heard, the energies of the entire body to keep the vocal chords in vibration; which has 333 desks in constant use and 400 men in constant motion—is necessarily the despair alike of speaker and of member. Whether this can ever be changed and a more sensible place selected has never yet been under serious discussion; but when the next apportionment adds to the number of members the subject will be forced upon the notice of the House and the country.

The important question, however, is what should be the remedy for this evil, the extent of which is not half appreciated by the people of the nation. There is only one way, and that is to return to the first principles of democracy and republicanism alike. Our government is founded on the doctrine that if 100 citizens think one way and 101 think the other, the 101 are right. It is the old doctrine that



the majority must govern. Indeed, you have no choice. If the majority do not govern, the minority will; and if the tyranny of the majority is hard, the tyranny of the minority is simply unendurable. The rules, then, ought to be so arranged as to facilitate the action of the majority. This proposition is so simple that it is a wonder that there could be any discussion about it, and yet recently in the House there was much said in debate about the "rights of the minority" and that the rules of the House, instead of being merely business regulations, a mere systematization of labor, were a charter of privileges for those whose arguments were too weak to convince the House.

This indicates confusion of thought. There is only one charter of the rights of minorities, and that is the Constitution of the United States. That defines the power of Congress and implies that Congress shall act by its majority. Under that Constitution and within its scope whatever a majority does is right. Regulations and rules, then, are not made to protect those who are wrong, but to facilitate the proceedings of those whose action when it takes place becomes the law of the land. Of course such rules ought to provide for debate and for due and careful consideration. But after debate and after due and careful consideration there ought to be no hinderance to action except those checks and balances which our Constitution wisely provides. If the majority of the House of Representatives — each man selected from at least thirty thousand voters — cannot be trusted, who can? Nor is this the only safeguard. Each one of these men is watched by the people. He renders account at the end of each term. If such a man so situated must be held in leading-strings, representative democracy is a failure. It seems strange, under a republican government and speaking of the popular branch of the legislature of a republic, to be obliged to refer to principles so fundamental; but the longer one studies politics in this country the more he will long to see universally prevalent a wider understanding and a deeper-rooted belief in some of the principles advocated by Thomas Jefferson, whose memory to-day seems to be most vociferously cherished by those who never act on his opinions.

It is impossible, and perhaps would be indiscreet in advance of due popular discussion, to indicate the remedy for the evil which the foregoing simple narrative of facts discloses, but that some remedy should be applied admits of no doubt. The remedy ought not to be radical or wild in its character. Indeed, from the nature of things it could not be so. There need never be any fear lest an avalanche of legislation could burst upon the country. Do the best we can our parliament will be clogged, like every other similar assembly in the world of like scope and magnitude. Two and probably three changes ought to be made, and the effect should be faithfully tried. The morning hour, the length of which should be entirely under the control of the House, would, if restored to its full power and efficiency, afford means for the transaction of all business of a simple nature requiring little discussion. Then a provision enabling the majority of the House to select from the public calendars such measures as it prefers to act on, with due precedence for revenue and appropriation, would insure such freedom of action as would destroy the illegitimate power of the few and exalt the just power of the people acting through their own representatives.

To guard against the abuse of the motions to adjourn, to fix the day of adjournment, and for a recess, the simple amendment devised and read in the House recently by Mr. Cannon of Illinois would be ample and valuable. That amendment provides that those motions shall be confined to their legitimate and honest use and shall never be used as dilatory motions for simple delay. If it is objected that this places too much power in the hands of the Speaker, the answer is twofold. No Speaker would pronounce motions legitimate on their face dilatory and intended for delay until that fact was apparent to the whole world, and if he did unjustifiably exercise that power reposed in him as the organ of the House an appeal to the House would easily rectify the abuse. The danger in a free country is not that power will be exercised too freely, but that it will be exercised too sparingly; for it so happens that the noise made by a small but loud minority in the wrong is too often mistaken for the voice of the people and the voice of God.

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## TOPICS OF THE TIME.

### Election Laws for Congressmen.

THE experience of Great Britain and of the United States, in the matter of the election of members of the highest legislative body, has been very similar. Every step in the transfer of control of these elections

to judicial or neutral agencies has been warmly resisted by the constituencies and accepted only under protest, but its results have invariably tended to purify the election. British advance in this direction has been radical, thorough, and satisfactory; and parliamentary elections are now models, so far as bribery, corruption,