

Political Evolution in the United States

With Some Pointers for Canadians.—Continued from last week.

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DIGEST OF FIRST ARTICLE.

The great changes which have occurred in recent years during the renovating of the American Constitution are all directed to meet one problem—the diffusion of power and responsibilities among balanced and conflicting authorities. The diversity of laws governing exactly the same conditions in the different States of the Republic are the result of entrusting separate and exclusive powers to those states. This system has occasioned endless confusion. The movement is now to concentrate legislation as regards many cases at Washington, that there may be general harmony in the laws of the land. The tendencies which are assisting the achievement of this object are, first, the perfection of the machinery of the political party which when dominant both in the executive and legislature tends to secure a unification of policy for the public; second, the establishment in the federal government of a quasi cabinet system to work beside the executive; third, the method of executive appeal to public opinion to upset a hostile legislature after the manner of Roosevelt during the Pure Food Bill agitation, and of Governor Hughes at the time of the anti-race track gambling tempest.

In his able analysis of the political mechanism of the United States, Prof. Skelton has followed worthily in the footsteps of Ambassador James Bryce, who after De Tocqueville, the French writer, was one of the first to study the great Republic.

THE third manifestation of this tendency is found in the movement to democratise the party by the direct primary. We have seen that one method by which co-ordination of the scattered powers of government was sought, more or less consciously, was by utilising the political party. This solution, however, only raised new problems. Grant that the different branches of government are responsible to the party; in whose hands is the control of the party itself? In the long run, in the hands of the body which nominates the candidates. In the early days of the republic this was usually a legislative caucus. In Jackson's day it was considered a great triumph for democracy within the party when the power of nomination was wrested from "King Caucus" and given to a convention of delegates representing the rank and file of the party. But of late the convention system has also fallen into disrepute. The primaries, or assemblies of party members for selecting delegates, were unscrupulously packed by the machine, or troublesome members were refused admission, or the votes manipulated after being cast, while the convention itself was too often swayed by questionable methods. The remedy applied widely in the late nineties was the legal regulation of the primary, which was assimilated entirely to the final election and protected by the same legal safeguards. In the past decade, however, the movement for direct democracy has led in this sphere to the abolition of the convention altogether, and the substitution of nomination by direct primary.

In the direct primary the members of each party assemble and vote directly on a list of nominees for the honour of becoming the party's candidates. The names of the nominees are placed on the ballot by petition, the signatures of from two to ten per cent of the number of party voters at the last election being required. The question of the order in which the names are to be placed, incidentally, has given rise to much discussion. Owing to the multiplicity of offices balloted on, placing the names in alphabetical order has been found to work prejudice to the Wrights and the Youngs and the Zimmermanns, so the expedient of printing each name first on a percentage of the ballots is being adopted. The test of party membership has given much concern. The usual plan is to demand a statement of general support of the party in the past and of intention to support the party's candidate in the coming election.

In less than ten years the direct primary has been adopted in two-thirds of the states. It has not escaped criticism. The expense of the campaign is a serious objection; in a recent Wisconsin contest Senator Stephenson—a former Canadian, by the way—was found to have expended \$100,000 in this preliminary contest. Its use in cities as the method of securing nominations makes the running of elections on party lines inevitable; and accordingly a still more radical movement to have all nominations for municipal office made by petition, without the

intervention of the party, whether acting through convention or through direct primary, is rapidly gaining ground. So far as the election of state officials is concerned, however, the direct primary seems to have made good its place as a recognised part of the constitutional machinery.

This general tendency to discard representative institutions will seem to the outsider of varying validity. Where the representative body has only a temporary existence, meets to perform a single definite act and then disperses, as in the case of the presidential electoral college or the nominating convention, it is impossible that the representative should be given any real discretion or that he should have time and opportunity to develop that sense of responsibility which comes with the use of discretionary power. Yet the adoption of the representative system for such duties may be justified by the existence of natural difficulties of transportation or communication, or of the artificial difficulties involved in the necessity of making a slate for thirty or forty different elective offices. Until the number of such offices is greatly lessened, it may safely be prophesied, the direct primary will fail to realise the hopes of its advocates.

Where, again, as in the election of senators by state legislatures, the intervening body is permanent, but is saddled with the double function of choosing the nation's senators and making the state's laws, conflict between two such diverse duties is almost inevitable. The choice of president or senator is safer in the hands of the general electorate than of any representative body, whether electoral college or state legislature. The choosing between a limited number of candidates for a single office, and that an office of outstanding importance, is the function wherein, as experience has shown, democracy is best justified by its fruits.

The case is different when it is proposed to make the people the arbiters of measures rather than of men, to compel them to decide on a host of proposals, many of them requiring technical knowledge, and thus to reduce the legislature to an automatic registering machine. To imagine that the control of the people over legislation is increased by multiplying the number of occasions on which they must pronounce judgment is to repeat the mistake of Jacksonian democracy in imagining that the control of the people over administration would be increased by multiplying the number of elective offices. In both cases this simply puts a premium on organisation and long purses.

The solution which the states have failed to see or have not been able to apply has been grasped by many of the cities, and applied in government by commission. The prevailing municipal organisation is a reproduction in miniature of the national government—a mayor and a double-chambered council. In addition the number of elective officials, from auditors to surveyors, is so great as to make intelligent and independent choice by the electors almost impossible; one ballot in a recent Chicago election contained the names of 334 candidates, in seven party columns. The commission plan involves replacing this cumbersome mechanism by a commission of three or five members, and giving this commission power to appoint the subordinate officials. In Iowa and South Dakota, though not in Texas, the state where the movement originated, the recall is, with reason, made an essential part of the system. Any discussion of the practically universal success scored by this innovation, or comparison with similar Canadian movements, would here be out of place. It is desired simply to point out that the principle underlying the reform is that which has been repeatedly referred to as essential—the principle of concentrating power and responsibility.

The legislative reference library, an institution which already has been adopted by nearly a dozen states, is simply another attempt to cope with another of the difficulties arising from lack of cabinet guidance in the legislature. The men behind this movement, such as Dr. McCarthy of Wisconsin and Dr. Whitten of New York, recognise that the disrepute into which representative government has fallen is due not so much to the legislator's corruption as to his amateurishness. All the bills introduced into an American legislature are private members' bills. Their framers rarely have at their command either expert knowledge of the experience of other states or countries in the same field, or expert skill in drafting—at least not from disinterested quarters. Yet bills so fathered are supposed to be in shape to run the gauntlet of the ablest legal

talent, supposed to respect all the limitations and restrictions imposed on legislation by federal and state constitution and by the decisions of the state and federal courts. All the expert knowledge is kept for picking the work of the legislature to pieces rather than to building it up. "We have not treated the legislature fairly," Professor Bramhall summarised the situation recently. "The United States alone among all the countries of the world has called in for legislation a group of laymen without responsible leadership and cut off completely from contact with the administrative force which alone has knowledge, from actual handling, of the operation of government. We have given them no facilities for investigation or for assistance, and then we have roundly condemned them when they have done only indifferently well what is undoubtedly the hardest task in the whole field of government."

The McCarthy solution is to put the expert's knowledge at the legislator's service. Legislative reference bureaus, organised in connection with state libraries and frequently co-operating with the universities of the state, collect all possible information as to the content and working of measures on subjects in which members of the legislature are interested, and aid in drafting bills in accordance with the conclusions reached. They do not attempt to give advice or influence legislation in the slightest degree, except so far as fact is coercive. The movement assumes that it is wiser to grant the legislator the fullest possible extent of power and then enable him to use the power intelligently and efficiently than to cramp and clip his activities by constitutional limitations or referendum vetoes.

Supplementing these various attempts to change the form or working of political machinery, is the growing stress on publicity. It is being realised that not even the best of institutions can run themselves. Automatic democracy, Professor Merriam has recently reminded us, is as visionary as perpetual motion. "It is a common American fallacy," he declares, "to conclude that when a constitutional amendment, or a statute or charter is secured, the victory has been won and that the patriotic citizen may go back to the neglected plough. It is easier to secure ten men to fight desperately for good legislation than one who will fight steadily and consistently for efficient administration." Efficient administration is won and kept only by constant focussing of public attention on strategic points. But government by public opinion throws a heavy strain on democracy when the activities of nation and state and city are so manifold as to-day and the private affairs of the ordinary citizen so absorbing. It is essential that the workings of government should be made as transparent as possible, that the facts regarding the doings and omissions of the public officials should be easily accessible, and government expenditures be tabulated in forms which the layman can understand and can compare. The most systematic of agencies working to this end is the Bureau of Municipal Research. Operating at first in New York City, and later in Philadelphia, Memphis, Cincinnati, Atlanta and Milwaukee, it has made it its aim to reorganise the bookkeeping methods of the various city departments so as to show the cost per unit of the services rendered, to hold periodical investigations into the working of each department, and to publish the results ascertained. Already as a consequence of its energetic action many sources of leakage and waste have been located, and the budget of New York City compiled in such systematic and luminous fashion that for the first time in many years intelligent discussion and criticism of its details by press and taxpayers has become possible.

Publicity and concentration of responsibility—herein if anywhere is the political salvation of Democracy to be found.

A STANDING JOKE.

THE traveller met an old coloured man tugging away at the bridle of a balky mule.

"What's the matter with him, uncle?" asked the traveller.

"Jess full of pure cussedness, ah specs, sah. He'll stay right in dat same position foh two or three houahs, sah."

"That so? Well, why don't you build a fire under him?"

"What? A fire under dat mule? Lands, mister, if ah was to build a fire under dat mule, he'd stay here all day en wahm hisself."