Congressional Government

Woodrow Wilson

The House of Representatives

"No more vital truth was ever uttered than that freedom and free institutions cannot long be maintained by any people who do not understand the nature of their own government."

Like a vast picture thronged with figures of equal prominence and crowded with elaborate and obtrusive details, Congress is hard to see satisfactorily and appreciatively at a single view and from a single standpoint. Its complicated forms and diversified structure confuse the vision, and conceal the system, which underlies its composition. It is too complex to be understood without an effort, without a careful and systematic process of analysis. Consequently, very few people do understand it, and its doors are practically shut against the comprehension of the public at large. If Congress had a few authoritative leaders whose figures were very distinct and very conspicuous to the eye of the world, and who could represent and stand for the national legislature in the thoughts of that very numerous, and withal very respectable, class of persons who must think specifically and in concrete forms when they think at all, those persons who can make something out of men but very little out of intangible generalizations, it would be quite within the region of possibilities for the majority of the nation to follow the course of legislation without any very serious confusion of thought. I suppose that almost everybody who just now gives any heed to the policy of Great Britain, with regard even to the reform of the franchise and other like strictly legislative questions, thinks of Mr. Gladstone and his colleagues rather than of the House of Commons, whose servants they are. The question is not, what will Parliament do? But, What will Mt. Gladstone do? And there is even less doubt that it is easier and more natural to look upon the legislative designs of Germany as locked up behind Bismarck's heavy brows than to think of them as dependent upon the determinations of the Reichstag, although as a matter of fact its consent is indispensable even to the plans of the imperious and domineering Chancellor.

But there is no great minister or ministry to represent the will and being of Congress in the common thought. The Speaker of the House of Representatives stands as near to leadership as any one; but his will does not run as a formative and imperative power in legislation much beyond the appointment of the committees who are to lead the House and do its work for it, and it is, therefore, not entirely satisfactory to the public mind to trace all legislation to him. He may have a controlling hand in starting it; but he sits too still in his chair, and is too evidently not on the flout of the body over which he presides, to make it seem probable to the ordinary judgment that he has much immediate concern in legislation after it is once set afoot. Everybody knows that he is a staunch and avowed partisan, and that he likes to make smooth, whenever he can, the legislative paths of his party; but it does not seem likely that all important measures originate with him, or that he is the author of every distinct policy. And in fact he is not. He is a great party chief, but the hedging circumstances of his official position as presiding officer prevent his performing the part of active leadership. He appoints the leaders of the House, but he is not himself its leader.

The leaders of the House are the chairmen of the principal Standing Committees. Indeed, to be exactly accurate, the House has as many leaders as there are subjects of legislation; for there are as many Standing Committees as there are leading classes of legislation, and in the consideration of every topic of business the House is guided by a special leader in the person of the chairman of the Standing Committee, charged with the superintendence of measures of the
particular class to which that topic belongs. It is this multiplicity of leaders, this many-headed leadership, which makes the organization of the House too complex to afford uninformed people and unskilled observers any easy clue to its methods of rule. For the chairmen of the Standing Committees do not constitute a cooperative body like a ministry. They do not consult and concur in the adoption of homogeneous and mutually helpful measures; there is no thought of acting in concert. Each Committee goes its own way at its own pace. It is impossible to discover any unity of method in the disconnected and therefore unsystematic, confused, and desultory action of the House, or any common purpose in the measures which its Committees from time to time recommend. . . .

Often the new member goes to Washington as the representative of a particular line of policy, having been elected, it may be, as an advocate of free trade, or as a champion of protection; and it is naturally his first care upon entering on his duties to seek immediate opportunity for the expression of his views and immediate means of giving them definite shape and thrusting them upon the attention of Congress. His disappointment is, therefore, very keen when he finds both opportunity and means denied him. He can introduce his bill; but that is all he can do, and he must do that at a particular time and in a particular manner. . . . For if he supposes, as he naturally will, that after his bill has been sent up to be read by the clerk he may say a few words in its behalf, and in that belief sets out upon his long-considered remarks, he will be knocked down by the rules as surely as he was on the first occasion when he gained the floor for a brief moment. The rap of Mr. Speaker’s gavel is sharp, immediate, and peremptory. He is curtly informed that no debate is in order; the bill can only be referred to the appropriate Committee.

This is, indeed, disheartening; it is his first lesson in committee government, and the master’s rod smarts; but the sooner he learns the prerogatives and powers of the Standing Committees the sooner will he penetrate the mysteries of the rules and avoid the pain of further contact with their thorny side. The privileges of the Standing Committees are the beginning and the end of the rules. Both the House of Representatives and the Senate conduct their business by what may figuratively, but not inaccurately, be called an odd device of disintegration. The House virtually both deliberates and legislates in small sections. Time would fail it to discuss all the bills brought in, for they every session number thousands; and it is to be doubted whether, even if time allowed, the ordinary processes of debate and amendment would suffice to sift the chaff from the wheat in the bushels of bills every week piled upon the clerk’s desk. Accordingly, no futile attempt is made to do anything of the kind. The work is parcelled out, most of it to the forty-seven Standing Committees which constitute the regular organization of the House, some of it to select committees appointed for special and temporary purposes. Each of the almost numberless bills that come pouring in on Mondays is "read a first and second time,"—simply perfunctorily read, that is, by its title, by the clerk, and passed by silent assent through its first formal courses, for the purpose of bringing it to the proper stage for commitment,—and referred without debate to the appropriate Standing Committee. Practically, no bill escapes commitment—save, of course, bills introduced by committees, and a few which may now and then be crowded through under a suspension of the rules, granted by a two-thirds vote—though the exact disposition to be made of a bill is not always determined easily and as a matter of course. Besides the great Committee of Ways and Means and the equally great Committee on Appropriations, there are Standing Committees on Banking and Currency, on Claims, on Commerce, on the Public Lands, on Post-Offices and Post-Roads, on the Judiciary, on Public Expenditures, on Manufactures, on Agriculture, on Military Affairs, on Naval Affairs, on Mines and Mining, on Education and Labor, on Patents, and on a score of other branches of legislative concern; but careful and differential as is the topical division of the subjects of legislation which is represented in the titles of these Committees, it is not always evident to which Committee each particular bill should go. Many bills affect subjects which may be regarded as lying as properly within the jurisdiction of one as of another of the Committees; for no hard and fast lines separate the various classes of business which the Committees are commissioned to take in charge. Their jurisdictions overlap at many points, and it must frequently happen that bills are read which cover just this common ground. Over the commitment of such bills sharp and
interesting skirmishes often take place. There is active competition for them, the ordinary, quiet routine of matter-of-course reference being interrupted by rival motions seeking to give very different directions to the disposition to be made of them. To which Committee should a bill "to fix and establish the maximum rates of fares of the Union Pacific and Central Pacific Railroads" be sent,—to the Committee on Commerce or to the Committee on the Pacific Railroads? Should a bill which prohibits the mailing of certain classes of letters and circulars go to the Committee on Post-Offices and Post-Roads, because it relates to the mails, or to the Committee on the Judiciary, because it proposes to make any transgression of its prohibition a crime? What is the proper disposition of any bill which thus seems to lie within two distinct committee jurisdictions?

The fate of bills committed is generally not uncertain. As a rule, a bill committed is a bill doomed. When it goes from the clerk’s desk to a committee-room it crosses a parliamentary bridge of sighs to dim dungeons of silence whence it will never return. The means and time of its death are unknown, but its friends never see it again. Of course no Standing Committee is privileged to take upon itself the full powers of the House it represents, and formally and decisively reject a bill referred to it; its disapproval, if it disapproves, must be reported to the House in the form of a recommendation that the bill "do not pass." But it is easy, and therefore common, to let the session pass without making any report at all upon bills deemed objectionable or unimportant, and to substitute for reports upon them a few bills of the Committee’s own drafting; so that thousands of bills expire with the expiration of each Congress, not having been rejected, but having been simply neglected. There was not time to report upon them.

Of course it goes without saying that the practical effect of this Committee organization of the House is to consign to each of the Standing Committees the entire direction of legislation upon those subjects which properly come to its consideration. As to those subjects it is entitled to the initiative, and all legislative action with regard to them is under its overruling guidance. It gives shape and course to the determinations of the House. . . .

These are some of the plainer points of the rules. They are full of complexity, and of confusion to the uninitiated, and the confusions of practice are greater than the confusions of the rules. For the regular order of business is constantly being interrupted by the introduction of resolutions offered "by unanimous consent," and of bills let in under a "suspension of the rules." Still, it is evident that there is one principle which runs through every stage of procedure, and which is never disallowed or abrogated,—the principle that the Committees shall rule without let or hindrance. And this is a principle of extraordinary formative power. It is the mould of all legislation. . . .

The prerogatives of the Committees represent something mote than a mere convenient division of labor. There is only one part of its business to which Congress, as a whole, attends,—that part, namely, which is embraced under the privileged subjects of revenue and supply. The House never accepts the proposals of the Committee of Ways and Means, or of the Committee on Appropriations, without due deliberation; but it allows almost all of its other Standing Committees virtually to legislate for it. In form, the Committees only digest the various matter introduced by individual members, and prepare it, with care, and after thorough investigation, for the final consideration and action of the House; but, in reality, they dictate the course to be taken, prescribing the decisions of the House not only, but measuring out, according to their own wills, its opportunities for debate and deliberation as well. The House sits, not for serious discussion, but to sanction the conclusions of its Committees as rapidly as possible. It legislates in its committee-rooms; not by the determinations of majorities, but by the resolutions of specially commissioned minorities; so that it is not far from the truth to say that Congress in session is Congress on public exhibition, whilst Congress in its committee-rooms is Congress at work. . . .