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REBUILDING THE TEMPLE.

BY SALEM DUTCHER.

IT is proposed to offer some suggestions for the better government of these United States.

The Money Power.—I. Under the present system the Senate consists of 74 members and the House of 243. A majority in either body, or 38 in the Senate and 122 in the House, constitute a quorum; and a majority of a quorum, or 20 in the Senate and 62 in the House, can pass any appropriation bill. It is suggested that the rule should be a two-thirds vote, or, as the figures now stand, 50 in the Senate and 162 in the House. This would forbid the slipping through of appropriations "on a thin house," and impede, if not prevent, appropriations for party purposes.

II. The President has no option as to the items of an appropriation; he must approve all or reject all, and to remedy the evil growing out of this—called "sandwiching," or the insertion of corrupt items in a bill otherwise fair and right—it is suggested that he should have the power to approve any appropriation and disapprove any other appropriation in the same bill, returning the disapproved items as in the case of any other veto.

III. A practice has grown up in Congress of appropriating the public lands, money, and credit to private railway companies, which companies while constructing their roads out of the property of the people of the United States, yet charge said people for the use of said roads as fully as if they had been built with the companies' own private means. The corruptions superinduced by this practice are even more signal than the injustice it embodies of charging the people for the use of their own property; and it is suggested that Congress should be strictly inhibited from any loan or gift of the lands, money, or credit of the United States to any person, association, or corporation for the purposes of internal improvement.

New States.—The Senate consists of two representatives—aptly termed ambassadors—from each State, and by reason of this equality all the States are governmentally upon a par. On any given bill the one member in the House from Nevada may vote *no*, and the thirty-one members from New York vote *aye*, thus—supposing the vote of the House otherwise to be equally divided—carrying the measure by thirty majority; but on reaching the Senate the two Nevada senators are

equal in their votes to the two from New York, and so far as any measure turns on the States in question, Nevada puts New York at a dead-lock. The chain being no stronger than its weakest link, it thus appears that the political superiority of a large State to a small one is more fanciful than real, and in this view the immense importance of admitting a State may be perceived. And yet, just as twenty-five per cent of Congress may appropriate millions, the same small proportion can bring in new States. The temptation so to do for the purpose of retaining or enlarging party power is one that these few years past have shown to be irresistible, and it is therefore suggested that no new States should be admitted save by a two-thirds vote of both houses, the Senate voting by States.

The Presidency.—Under the present system the President is eligible indefinitely, and experience has proven that no sooner is a man chosen to the chief magistracy than he uses the powers of that office to secure a re-election. It is suggested, therefore, that the President be not re-eligible.

Office.—The practice of putting up the public employments of the United States as a prize for the victorious party at each presidential election is too notorious an evil to need exposition. An efficient, faithful, and necessary public officer should not be removed so long as his services are necessary, trustworthy and competent, always excepting members of the Cabinet and persons in the diplomatic service, the nature of whose employ renders it proper that the executive should have the power to remove them at pleasure. Saving these, it is suggested that all public officers should be removable by the appointing power when their services are unnecessary, or for misconduct or inefficiency, and not otherwise. On this as a basis a civil service, which is an institution of slow growth, might be reared.

The Treaty Power.—Under the present system, it is the prerogative of the President, "by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur." As this latter clause puts it in the power of two-thirds of a quorum, or but a fraction over one-third of the whole number of senators, to concur in the making of any treaty proposed by the executive, it follows, as the law now stands, that the President and any 26 out of the 74 senators may conclude a treaty which shall be as binding upon the United States as the Constitution itself. By such treaty, furthermore, the faith of the United States may be pledged to the payment of any large amount of money—as witness the \$7,000,000 in gold coin for Alaska—without any consultation with, or consent by, the House, which is supposed to be so peculiarly the guardian of the public wealth that all bills for raising revenue must originate therein, and on such pledge the House is reduced to the alternative either of repudiating the same and thus staining the credit of the republic, or acceding to an appropriation which it may not approve either in object or amount.

To do away with the evils of so anomalous a disposition of powers, it is suggested that in case a proposed treaty calls for money, the concurrence of the House by a two-thirds vote thereof should be obtained as to so much of said treaty as regards the contemplated expenditure, and then that two-thirds of all the senators elected to the Senate concur in the treaty as a whole; all treaties not calling for money beyond a certain merely ministerial amount, say \$50,000, to be concurred in by a majority of all the senators elected.

Representation.—Coming to the House, which is supposed to represent population, it appears that though the popular vote at the presidential election of 1868 was 2,985,031 Republicans to 2,648,830 Democrats, the representatives stand 164 Republicans to 70 Democrats, instead of 129 Republicans to 114 Democrats, as it should have been on the ratio of the popular vote. This disproportion is due much less to a defect in, than to an interference with, the electoral system. But for extraneous violence the elections of 1868 would have given the composition of the House as 124 Republicans to 119 Democrats, which would fairly enough have represented the popular vote as above given. As regards the general result, therefore, it does not appear but that the present electoral system, if respected, would give a representation in the House consonant with the political complexion of the republic at large; but, on coming to particulars, it is evident that the representation of the several States is not always a fair reflex of party strength within them. Thus, the actual and proportionate representation respectively of Massachusetts and Kentucky as compared with the strength of parties within those States, is as follows:

	VOTE.		REPRESENTATIVES.			
	<i>Rep.</i>	<i>Dem.</i>	Proportionate.		Actual.	
			<i>R.</i>	<i>D.</i>	<i>R.</i>	<i>D.</i>
Massachusetts, . . .	132,000	63,000	7	3	10	0
Kentucky,	40,000	116,000	2	7	0	9

To provide against such nullification of the minority as this is the aim of minority, or proportional, representation, of which, as the election of Representatives is purely a State matter and this paper regards the Federal polity alone, nothing will be said save so far as respects the effect of minority representation on the House. It is carefully to be borne in mind that, while proportional representation may give the minority more voice, it by no means follows that it necessarily gives that minority more power. Somewheres the majority must rule, and that place is the representative body. On the subject of representation, it is suggested that, whatever good results may enure to particular States from proportional representation, a correct reflex in the House of the whole country can be best obtained by a removal of all present restraints upon the electoral system set forth in the Federal Constitution and a relegation of the people of the United States to their original unfettered right of selecting as their representatives whom they please.

The best practical manner of carrying into effect the suggestions of this paper need not now be touched. For the present it is sufficient to commend them on their abstract merits to the public attention.

REMARKS BY EDITOR.

In giving place to Mr. Dutcher's paper, I wish to say, that while I heartily approve of all the suggestions he makes, I do not believe their adoption would restore health to the body politic. The disease is moral, not political; the difficulty is not so much with the machinery as with the driving power. All our legislative bodies, municipal, state and national, are corrupt because the moral sense of the American people has been debauched by a series of unfavorable influences. Among these may be mentioned:

1. The decay of theology. The Protestant sects in their days of vigor and virulence *did* supply a sort of moral sense to the community which has been gradually weakening with the growth of liberalism and the accumulation of proofs of the unsoundness, historically and scientifically, of the current theological dogmas. The belief in a hell was a low motive to influence conduct, but it had its effect when men had a real fear of eternal torments.

2. The anti-social and individualistic character of the philosophy which underlies American institutions is beginning to bear its bitter fruit. In the American conception, the individual is everything—he is the centre of the universe; hence egotism, selfishness, the pursuit of individual good without regard to the general welfare. The Human Rights dogma, carried out logically, can have no other result than social and political anarchy. The Transcendental Philosophy, so-called, Liberal Christianity; the writings of Channing, Parker, Emerson, Beecher and Frothingham, all help in this movement toward chaos and the moral death of the nation.

3. The ease with which wealth is acquired in this age of invention and machinery, and the universal belief in that most damnable of all the doctrines of the political economists, that property is a personal appendage and not an institution to satisfy social needs, is turning the whole nation, women as well as men, into mere selfish money grubbers. All Americans are on the "make."

The only hope is in the growth of a religion and a philosophy more in accord with the higher instincts of humanity. These in time will indicate a polity which will restore health and soundness to the state.

The outlook to the political philosopher is very gloomy, so far as the immediate future is concerned. We have entered upon an era of corruption; of public and private dishonesty appalling to contemplate. Fraud will abound and violence, I fear, will accompany it. Let the reader cut this out and paste in his common-place book to read ten years from now.