The Legislative Process

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U.S. Senate

THE LEGISLATIVE PROCESS IN THE U.S. SENATE

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PREFACE

THERE ARE many persons whose roles in our private and professional affairs have helped to kindle, shape, and sustain our joint fascination with the United States Senate and its members. To compile and present in cold type a long list of names surely would only dilute the sense of gratitude that we wish to convey to each of them.

The experiences that the editors have shared were important in our determination to compile the book and to write selections of our own where we believed it to be suitable. Our fellow graduate students and faculty tutors at the University of Wisconsin helped to excite our interests in politics generally. We are especially indebted to two of our mentors, Ralph K. Huitt and J. Austin Ranney, who have guided our intellectual and professional development. Two of our colleagues in the Department of Political Science at The Pennsylvania State University, Ruth C. Silva and Bernard C. Hennessy, helped immeasurably to improve our own selections and the organization of the manuscript with a devotion of time and expertise that can come only from the best combination of professional competence and warm friendship. We are also grateful to Mrs. Amy H. Schlitt and Larry S. Keiser who assisted in the preparation of the manuscript.

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PART ONE

The Senators: Recruitment, Style, and Norms

"RECRUITMENT and adaptation to legislative life," as David Barber emphasizes in his book *The Lawmakers,* are prerequisites for the maintenance of the legislative institution. Donald R. Matthews and Edward A. Kolodziej, whose articles appear in this first section, are primarily concerned with the processes of recruitment and adaptation to legislative life in the U. S. Senate. While Matthews focuses on the relation between the class structure and senatorial recruitment, Kolodziej examines the impact of personality and style upon the performance of a Senator's role. In the third article in this section Matthews describes the folkways of the U. S. Senate. He also explores some of the relations between Senators' social and political backgrounds and their conformity to institutional norms.

Matthews suggests that a relation exists between the composition of political elites such as U. S. Senators, the general distribution of power in a society, and policy decisions made in the political system. Though he raises a fundamental question, Matthews' intention in the first article is not to explore the complex relations between socioeconomic and political background and current behavior in the Senate. Therefore, he does not present any evidence to suggest that variations in background are in any way associated with Senators' policy decisions.

The most important question Matthews asks is what is the relation between the American system of class stratification and senatorial recruitment? To what extent are the accepted measures of class (family background, occupation, education, income, and so forth) good indicators or predictors of success in the contest for political office? Although the author finds the Senate statistically unrepresentative of the national adult population, giving an overall, but not uniform, advantage to white, middle- and upper-middle-class, Protestant, and professional men, he does not conclude that social class is the only important variable in explaining entrance into the Senate. Two other variables that Matthews suggests as indicators of electoral success are age and sex.

Professor Matthews' focus on the relation between the class system and entrance into the Senate raises a fundamental question for students of democratic theory. Quite clearly, the Senate is not statis-

tically representative of the American population. Does U. S. Senators' higher than average socio-economic status condemn the Senate as an unrepresentative and, therefore, undemocratic institution? This question raises the further question of whether an individual may constructively represent the interests of a segment of the population whose socio-economic characteristics he does not share. The efficacy of shared life circumstances is, of course, a tacit assumption of representation in the corporate state. The deliberate representation of occupational and other interest groups is found in the Spanish Cortes and in the prewar Italian Fascist state. While functional representation does not deny political equality, a major article of the democratic creed, it asserts the primacy of economic interests and denies the importance of the 'national interest.'

Donald Matthews' study of senatorial recruitment is complemented by Edward Kolodziej's examination of Senator Joseph S. Clark's adaptation to Senate life. Senator Clark, Kolodziej argues, is both a reformer and a Senate Democrat. Often these two roles conflict. In his attempt to reconcile the two roles, Clark has sought to adapt the institution to his personal vision of the nation's political needs. To attain these policy goals, Clark has argued for reforms that would subject the Senate to majority rule and make it capable of timely and decisive action. These reforms would also make the Senate more responsive to the liberal wing of both parties, thereby facilitating the passage of the presidential program.

Professor Kolodziej's analysis of Clark's efforts to reform the Senate raises two questions about the importance of personality in explaining legislative performance. Like Matthews, Kolodziej leaves unanswered the question of the relation between earlier life experiences and behavior in the Senate. Although he briefly recounts Clark's efforts at reform as Mayor of Philadelphia, Kolodziej does not explain the effect of this prior political experience upon Clark's performance as a reformer in the Senate. Did Clark's incumbency as Mayor of Philadelphia teach him anything about the strategy or efficacy of reform? Was the prior experience in any way relevant to the institutional setting of the Senate? These are important questions to be answered if students of the legislative process are to relate prior political experience to current behavior.

A second major question raised by Kolodziej is related to the impact of the personality and style of a reformer on the institution. On balance, Clark has thus far been unsuccessful in attaining the major reforms he has proposed. In part, Clark's failure may be re-

lated to personality characteristics that have been ascribed to him: intellectual arrogance, inability to compromise even with his supporters, and an unorthodox political style. As Kolodziej admits, in the short run Senator Clark's efforts seem politically futile. But, if Kolodziej is correct, Joseph Clark views his efforts as the first round in the battle to make the Senate subject to majority rule and responsible to the presidential wing of the party. Though Senator Clark has not been successful in reforming the Senate, he has, as Kolodziej concludes, made legislative procedure a legitimate political issue and dramatized the importance of the issue to the public. Clark's legislative effectiveness, therefore, must be measured in terms of his contribution to the vitality of the legislative institution in a democratic society.

In almost every human institution, there exist widely shared expectations about legitimate behavior. The United States Senate is no exception. These norms or folkways serve as constraints; they help the members of the Senate define the roles they may legitimately play within the institution. In the third article in this section, Matthews asserts that a Senator cannot be effective without conforming to the folkways of the institution.

Matthews raises three important questions. What are the folkways of the U. S. Senate? How do these folkways influence the behavior of Senators? What are the political consequences of the folkways for the Senate and the political system? In answering the first question, Matthews presents an inventory of Senate folkways, which includes courtesy, reciprocity, apprenticeship, specialization, institutional loyalty, and the performance of legislative tasks. Although Senators generally accept these norms, Matthews readily admits that they frequently depart from these expected patterns of behavior. Thus, Matthews raises the more important question of what is the relation between normative expectations and overt behavior within the institution?

This question is partially answered by Matthews' examination of the causes and consequences of deviation from senatorial norms. He presents an inventory of the factors associated with deviation from these norms: political ideology, constituency problems, prior political experience, future political ambitions, and previous accomplishment outside of political life. Although some Senators violate the Senate's norms, Matthews finds great pressure exerted on them to conform to institutional norms. The price of nonconformity, he asserts, is reduced legislative effectiveness. To be effective, Matthews

asserts, one must be an insider; to be an insider, one must play according to the rules of the game.

In answering the third question, Matthews concludes that the folkways are functional to the Senate. They help the members resolve conflict and make decisions that result in legislation. But, are the folkways equally functional to the political system? Senator Clark maintains that these informal rules further promote minority control of the institution, keep the Senate unresponsive to national majorities, and prevent the upper house from taking timely and decisive action. If Senator Clark is correct, then these informal norms or folkways may ultimately be dysfunctional to the Senate. These folkways and the formal rules of procedure may actually insulate the Senate from the mainstream of American politics.

I

UNITED STATES SENATORS AND THE CLASS STRUCTURE

Donald R. Matthews

WHILE NEVER an area of major concern to political scientists, the study of the characteristics and careers of American political leaders has held the attention of a few members of the profession for over half a century. As a result, a sizeable number of empirical studies of political leaders has accumulated over the years.[1] While there are many facts still to be collected, the principal weakness of the research in this field has not been lack of "coverage" or lack of data, but rather a lack of politically significant conclusions. Those who have worked long and hard in studying the careers of American political leaders have found through bitter experience that laboriously collected facts do not speak for themselves: facts must be explained, their interrelations shown, their implications explored. So far no theory has been developed which adequately performs this task. Yet the possible contributions of this type of research to political understanding are unusually great.

First of all, recent theorists suggest that the changing social characteristics of political leaders serve as an index to the changing distribution of power within a society. This view, which stems back to the writings of Vilfredo Pareto[2] and Gaetano Mosca,[3] has been most

Reprinted from the *Public Opinion Quarterly*, 18 (Spring, 1954), pp. 5-22, by permission of the author and the publisher.

[1] See H. D. Lasswell, D. Lerner, and C. E. Rothwell, *The Comparative Study of Elites: An Introduction and Bibliography*, Hoover Institute Studies, series B, no. I (Stanford: Stanford University Press, 1952).

[2] *The Mind and Society*, ed. and trans. A. Livingston (New York: Harcourt, Brace, 1935), 4 vols.

[3] *The Ruling Class*, trans. H. D. Kahn and ed. A. Livingston (New York: McGraw-Hill, 1939).

clearly expressed by Harold Lasswell in contemporary American thought and is the theoretical basis for the "elite" analyses of the Hoover Institute.[4] These trend studies may give us new insight into the nature of political change.

Only by considering biographical factors can an adequate explanation of the behavior of political leaders be obtained. While this line of reasoning is very old,[5] it has been clarified in recent years. David Truman, for example, writes:

> The politician-legislator is not equivalent to the steel ball in a pinball game, bumping passively from post to post down an inclined plane. He is a human being involved in a variety of relationships with other human beings. In his role as legislator his accessibility to various groups is affected by the whole series of relationships that define him as a person.[6]

Equally important is the fact that a politician's values and personal convictions are heavily influenced by his environment.[7] Knowledge of a man's early life, group memberships and identifications are therefore essential to a full understanding of his behavior in public office.

Finally, the social characteristics of political leaders can be used to ascertain their positions in a society's system of social stratification. A number of recent theorists have suggested that political leaders tend to be chosen from near the top of a society's prestige hierarchy.[8] If this is true, a society's class or caste system may have as much to do with the nature of a nation's political leaders as electoral systems, political parties, and other formal devices for the choice of leaders.

Unfortunately, none of these ideas about political leaders has been thoroughly and systematically tested. They have, for the most part, not yet been applied to what A. N. Whitehead has called "irreducible and stubborn facts."[9] Rather, facts have been collected without refer-

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[4] See Lasswell, Lerner, and Rothwell, *op. cit.*, and entire series B of the Hoover Institute Studies.

[5] See Madison in *The Federalist*, No. 10 (New York: Random, 1937), Modern Library Edition, p. 56.

[6] *The Governmental Process* (New York: Knopf, 1951), pp. 332–33.

[7] See Interuniversity Summer Seminar on Political Behavior, Social Science Research Council, "Research in Political Behavior," *American Political Science Review*, vol. 46 (December, 1952), p. 102.

[8] See R. Michels, "Authority," *Encyclopaedia of the Social Sciences* (New York: Macmillan, 1930), vol. 2, p. 320; H. Lasswell and A. Kaplan, *Power and Society* (New Haven: Yale, 1950), p. 154; R. M. MacIver *The Web of Government* (New York: Macmillan, 1948), ch. 5.

[9] *Science and the Modern World*, reprint (New York: Mentor, 1949), p. 3.

ence to theory, and theories have been expounded without any attempt to apply them to the facts.

The present paper, a report on the findings of only a part of a more inclusive study,[10] will concern itself with testing the third hypothesis. The group of political leaders chosen for study—United States Senators during the 81st Congress—is politically important, of convenient size, and inadequately analyzed in existing studies. Moreover, ample biographical data are available for contemporary Senators in biographical directories, in newspapers and periodical articles, and in unpublished studies of the Legislative Reference Service of the Library of Congress. Data obtained from these sources were supplemented by personal correspondence with the Senators and with the editors of their home town newspapers.[11] While equally detailed information is not available for Senators serving in earlier historical periods, a less complete analysis of the characteristics of the Senators in the 79th (1945), 54th (1895), 29th (1845), and 1st (1789) Congresses was made as a check on the representativeness of the Senators of the 81st Congress and as a means of establishing overall historical trends. On the basis of such a study, what can be said about the relationship between social stratification and the selection of United States Senators?[12]

SOCIAL ORIGINS

The selection of the members of the United States Senate during the 81st Congress began on October 2, 1867, when Theodore F. Green was born in Providence, Rhode Island. For eighty-one years the people of the United States were sifted and sorted until only one hundred and nine out of a total of about 150 million were left to serve in the Senate between January 3, 1949, and January 3, 1951.

Much of this selection took place decades before the future Senators cast their first ballots, entered their first elections, or made their first political speeches. During the early years the political life-chances of

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[10] D. R. Matthews, "United States Senators: A Study of the Recruitment of Political Leaders" (Ph.D. thesis, Princeton University, 1952).

[11] No attempt can be made here to list in more detail the many sources which must be consulted in a study of this type.

[12] Limitations of space forbid a discussion of the nature of social stratification in America at this point. For conceptual analyses see T. Parsons, "An Analytical Approach to the Theory of Social Stratification," *Essays in Sociological Theory* (Glencoe, Ill.: The Free Press, 1949), ch. 7; K. Davis, "A Conceptual Analysis of Stratification," *American Sociological Review*, vol. VII (June, 1942), pp. 309–21; K. Davis and W. E. Moore, "Some Principles of Stratification," *American Sociological Review*, vol. 10 (April, 1945), pp. 242–49.

many Americans, so far as service in the Senate is concerned, are reduced very severely while at the same time the chances of others are greatly enhanced. The American system of social stratification is of primary importance in explaining this phenomenon.

Father's Occupation

The most important single criterion for class ranking in the United States is occupation. While an individual's occupation is by no means a certain index to his social standing, it is the closest approach to an infallible guide. Thus information on the occupations of the Senators' fathers should give a reasonably accurate picture of the class origins of the members of the upper chamber. As can be seen from the study of Table I, the Senators during the 81st Congress were sons, with only a handful of exceptions, of men possessing upper- and middle-class occupations. The children of low-salaried workers, wage earners, servants, and farm laborers, who together comprised 63 per cent of the gainfully employed in 1890 (the census date nearest the median age of birth of the Senators), contributed only 4 per cent of the Senators serving in the 81st Congress. Only one man, the late Senator Wagner of New York, could be said to have been the son of an unskilled urban wage earner. His immigrant father was a janitor in a tenement house in New York City. Senator Watkins was the son of a carpenter; Cordon, of a painter and paperhanger; Dworshak, of a printer; Pastore, of a tailor; and Margaret Chase Smith, the daughter of a barber. All the rest of the Senators from urban backgrounds were sons of professional men, proprietors, or officials. Among the sons of farmers, some were born in relative poverty, yet it is virtually impossible to ascertain this in specific cases. It is still possible to conclude that very few Senators were born in working- and lower-class families.

In this respect, at least, the Senators during the 81st Congress are more or less typical. The occupational distribution of Senators' fathers has not changed a great deal in 150 years.[13] From the beginning about half the Senators have been children of professional men or proprietors and officials; about 40 per cent, the children of farmers; and the remaining 10 per cent or less, the children of the remaining 60 per cent of the population. A big headstart obviously helps in be-

[13] No doubt the meaning of occupational categories has changed considerably. For example, most of the "farmers" in the early years of the Senate were country gentlemen, cotton planters, etc. This is no longer the case.

TABLE I

Occupational Class of Fathers of Senators (81st Congress) and of Labor Force (1890)

Occupational Class	*Senators' Fathers* *Number*	*Per cent*	*Labor Force* *Per cent*
Professionals	24	22	5
Proprietors and Officials	35.5	33	6
Farmers (Owners and Tenants)	44	40	26
Low Salaried Workers	1	1	5
Wage Earners	3.5	3	36
Servants	0	0	7
Farm Laborers	0	0	15
Unknown	1	1	0
	109	100%	100%

Note: The occupations of carpenter, painter and paperhanger, printer, tailor, and barber were equally distributed between "Proprietors and Officials" and "Wage Earners."

Sources: Column three computed from T. M. Sogge, "Industrial Classes in the U. S. in 1930," *Journal of the American Statistical Association*, vol. 28 (June, 1933), pp. 199-203. The criteria of inclusion in and exclusion from the above categories are set forth in A. H. Hansen, "Industrial Class Alignments in the United States," *Journal of the American Statistical Association*, vol. 17 (December, 1920), pp. 417-25.

coming a political success as well as a success in other areas of endeavor.

Race and Ethnic Origins

All the Senators in the 81st Congress were "white" despite the fact that about 10 per cent of the American people are Negroes or members of other "non-white" groups. Since 1789 only two Negroes have been members of the upper chamber. Both men, Senator H. R. Revels (1870–71) and Senator B. Bruce (1875–1881), represented the state of Mississippi during the Reconstruction Period.[14]

Other groups finding similar, if not quite so inflexible, barriers to political advancement are the foreign born and second-generation Americans. Americans are all immigrants and descendants of immigrants, yet *when* an individual's ancestors came to this country affects both his class position in America and his chances of becoming a Senator. Among the hundred and nine Senators under study, only Senators Wagner and Murray were born abroad, while almost ten out of every hundred white Americans in 1940 were foreign born (Table

[14] Legislative Reference Service, Library of Congress, *List of Negro Members of the House of Representatives*, typewritten ms., undated. See also S. D. Smith, *The Negro in Congress, 1870–1901* (Chapel Hill: University of North Carolina Press, 1940), for the careers of the 22 Negroes who served in the lower house during this period.