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CLOTURE IN THE SENATE

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SPEECH

OF

HON. ROBERT L. OWEN

OF OKLAHOMA

IN THE

SENATE OF THE UNITED STATES

JULY 14, 1913



WASHINGTON

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CLOSURE IN THE SENATE

SPEECH

HON. ROBERT L. OWEN



SENATE OF THE UNITED STATES

JULY 14, 1852

WASHINGTON

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W. P. MASON

SPEECH
OF
HON. ROBERT L. OWEN.

AMENDMENT OF THE RULES.

Mr. OWEN. Mr. President, I offer the following resolution for reference to the Committee on Rules:

Resolved, That Rule XIX of the standing rules of the Senate be amended by adding the following:

"SEC. 6. That the Senate may at any time, upon motion of a Senator, fix a day and hour for a final vote upon any matter pending in the Senate: *Provided, however*, That this rule shall not be invoked to prevent debate by any Senator who requests opportunity to express his views upon such pending matter within a time to be fixed by the Senate.

"The notice to be given by the Senate under this section, except by consent, shall not be less than a week, unless such requests be made within the last two weeks of the session."

For the foregoing stated purpose the following rules, namely, VII, VIII, IX, X, XII, XXII, XXVI, and XL, are modified:

"Any Senator may demand of a Senator making a motion if it be made for dilatory or obstructive purposes, and if the Senator making the motion declines or evades an answer or concedes the motion to have been made for such purposes, the President of the Senate shall declare such motion out of order."

Mr. President, the minority veto in the Senate, with its power to prevent the majority from fulfilling its pledges to the American people, should end. The right to obstruct the public business by a factional filibuster must cease. The power of an individual Senator to coerce or blackmail the Senate must be terminated. These national evils can no longer be concealed by the false cloak of "freedom of debate."

Those who defend the antiquated rule of unlimited parliamentary debate do so chiefly on the ground of precedent. The precedents of the intellectual world, of the parliamentary world, are entirely against the preposterous rule which has been permitted to survive in the United States Senate alone. What are the precedents of other parliamentary bodies?

PRECEDENTS.

The precedents in the State of Maine and in every New England State, in every Atlantic State, in Gulf State, in every Pacific State, in every Rocky Mountain State, in every Mississippi Valley State, and in every State bordering on Canada are against unlimited debate or the minority veto. In both the senate and house of every State the precedent is to the contrary.

The precedent is against it in New Hampshire.

The precedent is against it in Vermont.

The precedent is against it in Massachusetts.

The precedent is against it in Rhode Island and Connecticut.

What Senator from the New England States will venture to say that the precedents of every single one of the New England States are unsound, unwise, and ought to be modified to conform to the superior wisdom of the Senate rule?

The precedent is against it in New York, and in Pennsylvania, and in New Jersey, Delaware, Maryland, Virginia, and West Virginia. What Senator upon this floor representing these Commonwealths will venture to say that the people of his State have adopted a false standard of parliamentary practice which they ought to abandon for the superior virtue of the minority veto established in the Senate by an archaic rule of 1806?

The precedent in North Carolina, in South Carolina, in Georgia, in Alabama, in Mississippi, and Tennessee is against it. Will the Senators from these States say that the parliamentary rule and practice of their own States, which they have the honor to represent upon this floor, are unwise and not safe and should be modified to comply with the superior rule of the minority veto?

The precedents of Louisiana, Michigan, Indiana, Illinois, and Kentucky, of Missouri, Iowa, Wisconsin, and Montana, of the Dakotas, of Nebraska, and Kansas, are all against this unwise practice of the United States Senate.

The precedents of Colorado, Wyoming, and Minnesota, of Idaho, of Nevada, of Arizona and New Mexico, and of the great Pacific States—Washington, Oregon, and California—provide for the closing of debate and are against the evil practice which still remains in vogue in the United States Senate.

Why, Mr. President, the precedent of every city, big and little, in the United States is against the right of minority veto under the false pretense of "freedom of debate."

Every one of the 48 States of the Union, while permitting freedom of debate, has set us the wise and virtuous precedent of permitting the control by the majority. I remind every Senator in this body that in his own State his legislative assembly, whether in the house or in the senate, does not permit a minority veto under the pretense of freedom of debate. It is the rule of common sense and of common honesty.

In the House of Representatives of the Congress of the United States the right to move the previous question and limit debate has been wisely and profitably practiced since its foundation.

ENGLISH PRECEDENTS.

The rule of the majority is the rule in all the parliaments of English-speaking people. In the Parliament of Great Britain, in the House of Lords, the "contents" pass to the right and the "not contents" pass to the left, and the majority rules.

In the House of Commons the "ayes" pass to the right and the "noes" pass to the left, and the majority rules. (*Encyclopædia Britannica*, vol. 20, p. 856.)

The great English statesman, Mr. Gladstone, having found that the efficiency of Parliament was destroyed by the right of unlimited debate, was led to propose cloture in the first week of the session of 1882, moving this resolution on the 20th of February, and expressing the opinion that the House should settle its own procedure. The acts of Mr. Gladstone and others of like opinion finally led to the termination of unlimited debate in the procedure of Parliament. In these debates every fallacious argument now advanced by those who wish to retain unlimited debate in the United States Senate has been abundantly answered, leaving no ground of sound reasoning to reconsider these stale and exploded arguments.

The cloture of debate is very commonly used in the Houses of Parliament in Great Britain, for example, in standing order No. 26. The return to order of the House of Commons, dated December 12, 1906, shows that the cloture was moved 112 times. (See vol. 94, Great Britain House of Commons, sessional papers, 1906.)

FRANCE.

In France the cloture is moved by one or more members crying out "La cloture!"

The president immediately puts the question, and if a member of the minority wishes to speak he is allowed to assign his reasons against the close of the debate, but no one can speak in support of the motion and only one member against it. The question is then put by the president, "Shall the debate be closed?" and if it is resolved in the affirmative the debate is closed and the main question is put to the vote.

M. Guizot, speaking on the efficacy of the cloture before a committee of the House of Commons in 1848, said:

I think that in our chamber it was an indispensable power, and I think it has not been used unjustly or improperly generally. Calling to mind what has passed of late years, I do not recollect any serious and honest complaint of the cloture. In the French Chambers, as they have been during the last 34 years, no member can imagine that the debate would have been properly conducted without the power of pronouncing the cloture.

He also stated in another part of his evidence that—

Before the introduction of the cloture in 1814 the debates were protracted indefinitely, and not only were they protracted, but at the end, when the majority wished to put an end to the debate and the minority would not, the debate became very violent for protracting the debate, and out of the house among the public is was a source of ridicule.

The French also allow the previous question, and it can always be moved; it can not be proposed on motions for which urgency is claimed, except after the report of the committee of initiative. (Dickinson's Rules and Procedure of Foreign Parliaments, p. 426.)

GERMANY.

The majority rule controls likewise in the German Empire and they have the cloture upon the support of 30 members of the house, which is immediately voted on at any time by a show of hands or by the ayes and noes.

AUSTRIA-HUNGARY.

In Austria-Hungary motions for the closing of the debate are to be put to the vote at once by the president without any question, and thereupon the matter is determined. If the majority decides for a close of the debate, the members whose names are put down to speak for or against the motions may choose from amongst them one speaker on each side, and the matter is disposed of by voting a simple yes or no. (Ibid., p. 404.)

AUSTRIA.

Austria also, in its independent houses of Parliament, has the cloture, which may be put to the vote at any time in both houses, and a small majority suffices to carry it. This is done, however, without interrupting any speech in actual course of delivery; and when the vote to close the debate is passed each side has one member represented in a final speech on the question. (Ibid., p. 409.)

BELGIUM.

In Belgium they have the cloture, and if the prime minister and president of the Chamber are satisfied that there is need of closing the debate a hint is given to some member to raise the cry of "La cloture," after a member of the opposition has concluded his speech, and upon the demand of 10 members, granting permission, however, to speak for or against the motion under restrictions. The method here does not prevent any reasonable debate, but permits a termination of the debate by the will of the majority. The same rule is followed in the Senate of Belgium. (Dickinson's Rules and Procedure of Foreign Parliaments, p. 420.)

DENMARK.

In Denmark also they have the cloture, which can be proposed by the president of the Danish chambers, which is decided by the chamber without debate. Fifteen members of the Lands-thing may demand the cloture. (Ibid., p. 422.)

NETHERLANDS.

In both houses of the Parliament of Netherlands they have the cloture. Five members of the First Chamber may propose it and five members may propose it in the Second Chamber. They have the majority rule. (Ibid., p. 461.)

PORTUGAL.

In Portugal they have the cloture in both chambers, and debate may be closed by a special motion, without discretion. In the upper house they permit two to speak in favor of and two against it. The cloture may be voted. (Ibid., p. 469.)

SPAIN.

The cloture in Spain may be said to exist indirectly, and to result from the action allowed the president on the order of parliamentary discussion. (Ibid., p. 477.)

SWITZERLAND.

The cloture exists in Switzerland both in the Conseil des Etats and Conseil National.

Many of the ablest and best Senators who have ever been members of this body have urged the abatement of this evil, including such men as Senator George G. Vest, of Missouri; Senator Orville H. Platt, of Connecticut; Senator David B. Hill, of New York; Senator George F. Hoar, of Massachusetts; and Senator HENRY CABOT LODGE, of Massachusetts, who introduced resolutions or spoke for the amendment of this evil practice of the Senate. (Appendix, Note A.)

Mr. President, the time has come in the history of the United States when Congress shall be directly responsive to the will of the majority of 90,000,000 of people without delay, evasion, or obstruction. We are in the midst of the most gigantic century in the history of the world, when every reason looking to the welfare and advance of the human race bids us march forward in compliance with the magnificent intelligence and humane impulses of the American people.

We have the most important problems before us—financial, commercial, sociological. Fifteen great propositions of improvement of government were pledged by the recent Democratic platform, and almost a like number were pledged by other party platforms. We have work to do that means the preservation, the conservation, and the development of human life, of

human energy, of human health. We have before us the great problems which mean the development of this vast country, and we should have the machinery of government by which to respond with reasonable promptitude to mature public opinion, but the rules of the Senate have been such as to prevent action; the rules of the Senate are such as to prevent action now with regard to the great questions before the country. The rules of the Senate have put the power in the hands of a small faction or of a single individual to obstruct, without reason, and to prevent action by Congress. I favor the right of the majority of the Senate to control the Senate after giving every reasonable freedom of debate to the opposition, so that the people of the country may have both sides of every proposition. But I am strongly opposed to the minority veto, or to a single Senator obstructing and preventing the control of the Senate by the responsible majority.

In a short session of Congress the Senate will appropriate a thousand million dollars in less than 350 working hours. Each working hour means the appropriation of \$3,000,000 of the hard-earned taxes taken from the labor of the American people. Every two minutes the Senate averages an appropriation of \$100,000 of taxes, and yet, instead of addressing itself to a comprehension of the necessity for such taxes, for such expenditure, a single Senator, or a small faction or a minority, may detain the Senate for hours and for days and for weeks while great questions of public policy wait, leaving the Senate to be thus distracted by filibustering tactics, discussions of immaterial or trivial matters, reading of worthless papers and statistics—in a deliberate obstruction of the majority by the minority.

EXTREME DIFFICULTY IN OBTAINING LEGISLATION THAT IS CONFESSEDLY OF VALUE, EVEN WITHOUT A FILIBUSTER.

Mr. President, before a bill can be passed that is desired by the American people, no matter how worthy, it must first be carefully drawn, submitted to the House of Representatives, and by the House submitted to a committee, and almost invariably such a bill is sent from the committee of the House to the executive department for a report; and when the report comes in it is considered in the committee, and finally and usually, where the majority desires the bill passed, it will be reported back to the House—abundant opportunity having been thus given to discover its weak points or defects.

When it goes to the House it takes its place upon the calendar and awaits the time with patience when it can be taken up on the calendar.

It must be read three times in the House, it must be printed, it is discussed in the House, and, finally, if after having passed every criticism and scrutiny it be approved by the majority of the House, it is signed by the Speaker and finds its way to the United States Senate. When it reaches the Senate it is again sent to a committee, the committee further considers it, and, finally, if a majority favor, it is reported back to the Senate to take its place upon the calendar. And many a good bill has died on the calendar in the Senate because of a single objection to it—what might be called the private right of veto by an individual Senator. If at last it is permitted, by consent, to come before the Senate and does not excite any prolonged de-

bate, it may become a law by reason of a majority vote of those present. But if anywhere along the line of this slow, deliberate procedure any serious objection is raised by a minority or by a Senator either can by dilatory motions, by insisting upon hearings, by making the point of "no quorum," by using a Senator's right to object and demand the regular order, by using his position to ask reconsideration and a rehearing, or, perhaps, an additional report from the executive department, and then demanding hearings in the executive department while the report is delayed, and in a thousand other ingenious ways a single Senator, much less a faction or willful minority, can make it almost impossible to pass a bill of great merit. For three years I have been trying to pass a bill to establish an improved organization of the Bureau of Public Health and have been unable to get any action for or against by Congress. I only refer to this as an example of many meritorious measures which have never been acted upon, and for which there is a powerful matured public sentiment urgently insisting upon action.

The Senate of the United States has rules for its conduct that make it almost impossible to get a bill through, except by unanimous consent, where a resolute minority is opposed to the passage of the bill. Under the so-called privilege of "freedom of debate" a group of Senators can hold up any measure indefinitely by endless talk in relays and by the use of dilatory motions, making the point of "no quorum," moving to "adjourn," moving to "take a recess," moving to "adjourn to a day certain," reading for an hour or so from Martin Chuzzlewit or Pickwick Papers, making the point of "no quorum," moving to "adjourn," making the point of "no quorum," moving to "adjourn to a day certain," moving to "take a recess," moving to go into "executive session," and, under the rules, may read a few chapters of Huckleberry Finn—and this puerile conduct is dignified by the false pretense of being "freedom of debate," when, in point of fact, it is nothing of the kind. It is the minority obstruction and the personal veto under the pretense of freedom of debate, under the false pretense of freedom of debate, under the contemptible and odious pretense of freedom of debate.

It is not freedom of debate.

The country has been very greatly harmed under the present rules, as I shall show before this debate concludes. At present I am simply laying a preamble for the consideration of this matter. It is going to take much time. It is going to be debated at considerable length in this body. It is going before the country for the country to determine whether or not men shall be permitted by the people of the United States to stand upon the floor of the Senate and favor the control of the majority by the minority and favor a policy of making it impossible for party pledges to be carried out in this Republic.

I will not say there is not the possibility, under some circumstances, of some good ensuing from a vigorous protest by the minority. I am perfectly willing to agree to that. But yielding that point in no way affects the validity of the argument that the majority should be charged with the responsibility of gov-

ernment; and I in no wise modify the comment I have made upon the odious pretense of "freedom of debate" in this body, which has served as a cloak for a minority veto and for improper processes in this body. I say it is not freedom of debate. The minority veto is, in effect, a denial of freedom of debate. A man in charge of an important bill is driven to refrain from debating the bill because he would be playing into the hands of the opponents of the bill, who are trying to kill the bill by exhausting the patience of the Senate by endless volubility and unending dilatory motions.

This thoughtless rule of unlimited freedom of debate was adopted in 1806, when there were 34 Senators, who met together to discuss their common affairs in courtesy and good faith, when only a very few bills were brought before the Senate. They had no conception that unlimited freedom of debate really meant a minority veto. Now that the Senate has 96 Members, representing 90,000,000 people, when its interests are of the most gigantic importance, when its modern problems of stupendous consequence are demanding prompt and virile action, when hundreds of important bills are pending, this hoary-headed reprobate rises up and strikes a posture of inscrutable wisdom and admonishes the world not to touch this sacred principle of unlimited "freedom of debate." The venerable age of this foolish precedent shall not save it from the just charge of imbecility and legislative vice.

The power to obstruct the will of the people by the Senate rules is the last ditch of privilege.

In the House of Representatives the party in power with its majority is carrying out the will of the majority, permitting reasonable debate and wide publicity to the views of all Members. But in the Senate, while we have reorganized the committees and have made important improvements in the rules, there still remains the point of unlimited debate, of irrelevant debate, of dilatory motions, whereby the minority can still prevent the action of the majority placed in power by the people. The United States Senate is the only place where the people's will can be successfully thwarted, and here it can be obstructed and denied by delays, by dilatory motions, by irrelevant debate, and unlimited discussion.

It is easy to pass unobjected bills in the Senate; and there are a great many bills that are brought up in the Senate that are unobjected bills. But I will say that objected bills do not pass through the Senate.

The new majority of the Senate is honestly pledged to the people's cause, and they must carry out their pledges if they wish to retain the approval of the people of the United States.

I am in favor of majority rule.

I am in favor of making the national will immediately effective.

I am in favor of the Senate of the United States having the opportunity to do the things required by our great Nation.

I am opposed to the minority veto.

I am opposed to the discouragement of honest discussion by the invitation to minority filibuster which this rule of unlimited debate invites.

I am opposed to legislative blackmail, which this rule of unlimited debate encourages, for we have all seen the Senate consent to appropriations and important amendments to important bills which ought not to have been made, but which were made rather than jeopardize the bill by the endless debate of a Senator proposing and insisting on an amendment.

The minority veto permits the majority to be blackmailed on the most important measures in order to conciliate the unjust demands of the minority. The time has come to end this sort of unwise parliamentary procedure with its train of evil consequences.

I believe in the freedom of debate. I invite the freedom of debate, but liberty is one thing and gross abuse of liberty is another thing. Freedom of debate is a valuable principle, worthy of careful preservation, for the majority is often instructed by the minority; but freedom of debate is one thing, and uncontrolled time-killing talk and unrestrained verbosity used to enforce a factional veto is another thing.

The amendment to Rule XIX which I have proposed does not prevent reasonable debate by any Senator, but it does permit the majority, after due notice, to bring a matter to a conclusion whenever it has become obvious that the debate is not sincere, but is intended to enforce a minority veto.

Senator Vest, December 5, 1894, well said:

That these rules "coerce the Senators in charge of a bill into silence."

That "with the people of the United States demanding action we have rules here that absolutely prevent it."

That these rules "facilitate parliamentary blackmail."

That the history of the Senate is full of important amendments being put upon important bills, "under the threat that unless placed there the debate would be indefinite and almost interminable."

This rule has brought the Senate of the United States into disrepute, has greatly diminished its influence, has given it the reputation of being an obstructive body, and many men have been led to believe that the Senate was coerced and controlled by a corrupt minority. Certain it is that if a minority can exercise the veto, the corrupt interests of the country could well afford commercially to promote the election of men to the floor of the Senate, so as to obstruct legislation to which they objected.

It is the result of these very rules which has led the people of the United States to demand by a unanimous voice the direct election of Senators, so as to bring public pressure of the sovereign people on individual Members of the Senate, and compel them to respect the wishes of the people, under penalty of retirement from public life.

I pause here to say that for 90 years the people of this country have been trying to establish the rule of direct election of Senators, and it has always been the Senate that has prevented the people from having their will with regard to this matter. Five times the measure passed the House of Representatives, the last two times almost by a unanimous vote of the Members representing the people of this country in the various congressional districts; yet the Senate stood like a

stone wall, refusing under these rules to carry out the will of the people of the United States. The same thing has been measurably true in regard to many other important items.

I venture now, Mr. President, seriously and solemnly to remind every Senator upon this floor who votes against this provision, who votes against majority rule in the Senate, who votes against a reasonable control by the Senate itself of its own deliberations, that he will have to answer for such vote before the people of his State, who will in the future elect the Senators by direct vote of the people and who will nominate them by direct vote of the people. And the Senator who by virtue of any precedent or prejudice opposes in this body the free right of the majority to rule will invite defeat by the majority of the people in his own State, who surely believe in majority rule and will resent the support of minority rule by their Senators on this floor.

I have no fear of majority rule. I never have been afraid of majority rule. The only thing we need to fear is the rule of the minority by artifice and by wrongdoing. And I say frankly to my colleagues from the South that the black-and-white scarecrow of the force bill is a ghost for which I have no respect. We are entering a new era of majority rule, which will deal justly and generously to rich and to poor alike, and with equal generosity, justice, and mercy to men of the black race, as well as to the men of the white race or to any other race. We need have no fear of majority rule.

Mr. President, I wish it to be clearly understood that my demand for a change of the rules of the Senate is not at all due to the idea that the adoption of such a rule is necessary in order to pass the tariff bill or any other particular bill pending or to be brought forward. My reason for this demand is that I think the welfare of the Nation requires it; that the right of the American people to a prompt redemption of party promises is involved. The right of the American people to have their will expressed at the polls promptly carried out I regard as an imperative mandate from a Nation of 90,000,000 people, and I think that a Senator who stands in the way of that mandate fails to perceive his duty to our great Nation, and that he should not be surprised if the majority, who will in future nominate Senators and elect Senators, will hold him to a strict account for a denial of the right of the majority to rule.

I remind the Senate that in three years over 30 living Senators who opposed the wishes of the American people for the direct election of Senators have been retired by the people.

PARTY PLEDGES.

The Democratic Party makes certain pledges to the people and appeals to the people for their support upon these pledges promised to be performed; the Republican Party does likewise; yet neither party, if in a majority, can control the Senate so long as the minority veto remains as a part of the rules of the Senate. If this rule is not changed, then both parties in future campaigns should put the following proviso as an addenda to their national party platforms:

Provided, however, That in making the above pledges to the American people it is distinctly to be understood by the people, that we make these pledges on the understanding that the opposite party does not forbid us to carry out our promises by obstructing the fulfillment of our promise

to you by filibustering in the Senate, in which event we will agree to sustain the right of the opposite party to veto the redemption of our pledges to you, by leaving the rules of the Senate in such a condition that the opposing party may veto our effort to redeem the promises made to you.

If the party trusted by the people is so imbecile as to leave the Senate itself subject to the veto of the defeated party, it will deserve future defeat for such perfidious conduct.

The people of the United States have the right to rely upon the party placed by them in power to fulfill the party pledges made to the people, and if the leaders of both parties connive with each other in the Senate to sustain the minority veto under the pretense of "freedom of debate," they will have betrayed the promises made to the people, both expressed and implied. If this rule be not changed so as to establish majority rule in the Senate, and so as to enable either party to carry out its promises to the American people, then neither party responsible for such conduct deserves the confidence of the people of the United States, and the people may well say in regard to party promises made under such circumstances, as said by Macbeth in the witches' scene—

And be these juggling fiends no more believ'd
That palter with us in a double sense;
That keep the word of promise to our ear
And break it to our hope.

Senator Vest, of Missouri, in 1893 introduced the following resolution, the most moderate form of terminating so-called debate (CONGRESSIONAL RECORD, p. 45, Dec. 5, 1894):

Amendment intended to be proposed to the rules of the Senate, namely, add to Rule I the following section:

"SEC. 2. Whenever any bill, motion, or resolution is pending before the Senate as unfinished business and the same shall have been debated on divers days, amounting in all to 30, it shall be in order for any Senator to move that a time be fixed for the taking a vote upon such bill, motion, or resolution, and such motion shall not be amendable or debatable, but shall be immediately put; and if adopted by a majority vote of all the Members of the Senate, the vote upon such bill, motion, or resolution, with all the amendments thereto which may have been proposed at the time of such motion, shall be had at the date fixed in such original motion without further debate or amendment, except by unanimous consent, and during the pendency of such motion to fix a date, and also at the time fixed by the Senate for voting upon such bill, motion, or resolution no other business of any kind or character shall be entertained, except by unanimous consent, until such motion, bill, or resolution shall have been finally acted upon."

Hon. Orville H. Platt, on September 21, 1893, introduced the following resolution (p. 1636):

Whenever any bill or resolution is pending before the Senate as unfinished business the presiding officer shall, upon the written request of a majority of the Senators, fix a day and hour, and notify the Senate thereof, when general debate shall cease thereon, which time shall not be less than five days from the submission of such request, and he shall also fix a subsequent day and hour, and notify the Senate thereof, when the vote shall be taken on the bill or resolution and any amendment thereto without further debate, the time for taking the vote to be not more than two days later than the time when general debate is to cease, and in the interval between the closing of general debate and the taking of the vote no Senator shall speak more than five minutes, nor more than once upon the same proposition.

And, among other things, said:

The rules of the Senate, as of every legislative body, ought to facilitate the transaction of business. I think that proposition will not be denied. The rules of the Senate as they stand to-day make it impossible or nearly impossible to transact business. I think that proposition will not be denied. We as a Senate are fast losing the respect

of the people of the United States. We are fast being considered a body that exists for the purpose of retarding and obstructing legislation. We are being compared in the minds of the people of this country to the House of Lords in England, and the reason for it is that under our rules it is impossible or nearly impossible to obtain action when there is any considerable opposition to a bill here.

I think that I may safely say that there is a large majority upon this side of the Senate who would favor the adoption of such a rule at the present time.

Mr. Hoar, of Massachusetts, 1893, submitted to the committee a proposed substitute, as follows (p. 1637) :

Resolved, That the rules of the Senate be amended by adding the following :

"When any bill or resolution shall have been under consideration for more than one day it shall be in order for any Senator to demand that debate thereon be closed. If such demand be seconded by a majority of the Senators present, the question shall forthwith be taken thereon without further debate, and the pending measure shall take precedence of all other business whatever. If the Senate shall decide to close debate, the question shall be put upon the pending amendments, upon amendments of which notice shall then be given, and upon the measure in its successive stages according to the rules of the Senate, but without further debate, except that every Senator who may desire shall be permitted to speak upon the measure not more than once and not exceeding one hour.

"After such demand shall have been made by any Senator no other motion shall be in order until the same shall have been voted upon by the Senate, unless the same shall fail to be seconded.

"After the Senate shall have decided to close debate no motion shall be in order, but a motion to adjourn or to take a recess, when such motion shall be seconded by a majority of the Senate. When either of said motions shall have been lost or shall have failed of a second it shall not be in order to renew the same until one Senator shall have spoken upon the pending measure or one vote upon the same shall have intervened.

"For the foregoing stated purpose the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXVIII, XXXV, and XL, are modified."

Mr. LODGE, of Massachusetts, also then, as now, Senator of the United States from Massachusetts, supported this proposal, using the following language (p. 1637) :

It is because I believe that the moment for action has arrived that I desire now simply to say a word expressive of my very strong belief in the principle of the resolution offered by the Senator from Connecticut, Mr. Platt.

We govern in this country in our representative bodies by voting and debate. It is most desirable to have them both. Both are of great importance. But if we are to have only one, then the one which leads to action is the more important. To vote without debating may be hasty, may be ill considered, may be rash, but to debate and never vote is imbecility.

I am well aware that there are measures now pending, measures with reference to the tariff, which I consider more injurious to the country than the financial measure now before us. I am aware that there is a measure which has been rushed into the House of Representatives at the very moment when they are calling on us Republicans for nonpartisanship which is partisan in the highest degree and which involves evils which I regard as infinitely worse than anything that can arise from any economic measure, because it is a blow at human rights and personal liberty. I know that those measures are at hand. I know that such a rule as is now proposed will enable a majority surely to put them through this body after due debate and will lodge in the hands of a majority the power and the high responsibility which I believe the majority ought always to have. But, Mr. President, I do not shrink from the conclusion in the least. If it is right now to take a step like this, as I believe it is, in order to pass a measure which the whole country is demanding, then, as it seems to me, it is right to pass it for all measures. If it is not right for this measure, then it is not right to pass it for any other.

I believe that the most important principle in our Government is that the majority should rule. It is for that reason that I have done what lay in my power to promote what I thought was for the protection of

elections, because I think the majority should rule at the ballot box. I think equally that the majority should rule on this floor—not by violent methods, but by proper dignified rules, such as are proposed by my colleague and by the Senator from Connecticut. The country demands action and we give them words. For these reasons, Mr. President, I have ventured to detain the Senate in order to express my most cordial approbation of the principle involved in the proposed rules which have just been referred to the committee.

Senator David B. Hill, of New York (1893), proposed the following amendment (p. 1639):

Add to Rule IX the following section:

"Sec. 2. Whenever any bill or resolution is pending before the Senate as unfinished business and the same shall have been debated on divers days amounting in all to 30 days, it shall be in order for any Senator to move to fix a date for the taking of a vote upon such bill or resolution, and such motion shall not be amended or debatable; and if passed by a majority of all the Senators elected the vote upon such bill or resolution, with all the amendments thereto which may be pending at the time of such motion, shall be immediately had without further debate or amendment, except by unanimous consent."

Only last Congress, April 6, 1911, the distinguished Senator from New York, Mr. Roor, introduced the following resolution:

Resolved, That the Committee on Rules be, and it is hereby, instructed to report for the consideration of the Senate a rule or rules to secure more effective control by the Senate over its procedure, and especially over its procedure upon conference reports and upon bills which have been passed by the House and have been favorably reported in the Senate. (CONGRESSIONAL RECORD, vol. 47, pt. 1, p. 107.)

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REMARKS
BY
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SENATE OF THE UNITED STATES

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