

The Open Court

A MONTHLY MAGAZINE

Devoted to the Science of Religion, the Religion of Science, and the
Extension of the Religious Parliament Idea

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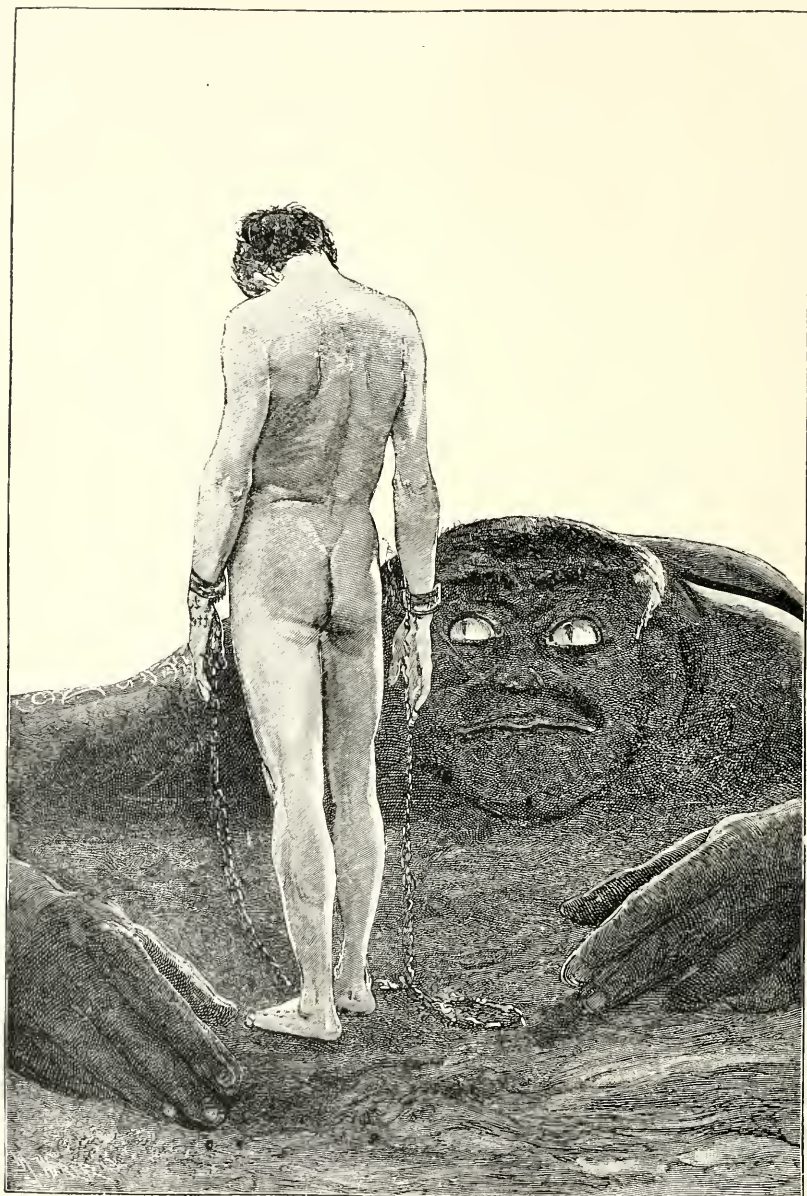
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THE FEELING OF DEPENDENCE.

By SASHA SCHNEIDER.

[See the article "Is Religion a Feeling of Dependence?"]

Frontispiece to The Open Court for September, 1899.

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A BASIS FOR REFORM.

BY THE HON. C. C. BONNEY.

ONE of the great shortcomings of our nation is due to a lack of system both in the administration of the government and the construction of the laws. What we need for our high offices and in our legislature is not only a greater number of honest men, but also men trained in the philosophy of law and familiar at least with the principles of statecraft.

In a free country, government must be the supreme business of the people. It is amazing to see that in American public life the public service goes limping on a beggar's dole, while the great private institutions command the highest order of talent by paying what it is worth. The error of a false notion of public economy ought to be rooted out of the public mind.

When the governments of the United States and the several States of this Union shall begin to regard government as the great business of a free people, and to consider how transcendently greater are the interests of even a small city—not to say a large city, or a State—than the largest and most gigantic of private enterprises can be; when we shall secure for public service the best talent of the country and when it will be deemed an honor and a distinction to hold positions of public trust the same that are now doled out as spoils to the bosses of the victorious party; then, and not till then, we shall have reason to be proud of our national life and may expect that all the several reforms that are needed in the various branches of government and the dispensation of the laws will make speedy headway.

But we demand that government employees should have a better financial outlook, be it in higher salaries, or in having life-

positions, or in the assurance of pensions, for the sole purpose of raising the standard of civil service. We have never had in this country any *standard* of the civil service, legislative, executive, or diplomatic. We have standards of judicial and legal procedure. We have standards of army and naval service. We have the naval academy and a military school, in which are trained, continually, young men drawn from the congressional districts of this great nation. I desire to call attention to this great omission.

To make the system of government complete there should stand also, side by side with the naval and military academies, a Civil Service Academy, in which the arts of statesmanship and diplomacy should be taught, to fix a certain standard of excellence for the American people, and to hold up this standard before those who seek preferment in public life, to show the nature and extent of the qualifications which they should try to acquire.

It is not that none but those who graduate in the military or naval academies succeed in obtaining honor in those professions, nor would it be so in civil life, in case the school which I advocate should be established; but the influence of such an example could not, in my judgment, be over-rated.

In connexion with the proposition of creating a school for civil, legislative, executive, and diplomatic service, let me touch upon another problem of great importance.

In the founding of our government we obliterated the hereditary governing class, but substituted nothing in its stead. Whatever be the faults of hereditary aristocracies they serve in the Old World the purpose of giving steadiness to the government, of preserving the historical connexion, of heeding the experiences of the past, and acting in times of need as high-priests of patriotism.

Amid the trials of that early day there was a spontaneous response to the demands of the country which resulted in the admirable early legislation which is still the delight of every student of the law; but as the country advanced in its growth, and its interests were developed, we forgot that we had made no substitute for the hereditary governing class of other countries, and that, from its nature, the patriotic charity of voluntary and self-denying service must be temporary. Although we recognise in all private callings the necessity for study and experience and practice—nay, in one of the great departments of our government we recognise the necessity of long study and experience to fill the judicial bench,—still, when we come to the no less difficult and important matter of legis-

lation, we take it for granted that all men are endowed by nature with the high genius required for the framing of statute law.

Not only is this the case, that the governments, state and national, have never, up to this hour, made any provision for professional and skilled labor in the matter of statute making, but we have committed another folly to which public attention should be called. Because in the mother country there is a House of Lords, and because in the Congress of the United States there is a Senate to represent the equal rights of the states, therefore it seems to have been assumed that there must necessarily be a Senate and House of Representatives in the State Legislatures, and yet both of those bodies are characterised by the same principles of organisation and office. This should not be so. Evidently there has always been a feeling latent in the public mind, as well as in professional judgment, that there should be two legislative houses for some purpose, but that purpose has not been clearly discerned, or, if discerned, it has not been clearly defined.

What, then, can be suggested in this behalf? It is this: in contributing the results of experience, in acting on a matter of public policy, the judgment and suggestion of the blacksmith, the farmer, the merchant, the banker, are just as much entitled to respect as those of the highest scholar or professional man. As to the mere matter of discussing public policy, and deciding whether a measure of a particular kind is required, an assembly of men drawn fresh from the people, and representing every class in the community, and every interest in the state, is the proper body to determine such questions, and they ought, in my judgment, to be determined, as has sometimes happened in this country, and not infrequently in the mother country, not on the details of a statute, but upon a simple resolution of inquiry whether or not the proposed legislation ought to be enacted in the State.

Then, above this body of popular representatives should sit the Senate, to take the measures which the popular judgment has approved, and embody them in the clear and exact provisions of a well-known statute. Statute-making is not only strictly professional work, it is the very highest order of such work.

The drawing of a well-constructed bill requires great accomplishments, and the endowments which belong only to highly-gifted minds, and yet that is a summer-day pastime compared with the difficult task of framing a wise and well-constructed bill for enactment into a law by the legislature. The statute-maker must look into the future, and endeavor to perceive the various contin-

gencies and difficulties which may arise. Hence I suggest that we will find the best skilled body for the delicate work of statute-making, and an effective prevention of defective and slipshod legislation, in a slight reconstruction of the Senate, in our various state legislatures, by making them consist only of experienced professional men, assimilated in tenure and compensation to the judiciary.