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A demanding office: Agency and authority of the House Speakership

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A Demanding Office: Agency and Authority of the House Speakership

An Honors College Project Presented to
the Faculty of the Undergraduate
College of
James Madison University

by William Garret Snoeyenbos

Accepted by the faculty of the Department of History, James Madison University, in partial fulfillment of the requirements for the Honors College.

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Preface

My honors thesis topic was the result of a primary focus of history and politics during my academic tenure at James Madison. Entering college, I had already developed a strong interest in political history. This interest stemmed from my childhood experiences growing up in Arlington, only a few miles from Capitol hill. Living in Arlington, where neighboring families are lawyers, lobbyists, and members of Congress themselves, I have always been completely engulfed in the political system and broader political culture inside the beltway. Researching and writing an honors thesis on a political topic was a natural extension of my community ties and my own personal interests.

My thesis topic of the agency and authority of the Speaker of the House evolved from a rough idea to a final working concept quite quickly. My recent areas of study during my third year of college had focused on twentieth-century political history from the Great Depression to the early nineteen-seventies. Taking these courses as inspiration, I knew that a topic in recent political history would be valuable, informative, and above all, feasible.

The next step in developing my thesis was choosing a time period on which to focus. I quickly realized, however, that focusing on a single time period would not accurately reflect the nature of the speakership and its changing roles and responsibilities over time from the early republic to the modern era. Therefore, I decided to identify important, pivotal moments during the historical development of the speakership. Focusing on major events thorough the history of the speakership also served to ground my thesis and dictate a clear, efficient, and well-organized structure for the final paper.

Acknowledgements

This honors thesis would not have been possible without the guidance, dedication, and kindness shown to me by Professor Hyser. From the beginning of my honors thesis when I was developing a preliminary topic, I knew that I wanted Professor Hyser on my team. I first met Professor Hyser when I took his business history class my first semester sophomore year. His outgoing teaching style, combining with a clear love of history and detailed knowledge of the subject, convinced me that I was in the right place as a history major.

Next, I specifically worked my class schedule around taking Professor Hyser for History 395 the following semester. The 395 experience can be frustrating and difficult at times, however, Professor Hyser was always available to provide suggestions and helpful comments. The subject of my history 395 paper was the Iran-Contra affair, which was my first major foray into modern twentieth century political history. History 395 was an academic whirlwind, and provided me with invaluable research and writing skills. The class also provided me with the framework required for tackling my honors thesis two years later.

The final formal class I took with Professor Hyser was a history of the American Gilded Age during my junior year. Knowing that Professor Hyser was a phenomenal professor gave me the confidence to enroll in the class despite my preliminary lack of enthusiasm for the subject material. Although I had doubts, the class ended up changing my perspective and expanded my knowledge of the late nineteenth century. Furthermore, Professor Hyser was gracious enough to allow my younger brother to attend his class to gain a better understanding of how college classes work.

When it came time to begin work on my senior honors thesis, Professor Hyser was incredibly supportive and considerate. I consider myself incredibly fortunate to have worked with such a detail-oriented and caring professor who undertook a significant time commitment to work with my honors thesis. His comments and suggestions have proven invaluable to advancing the overall direction of my honors thesis, and I am thankful to have worked closely with such a phenomenal scholar and academic here at James Madison University. Additionally, I am also thankful for my honors thesis readers, Professor Guerrier and Professor LaPira.

My family deserves particular thanks, because without their relentless support I would be hopelessly lost. Thanks for the encouragement you all have provided me over the course of my entire education, in both the past and the future. I am sincerely fortunate for a phenomenal family. A special thank you to Mom, Dad, and Eric for your love and kindness.

Chapter One: The Origin of the American Speakership

The U.S Speakership

From the early Republic to modern times, the Speaker of the House of Representatives has been the single greatest source of legislative authority within the United States government. Often considered the second-highest ranking U.S official after the President, the Speaker utilizes the distinct tools at their disposal to guide the entire legislative process towards the direction they desire. Broadly, these tools include the ability to set the legislative agenda, control debate, and appoint committee chairs. However, the vastly complex set of rules, guidelines, and procedures which govern the modern House were simply not present when Congress first met in 1789. The formal and informal establishment of House procedures took over a century to refine and develop into what is now a highly regimented network almost entirely controlled by the majority party.

Over time, the agency wielded by the Speaker has varied considerably. A component of this variation can be attributed to the various leadership styles and personalities of the individuals who have held the office. From the inception of the speakership to the present, there has been a historic trend toward decentralization and power-sharing among members of the House, which has strikingly diminished the overall power of the Speaker. During the eighteenth and nineteenth centuries, the Speaker wielded a near-ultimate command over the entire House, and the Speaker was able to enact legislation without either the broad support or coalition-building required of the modern Speaker.

The origins of the Speaker of the House of Representatives are rooted in parliamentary procedure from European constitutional monarchies, especially Great Britain. The Founders in-

cluded a formal leadership position within the text of the Constitution, known as the Speaker, to govern the chamber and preside as the highest-ranking formal officer. The Speaker is mentioned in the last line of Article I, Section II, and is the only formal role with the power to govern the House named in the Constitution.¹

The Roots of the American Speakership

The Speaker of the House of Representatives has been a traditional seat of power since the formation of the United States. There are several major influences that shaped the formation of the American speakership. These include the development of the British speakership, colonial legislative history, and the authority of the President of the former Continental Congress. The origins of the American speakership, as with many U.S institutions, can be traced to the leader of the English legislative body. The term Speaker was first used in the thirteenth century to describe the head of the House of Commons, the lower house of English Parliament. When the word “speaker” first emerged to describe the leader of the House of Commons, the British monarch filled the position by appointment. Thus, most Speakers served with deference to the political agenda of the Crown, and the legislative history of the era demonstrated this subservience, as frequently laws supported the will of the monarchy. The Speaker acted as an agent of the crown to enact the will of the monarch through the House of Commons. The practice of monarchical appointment changed with a series of incremental reforms in the fourteenth century, in which the House of Commons was granted the ability to choose its own Speaker. However, as a check to

¹ Mary Parker Follet, *The Speaker of the United States House of Representatives* (New York: Lennox Hill Publishing, 1974), 5-15; Hubert Bruce Fuller, *The Speakers of the House* (Boston: Little, Brown, and Company, 1909), 3-22; Jeffery A. Jenkins and Charles Stewart III, *Fighting for the Speakership: The House and the Rise of Party Government* (Princeton: Princeton University Press, 2013), 6-17.

this new independence, the monarch held a veto power which effectively limited the House of Commons from choosing a Speaker in direct opposition to the monarch.²

The evolution of the British Speakership took the greatest leap forward during the seventeenth century in a period of political tumult when the position evolved from a direct voice of the monarch to a status independent of the Crown's political agenda. This era saw the greatest expansion of authority for the Speakership, as the fallout from the Glorious Revolution of 1688 consequently placed Parliament on higher authoritative ground than the monarch for the first time in the history of Britain. With this new authority, the British Speakership developed into its modern form as a nonpartisan office with administrative responsibilities.³

It is clear that the British Speakership was the parliamentary bedrock on which the American Founders based the speakership. American colonial political history also influenced the decision to dedicate the Speakership as an official position incorporated in the Constitution. English colonists established the first permanent political institutions in the New World in the form of government legislatures. A leader, often called a "speaker", guided these early assemblies. Major authority and decision-making power was vested in these early colonial speakers, and the leaders became well-known to the people among the colonies.⁴

The American Founders also drew upon the President of the Continental Congress as a model in determining a formal leadership position in the new U.S legislature. The President of the Continental Congress was a ceremonial position without tangible political power, and was

² Follett, *The Speaker of the United States House of Representatives*, 7.

³ Ronald M. Peters, Jr., *The American Speakership: The Office in Historical Perspective* (Baltimore: Johns Hopkins University Press, 1990), 3-13.

⁴ Follett, *The Speaker of the United States House of Representatives*, 15.

determined through an election involving all Continental Congress delegates. The Founders incorporated the administrative powers of the President of the Continental Congress into the new role of Speaker of the House of Representatives as a presiding officer designed to facilitate debate. However, the President of the Continental Congress only served as an initial model for the speakership, as subsequent Speakers of the House wielded far more political power than any President of the Continental Congress.

The history of the British speakership, colonial legislatures, and the President of the Continental Congress were all positions that informed the Founders' decision to create the American speakership. Individual components of these three distinct entities were combined into one position formally titled the Speaker of the House of Representatives and enshrined in the U.S Constitution. The role of the parliamentary administrator was central to these historical leadership positions, and therefore became the most significant element of the early American speakership. While the American speakership later evolved into its own unique position within the party government system, it is rooted in British, colonial, and early American history.⁵

The Early Speakership

The First United States Congress met from March 4, 1789 to March 4, 1791 in three sessions. The first two sessions met at Federal Hall in New York City, and the third session met at Congress Hall in Philadelphia. At the start of the first session of Congress, and without any formal set of guidelines in place, the early legislators began their new occupations by deciding on the first Speaker. The most favorable candidate was Frederick Muhlenburg of Pennsylvania, a former Lutheran pastor who was part of the former Pennsylvania delegation to the Continental

⁵ Fuller, *The Speakers of the House*, 33-40.

Congress. Most critical to Muhlenburg's appeal was his background as a Pennsylvanian. The implementation of the new U.S Constitution brought immediate changes to every aspect of government, and there was a concerted effort to represent all of the most powerful individual states in the new federal government. With President George Washington representing Virginia and Vice President John Adams representing Massachusetts, a representative from Pennsylvania was a natural fit for the first Speaker of the House.⁶

Speaker Muhlenburg was elected in an uncontested election at the beginning of the new legislative session of the First Congress. The organization of the House in the first Congress under Speaker Muhlenburg primarily employed two distinct forms of legislative committees, which served as the primary vehicle for legislation. The first were ad-hoc committees. They were formed with the specific purpose of administration over particular issues and problems facing members of the House of Representatives. The ad-hoc committees were both the first governing structure and the most problematic due to their informal nature. When any sort of major or minor issue arose in these sessions of Congress, the issue would be directed to an ad-hoc committee that was formed to solve that specific issue.⁷

New committees were formed constantly to deal with different, specific issues relating to individual members of Congress and their districts. For example, a tax dispute involving local agriculture practices in Virginia would be sent to an informal committee with a single representative. In practice, these committees were simply poorly constructed avenues for individual representatives to claim ownership over a specific policy areas, and were cumbersome and unwieldy.

⁶ Jenkins, *Fighting for the Speakership*, 22-37.

⁷ Peters, *The American Speakership*, 44.

An individual representative in this early period of the U.S Congress was often the sole member of tens of different ad-hoc committees, working individually to write and form legislation to solve regional conflicts. Overall, the ad-hoc system resulted in inefficient government that was unable to efficiently legislative multiple issues concurrently.⁸

The second form of legislative committees was the Committee of the Whole. This is when all members of the House of Representatives sit on the same committee to conduct legislative business, and is still used today in modern Congressional parliamentary procedures. Employing the Committee of the Whole structure was common in the early period of the U.S Congress and facilitated discussion among all representatives in the House. While the Committee of the Whole advanced egalitarianism among representatives, it conversely allowed for a majority of politically aligned members of Congress to effectively silence any opinions held by the minority of representatives.⁹

The Speaker of the House of the early Republic was viewed as a notable influencer in the legislative process, rather than being widely recognized as a politically authoritative figure. The use of the Committee of the Whole is an example of the broad control the Speaker was prescribed over the House chamber. The Speaker organized each legislative session into the Committee of the Whole and chaired the overall debate during the committee. However, the first Speakers of the House were more parliamentarian figures who perceived their role as a facilitator

⁸ Follet, *The Speaker of the United States House of Representatives*, 22.

⁹ Jenkins, *Fighting for the Speakership*, 25.

of debate. This differs from contemporary Speakers who effectively control each legislative institution with the purpose of advancing their own political agendas.¹⁰

The modern Congressional institutions that govern the House of Representatives and facilitate the legislative process were not simply fully-formed structures that have been in place since the beginning of Congress. Rather, the most central components of governance over the House evolved from the single position of the Speaker of the House before emanating outward to include committee structure, leadership authority, and the general legislative process. The work of Congress to pass legislation, however, in the decades after the House first convened indicated there was no formal procedure guiding the legislative process. While Congress was able to function overall, its activities were convoluted, repetitive, and impractical. This changed, however, with the formal creation of standing committees.¹¹

New Legislative Institutions

Formal committee structure in the U.S House of Representatives did not emerge until the late eighteenth century with the establishment of the first standing committee known as the committee on Ways and Means on December 21, 1795. The House Ways and Means committee was formed as an assertion of political power in response to the tax policy being carried out by Federalists in the Department of the Treasury. Congress, controlled by the Republican Anti-Federalists, formed the House committee on Ways and Means in an effort to defend Congressional

¹⁰ Peters, *The American Speakership*, 53.

¹¹ Jenkins, *Fighting for the Speakership*, 30.

interests and stymie the executive branch of government from enacting conflicting fiscal policies.¹²

Major committee developments soon followed the establishment of the House Ways and Means Committee, as Congressional leaders saw the committee as a valuable institution and vehicle for efficient legislative action. Within the next Congress there were several major committees that corresponded to major and topical policy groups, collectively known as standing committees. Together, these standing committees began to form the basis for the development of legislation and quickly outmoded the need of the less-efficient and cumbersome debates that ensued from employing the Committee on the Whole.

The formation of these new political institutions changed the agency of the Speaker of the House from one rooted in parliamentary tasks such as calling role and facilitating discussion to an actively partisan political office. Before the formation of standing committees, there were few tangible methods at the Speaker's disposal available to directly shape policy outcomes. The Speaker was able to wield influence and expertise to the legislative process, however, the Speaker was relatively limited because the House often employed the egalitarian Committee of the Whole. The agency of the Speaker changed dynamically once a permanent standing committee structure was put in place. Now, the Speaker had the authority to direct committee assignments and how legislation proposed in committees would be introduced to the full body of the House of Representatives for voting purposes.¹³

¹² Follett, *The Speaker of the United States House of Representatives*, 15.

¹³ Peters, *The American Speakership*, 63-65.

The implementation and evolution of the committee structure of the House of Representatives closely tracked new developments in the partisanship expressed by the Speaker of the House for political gain. As the number of standing committees grew and the system evolved into permanence, the Speakership changed to include not only exercising formal parliamentary power, but also exercising informal political power. This meant that the Speaker, as a party agent, determined the chairs of each standing committee in an effort to directly influence the policy debate.¹⁴

A Changing Speakership During Political Gridlock

The evolution of Speakers serving an egalitarian, parliamentary function to Speakers serving in a directly partisan manner manifested most clearly in the aftermath of the Civil War. Starting in the 39th Congress and continuing forward, the gradual evolutionary changes of the early Republic cemented into government inextricably controlled by political parties. In the party government system beginning in the late 1860's, the majority party ruled the House completely and unconditionally. The organizational and political control that the Speaker began to utilize resulted in increasingly formal House voting procedures. For example, the Speaker, and their party by extension, controlled how and when to vote on specific bills. Furthermore, committee chairs would determine if the bills ever left their respective committees to go to a full vote on the House floor, and the Speaker and party leadership determined the sequence in which bills were voted on.¹⁵

¹⁴ Peters, *The American Speakership*, 65.

¹⁵ Fuller, *The Speakers of the House*, 47-55.

Party control over the House began with the Republican Party in the United States post-Civil War. The Republican Party, the party of President Lincoln, stood for federal unity in an increasingly divided nation and constituted much of the North and Northeast of the United States. The Democratic Party of this period was a political party in favor of states' rights and local autonomy, with a center of power in the southern regions of the United States. Together, the Republicans and Democrats constituted the two major parties of the late nineteenth century.

During the 1860's to 1900, the House majority frequently turned over between the Republican and Democratic parties. Whichever party was in the majority was able to effectively steamroll the minority party to advance their own legislative agenda, with a few notable exceptions. The dramatic shift in the Speakership to partisan tactics from a previously parliamentary role led to an uprising by the House minority party who began to effectively block majority-party legislative goals.¹⁶

The minority party, in an effort to stymie the majority, began to employ obstructionist parliamentary tactics to their advantage. These efforts included taking advantage of roll-call votes and using disappearing quorums. Roll-call votes is a part of parliamentary procedure where a member of the House staff calls the name of every member of Congress and notes if they are present in the chamber. While the 40th through 50th Congresses had fewer than the 435 modern representatives, there were still hundreds of names to call and account for. The roll-call vote process was long and cumbersome, and through forcing a roll-call vote the minority party had the temporary means to stall the legislative proceedings.¹⁷

¹⁶ Peters, *The American Speakership*, 53.

¹⁷ Peters, *The American Speakership*, 65.

Another unique facet to the roll-call vote tactic, which became especially relevant to later sessions of Congress, involved representatives refusing to answer when their name was called, thereby forcing the House administrators to mark their attendance as absent even though they were visibly present inside the House chamber. This insidious tactic was a low blow to the ruling majority party, and considered disrespectful to the legislative process. However, both parties still employed these tactics when they fell into the minority during the late nineteenth century.

Another tool at the minority party's disposal was the use of disappearing quorums. A quorum in the House is the number of members of Congress required to be present in order to conduct official business, including preliminary and final votes on bills. Without a quorum, the majority party is unable to effectively pass legislation because not enough representatives are present in order to do so. In the 1860's and 1870's, this tactic proved effective at limiting control over the majority party because neither party was ever in control of a large enough majority to have both a majority and a quorum.¹⁸

The political gridlock of the late nineteenth century was problematic for effective government administration, especially considering the economic upheaval brought upon by rapid post-war industrialization and the dire need of legislative action to accommodate these broad shifts in the American economy. However, the closely divided House of Representatives and divergent policy interests of the Northern Republicans and Southern Democrats made legislating effectively impossible. This political gridlock was especially evident during the 51st Congress,

¹⁸ Follett, *The Speaker of the United States House of Representatives*, 76-82.

from March 4, 1889 to March 4, 1891, in which Republicans narrowly controlled both the House and Senate, and the executive under President Benjamin Harrison.¹⁹

Speaker Thomas Reed and the Reed Reforms

The Speaker of the House during the 51st Congress was the infamous Thomas Brackett Reed, a U.S representative from Maine and powerful figure in the Republican Party. Reed ascended to the Speakership after successfully outmaneuvering his rival and future President William McKinley for leadership of the House. Thomas Reed was Speaker from December 4, 1889 to March 3, 1891, and then again from December 2, 1895 to March 3, 1899 when Republicans regained control of the House of Representatives. Standing at over 6 feet tall and weighing over 300 pounds, Thomas Reed was a huge man by modern standards, and was viewed as a giant during his own period as leader of the House. Reed's enormous size enabled him to tower over his political opponents and throughout his tenure as Speaker he was known to use his size for purposes of intimidation.²⁰

Speaker Reed is one of the most well-known Speakers of the House for implementing revolutionary reforms to parliamentary procedure and general voting practices known collectively as the Reed Rules. The Reed Rules were a Republican-led response to the quagmire and political gridlock facing Congress in the late 1800's, and effectively outlined a new governing philosophy championed by Speaker Reed. The implementation of these new parliamentary rules was facilitated by several major voting indigents that saw the last opportunities for obstruction by the House minority stripped away. In their place, the new Reed Rules allowed for a more functional

¹⁹ Fuller, *The Speakers of the House*, 47-55.

²⁰ Peters, *The American Speakership*, 63.

House of Representatives governed entirely by the philosophy that the majority party rules the House completely and totally.

The 51st Congress saw Republicans gain control of the House with a slim seven-vote majority over the opposing Democrats. The closely divided chamber allowed for the minority Democrats to employ various obstructionist tactics, including both the roll-call vote and the disappearing quorum. While Democrats believed that they had an advantage using these tools, Speaker Reed began to enact a political plot which would see the Republican Party gain total and complete control over the House within the first year of the 51st Congress. The plan began with a contested House seat, continued with the implementation of the so-called Reed Rules, and concluded with one of the single most productive legislative periods in the post-Civil War United States.²¹

The Political Drama Reaches a Zenith

Speaker Reed's plot to quash the Democratic minority's obstructionist tactics began with a controversy over the inclusion of a newly elected representative from West Virginia named Charles Brooks Smith, who was selected in a special election to fill the seat's vacancy. Representative Smith was a Republican, and in order to be considered an official voting member of Congress he had to be formally accepted by the rest of the House through a vote. The controversy centered around the interpretation of the roll-call vote tactic of obstructing the majority party's legislative agenda. In previous legislative practice, the roll-call vote was employed to obstruct voting on a bill when a representative whose name was called in the roll-call would simply refuse to answer to their name, despite being visibly present in the House chamber. This tactic

²¹ Fuller, *The Speakers of the House*, 33-40.

would end the process because it prevented the passage of the actual motion to vote on whichever bill was under consideration.²²

The first implantation of the Reed Rules reforms started when a formal roll-call vote was called for by the Democratic minority on January 19, 1890.²³ The Democrats then proceeded to use the roll-call vote to obstruct the consideration of the Republican representative Charles Brooks Smith as a formal voting member of the House. When the names of the representatives were totaled with those who replied to the roll-call vote, all Republicans, the 161 voting ye for the consideration of the bill did not reach the minimum required for a quorum. Stepping in, Speaker Reed began an adroitly choreographed legislative dance. First, Speaker Reed, as the Chair, directed the House Clerk to record the names of members present and refusing to vote. This indicated to the entire chamber that the Speaker intended to move forward with the vote and consider the silent Democrats to constitute a quorum, a clear and decisive break from past formal legislative procedure.²⁴

Immediately, verbal appeals were made from the Democratic representatives whose names were called without their consent. One of the most vocal representatives was William Campbell Preston Breckinridge from Kentucky, a member of a political family and the cousin of the Vice President John Breckinridge. Breckinridge bellowed out on the House floor “I deny the power of the Speaker and denounce it as revolutionary!” Other Democratic representatives quickly applauded and soon the House floor was alive with one of the most raucous and heated

²² Jenkins, *Fighting for the Speakership*, 269.

²³ Peters, 65

²⁴ Follett, *The Speaker of the United States House of Representatives*, 90.

debates of the nineteenth century. Soon after Breckinridge's inflamed remarks, another representative from the Kentucky delegation named James Bennet McCreary screamed at Speaker Reed "I deny your right, Mr. Speaker, to count me as present, and I desire to read from the parliamentary law on that subject!" The next portion of the exchange was heard throughout the entire chamber, as Speaker Reed lashed back to the representative by saying "The Chair is making a statement of the fact that the gentlemen from Kentucky is present. Does he deny it?" Speaker Reed's remarks drew immediate laughter followed by heavy applause from the Republican side of the aisle, and was successfully able to embarrass the Democratic representatives. With his intentions made absolutely clear, Speaker Reed silenced the minority Democrats and proceeded with his legislative agenda regarding the new West Virginia representative Charles Smith.²⁵

This incident marked the first of several altercations between the majority and minority during Thomas Reed's tenure as Speaker of the House, and is significant because of the far-reaching parliamentary implications to Speaker Reed's reforms. The successful, if not inflamed, debate on January 19, 1890 sparked Speaker Reed to move forward with additional components of parliamentary reform. With the assistance of the Republican coalition in Congress, Speaker Reed changed the House rules to reduce the quorum requirement in the Committee of the Whole to 100 members, empower the Chair to count quorum as he saw fit, and enable the majority to rule generally unobstructed.²⁶

While Speaker Reed had a clear political motive for implementing his drastic reforms to legislative procedure in the House of Representatives, there was also a broader ideological com-

²⁵ Peters, *The American Speakership*, 64.

²⁶ Peters, *The American Speakership*, 65.

ponent involved. Speaker Reed's political philosophy played a significant role in informing his decision-making process, including how to pursue parliamentary reform. Overall, Speaker Reed firmly believed in the idea of majority rule, which in his view advanced the principles of democratic government.²⁷

The Reed Rules Guide Success

These large-scale changes were seen as drastic at the time; however, the Reed Rules ultimately led to one of the greatest periods of legislative productivity in the history of the House of Representatives. During the 51st Congress and after Speaker Reed's adroit implementation of the Reed Rules, the House of Representatives passed 611 bills. This was the largest number in a single session of Congress to that point in history, and included famous legislation including the Sherman Anti-Trust Act, the McKinley Tariff Act, and the Oklahoma Territories Act. In the face of rapid economic growth, modernization, and industrialization, the United States was able to effectively legislate and solve domestic obstacles because of Speaker Reed's leadership in implementing the Reed Rules.²⁸

The early history of the Speakership, dating back to British influence and colonial legislatures, marked a period of formal parliamentary influence without concrete legislative authority. This relatively powerless and weak form of the Speakership lasted until after the Civil War, when a clear rise in the Speaker's partisan agency can be seen. This rise in the power of the Speakership grew most dramatically during Thomas Reed's Speakership in the 1890's, when the implan-

²⁷ Follett, *The Speaker of the United States House of Representatives*, 77-85.

²⁸ Peters, *The American Speakership*, 69.

tation of the Reed Rules fundamentally changed the nature of the House and established the principle of true majority rule.

Chapter Two: The Speakership and Concentrated Political Authority

The Committee Structure

The American speakership in the early Republic was a formal, administrative position that was solely concerned with parliamentary procedure and administration. The first Speakers did not wield independent authority, but instead were simple parliamentarians who presided over the debate among other members of the House. However, a significant and notable shift occurred in the late nineteenth century when Speaker Thomas Reed seized additional authority to guide the overall lawmaking system and advanced a partisan legislative agenda. Speaker Reed set a precedent for subsequent House leaders, who continued the same approach and leveraged political agency to further their party's political goals. This pattern of increasing the Speaker's authority reached its height during the early twentieth century.

The committee system is the most fundamental component of general Congressional operations, and slowly evolved to become central to the everyday workings of Congress during the late nineteenth century. Congressional committees were small, manageable groups of representatives that were organized around a central policy focus to develop, critique, and ultimately introduce legislation to the entire House. While there are a variety of different committees to deal with policies ranging from agriculture to infrastructure, three central committees emerged to become the most important and influential: the committee on Ways and Means, the committee on Appropriations, and the committee on Rules. These major committees constitute the central powers of the legislative branch, and are the three most powerful committees in the House.¹

¹ "Committee on Ways and Means" United States House of Representatives, accessed November 30, 2016, <https://waysandmeans.house.gov/about>.

The committee on Ways and Means was the first permanent standing committee created in the House, and was formed to provide an avenue for the discussion of all taxation and government revenue-generation matters pertaining to the United States government. The committee was established on December 21, 1795, and was the first committee to emerge after the ad-hoc committee structure was abolished in favor of formal standing committees. Due to its general jurisdiction and pertinence to a wide variety of issues, the Ways and Means committee is known as the most prestigious committee in the House.²

The committee on Appropriations was formed to centralize all spending bills and legislation requiring the expenditure of government resources. This committee traces its origins to the committee on Ways and Means, which was split into three separate committees via a House resolution on December 11, 1865. The former committee on Ways and Means became one of three new committees, and retained its original jurisdiction over taxation. The other two new committees were the committee on Banking and Commerce, and the committee on Appropriations. The committee on Banking and Commerce was formed to have jurisdiction over financial regulatory matters, while the committee on Appropriations was formed to have complete control over all spending affairs.³

The final, most significant House committee is the committee on Rules. The committee on Rules is unique because it does not specialize in a specific policy area. Instead, the committee on Rules creates the parliamentary procedures that govern debate in the House. The committee

² Ronald M. Peters, Jr., *The American Speakership: The Office in Historical Perspective* (Baltimore: Johns Hopkins University Press, 1990), 17-22.

³ “Committee on Ways and Means” United States House of Representatives, accessed December 1, 2016, <https://waysandmeans.house.gov/about>.

on Rules, by determining the fashion in which bills are introduced and voted upon, constitutes the primary means in which the ruling party exercises its command over the chamber as the majority power.

All Congressional committees are led by an individual, or chair, who is the highest committee-level authority. The committee chair is uniquely powerful because they determine whether bills introduced in committee advance to the House floor for the next stages of the legislative process, including debate and final vote. The individual serving as committee chair is responsible for spearheading the development of legislation, and is therefore expected to have a complete understanding of the policy area of the committee on which they serve.⁴

Implementing Parliamentary Reform

The implementation of the Reed Rules set into motion a new era in which the Speaker wielded unprecedented political agency. After the standing committee structure was institutionalized, all members of Congress voted by ballot to select committee chairs. This process quickly became cumbersome, and soon the power to determine committee chairs was vested to the Speaker. While the Speaker had the overall power of appointment, a broad base of bipartisan support within the chamber was still required to make committee chair appointments. However, the Reed Rules further streamlined and concentrated the appointment power into the sole jurisdiction of the Speaker and eliminated the requirement for broad support and general agreement.⁵

In the wake of the Reed Rules, the appointment power came to be a valuable tool which the Speaker utilized to influence lawmaking. The Speaker could shape the overall policy process

⁴ Peters, *The American Speakership*, 55.

⁵ William Rea Gwinn, *Uncle Joe Cannon: Archfoe of Insurgency* (New York: Brookman Associates, 1957), 22-33.

by appointing party loyalists and political allies who were able to effectively execute the Speaker's legislative agenda. For example, as the most important committees in the House, Speaker Reed appointed his closest and most trusted political allies to chair the committee on Ways and Means, the committee on Appropriations, and the committee on Rules. Republican management of the House was so tightly coordinated and controlled that Speaker Reed gained the derogatory nickname "Czar Reed," which exasperated Democrats coined because they had no effective legislative input as the minority party.

The implementation of parliamentary reform in the 1880's and 1890's and subsequent practice of majority rule enabled the rise of the most formidable and dominating Speaker of the House in American history – Joseph Cannon. Speaker Cannon served four terms as Speaker from 1903 to 1911, and was known for his style of authoritarian control over the House chamber. This commanding leadership style brought Speaker Cannon obedience from Republicans and scorn from Democrats, while fostering frustration in both parties. As Speaker, Cannon appointed powerful allies to all major congressional committees, cementing his rule over the House. However, a series of historic events which transpired in March 1910 ultimately led to Speaker Cannon's political demise and a dramatic reconfiguration of the role of the Speaker.

The Rise of Speaker "Uncle Joe" Cannon

Joseph Cannon was first elected to Congress in 1873 and represented a district that encompassed Danville, Illinois, near the Indiana border. Throughout his political career, Cannon was known for his unique charisma and personal qualities. This included his diminutive stature, a thick Midwestern accent, and speech characterized by colloquialisms and often profane language. While Cannon was significantly below average in height, he was an extremely talkative

man who delivered long, rambling stump speeches. To compensate for his small and slender stature, Cannon moved constantly as he spoke, often in a hyperactive, borderline manic fashion. These attributes, combined with his tendency to speak in vulgar and sexually explicit language, contributed to his overall public image as a common Midwestern man and earned him the nickname Uncle Joe Cannon, a moniker that followed him throughout his political career. This nickname was a term of endearment which stemmed from the fact that he was a relatable and likable individual.⁶

As a junior Republican member of Congress, Cannon followed in the tradition of Abraham Lincoln and strongly believed the power of the federal government superseded that of the states. When he was first establishing himself as a political figure, Cannon found it politically advantageous to emulate Lincoln, due to Lincoln's continued popularity within the Republican Party and with constituents in his Illinois district. While both Cannon and Lincoln were former lawyers who practiced law in Illinois, there were few genuine similarities between the two men. Unlike President Lincoln, when faced with major political quagmires, Cannon most often favored a distinctly conservative approach and did not consider changes to the status quo. However, Cannon successfully leveraged his similarities to Lincoln into electoral victory and sustained popularity in his district.⁷

The earliest and most significant political connection Cannon formed as a junior Congressman was an alliance with Speaker Thomas Reed. Cannon quickly entered into the ranks of Reed's trusted allies, and was a leading architect of the Reed Rules and subsequent legislative

⁶ Gwinn, *Uncle Joe Cannon*, 13.

⁷ Gwinn, *Uncle Joe Cannon*, 215.

reforms. Although Cannon had successfully won re-election to Congress a total of eight times before 1890, he was not known on the national stage until his assistance in implementing the parliamentary reforms under Speaker Reed. As a close party ally and personal friend of Speaker Reed, Cannon was granted chairmanship of the prestigious and influential House committee on Appropriations. This chairmanship was the first major leadership position that Cannon held, and his tenure as chair helped gain him the notoriety and popularity required to form the coalition of allies required to be elected Speaker.⁸

Uncle Joe Cannon attempted to become Speaker of the House four times before he was ultimately successful during the middle session of the 58th Congress. The path to Speaker was an informal, closed-door process in which the most well-known members of the majority party would put their names forward to be considered for the speakership. Cannon's previous attempts were starkly ambitious and ill-received considering his youth, inexperience, and lack of political résumé. However, Cannon was able to burnish his political reputation after Speaker Reed appointed him chair of the committee on Appropriations.⁹

As chair of the committee on Appropriations during the 51st, 55th, 56th and 57th Congresses, Cannon effectively held the federal government's purse in his own pocket. This enviable position saw Cannon in charge of the appropriation of all government resources, which meant that Cannon held power over great numbers of federal bureaucrats vying for government funding. As a conniving and fearless leader, Cannon was able to leverage his chairmanship to exact further influence over both other components of the federal government and the rest of the House. Can-

⁸ Gwinn, *Uncle Joe Cannon*, 63.

⁹ Peters, *The American Speakership*, 81.

non's duration as chair of the committee on Appropriations delivered the experience and authority necessary to successfully compete for Speaker of the House.¹⁰

Uncle Joe Cannon was selected Speaker of the House on November 7, 1903. The speakership was determined after several rounds of closed-door negotiations, which eliminated other influential Republican leaders from the contest. Finally, the entire Republican caucus, as the majority party in power, formally elected Cannon as Speaker. The process was entirely partisan and did not leave Democrats with any voice in the decision-making process. The vote was not close, and Cannon had no serious challengers.¹¹

Speaker Cannon's early alliance with former Speaker Reed greatly influenced his political ascension. However, it was immediately clear that major differences in governing style existed which separate the two politicians. Cannon exploited the role of Speaker further by often silencing both majority and minority opinions on legislative matters, in an effort to advance his own personal legislative agenda. The implementation of Reed Rules changed parliamentary procedure to facilitate efficient rule by the House majority, ushering in an era of unprecedented legislative productivity led by Speaker Reed. Speaker Cannon, however, was an exceedingly conservative man who did not believe in change from the status quo. These ideological differences between Republican speakers became increasingly clear during Joseph Cannon's tenure as Speaker of the House.

Joseph Cannon's Political Beginnings

¹⁰ Cannon did not serve as Chair of the Appropriations committee during the 52nd, 53rd, and 54th Congresses because Democrats were in the majority then.

¹¹ Gwinn, *Uncle Joe Cannon*, 72.

The political landscape at the turn of the twentieth century was centered around the competing ideologies of the Republican and Democratic parties. However, during this historical period a combination of factors determined voting on key issues rather than simply party affiliation. Bitter partisanship marked the earlier Gilded Age, when party loyalty was the most important factor when voting on legislation. Instead, in the Progressive Era, there were a variety of opportunities for members of Congress to vote out-of-step with their party. These voting opportunities generally overlapped with constituency-specific public policy issues, many of which stemmed from the burgeoning Progressive movement.

The late nineteenth century and early twentieth century saw a period of comprehensive and dramatic changes to the foundation of everyday American life. Central to this change was the movement of Americans from rural communities to sprawling urban centers in search of new economic opportunities. The spending power of the American consumer rose as new innovations in transportation, communication, and agricultural technology improved everyday quality of life. However, not all of these changes were viewed as positive. The growing concentration of power and influence among several leading corporations became a major concern of the progressives. Overall, these monumental shifts in American society spawned debate over the power and influence of big business and the need for government regulation of industry.¹²

Joseph Cannon's own personal ideology was strongly rooted in the notion of free enterprise and market-driven economic policy. Cannon's own experience of growing up in rural Illinois, where increasing agricultural production, protecting land rights, and developing small businesses were among the greatest concerns helped cement Cannon's economic values. While other

¹² Peters, *The American Speakership*, 50.

regions of the nation were forced to grapple with the issues of sanitation in cities, food adulteration, and pollution, the constituency Cannon represented did not face any similar problems. Cannon's limited worldview as a representative from a rural, agricultural-based region informed his plain lack of interest in advancing solutions to the problems produced by the growth of industry that alarmed so many other Americans.¹³

Speaker Cannon used his authoritarian leadership style to stymie progress on any legislation he deemed in conflict with his ideology towards business and regulation. While Speaker Reed facilitated majority rule by reforming the quorum, thereby laying the groundwork for modern legislative governance, the core foundation of consensus-building and compromise between parties in the House was still both intact and necessary for legislative goals to come to fruition. However, Speaker Cannon changed House rules even further to silence the minority entirely. This concentration of political authority, wielded through committee appointments and changes to floor debate, effectively shut down any remaining avenues for the minority to voice opposition.¹⁴

Speaker Cannon and the Partisan Speakership

The most important political mechanism at Speaker Cannon's disposal was control over the House Rules committee, which Cannon chaired in addition to his role as Speaker. Cannon first gained experience on the House Rules committee when Speaker John Carlisle (D,KY) appointed him to serve as a young representative. While there was a Democratic majority during this period and the Republicans had little control over the committee's policy decisions, Cannon

¹³ Gwinn, *Uncle Joe Cannon*, 107.

¹⁴ Peters, *The American Speakership*, 78.

was exposed to party politics and the unique capabilities of the rules committee in the legislative process. There are several key components to the power of the Rules committee. The committee has the sole authority to determine whether or not a bill, after being proposed and written in another policy-based committee, would be brought to the House floor for preliminary debate. Additionally, the rules committee is responsible for implementing the individual guidelines that govern both the debate and amendment procedures regarding a specific bill. Speaker Cannon utilized the power of the rules committee, in combination with his influence as Speaker, to effectively manage the entire legislative process. Consequently, Speaker Cannon used this authority to prevent legislation outside of his own social or economic values from being enacted.¹⁵

The source of Cannon's political legitimacy as speaker rested with the Republican caucus's majority. These were the members of Congress who first elected him to serve as speaker in 1903, and continued to support him during most of his tenure as the leader of the House. However, there were several decisive factors which began to build upon one another and ultimately lead to a historic political revolt which stripped Cannon of his major political powers in 1910. The first factor was the growing tension in the relationship between Speaker Cannon and President Theodore Roosevelt. Additionally, the lack of legislative productivity and overall success of Speaker Cannon's leadership became a factor in his swift political end. The largest factor which cemented Cannon's political downturn was the dramatic growth in the number of ideologically progressive members of Congress who fundamentally opposed Speaker Cannon's dually conservative and authoritarian leadership. This authoritarian leadership was derisively known as "Can-

¹⁵ Speaker Carlisle served as the 31st Speaker of the House from 1883 to 1891.

nonism”, and was the greatest criticism during Cannon’s tenure as speaker.¹⁶ The fate of the president’s legislative agenda depends on the capability and inclination of the Speaker, and the political marriage between President Theodore Roosevelt and Speaker Joseph Cannon was no different. President Roosevelt was a liberal Republican who identified with the Progressive movement while in office from 1901 to 1909, and he championed legislation to improve the quality of life for everyday Americans. However, President Roosevelt and Speaker Cannon represented opposite ends of the Republican Party. While Roosevelt was a true progressive leader who saw the regulation of industry as necessary and imperative, Speaker Cannon fundamentally disagreed. The relationship that Roosevelt and Cannon shared was considerably strained as the two politicians clashed over the Republican legislative agenda. Cannon, as a strict conservative, was opposed to many of the reformist policies that Roosevelt began to champion as a Progressive Republican.¹⁷

Speaker Cannon’s policy achievements were modest at best. The greatest social policy change of Cannon’s tenure was the passage of the Pure Food and Drug Act of 1906. After the revelation of unsanitary conditions at meat packaging plants exposed by Upton Sinclair’s *The Jungle* in February 1906, the U.S Congress took immediate action by subsequently passing the Pure Food and Drug Act only four months later in June. This was the first bill of its kind, because prior to passage there had been no major regulation of the food production industry, and a major legislative accomplishment for progressive Republicans and Democrats. The members of Congress who represented urban constituencies benefited the most because the unique problems

¹⁶ “Speaker of the House” United States House of Representatives, accessed December 12, 2016, <http://history.house.gov/Institution/Origins-Development/Speaker-of-the-House/>.

¹⁷ Gwinn, *Uncle Joe Cannon*, 91.

the bill sought to remedy, including food adulteration and quality control, disproportionately affected cities.¹⁸

The success of this bill was an example of Cannon breaking from his personal ideology to appease the progressive Congressional faction. Cannon himself did not personally agree with the new regulations of the food industry. Most of all, Cannon opposed the provision that required companies to bear the cost of new inspection standards. Ultimately, this political compromise is an example of the growing power of the Progressive movement in the early twentieth century.¹⁹

The rise of the progressive movement quickly grew from an annoyance to a long-term political threat for Speaker Cannon, whose own ideology staunchly supported the status quo, and wholly antithetical to the philosophy espoused by the burgeoning political power of the progressives. The members of Congress who began to vocally oppose Speaker Cannon and his authority as leader of the House became known as the “insurgents.” These members were progressive Republicans and Democrats who together supported the removal of Cannon as Speaker.²⁰ The dictatorial and uncompromising nature of Cannonism bred resentment within both the Democratic minority and within the ruling Republican party. Furthermore, the style of leadership that Cannon embodied was despised as anti-Democratic, tyrannical, and even called unpatriotic.²¹

The Political Rebellion Begins

¹⁸ Gwinn, *Uncle Joe Cannon*, 107.

¹⁹ Jeffery A. Jenkins and Charles Stewart III, *Fighting for the Speakership: The House and the Rise of Party Government* (Princeton: Princeton University Press, 2013), 287.

²⁰ Jenkins, *Fighting for the Speakership*, 280.

²¹ Peters, *The American Speakership*, 88.

The inception of the movement to curb Cannon's power as speaker began immediately after Cannon assumed office as the leader of the House. The main source of discontentment was within the minority Democratic Party and did not constitute any form of serious threat to Cannon's political rule. However, the Progressive movement changed the political calculus in favor of the insurgents by gradually adding moderate Republicans into the coalition to curb Cannon's authority.

The plot to strip Cannon of his essential authority and terminate the practice of Cannonism emerged as Cannon's leadership grew more and more authoritarian. Many of the insurgent Republicans had organized secret meetings to discuss how to effectively curb Cannon's rule. These discussions came to a head on March 17, 1910, when the effort to curb the power of Speaker Cannon manifested into a full-scale revolt that permanently and fundamentally changed the role of the speakership.²²

The 1910 revolt was a complex political maneuver that took the form of a resolution from Congressman George Norris (R) of Nebraska. The original resolution proposed to modify the House rules to change the composition of the Rules committee to fifteen members total, granting nine seats to the majority party and six seats to the minority party. The most integral provision of the proposed resolution was to make the Speaker ineligible for membership on the Rules committee. Later versions of the resolution reduced membership on the rules committee from fifteen to ten, with six majority-party representatives and four minority-party representatives.²³

²² Gwinn, *Uncle Joe Cannon*, 200.

²³ Jenkins, *Fighting for the Speakership*, 121.

Congressman George Norris was one of the key architects of the 1910 revolt and was one of the leaders of the so-called Congressional insurgents. Norris knew that he and his group of insurgents would have little time before Cannon would take notice of their plot to curb his outsize influence on all matters of House policy. Thursday, March 17, 1910 was a scheduled day for Congress to be in session, however, it was also St. Patrick's Day. Most of the Republican traditionalists who supported Cannon had taken the day off to celebrate the holiday in their districts, and were noticeably absent from the House floor. This left the Republican and Democratic coalition which opposed Speaker Cannon's authority an opportune moment to begin their revolt. The determination to move on St. Patrick's Day was a keen strategy, and not only because were a majority of Cannon's political allies away from the Capitol. Cannon, although still physically present in the House chamber on March 17, was caught completely off-guard by proposed resolution and was entirely unsuspecting of the forthcoming insurgent's plot against him.²⁴

Cannon's lack of political wits in this circumstance became apparent in the afternoon of Thursday, March 17, when Norris's resolution was originally introduced. In the parliamentary procedure of the early twentieth century House, a motion to introduce a resolution must be granted by the chair, which is most often the presiding Speaker. One of the few exceptions to this standard procedure is if a member of Congress declares their motion "privileged". The highest-ranking "privileged" motion is the declaration that the motion is "privileged under the Constitution." When a member of Congress makes this declaration, their motion supersedes all others and the question on whether or not to allow the motion is put to an immediate vote by the members present in the House chamber. Additionally, in these circumstances there is no qualification a

²⁴ Gwinn, *Uncle Joe Cannon*, 205.

motion must meet in order to be considered privileged under the Constitution other than general consent of the other members present. If a member of Congress desires to have their bill privileged, they simply declare it so and it is either accepted or rejected by the majority body.²⁵

Congressman Norris knew that Speaker Cannon identified him as a political rival and a chief insurgent, so it was unlikely that Cannon would directly rule in his favor if he brought up a traditional motion to introduce a resolution. Therefore, in a display of political expertise, Norris declared his motion to introduce a resolution privileged under the Constitution, which was accepted by the insurgent members of Congress currently present. With his motion to introduce a resolution granted, Norris then dropped the equivalent of a political bomb by announcing his resolution to both change the membership of the House Rules committee to be more balanced between Democrats and Republicans while also stripping Cannon of his own membership on the committee.²⁶

The Pinnacle of Congressional Drama

In a single instant, the entire House began to awaken with a newfound intensity when it realized an intense partisan struggle was imminent. Speaker Cannon's first reaction was to send word to his ally Republican members of Congress who were away to return to the Capitol immediately, in an effort to muster the number of votes needed to stop the insurgents' revolt. This maneuver did not help Cannon in the immediate period after the introduction of the Norris resolution, however. As per the operating rules of parliamentary procedure, a period of debate over

²⁵ L. White Busbey, *Uncle Joe Cannon: The Story of a Pioneer American* (New York: Henry Holt & Company, 1927), 247.

²⁶ "Speaker of the House" United States House of Representatives, accessed December 15, 2016, <http://history.house.gov/Institution/Origins-Development/Speaker-of-the-House/>.

whether to adopt the resolution began after its initial introduction to the full House. The atmosphere in the House quickly became intensely competitive and lost all sense of traditional formal cordiality.²⁷

After Norris introduced the resolution, a series of fierce debates between the Cannon supporters and the coalition of Democratic and Republican insurgents lasted well into the late evening of Thursday, March 17 and early morning of Friday, March 18, 1910. Congressmen from either side of the conflict exchanged scathing insults, jabs, and political blows at one another over the contention that Speaker Cannon was a tyrannical figure who had lost his right to lead the House. Cannon himself was flummoxed by the surprise revolt, which took him genuinely off-guard. He did not take swift action to prevent the revolt from gaining progress, which was out of character for the seasoned politician. Instead, Cannon determined that the best strategy was to wait as long as possible until his missing political allies could rejoin the House debates and tip the scales back in his favor.²⁸

The initial debate over the Norris amendment lasted for 26 hours. Finally, at 5:30 AM on Friday March 18, a majority consensus was reached to table the resolution until Saturday. There was hope that a settlement could be reached during this window of time, however, no significant progress was made as both the Cannon supporters and detractors firmly held their ground without compromise. Speaker Cannon, sensing that he was about to lose this major political battle over a fundamental power of his office, used the time to draft a speech which he planned to deliver when the debate resumed on Saturday. This speech would become one of the highlights of

²⁷ Jenkins, *Fighting for the Speakership*, 282.

²⁸ Gwinn, *Uncle Joe Cannon*, 208.

Cannon's political career and gain him additional notoriety for his adroit political gamesmanship.²⁹

Finally, at noon on Saturday, March 19, debate continued over the adoption of the Norris resolution. In its final form, the Norris resolution provided for a ten-person House Rules committee, six members from the majority party and four members from the minority party, with the Republican and Democratic caucuses determining membership.³⁰ The resolution proposed the Speaker to be formally excluded from the Rules committee, and the committee members would determine the chair. At the start of debate, the Norris resolution as amended was presented for a final vote, which carried with a vote count of 191 to 156. The successful passage of the Norris amendment ended the House revolt with a comprehensive victory by the insurgents, who successfully defeated Cannon and his allies by stripping the Speaker of his membership on the Rules committee and his ability to determine the rules committee chair.³¹

Speaker Cannon's Ultimate Political Maneuver

With a victory at hand, Congressman Norris moved to adjourn. Instead, Speaker Cannon asked for the opportunity to read his speech which he had drafted earlier in anticipation of defeat. The request was granted, and Cannon preceded to deliver a powerful piece of oratory. Cannon acknowledged the new coalition between the insurgent Republicans and Democrats which formed the powerful majority necessary to pass the Norris resolution. Then, in a move that sent

²⁹ Busbey, *Uncle Joe Cannon: The Story of a Pioneer American*, 251.

³⁰ Gwinn, *Uncle Joe Cannon*, 211.

³¹ Gwinn, *Uncle Joe Cannon*, 214.

additional shockwaves through the legislative body, Uncle Joe Cannon offered to entertain a motion to declare the Speakership vacant, effectively offering to resign as Speaker of the House.³²

The political calculus in offering to resign was both bold and successful. If the new majority of insurgent Republicans and Democrats had ever really wanted to oust Cannon entirely, this was the opportunity to do so. However, very few members of Congress were actually in favor of Cannon's resignation. Overall, the new Congressional majority was content with the outcome of the revolt and the newly rebalanced Rules committee. The passage of the Norris amendment damaged, but did not destroy, Cannon's political authority as Speaker. Therefore, by floating the opportunity to resign, Cannon was able to stymie the hemorrhaging of his political career and quell further opposition. The membership of the new iteration of the House Rules committee also reflected the majority's desire to keep the status quo while stripping Cannon of his authority. Of the ten members of the new House Rules committee, not a single member of Congress was part of the insurgent revolt itself.³³

Speaker Cannon amassed the greatest concentration of political power ever seen in the history of the U.S House of Representatives. The agency Cannon wielded did not advance a specific legislative agenda, however, it blocked Progressive reform from moving forward. The aftermath of the 1910 political revolt left the Speaker of the House weaker and with less political authority than at any other point in the history of Congress. These events of the 1910 political revolt had major consequences which permanently affected the leadership responsibilities and opportunities for all future Speakers. First, the office of Speaker of the House was fundamentally

³² Jenkins, *Fighting for the Speakership*, 285.

³³ Peters, *The American Speakership*, 88.

less powerful without control of the Rules committee. Second, the reputation of the speakership was damaged by the adoption of the Norris resolution. Finally, the 1910 revolt enabled the gradual change the speakership from a tool of the partisan majority towards the original, and less powerful, role of general parliamentarian.³⁴

The Norris resolution permanently altered the day-to-day responsibilities of the Speaker. The House Rules committee was no longer a pawn of the Speaker, and instead was able to exert independent agency upon the overall legislative process. Therefore, the speakership was left weaker and with less control over the House than prior to the 1910 revolt.³⁵ Instead of the Speaker determining the rules that govern debate on individual resolutions, that authority now lay in the hands of the chair of the Rules committee. This allowed for a broader perspective and contributed to the decentralization process Congress experienced during the twentieth century.³⁶

In addition to the loss of practical political influence, the speakership also suffered by losing the reputation and prestige it once had as the ultimate Congressional authority. After the Norris resolution, the Speaker's authority in closed-door negotiations was diminished.³⁷ This left other top Congressional leaders with increased opportunity to exert their own political agendas, and engage in leadership which otherwise would not have been possible with a stronger speakership position. Congress after the Norris resolution saw a greater form of power-sharing and a decrease in the concentration of authority once wielded entirely by the House speakership.³⁸

³⁴ Gwinn, *Uncle Joe Cannon*, 213.

³⁵ Gwinn, *Uncle Joe Cannon*, 217.

³⁶ Peters, *The American Speakership*, 85.

³⁷ Jenkins, *Fighting for the Speakership*, 280.

³⁸ Peters, *The American Speakership*, 90.

The political endeavors of Uncle Joe Cannon left a significant mark on the speakership that fundamentally changed the role and responsibilities of the leader of the House. The manipulation of the Reed Rules to concentrate political authority within the position of Speaker gave rise to an era of authoritarian and centralized control with Cannon ruling the House. The authority Cannon amassed was only shaken by the historic coalition of insurgents within the Republican Party who worked with the Democratic representatives to form the majority that ultimately enabled passage of the Norris resolution. The 1910 revolt set in motion the historical trend towards political decentralization within the House of Representatives that continued to persist throughout the twentieth century.

Chapter Three: Crisis Transforms the Speakership

The Authoritarian Speakership Ends

The speakership of the early twentieth century underwent a remarkable transformation from the ultimate political authority to the leader of a broad coalition of party leaders who shared responsibility. The position of Speaker of the House never again reached the broad and robust level of political authority amassed under Joseph Cannon. Instead, in the wake of the 1910 revolt, the speakership transformed over the next two decades to become a decentralized political apparatus that deferred authority to the president. The speakership partnered with other leaders in the political decision-making process to advance the legislative agenda instead of setting the agenda unilaterally and making the sole determination over the ultimate passage or failure of legislation. Previously, the speakership exercised a commanding and dominant style of leadership. The proliferation of shared responsibility among party leaders, however, diluted the speaker's individual authority during the 1920's and 1930's.

The speakership transformed into an agent of the executive rather than an independent political figure. An example of this deference to the executive branch can be found through examination of the speakership under John Nance Garner, Henry T. Rainey, Joseph Byrns, and William Bankhead. These four speakers spanned from 1931 to 1940, and represent a notable shift in the office's influence. This period of political history included the first "one hundred days" of the Roosevelt administration, which was the single greatest period of productive legislative activity in American political history. Thousands of bills were passed during this short window of time in an effort to restart the American economy in the wake of the Great Depression, including

many famed programs to introduce unemployed individuals back into the workforce on a mass scale.¹

A Nation In Crisis

The Great Depression was one of the most significant historical events of the twentieth century and fundamentally changed the relationship between the American government and its citizens. Laissez-faire economic policy dominated the 1920s and allowed for the unregulated growth of many sections of the economy seemingly without consequence. This Republican-dominated era saw the election of President Herbert Hoover in 1928. President Hoover was a pro-business Republican who advocated for less government involvement in economic affairs, business protectionism through tariffs, and minimal tax relief for the poor. Hoover was severely under-equipped and ultimately unsuccessful in handling the economic crisis in the aftermath of the stock market crash in 1929. A combination of a broad variety of factors contributed to the Great Depression, including unsound bank practices, land speculation, the proliferation of holding companies, an imbalance of foreign trade, high protective tariffs, and the popularity of the installment plan and new financing credit options. Additionally, agricultural disaster arising from poor farming practices contributed to the Great Depression.²

The Great Depression ushered in an era of tremendous economic uncertainty and was a primary factor which led to sweeping Democratic control of Congress in the election of 1930.

¹ Ronald M. Peters, Jr., *The American Speakership: The Office in Historical Perspective* (Baltimore: Johns Hopkins University Press, 1990), 105-115; Herbert Bruce Fuller, *Politics and People: The Ordeal of Self-Government In America* (New York: Arno Press, 1974), 270; Jeffery A. Jenkins and Charles Stewart III, *Fighting for the Speakership: The House and the Rise of Party Government* (Princeton: Princeton University Press, 2013), 292-301.

² David M. Kennedy, *Freedom from Fear: The American People in Depression and War 1929-1945* (New York: Oxford University Press, 2005), 55-70.

John Nance Garner, who previously served as House minority leader, was elevated to the 39th Speaker of the House and served from December 7, 1931 to March 4, 1933. Garner was famously nicknamed “Cactus Jack” as he hailed from the state of Texas where there were many cactus plants, and was the leader of the powerful Texas delegation which continued to have the largest state influence on Capitol Hill into the second half of the twentieth century. While Garner served as speaker, the Democratic Party was split among Northern and Southern divides. The Northern Democrats were considerably more progressive and were active in pushing for economic aid for the working classes, while the Southern Democrats were economically conservative and favored less significant government spending packages. Garner, as a representative from Texas, was the leader of the Southern conservative faction within the Democratic Party who advocated for a balanced budget as essential to economic recovery and strongly supported agricultural programs.³

The election of 1930 ushered in a divided government with Herbert Hoover serving the last two years of his presidency ideologically opposed to a Democratic Congress which controlled both the House and the Senate. There were distinct divisions within the American population, as the Great Depression worsened and deeply affected communities across the country. As speaker, “Cactus Jack” presided during a considerably partisan term in which President Hoover refused to sign bills passed by Congress into law. The ideological differences regarding a response to the Great Depression further exacerbated painful economic upheaval for millions of

³ Peters, *The American Speakership*, 90-101.

Americans and prohibited any major or meaningful legislative accomplishments to ameliorate the effects of the economic downturn.⁴

From Garner to Rainey

The election of Franklin D. Roosevelt as president in 1932 ended the period of divided government, legislative paralysis, and failure to make significant progress to combat the effects of the Great Depression. The election of Roosevelt also changed the composition of House leadership. John Nance Garner was elected as Roosevelt's vice president, and this transfer of executive positions left the speakership vacant. Henry T. Rainey, who was the House majority leader and second-ranking Democrat under Speaker Garner, was selected as speaker to take Garner's place. Rainey was a career politician and a loyal Democratic Party member who had been active as a representative from Illinois, and had risen to power as part of the liberal, progressive Northern Democratic faction. While the Northern progressive faction of the Democratic Party would ultimately grow to command the core of all Democratic support, Rainey was ahead of his time and his speakership represented a fleeting moment of progressivism in a Congress dominated by Southern Democratic conservatives.⁵

Henry T. Rainey entered Congress in 1903 as a representative from Illinois' 20th district, which encompassed a large part of Southern Illinois adjacent to St. Louis. Rainey was a gregarious and mild-tempered man who was widely respected in Illinois, where he only lost reelection once in 1920 before regaining his seat in 1922. Rainey's political views were highly progressive, and included vehement support of progressive taxation and low tariffs. The contest for the speak-

⁴ Kennedy, *Freedom from Fear*, 77-82.

⁵ Jenkins and Stewart, *Fighting for the Speakership*, 188-208; Peters, *The American Speakership*, 105-115.

ership vacated by John Nance Garner was fiercely competitive, and many prominent Democrats had selected themselves to be considered for the position. Four prominent Democrats rose to the top as the most appealing candidates, including Rainey, Joseph Byrns of Tennessee, John Rankin of Mississippi, and William Bankhead of Alabama. While these four congressman all had significant political accolades, Thomas Rainey's success was ensured by the new Democratic members of Congress from the 1932 election that predominately consisted of like-minded Northern liberals. Rainey was able to successfully secure the speakership after soliciting votes from these new members of Congress.⁶

Throughout the history of the American two-party system, there have been acute differences in the style of organization and composition of leadership between Democratic and Republican Congressional authorities. The House of Representatives is the largest component of the federal legislature, and therefore requires specific rules and procedures to effectively channel hundreds of individual opinions into effective policy. Therefore, in addition to the formal committee system of grouping members of Congress into policy-based and governing-based bodies, informal committee structures also exist. These informal groups are subdivisions of the Democratic and Republican caucuses, which are the collective groups of all Democratic and Republican representatives. Notable distinctions have existed between the Democratic and Republican caucuses since the formation of the two-party system, and inform the unique process of determining policy in each respective caucus.⁷

⁶ Jenkins and Stewart, *Fighting for the Speakership*, 299-301; Peters, *The American Speakership*, 110-112.

⁷ Fuller, *Politics and People*, 267-270; Peters, *The American Speakership*, 130.

The mode of self-governance is not homogeneous between both American political parties. In fact, key distinctions separate the Republican and Democratic informal committee systems. One of the largest differences within informal political structures between Democrats and Republicans involved the existence of a steering committee. The Republican Party first implemented a steering committee in the late nineteenth century to gather consensus over policies and determine the specific methods for passing legislation. There were a flexible number of seats on the steering committee and membership traditionally consisted of both senior and less-experienced members of Congress. Overall, the Republican model of a steering committee diffused power among a broader spectrum rather than concentrating all decision-making responsibilities within formal Congressional leadership positions.⁸

A central component of Rainey's speakership was the introduction of a steering committee into Democratic Party politics within the Congressional committee apparatus. In the past, House Democrats had never elected to utilize a steering committee. Speaker John Nance Garner continued the traditional opposition to the steering committee, and preferred to channel authority through a few elite political allies. Garner also disagreed with the notion of a steering committee in philosophical terms, because he believed that the diffusion of power would lead to more constrained policy positions. Furthermore, Garner held the notion that the decision-making process would be less effective and cumbersome with more representatives involved. However, the steering committee offered an attractive opportunity for young Democratic representatives to influence party policy in ways that would not have been possible previously.⁹

⁸ Peters, *The American Speakership*, 121-122.

⁹ Peters, *The American Speakership*, 115; Kennedy, *Freedom from Fear*, 150-155.

The prospect of membership on the steering committee was enticing specifically to newly elected representatives because of the opportunity the committee presented to quickly ascend the political ladder. Traditionally, newly elected freshman members of Congress are required to serve on the least influential formal committees and have few positions of responsibility in the leadership structure of either party. There were few positions at the top of the Democratic leadership, which translated to limited chances for policy contributions from junior members of Congress. Speaker Rainey expanded the opportunity for members of Congress to set the agenda, define policy outcomes, and ultimately pass legislation through his decision to create a steering committee. Overall, the introduction of a Democratic steering committee fundamentally changed the policy-making status quo from an insular and exclusive business to a broader, more inclusive, and decentralized process.¹⁰

Origins of the New Deal

The inclusion of a steering committee was far from the only legacy left by Henry T. Rainey as speaker. Speaker Rainey presided over the single most productive period of Congressional history during the first “one hundred days” of the Roosevelt administration, which began on March 9, 1933. The first “one hundred days” was a special session of Congress called by Roosevelt to ameliorate the most urgent and complex problems facing the American economy in the wake of the Great Depression. This special session produced many of the most famous pieces of New Deal legislation, including the Emergency Banking Act, the Glass-Steagall Act, and the National Industrial Recovery Act.¹¹

¹⁰ Jenkins and Stewart, *Fighting for the Speakership*, 305; Peters, *The American Speakership*, 116.

¹¹ William E. Leuchtenburg, *Franklin D. Roosevelt and the New Deal: 1932-1940* (New York: Harper & Row, 1963), 34-40; Kennedy, *Freedom from Fear*, 153.

Rainey was the primary architect behind the specialized tactics employed to account for both the sheer volume of legislation passed and the often controversial content of individual bills during the first “one hundred days”. These political tactics included steamrolling legislation through Congress by limiting debate and loosening the requirements for a quorum. There are also specific cases in which members of Congress voted on legislation without even reading the bill itself due to the urgent nature of the American economic crisis during this period. Additionally, Rainey was forced to contend with the differing political attitudes of the Democratic Party, which were most notably divided into the progressive Northern faction and the conservative Southern faction.¹²

The nature of the American economic crisis throughout the Great Depression was so urgent and time-sensitive that many of the most basic congressional practices were completely abandoned in an effort to facilitate the immediate passage of essential legislation. One of the most extraordinary and nearly unbelievable of these developments was the congressional practice of voting on bills without a majority of Congress having read the bill itself. Immediately after taking office, President Roosevelt directed William Woodin, the Secretary of the Treasury, to draft emergency banking legislation. Banking legislation was essential because vast numbers of private banks had closed in fear of customers demanding the withdrawal of their entire savings, which would create mass financial instability. This legislation, known as the Emergency Banking Act, provided for government aid to private banking establishments in an effort to encourage banks to reopen to reintroducing reserve capital into the economy. This issue was the most press-

¹² Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, 42.

ing concern because the lack of capital meant that millions of Americans were left without the money required to buy basic necessities.¹³

The Emergency Banking Act drafted by the Roosevelt administration was quickly forwarded to Congress, where Speaker Rainey was presented with the challenge of passing the bill on March 9, 1933 during first day of the special session of Congress. Rainey himself possessed the only available draft of the legislation, which was blanketed in pencil markings that denoted last-minute revisions from the Roosevelt administration. Traditionally, every member of Congress was provided a draft of proposed legislation and then provided appropriate time to read through the bill to determine their policy position. However, with the crisis looming, there was no time to print copies. Instead, Speaker Rainey dictated that the chairman of the House Banking and Currency Committee, Henry B. Steagall, hastily read the bill aloud while many members of Congress were still finding their seats.¹⁴

Speaker Rainey purposefully constrained the time allowed to debate the bill in order to achieve swift passage. Total debate over the Emergency Banking Act lasted just forty minutes, which is considered a record low duration for congressional debate over a bill. The overwhelming Democratic majority enabled passage on party lines; however, Republican minority leader Bertrand H. Snell urged his caucus to support the legislation unanimously. Snell, who himself had not even read the bill, appealed to his fellow Republicans that passing the bill without opposition would send a much-needed message of political unity in dire times. Ultimately, the Emergency Banking Act passed with overwhelming support and without a recorded vote. The fact that

¹³ Adam Cohen, *Nothing to Fear: FDR's Inner Circle and the Hundred Days that Created Modern America* (New York: Penguin Press, 2009), 70-79; Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, 42.

¹⁴ Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, 44; Peters, *The American Speakership*, 116.

the vote was not recorded was a sign of Congress's overwhelming consensus and confidence in passing such a critical piece of legislation. The events leading up to the passage of the Emergency Banking Act are an example of the political trust in the Roosevelt administration and the transfer of authority from the speaker and Congress to the president and the executive.¹⁵

The events of the first "one hundred days" illustrate the deference of authority from the speaker and Congress itself to the Roosevelt administration during a period of painful crisis in American history. In previous decades, strong-willed speakers, including Joseph Cannon, served as discerning gatekeepers to the passage of legislation and often came into direct conflict with the policy agenda of the sitting president. However, the pervasive urgency of the interval following the American economic disaster limited the independent agency of the speakership under Henry Rainey. Instead, the speakership was transformed into a position wholly subservient to the executive as necessitated by the pressing concerns facing the nation. The crisis of the Great Depression and subsequent government intervention fundamentally altered the power of the speaker from a center of sovereign authority to a compliant agent of the president.

Tumult and Instability Ensues

Henry T. Rainey died unexpectedly from a heart attack on August 19, 1934 at the age of 73. Rainey's death left the speakership vacant for 4 months and precipitated yet another contest for the top post. Joseph W. Byrns of Tennessee, the majority leader, was viewed as the most logical choice because of his professional experience and close personal ties to Rainey. Additionally, Byrns had led the Democratic congressional campaign committee during the 1934 midterm elections, which added to the significant Democratic House majority. Many new Democratic mem-

¹⁵ Cohen, *Nothing to Fear*, 80-85; Leuchtenburg, *Franklin D. Roosevelt and the New Deal*, 45-51.

bers of Congress felt indebted to Byrns for his persuasive campaign methods which facilitated their own successful elections. However, there was a general hesitation over selecting Byrns among the Northern Democratic faction, many of whom expressed concern over ceding the speakership back to the Southern Democrats. This inner-party factionalism prevented the selection of Byrns until the Pennsylvania delegation voted en bloc to select Byrns as part of a compromise that placed Northern Democrats as the chairs of the top House committees, including the committee on Ways and Means.¹⁶

Joseph W. Byrns was formally elected the 41st speaker on January 3, 1935, which was the first working day of the 74th United States Congress. Known for his reserved and genteel demeanor, Byrns was able to continue Rainey's legacy as a progressive and resume the legislative agenda of the Roosevelt administration. As with Rainey before him, Byrns continued the era of the passive speakership by acting as an agent of the executive rather than on his own independent legislative authority. The most notable achievement during Byrns' tenure as speaker was the passage of a flurry of legislation collectively known as the Second New Deal.¹⁷

The Second New Deal was another series of progressive legislation designed to lift the United States out of the Great Depression. The effects of the Great Depression still persisted in 1935, two years after the original New Deal, as evidenced by the fact that 1 in 5 Americans were still unemployed. An additional motivation for the Second New Deal came in May 1935, when the Supreme Court deemed unconstitutional a signature piece of the original New Deal — the National Industrial Recovery Act. This second round of legislation included the famous Social

¹⁶ Peters, *The American Speakership*, 119; Jenkins and Stewart, *Fighting for the Speakership*, 314.

¹⁷ Peters, *The American Speakership*, 120-133.

Security Act, the National Labor Relations Act, and the introduction of the Works Progress Administration. All three pieces of legislation fundamentally altered the social contract between the American government and its people and became signature achievements of President Roosevelt.¹⁸

Speaker Byrns implemented similar legislative rules for governing debate with the purpose of passing such detailed and varied legislation efficiently. These rules consisted primarily of limiting debate and lowering quorum requirements. Byrns presided over one of the largest Democratic majorities in Congressional history, with 322 House Democrats and 103 House Republicans, which translated to the straightforward passage of Second New Deal legislation. Overall, Speaker Byrns represented continuity from Speaker Rainey by deferring political authority to President Roosevelt.¹⁹

Joseph W. Byrns suffered from poor health throughout his tenure as speaker. On the morning of June 4, 1936, Byrns suffered a heart attack and died at the age of 66. Byrns became one of the shortest-serving speakers of the House at less than two years in total. Following Speaker Byrns untimely death, the former majority leader William Bankhead of Alabama became the 42nd speaker after a swift and decisive vote. There was a significant period of 4 months when the speakership was vacant after Rainey's death before Speaker Byrns assumed the role. After Byrns death, however, the position was filled on the very same day in June 1936.²⁰

¹⁸ Kennedy, *Freedom from Fear*, 196-240; Jenkins and Stewart, *Fighting for the Speakership*, 310.

¹⁹ Peters, *The American Speakership*, 135-140.

²⁰ Peters, *The American Speakership*, 120-129;

Speaker Bankhead's election continued the informal arrangement between the Northern and Southern Democratic factions to include a Southerner as speaker with high-ranking Northerners as committee chairs. Bankhead's personal legislative style was also aligned with Byrns before him, as Bankhead led the House with a gentle and persuasive demeanor. The Democratic leadership continued to employ a decentralized agenda-setting model with the steering committee introduced by Speaker Rainey. Speaker Bankhead also suffered from poor health, and delegated many secondary responsibilities of the speakership to other Democratic House officials. There was little change in the overall status quo during Speaker Bankhead's tenure.²¹

On September 15, 1940, Speaker Bankhead experienced his third heart attack and died. Bankhead was the third consecutive speaker to die in office, after Rainey and Byrns. Furthermore, all three former speakers died quite unexpectedly of heart attacks. This era of the speakership was marked by serious instability caused by quick turnover among speakers of the House. In total, there were four different individual speakers in less than a decade beginning in 1932 and ending in 1940. This instability dramatically reduced the authority of the speakership as a legislative actor. Former speakers, including Speaker Reed and Speaker Cannon, developed both respect and successful political strategy only after significant time in office. The agency and legislative influence of the speakership declined without a strong and enduring leader to guide the House and direct policy.²²

The crisis of the Great Depression during the 1930's coincided with a significant reduction of the speakership's legislative authority. The two primary factors which reduced the speak-

²¹ Peters, *The American Speakership*, 110-117.

²² Peters, *The American Speakership*, 121; Kennedy, *Freedom from Fear*, 199-205.

ership's authority were the poor health and abrupt deaths of Rainey, Byrns, and Bankhead while in office, combined with the ongoing economic crisis which elevated the agency of the Roosevelt administration. The economic crisis required an immediate and decisive response, and without strong independent leadership in the House, the responsibility to act quickly fell to President Roosevelt as the strongest and most competent political leader. Therefore, the speaker became subservient to the Roosevelt administration and acted as an agent of the administration rather than with independent influence.

Chapter Four: Sam Rayburn Commands Authority of the Speakership

Congressman Sam Rayburn and His Early Career

The exceedingly tumultuous era of the speakership during the 1930's ended with the election of Sam Rayburn as the 43rd Speaker of the House on September 16, 1940, following the unexpected death of William Bankhead. Rayburn continued the well-tread path to the speakership through work as an outspoken young representative, followed by chairmanship of the influential Interstate and Foreign Commerce committee, and finally service as the House majority leader under Speaker Bankhead. The leadership Speaker Rayburn demonstrated served as a model for all future congressional leaders and earned Rayburn widespread acclaim from fellow Democrats and opposing Republicans alike. The formal responsibilities and informal functions of the modern speakership have been widely shaped by key precedents set under Speaker Rayburn during his leadership as the longest-serving Speaker of the House.¹

Speaker Rayburn began his political career as a member of the Texas state legislature in 1907, before a successful campaign to represent Texas's 4th district in the election of 1912. Immediately upon joining Congress, Rayburn earned acclaim as an outspoken member of the Southern faction of the Democratic Party. However, while Rayburn had a clear desire to immediately assume a leadership position, his lack of political experience and seniority prevented quick ascension into the ranks of the Democratic establishment. These factors, combined with the Re-

¹ Ronald M. Peters, Jr., *The American Speakership: The Office in Historical Perspective* (Baltimore: Johns Hopkins University Press, 1990), 117-122; Alfred Steinberg, *Sam Rayburn: A Biography* (New York: Hawthorn Books, 1975), 91-133.

publican majority beginning in 1919, prevented Rayburn from participating in significant accomplishments during the early part of his political career.²

The principle of seniority is a powerful governing force that dictates many Congressional operations. During the Republican majority of the 1920's, Rayburn slowly rose to become the ranking minority member of the Interstate and Foreign Commerce committee. Now known as the Energy and Commerce committee, it is one of the oldest continuously-operating House committees and has broad authority over trade regulations, consumer protection, and public health. The overwhelming sweep during the 1930 mid-term elections brought Congress under Democratic control. Rayburn, as the former ranking member, was promoted to chair of the Interstate and Foreign Commerce committee at the start of the new legislative session in 1931.³

Rayburn was finally presented with an opportunity for substantial leadership and proceeded by enacting an unmatched record of legislative accomplishments. As committee chair, Rayburn organized passage of major regulatory legislation presented by the Roosevelt administration during the New Deal. Two of these most consequential bills were the Securities Act of 1933 which established the Securities and Exchange Commission, and the Federal Communications Act of 1934, which established the Federal Communications Commission. The Securities and Exchange Commission was a government body instituted to prevent another economic disaster by regulating the sale and trade of securities on the stock exchange. The Federal Communications Commission was established to provide oversight over radio communications, and later extended to television and satellite broadcasting. Additional legislative accomplishments during

² D.B Hardeman and Donald C. Bacon, *Rayburn: A Biography* (Austin: Texas Monthly Press, 1987), 63-87.

³ Peters, *The American Speakership*, 123; Steinberg, *Sam Rayburn*, 136-140.

Rayburn's tenure as committee chair include the Railroad Holding Company Act of 1933, the Stock Exchange Act of 1934, and the Rural Electrification Administration Act of 1936. This collection of legislation improved government oversight over vital industries and extended the power of the federal government.⁴

The experience as a committee chair proved invaluable to Rayburn's political career. Rayburn was known as an eager and bold man who disregarded the revered principle of seniority on several occasions. When John Nance Garner vacated the speakership to become vice president in the Roosevelt administration, Rayburn unsuccessfully attempted to become the next speaker by competing with Henry Rainey. This attempt at the speakership was the first of many for Rayburn, who vied for the position on three occasions in total before finding success. Rayburn also competed for the speakership with Joseph Byrns, and again with William Bankhead. These three competitions, while all unsuccessful, were invaluable to advancing Rayburn's political career because Rayburn was rewarded with higher leadership positions after each competition. Finally, when William Bankhead assumed the speakership in 1936, Rayburn rose to second-in-command as House majority leader.⁵

The position of House majority leader has changed over time and varied within the context of each Congress. In the 74th and 75th Congresses, Rayburn's position as House majority leader grew more influential because of the ailing health and timid demeanor of Speaker Bankhead. While Bankhead was able to exercise the general responsibilities of the speakership, there were many duties he did not have the capacity to perform. These tasks subsequently fell to

⁴ David M. Kennedy, *Freedom from Fear: The American People in Depression and War 1929-1945* (New York: Oxford University Press, 2005), 303-305.

⁵ Peters, *The American Speakership*, 113.

Rayburn, who was eager to exercise his own leadership capabilities, especially corralling votes by twisting the arms of difficult members of the Democratic caucus and using persuasive tactics to cajole holdouts.⁶

The task of managing votes was especially difficult for Rayburn given the era's unique political environment. In 1936, there were only 89 elected Republicans serving out of 435 total members of Congress. Contrary to common belief, this exceptional Democratic majority proved considerably more difficult to govern than when the House was more evenly divided between Democrats and Republicans. In a closely divided House, there was greater impetus for solidarity among members of the same party, in order to form a solid and consistent voting block to enact the party's agenda. However, in the case of the Democratic supermajority, political stratification and factionalism became rampant as the diverse ideology among the party became clear. This was particularly true of the Democratic Party in the 1930s. A notable example of this dissent was the sizable group of conservative Democrats belonging to the Southern faction who worked closely with Republicans on agriculture and trade policy. In response, members of the Northern progressive Democratic faction called the group of conservative Democrats "Republocrats". These political difficulties were a challenge for Rayburn as House majority leader, and provided ample opportunities to gain further political experience.⁷

One additional responsibility of the House majority leader is to oversee all committee chairs and act as a policy liaison. As a former committee chair himself, Rayburn excelled at managing the committee chairs because of his years spent cultivating personal relationships with

⁶ Peters, *The American Speakership*, 125.

⁷ Steinberg, *Sam Rayburn*, 140.

various other leaders within the Democratic caucus. Rayburn became adept at governing the committee chairs and controlling how legislation was crafted to promote successful policy outcomes. Overall, the years Rayburn spent as House majority leader further advanced his own agenda and solidified his status as next-in-line for the speakership.⁸

International Turmoil as Rayburn Assumes the Speakership

Speaker Bankhead passed away in office on September 15, 1940. The very next day, Sam Rayburn was elected speaker with overwhelming support of the entire Democratic caucus, which was a testament to his adroit skills at coalition building and finding party consensus in a fragmented political environment. Speaker Rayburn had previously been a champion of domestic policy as a loyal and dependable ally of Roosevelt during the New Deal and subsequent Second New Deal. However, the political current began to shift in the late 1930s to pressing matters of international relations regarding German belligerency and the overall threat of war. The rise of Adolf Hitler as the dictator of the German state through his National Socialist Party cast a specter of another world war on European soil and fundamentally challenged the global world order. As formal declarations of war were announced, Great Britain, France, the Soviet Union, and the Republic of China became collectively known as the Allied powers, and the U.S declared neutrality. Opposing the Allied powers were the nations of Germany, Italy, and Japan, which became known as the Axis powers.⁹

Public sentiment regarding the possibility of American involvement in World War II was acrimonious, and these firmly-held anti-war opinions were reflected within Congress. In re-

⁸ Steinberg, *Sam Rayburn*, 144-153.

⁹ Peters, *The American Speakership*, 125; Kennedy, *Freedom from Fear*, 412-433.

sponse to increasing sentiments of isolationism and noninterventionism, Congress passed a series of Neutrality Acts which legally prohibited American aid to Britain and France as the European conflict began to escalate. The Neutrality Acts tied Roosevelt's hands by forcing executive compliance regarding two major points. First, the Neutrality Acts mandated the president comply with the official policy of American neutrality without exception. Second, the Neutrality Acts required Roosevelt to issue a proclamation of neutrality which placed an embargo on the sale of all arms and implements of war.¹⁰

Roosevelt opposed these prohibitions on American involvement in Europe, and set out to systematically dismantle the legislation by calling a special session of Congress to convene on September 21, 1939 with the purpose of revising the Neutrality Acts. However, the anti-revisionists in Congress constituted a formidable opposition with major American public figures including the famed pilot Charles Lindbergh and the celebrated radio priest Father Charles Coughlin voicing explicit opposition to revision of the Neutrality Acts, and insisting on American isolation from the European war. Despite public discord, Rayburn was able to effectively lean on his Democratic leadership and his deep ties to the Southern, conservative Democratic faction to negotiate a revised neutrality bill. Congress ultimately passed a revised neutrality bill and sent it to Roosevelt after six weeks of debate, which was signed into law on November 4, 1939.¹¹

The revised Neutrality Act lifted the preexisting arms embargo and allowed European powers to order war material from the United States. The key to obtaining the revision was winning support from the Congressional isolationists with an early provision known as cash-and-car-

¹⁰ Kennedy, *Freedom from Fear*, 427-430.

¹¹ Kennedy, *Freedom from Fear*, 429.

ry. The cash-and-carry provision prohibited foreign powers from buying arms on credit, and instead mandated arms buyers provide full cash payments before the arms supplies left American shores. Furthermore, the revised Neutrality Act regulated or required supplies of armaments must be transported using foreign vessels instead of delivery via American cargo ships. Although these concessions were significant, they were not insurmountable. The revision of the Neutrality Acts in 1939 set in motion one of the earliest and most consequential achievements of Speaker Rayburn's political career and cemented his reputation as a powerful legislator.¹²

Lend-Lease and American Involvement Abroad

President Roosevelt was strongly supportive of Western European democracy and firmly believed the United States had a responsibility to provide assistance to Great Britain and France in their war effort against Germany. The successful campaign to dismantle the rigid confines of the Neutrality Acts was the first step in a larger foreign affairs strategy known as the methods-short-of-war policy. Adhering to this policy, Roosevelt attempted to provide resources and assistance to the European allies without the United States formally entering the conflict. The signature component of this policy was the proposal to supply Britain, France, and the Soviet Union with armament, food, and integral wartime resources in exchange for leases on military bases located in Allied territory. This proposal became known as "lend-lease", and quickly galvanized Congress after the bill's formal introduction on January 10, 1941.¹³

Speaker Rayburn was tasked with an immense challenge in navigating the successful passage of the lend-lease legislation in Congress. The political climate during the debate over lend-

¹² Hardeman, *Rayburn*, 244; Peters, *The American Speakership*, 124.

¹³ Kennedy, *Freedom from Fear*, 428.

lease was intense and chaotic, with Republicans taking a party-wide stance of opposition and many midwestern Democrats filled with isolationist reservations. Together, these forces would have been enough to sink the legislation without powerful leadership and adroit strategy. In addition, Rayburn quickly realized the legislation would not pass without major compromises to Roosevelt's original proposal. The close professional and personal relationship Rayburn formed with Roosevelt facilitated the implementation of political strategy regarding lend-lease and the eventual passage of the legislation.¹⁴

After assessing the political opinions surrounding lend-lease and working closely with his Democratic Party leadership, a critical meeting was held in which Speaker Rayburn advocated that Roosevelt accept several major revisions to the original proposal in order to make passage possible. There were three major compromises that Rayburn encouraged Roosevelt to accept. First, Rayburn argued funding should originate from the appropriations committee instead of a blank-check authorization. This entailed significantly more Congressional oversight, which would ease tension and empower Congress with somewhat more control. Second, Rayburn suggested the inclusion of a two-year time limitation for lend-lease. Rayburn knew the isolationists in Congress would not be satisfied without a concrete timeline for the lend-lease policy. Third, Rayburn advanced a ban on American naval escorts of lend-lease materials. Roosevelt had wanted American naval vessels across the Atlantic Ocean; however, Rayburn and Roosevelt both agreed that using American escorts would increase the chances for the United States to engage in

¹⁴ Steinberg, *Sam Rayburn*, 168.

the war directly, and likely be drawn into the war. The isolationists in Congress would be unwilling to permit American military forces extended across the Atlantic.¹⁵

The changes Rayburn suggested were all swiftly incorporated into a revised draft of the lend-lease legislation and submitted to the House. Each revision proved integral to the bill's success, and after three days of debate, the legislation passed on February 8, 1941, with a vote of 313 to 122. Roosevelt subsequently signed the final version of the bill into law on March 11, 1941. The Lend-Lease Act was the first of Speaker Rayburn's many successes due to his political cunning and frank governing style. Speaker Rayburn demonstrated independent agency by requiring Roosevelt to accept revisions to enable successful passage of the bill. The close personal relationship between Rayburn and Roosevelt also contributed to the ultimate passage of the legislation because of the mutual trust they developed through years of working professionally. This legislative success elevated the position of the speakership from unstable and anemic to independent and authoritative. Furthermore, Speaker Rayburn's triumph in passing the Lend-Lease Act cemented his legacy as a forceful and successful leader who restored the speakership to a position of power.¹⁶

The lend-lease legislation was the first of many bills in which Speaker Rayburn worked closely with Roosevelt during the course of the global conflict. The United States became officially involved in World War II following the surprise attack from the Japanese on American soil at Pearl Harbor on December 7, 1941. Throughout the war, Rayburn exercised his political muscle to enact the required appropriations and resources to develop American industry during

¹⁵ Steinberg, *Sam Rayburn*, 168.

¹⁶ Kennedy, *Freedom from Fear*, 430-432.

wartime. Together, Rayburn and Roosevelt became close partners during the wartime effort and this partnership proved vital to the American victory in World War II.

Speaker Rayburn's first tenure as speaker lasted from 1940 until 1947, when the Republicans took control of the House following the elections of 1946. This was a major personal as well as professional setback for Rayburn, who ran uncontested in his primary and donated significant time to campaigning on behalf of other members of the Democratic caucus. The electoral defeat of the Democratic caucus served as a major crossroads, and there was speculation regarding Rayburn's continued service in Congress or whether he would retire after the Democrats lost the majority. Ultimately, Rayburn continued to serve as the leader of the Democratic minority. Out of severe frustration, however, Rayburn refused to be called the House Minority Leader, which is the traditional title bestowed on the ranking member of the minority party. Instead, Rayburn dictated that he be known as simply the "Democratic Leader". Although downtrodden about losing the speakership, Rayburn persevered and effectively harnessed his reduced power as a political minority to his best ability.¹⁷

Rayburn's Return to the Speakership

There were two periods in which Rayburn was demoted from the speakership: when the Republicans controlled the House from 1947 to 1949, and from 1953 to 1955. During these two Congresses, the Republican Joseph W. Martin from the 15th district of Massachusetts served as speaker. However, Martin's tenure as speaker was short-lived and inconsequential. Rayburn returned to serve as speaker for the third and final time starting in the 84th Congress, which began on January 5, 1955. However, the same Republican political tide during the 1952 election which

¹⁷ Steinberg, *Sam Rayburn*, 168; Peters, *The American Speakership*, 137-140.

had demoted Rayburn to minority leader also elected Dwight D. Eisenhower to office as president. Now, Speaker Rayburn no longer enjoyed the luxury of working closely with an ideologically-aligned Democratic executive. Instead, Eisenhower was famous for employing his associates and advisors to work with Rayburn, rather than engaging directly with Congress himself. The style of governing Eisenhower employed damaged relations with Congress and ultimately led to few landmark legislative successes during Eisenhower's presidency from 1953 to 1961.¹⁸

Speaker Rayburn resumed his former position as speaker with renewed vigor and a recognition of the changing political current regarding the nation's domestic affairs. In particular, there was a considerable movement to advance the civil rights of African-Americans through federal legislation which would protect the right to vote. Prior to this movement, no federal legislation existed to formally safeguard against voting disenfranchisement for African-Americans. The proposal to implementing federal civil rights legislation was tremendously significant considering the lack of any preexisting protections.

Plans to draft this domestic policy began in early 1956, when a coalition of progressive Democrats from the Northern liberal faction of the Democratic Party approached Speaker Rayburn about the need for civil rights legislation. There had been growing complaints of disenfranchisement among African-Americans living in the South, and the political timing was also opportune. It was an election year — 1956 —, and these Democratic members of Congress saw a

¹⁸ Steinberg, *Sam Rayburn*, 288; Peters, *The American Speakership*, 142.

strategic advantage in passing legislation during the spring and subsequently campaign on its success during the fall election.¹⁹

The proposal for federal civil rights legislation forced Rayburn into a major political quandary. As speaker, Rayburn was the most powerful member of the Texas delegation, which was a core component of the Southern, conservative faction of the Democratic Party. Many of the Southern Democrats fundamentally opposed any civil rights legislation to benefit African-Americans. Furthermore, Rayburn's Texas constituency ardently opposed civil rights legislation. However, Rayburn believed there was a moral urgency and duty to protect African-American voting rights, and he engaged his entire political apparatus to support the civil rights legislation.²⁰

As the spring of 1956 continued, Southern conservatives in both parties provided significant opposition. The Eisenhower administration, although supportive in principle, also stymied the legislative process by withholding support for individual measures to be included in the final bill. Rayburn and his leadership team determined the best strategy for eventual passage was to deliberately wait until the political conditions in the Senate would guarantee swift and immediate success of the legislation. Therefore, Rayburn determined the House should wait to pass the legislation until the latest possible point before the August recess of the 84th Congress. Then, working with Senator Lyndon B. Johnson of Texas, the bill would be sent to the Senate the following year. This political strategy purposefully extended the time between when the bill passed the House and when the Senate took up consideration of the bill in order to ensure its passage.²¹

¹⁹ Hardeman, *Rayburn*, 411-412.

²⁰ Steinberg, *Sam Rayburn*, 300.

²¹ Hardeman, *Rayburn*, 415; Steinberg, *Sam Rayburn*, 299-301; Peters, *The American Speakership*, 138-140.

Ultimately, the new civil rights legislation successfully passed in the House on July 23, 1956 by a vote of 279 to 126. The final version of the bill was divided into three main provisions that worked together to protect the civil rights of African-Americans, with a specific influence protections related to voting. First, the bill provided for a six-member Civil Rights Commission under executive authority to investigate voting contentions, which were primarily in the South. The overall purpose of the Civil Rights Commission was to gather information and formalize a final report back to Congress. Second, the bill provided the Attorney General with legal tools to enforce the protection of voting rights, including the power to issue injunctions to entities deemed to obstruct the right to vote. Third, the bill established the office of an Assistant Attorney General for Civil Rights. This provision facilitated the establishment of the Civil Rights Division of the Justice Department later in the same year.²²

The Senate took the legislation into consideration after it passed the House on July 23rd, 1956. After a significant debate and final revisions in the Senate, the final bill was titled the Civil Rights Act of 1957 and was sent to Eisenhower, who signed the bill into law on September 9, 1957. Rayburn was an integral component of advancing this legislation and worked through the divided government of the 1950's to enact landmark civil rights legislation.²³

Speaker Rayburn continued to serve until his death in office on November 16, 1961 at the age of 79. Upon his death, Speaker Rayburn became the longest-serving speaker in American history, serving a record total of seventeen years in the position. The tenure of the 1930s speakers Garner, Rainey, Byrns, and Bankhead had explicitly weakened the role of the speaker and

²² Steinberg, *Sam Rayburn*, 302-307.

²³ Steinberg, *Sam Rayburn*, 305.

changed the office from a position with autonomous influence over the political process to a subservient agent of the executive. Speaker Rayburn fundamentally redefined the role of the speakership by returning the office to a position of authority and independent political agency.²⁴

Rayburn was an intensely skilled and devoted parliamentarian and adept at developing and passing vital legislation, including the Lend-Lease Act of 1941 and the Civil Rights Act of 1957. Throughout his political career, Rayburn demonstrated that building personal relationships was key to enacting successful legislation. In particular, the relationship between Speaker Rayburn and President Roosevelt reignited the political relevance of the speakership as an integral guide to successful passage of critical legislation. From his early beginning as a young congressman from Texas to his tenure as committee chair, majority leader, and speaker, Rayburn demonstrated a mastery of the legislative process incomparable to all others. This extreme fluency in the art of successfully passing legislation elevated the overall agency of the speakership, and would serve as a model for all future speakers.

²⁴ Peters, *The American Speakership*, 143-145.

Chapter Five: The Speakership Evolves Throughout History

A Final Overview

The American speakership underwent a substantive transformation from a nonpartisan, administrative, and parliamentary position to an office of partisan political agency starting in the late nineteenth century and continuing up to the present. Concurrently, the speakership experienced a peak in cumulative legislative authority in the early twentieth century. There has since been a sharp decline in the political power of the office. While the speakership experienced a reduction in total formal power, the office maintained political relevance and continues to operate as an essential component of the legislative process.

Individual characters who held the position also reshaped the speakership. Each individual speaker has influenced the increase or decrease in political authority of the office. However, several notable speakers have had an especially consequential impact regarding the evolution of the speakership. These speakers are Frederick Muhlenburg, Thomas Reed, Joseph Cannon, Henry Rainey, Joseph Byrns, William Bankhead, and Sam Rayburn.

The speakership of the late eighteenth and early nineteenth centuries was marked by its formal administrative role in facilitating debate, recording votes, and presiding over the House chamber. The first speaker, Frederick Muhlenburg, instituted these responsibilities and established a precedent for the speaker as a parliamentarian. Speaker Muhlenburg was especially concerned about finding consensus, and even promoted unanimous voting within Congress. The speakership also began as a nonpartisan office absent of any specific policy agenda. Speaker Muhlenburg presided without favoring a specific legislative outcome, rather, Muhlenburg advo-

cated for Congress to reach a common consensus. Overall, Speaker Muhlenburg wielded low levels of political authority during the early republic.¹

The transformation from a parliamentary speakership to a partisan speakership progressed slowly until Thomas Reed assumed the speakership in 1889. Speaker Reed, informally known as “Czar Reed”, changed the course of the speakership through the introduction of parliamentary reforms known as the Reed Rules. These rules constituted revisions of the guidelines which govern debate, methods for introducing legislation, and requirements for the successful passage of a bill. Speaker Reed deliberately implemented these reforms to advance a partisan agenda and to institute formal majority rule over the House. This marked a critical juncture in the evolution of the speakership, as the Reed Rules set a historic precedent for future speakers to conduct business in favor of their specific political party.²

The Reed Rules introduced under Speaker Reed would serve as a blueprint for the political conduct of all future speakers. These revisions would serve the particular partisan interests of Speaker Joseph Cannon, who assumed the speakership in 1903. Speaker Cannon, known as “Uncle Joe”, was the most authoritarian, disciplined, and powerful speaker in American political history. Speaker Cannon leveraged his political authority through participation as chair of the House rules committee, in addition to his responsibilities as speaker. As chair of the rules committee, Cannon dictated in absolute terms what bills, if any, would reach the House floor to be voted on by the full chamber. As speaker, Cannon determined all formal debate practices regarding individual bills. Together, the combined power as chair of the House rules committee and speaker

¹ Ronald M. Peters, Jr., *The American Speakership: The Office in Historical Perspective* (Baltimore: Johns Hopkins University Press, 1990), 5-17.

² Hubert Bruce Fuller, *The Speakers of the House* (Boston: Little, Brown, and Company, 1909), 229-245.

granted Cannon close to ultimate authority on all legislative matters. Therefore, Speaker Cannon was the single most powerful speaker in American history.³

The massive collection of political power Speaker Cannon wielded was unsettling to many, including fellow Republicans members of Congress and President Theodore Roosevelt. After unsuccessfully voicing discontent with the status quo, a bipartisan insurgency developed within Congress to strip Cannon of his membership on the House rules committee. This group was ultimately successful in what became known as the 1911 revolt. These actions set a historic precedent, because the insurgency stripped Cannon of his membership on the rules committee, but also prevented all future speakers from any formal committee participation.⁴

The 1911 revolt ended the peak legislative authority the speakership experienced during the early twentieth century. Without the ability to serve as both speaker and chair of the rules committee, the power of the speakership was significantly reduced. Prior to the revolt, the speaker was able to dictate a specific legislative agenda without the need for building broad coalitions and finding consensus among the Democratic or Republican Congressional caucuses. After the revolt, however, the primary agenda of the speakership turned to building coalitions around members of Congress who supported specific legislation. This event dramatically reshaped the speakership from a singular, authoritative position to a position of more nuanced leadership centered around personal relationships rather than sheer political willpower.

The next formative transformation of the speakership occurred during the 1930s when the political power of the office diminished even further. The combination of two primary factors

³ William Rea Gwinn, *Uncle Joe Cannon: Archfoe of Insurgency* (New York: Brookman Associates, 1957), 191-205.

⁴ Peters, *The American Speakership*, 99.

reduced the agency of the speakership during this era. First, there was rapid transition between multiple speakers who served brief tenures. Four speakers served Congress in less than a single decade from 1931 to 1940, starting when John Nance Garner left the speakership to become vice president in 1933. Following Garner was Henry Rainey, Joseph Byrns, and William Bankhead, who all experienced unexpected deaths while in office. This hindered the speakership's ability to lead successfully. Second, the economic emergency of the Great Depression necessitated quick action that President Franklin Roosevelt spearheaded rather than an independent Congress. The executive proposed legislation, delivered it to Congress for passage, and then returned to the executive to be signed into law. This circumstance, combined with the political instability of many speakers serving brief tenures in office, dramatically undermined the independent authority of the speakership and further reduced the office's overall political power.⁵

The speakership underwent a complete transformation from a position of ultimate authority to one of little independent faculty during the beginning of the twentieth century and continuing into the 1930s. This changed once more when Sam Rayburn assumed the speakership beginning in 1940. Rayburn had developed a strong relationship with Roosevelt, and was widely respected by his peers as a man of personality, integrity, and character. Speaker Rayburn realigned the speakership back to a position of independent legislative authority once more. This was accomplished through his notable strength at building coalitions to pass legislation, and an innate, uncanny sense of Congressional operations. Rayburn served sixteen years as speaker, making

⁵ Fuller, *The Speakers of the House*, 240; David M. Kennedy, *Freedom from Fear: The American People in Depression and War 1929-1945* (New York: Oxford University Press, 2005), 316-345.

him the longest-serving speaker in American history, and his tenure was marked by a reestablished Congressional authority within the legislative process.⁶

The major historical changes within the speakership can be viewed through the examination of separate developmental eras, beginning with Speaker Muhlenburg and ending with Speaker Rayburn. Each point in the history of the speakership advanced the office further into the political sphere as an agent acting with a specific policy agenda. The American speakership transformed from the early speakership with parliamentary and administrative responsibilities to the modern speakership with independent and partisan political agency. Furthermore, the most powerful form of the speakership existed during the early twentieth century under Speaker Cannon, who commanded the House of Representatives with absolute dominance. There was a sharp decline in authority of the speakership following the consequential political revolt of 1911, followed by a resurgence in political power under Speaker Rayburn. These decisive transformations within speakership have permanently altered the nature of American politics and continue to resonate in the modern era.

⁶ Alfred Steinberg, *Sam Rayburn: A Biography* (New York: Hawthorn Books, 1975), 266-321; D.B. Hardeman and Donald C. Bacon, *Rayburn: A Biography* (Austin: Texas Monthly Press, 1987), 288-303.

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