

Louisiana Law Review

Volume 3 | Number 3

March 1941

THE LEGISLATIVE WAY OF LIFE, by T. V. Smith. University of Chicago Press, Chicago, 1940. Pp. xi, 101. \$1.50.

Charles S. Hyneman

Repository Citation

Charles S. Hyneman, *THE LEGISLATIVE WAY OF LIFE*, by T. V. Smith. University of Chicago Press, Chicago, 1940. Pp. xi, 101. \$1.50., 3 La. L. Rev. (1941)

Available at: <https://digitalcommons.law.lsu.edu/lalrev/vol3/iss3/17>

This Book Review is brought to you for free and open access by the Law Reviews and Journals at LSU Law Digital Commons. It has been accepted for inclusion in Louisiana Law Review by an authorized editor of LSU Law Digital Commons. For more information, please contact kreed25@lsu.edu.

virtue of the excellence of its design. The avoidance of the incidental danger of autocracy as we embark on an unlimited defense of democracy makes a supreme demand on our reserves of political experience and tradition of constitutional morality. It may be that under the heat and pressure of the coming experience, our institutions will become sufficiently malleable to permit the executive and legislature to achieve a new integration and stable relationship. And though Professor Laski's passion for the unqualified generalization seems to commit him to the unstinted strengthening of the executive power, one does not necessarily court inconsistency to hope for a solution in terms of institutions and at the same time share his aspiration for an America restored to its people.

ALEX B. DASPIT*

THE LEGISLATIVE WAY OF LIFE, by T. V. Smith. University of Chicago Press, Chicago, 1940. Pp. xi, 101. \$1.50.

The American people take their democracy for granted. They condemn it without discrimination in conversation with one another; they defend it in violent language against an alien detractor. Businessmen, believing they can make money faster than politicians can take it away, are likely to consider the responsibilities of democracy a nuisance to be avoided and the fruits of self-government a poor substitute for the benefits that might be expected of a benevolent despotism. Laboring men, quick enough to give their lives for democracy on the battlefield, will have precious little of it in their organizations for collective bargaining. College professors touch upon it obliquely; they have seldom elevated it to the central point of inquiry in a significant contribution to the literature of political science.

During recent decades the principal concern of the American student of political science has been to determine what constitutes "efficiency" and to advance the achievement of "efficiency" when that desirable quality has been identified. Most of the writing, being concerned with efficiency (except that dealing with international relations), has centered upon problems of administrative organization and procedures. A bare handful of men have looked with penetration at the democratic process as it is

* Assistant Professor of Government, Louisiana State University.

revealed in political campaigns, in voting behavior, in the formation and expression of public opinion.

Even fewer individuals have given acute and sustained attention to the expression (or negation) of popular will through the action of legislative assemblies. Robert Luce, Massachusetts legislator (in General Court and in Congress) has made one of the most significant contributions of any American in this century to the literature of government and politics; in four large volumes he deals with lawmaking bodies—their organization, their processes, their fruit. Lindsay Rogers, Columbia University professor, made one arresting appeal for toleration of the legislative process. Frederic Guild, Director of Research for the Kansas Legislative Council, has sacrificed professional prestige to prove by actual demonstration that the inadequate assembly provided by an indifferent electorate can be equipped with understanding of social needs. And T. V. Smith, Chicago professor, state legislator and congressman, has gone about the country to preach a sermon—understanding and toleration of “the legislative way.”

It is a simple sermon but a most important one which Smith has preached from the lecture platform, in magazine articles, and in books. That message is now available in adequate detail at no prohibitive cost, in a series of lectures delivered at Missouri's little Westminster College, and printed as *The Legislative Way of Life*.

The argument may be outlined (I hope not too inadequately) as follows: people want different things; claiming that we want government to accord with the wishes of the governed, we must regard these competing wishes as worthy of consideration; where competing wants are sharply antagonistic and are supported by strong groups, we must compromise the issues—negotiate a give-and-take—otherwise there would be triumph of one and suppression of the other; domination of one group and its wants over another group and its wants is the way of dictatorship, not the way of democracy; the issues that can be compromised easily are not likely to be presented to government—only issues that are hotly contested are likely to be presented to government for settlement; the legislature is preeminently a place where compromises are made; men who are handy at settling contests are likely to be elected to legislatures—they promise too much to each side and deliver only what they have to—they please no one but leave in their wake a dissatisfaction that is short of violence—they are politicians; in thus effecting a truce—betraying each

side for the salvation of both—the politician creates the way of life that is democracy; as we value democracy we must tolerate politicians.

This sermon is delivered, whether orally from the platform or written in books, with the philosopher's concern for relevant considerations and the poet's delight in fancy and epigram. I have heard complaint that Smith sacrifices understanding on the part of those whom he would convince for praise from those whom he would charm. Whether he can and whether he ought to deliver his message in two languages need not be argued here. Few, if any, persons in America today are more concerned than T. V. Smith to preserve and strengthen our democratic system, and no one is more earnest or more eloquent in his appeal for popular appreciation of the costs and the gains which inhere in "the democratic way."

CHARLES S. HYNEMAN*

* Professor of Government, Louisiana State University.