

**SENATOR
SAM ERVIN
SAYS**



This is the season when writers review the role of Congress as one of the three constitutionally established branches of our government. Several members of the Senate, in recent days, have been holding ad hoc hearings on the balance of powers in the area of legislative and executive affairs.

One of the great constitutional doctrines declares that the legislative powers shall be vested in the Congress. There was little challenge in this area in the early days of the Republic, but with the advent of wars and the expansion of the regulatory power of the government, the executive branch has broadened its base. And, after a weak beginning, the role of the Federal judiciary has also expanded in such a fashion that members of the court have sometimes accused their colleagues of writing opinions that jumped into the "legislative thicket."

All of this merely restates the proposition that the Presidency and the courts have eroded a part of the traditional power base once possessed by the Congress. Unfortunately, there is more than a grain of truth in the contention. Some of the advocates of "a reassertion of Congressional power," however, often get sidetracked in their efforts.

Again this year much of the discussion centers on a convention proposal, but one which if pursued would probably lessen Congressional power rather than increase it. That is the abolition of the seniority system. At the moment, the lines of Congressional power are well defined under the rule which states that a Committee Chairman shall be the member of the majority party having the longest service on the Committee, unless that member waives his right to the chairmanship.

Quite frankly, if the seniority rule is abolished there will be less reform and power struggles than the proponents are willing to recognize. Any reform is always intriguing,

and I can understand the frustrations of some of the freshmen Members of Congress, a feeling which sometimes comes to all who are privileged to serve in this body. But over the years, I have noticed that the arguments made by the younger members diminish in strength as they too advance in seniority until finally they are convinced of its logic.

In substance, the seniority system is not an anachronism but rests upon two valid points. First, seniority is not only a useful rule in Congress, but it is also useful in life. Experience is the most efficiency teacher of

all things, and consequently the more experience a man has, the more sensible he is likely to be as long as he retains his mental and physical vigor. Second, I have never heard anyone suggest any other rule that would make it more certain that wiser men would become Chairmen of Committees and that foolish men would be excluded from such positions. It rests upon the strength which a Senator or Congressman has with his constituents. This puts

the ultimate power in the people.

Without question, any method of choosing Chairmen has some weaknesses, but when anyone examines the alternatives they all seem to me to have greater weaknesses than the one now in existence in the Congress.

A more appropriate remedy seems to lie in greater efforts by members of Congress to use constitutional powers which they undoubtedly have to resolve the major public

questions confronting our nation. Political courage, I must admit, still is in short supply in Washington.

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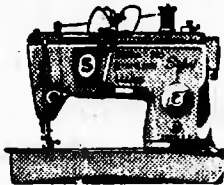
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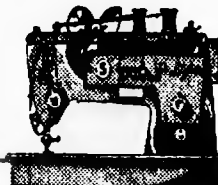
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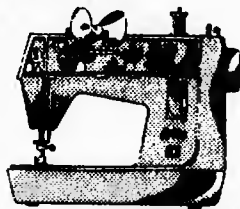
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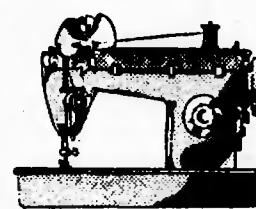
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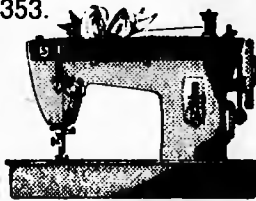
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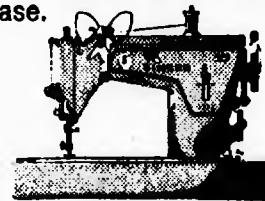
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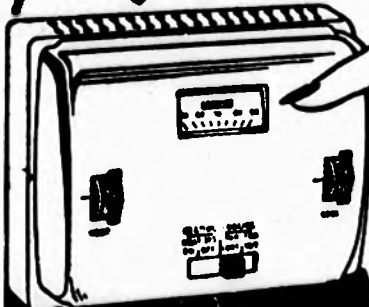
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