Not What the Framers Intended

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On June 9, the University of Dayton and the City of Dayton honored the late Congressman Charles Whalen Jr., who represented Ohio's 3rd District from 1966 to 1979. Family, former staffers, friends and alumni dedicated a tree in his honor, L Street was unveiled as "Chuck Whalen Lane," and the library displayed selections from his congressional and personal papers, now archived at the University.

Matt Joseph, a Dayton City Commissioner and a Democrat, remarked that Whalen, a liberal Republican, was an effective advocate for the Dayton region because he knew when and how to cross the aisle to find common ground.

Whalen died last year, 33 years after he left Congress. The commemoration of his career in public service reminded me of just how much the institution has changed in that time. Today Congress is much more polarized and the parties are much more homogeneous. In other words, there is less difference of opinion within each party while at the same time, the parties are ideologically further apart.

Shortly after Whalen left Congress, The National Journal started calculating ideology scores for members of Congress based on roll-call votes for key pieces of legislation. In 1982, there were 344 House members whose scores fell between the poles of the most liberal Republican and the most conservative Democrat. By 1999 that had dropped to 266 House members and just six years later, it plummeted to 54. In 2012, only seven House members fell between the poles.

The collapse of this ideological middle is astonishing and consequential. In the years since Whalen left Congress, the House has seen the percent of its members with voting records falling in that middle ground go from 79 percent to just 1 percent. A similar trend has unfolded in the Senate.

Should we worry about this dramatic change since Congressman Whalen's day? Yes. The framers of the Constitution expected legislators to represent their constituents fiercely, but when confronted with differing or opposing views, representatives also were expected, as James Madison put it, to "refine and enlarge" those views based on what they learned from others and what was possible through compromise. The legislative process transformed mere self-interest into enlightened self-interest, and with that the common good was secured. The framers also expected that "the majority" would change from issue to issue. As Madison wrote, "Many of those who form a majority on one question, may become the minority on a second, and an association dissimilar to either may constitute the majority on a third."

As we are witnessing in the current Congress, the two parties are often too far apart for compromise and there are no "between the poles" members to build bridges. Compounding the situation is the fact that neither the Republican House majority nor the Democratic Senate majority can expect their legislative agendas to move much beyond their own chamber. Bills pass in one chamber with no chance of making it through the other. Polarized parties create polarized chambers.

As this kabuki dance plays over and over and Congress seems to respond only when dangling itself and the rest of us over the latest precipice, voters (and I bet legislators) become disenchanted. It's little wonder support for Congress hovers south of 20 percent and future leaders bypass careers in public service.

Congress is expected to reflect the country's divisions and disagreements, but our representatives then enlarge and refine those views. A polarized Congress with homogenized parties makes that increasingly difficult. Something important has been lost between the poles.

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