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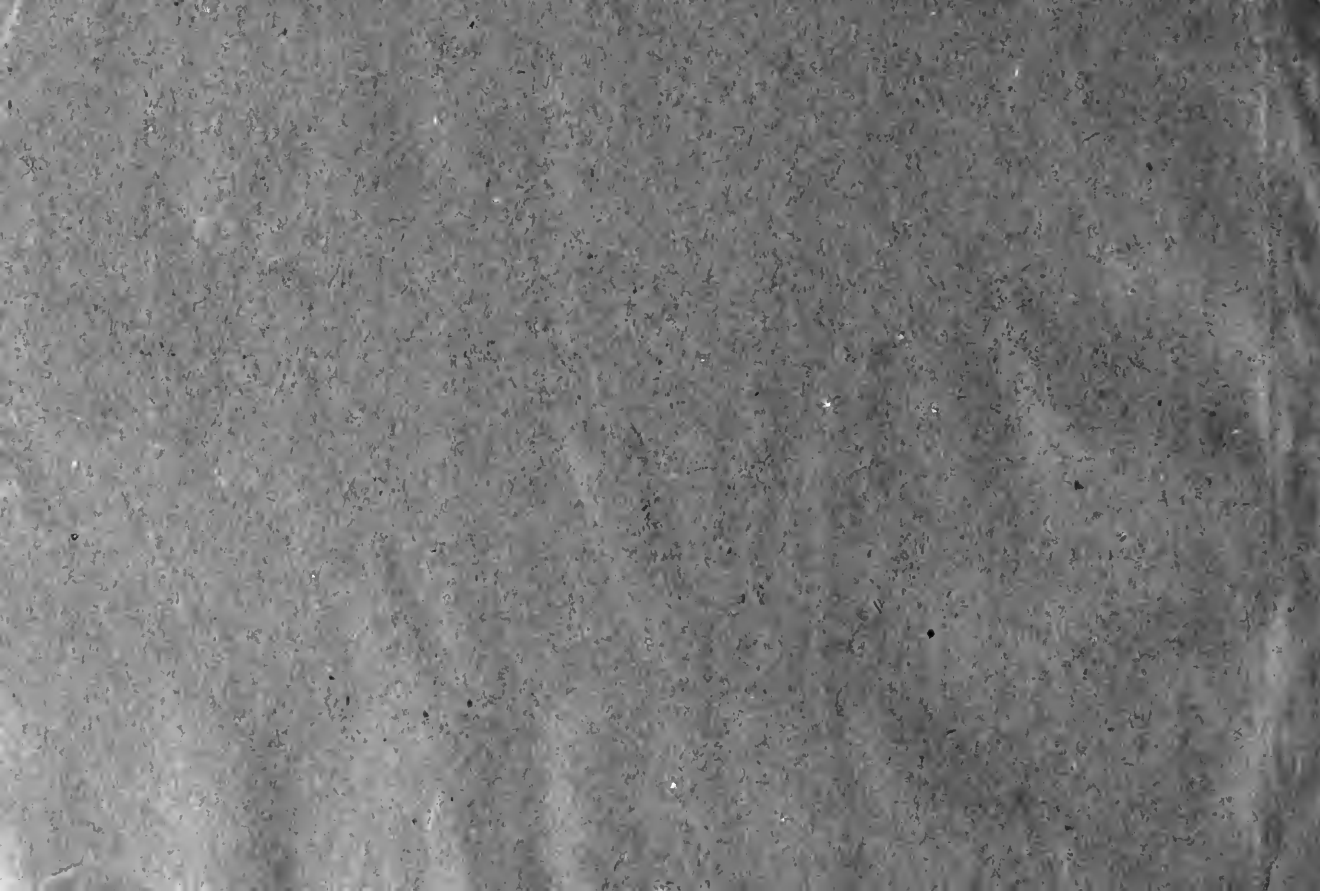
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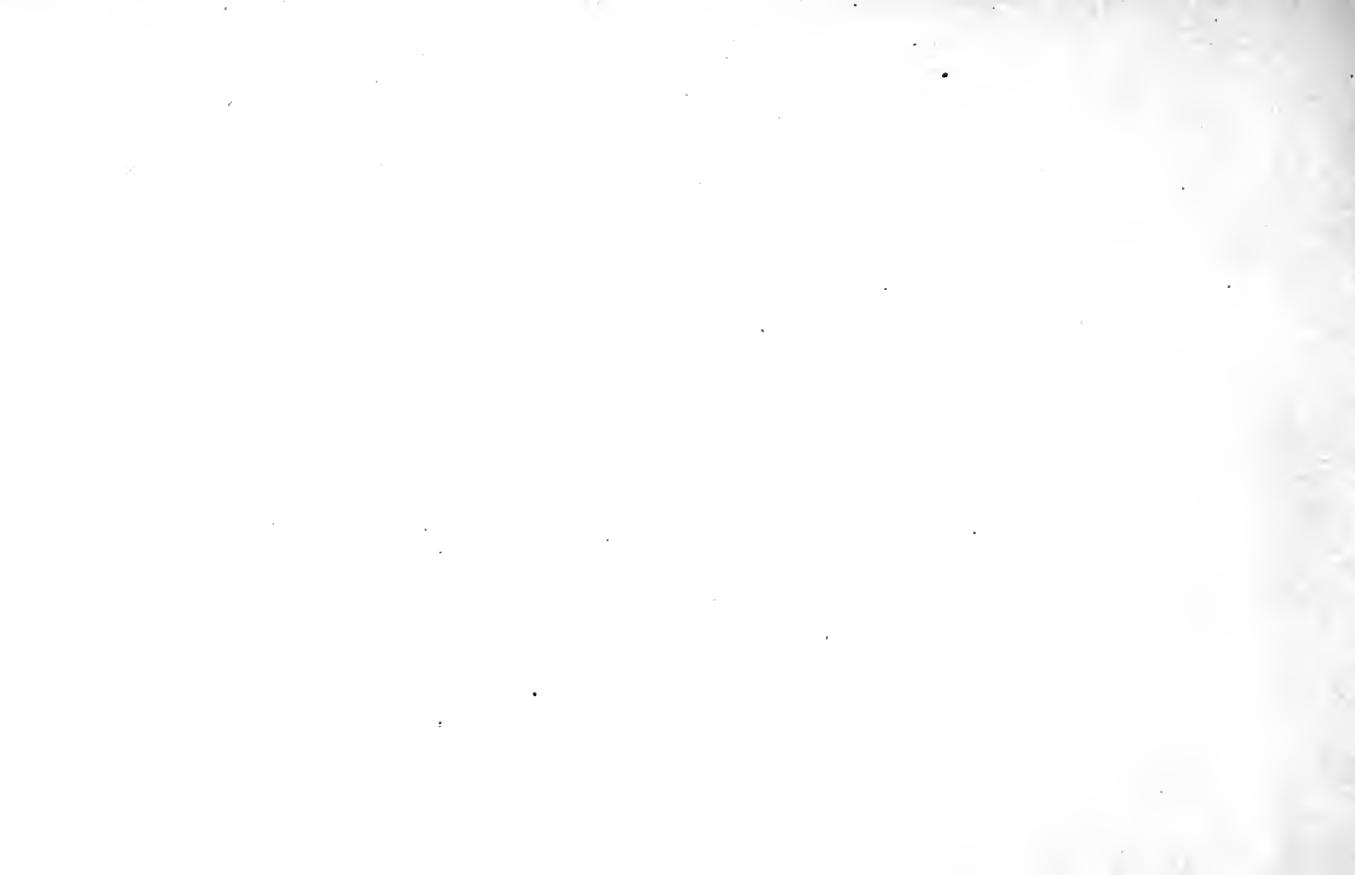
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Comparative View of Governments.

WENZEL.







COMPARATIVE VIEW
OF THE
EXECUTIVE AND LEGISLATIVE DEPARTMENTS
OF THE
GOVERNMENTS OF THE UNITED STATES, FRANCE,
ENGLAND, AND GERMANY.

BY

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PREFACE.

THE idea of arranging outlines of the governments of the United States, France, England, and Germany in parallel columns that comparison might be more readily made, was suggested while reading Professor Woodrow Wilson's work on historical and practical politics, entitled "The State." It was with the aid of this and a number of other works that the COMPARATIVE VIEW OF GOVERNMENTS was prepared. Having been compiled for private use, it has been published at the suggestion of Dr. William E. Huntington and others, believing that it would prove useful in fixing in mind the leading facts of these governments, which are brought out much more fully in "The State" and other works on civil government. The writer takes this opportunity of thanking those who have aided in the preparation of these pages, and especially Professor Wilson, who has kindly consented to examine the manuscript and to make suggestions and corrections.

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COMPARATIVE VIEW.

UNITED STATES.

I. Constitution.*Adoption :*

Present Constitution adopted September 17, 1787.

Amendments :

Congress may, by two-thirds vote of both Houses, propose amendments to the Constitution, or upon application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, must be ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof.

Form of Government :

Republic.

FRANCE.

I. Constitution.*Adoption :*

Present Constitution adopted February 25, 1875.

Amendments :

Whenever the two Houses agree that revision is necessary, and also agree upon particular points that should be revised, the "National Assembly," composed of the Senate and the Chamber of Deputies, sitting as one body, convenes at Versailles, and acts upon the amendments proposed, the vote of an absolute majority being decisive. The National Assembly also elects the President of the Republic. (See *post.*)

Form of Government :

Republic.

ENGLAND.

I. Constitution.

There is no written Constitution except ordinary law and precedent. Five documents lie at the foundation of what is called the Unwritten Constitution. They are: —

1. Magna Charta, by King John, 1215 ;
2. Petition of Rights, *temp.* Charles I, 1628 ;
3. Habeas Corpus Act, *temp.* Charles II, 1679 ;
4. Bill of Rights, *temp.* William and Mary, 1689 ;
5. Act of Settlement, *temp.* William III, 1701.

Form of Government:

Monarchy in form, but Republic in practice.

GERMANY.

I. Constitution.*Adoption:*

Present Constitution adopted April 16, 1871.

Amendments:

Amendments to the Constitution can be proposed by either of the legislative bodies, are passed by ordinary legislative process, requiring for their passage a majority simply of the votes of the Reichstag, but forty-five out of the fifty-eight votes of the Bundesrath.

Form of Government:

Federal Empire.

 UNITED STATES.

II. Chief Magistrate.

President of the United States.

Term of Office :

Elected for four years by the Electoral College, and is re-eligible.

The Electoral College consists of Electors appointed by each State equal to the whole number of Senators and Representatives to which each State may be entitled in Congress. Their only duties are the election of the President and Vice-President of the United States.

Qualifications :

Must be a natural born citizen, fourteen years a resident of the United States, and at least thirty-five years of age.

Succession :

In case of his death, resignation, or inability, the Vice-President takes his place.

The newly chosen President of the Senate has the title of Vice-President. In case of the inability of both President and Vice-President, the Secretary of State, and after him, in the order of the creation of their offices, the other members of the Cabinet, act as President until the disability of the President is removed, or a new President shall be elected.

 FRANCE.

II. Chief Magistrate.

President of the Republic.

Term of Office :

Elected for seven years by the National Assembly, and is re-eligible.

The National Assembly meets for the purposes of this election, as for the revision of the Constitution, at Versailles. The revision of the Constitution and the election of President are its only functions.

Qualifications :

Must be a citizen, not a member of any family which has occupied the throne of France.

Succession :

In case of his death, resignation, or removal, the Council of Ministers act until the National Assembly can meet and elect a new President.

ENGLAND.

II. Sovereign.

King (or Queen) of Great Britain and Ireland, and Emperor (or Empress) of India.

Term of Office :

Holds office for life, by hereditary title, subject to the conditions of the Act of Settlement.

Qualifications :

Must be a descendant of Princess Sophia of Hanover, must be a Protestant member of the Church of England, and married only to a Protestant.

Succession :

Hereditary, following the law of primogeniture.

GERMANY.

II. Chief Magistrate.

King of Prussia, President of the Empire under the title Emperor of Germany.

Term of Office :

Holds office for life.

Qualifications :

Must be occupant of the throne of Prussia under the provisions of Prussian law, by which the throne is at present bestowed upon the House of Hohenzollern.

Succession :

Hereditary, following the law of primogeniture in the male line.

UNITED STATES.

Chief Magistrate (*continued*).

Responsibility :

May be impeached by the House of Representatives, and tried by the Senate, for treason, bribery, or other high crimes and misdemeanors.

Powers and Duties :

Commander-in-chief of the army and navy, and of the militia in the service of the Union.

May convene Congress on extraordinary occasions.

Must inform Congress of the state of the Union, and may recommend measures to Congress : this is known as the President's Message.

FRANCE.

Chief Magistrate (*continued*).

Responsibility :

May be impeached by the Chamber of Deputies, and tried by the Senate, in case of high treason.

Powers and Duties :

Has command of the army and navy.

May convene the Chambers on extraordinary occasions.

May adjourn the Chambers at any time for a period not exceeding one month. Can close a regular session of the Chambers at his discretion after it has continued five months; an extra session when he pleases. Can with the consent of the Senate dissolve the Chamber of Deputies even before the expiration of five months. This puts an end to the session of the Senate also, but not to its life. The President must order a new election in case of dissolution.

At the commencement of a new session of the Chambers the President of the Republic sends a message, which is read by one of the Ministers.

ENGLAND.

Sovereign (*continued*).*Responsibility:*

Cannot be removed. The Ministers are personally responsible for the misconduct of the Sovereign.

Powers and Duties:

Has command of the army and navy.

Parliament cannot be assembled, prorogued, or dissolved except by the express command of the Sovereign.

At the commencement of a new Parliament must deliver, either in person or by a commission authorized for that purpose, a speech declaring the cause of the summons.

GERMANY.

Chief Magistrate (*continued*).*Responsibility:*

Irresponsible, and cannot be removed.

Powers and Duties:

Commander-in-chief of the imperial army.

Summons, opens, adjourns, and closes the two Houses. He may dissolve the Reichstag upon advice of the Bundesrath.

All measures passed by the Bundesrath are presented to the Reichstag in the name of the Emperor.

 UNITED STATES.

Chief Magistrate (*continued*).

Powers and Duties (continued) :

Bills passed by Congress must receive the President's signature in order to become laws ; but bills not returned by him unsigned to Congress within ten days become laws without his signature.

Has power to veto any bill or resolution passed by Congress, but subject to the power of Congress to pass the same after reconsideration by a two-thirds majority in each House.

Appoints and commissions all federal officers with the advice and consent of the Senate.

May make treaties with the advice and consent of the Senate.

Has power to grant reprieves or pardons for offenders against the United States, except in case of impeachment.

 FRANCE.

Chief Magistrate (*continued*).

Powers and Duties (continued) :

Bills passed by the Chambers must be signed by the President, and countersigned by one of his Ministers.

Has no veto power, but is authorized to demand a reconsideration of any measure, by the Chambers.

Has power to appoint and remove all officers of the public service, subject to the countersignature of the Minister whose department is affected in each case.

May make treaties of peace, alliance, and commerce, but cannot declare war without the advice of the Chambers.

Has power to grant pardons.

ENGLAND.

Sovereign (*continued*).*Powers and Duties (continued) :*

Bills passed by Parliament must receive the assent of the Sovereign in order to become law.

Has legally a veto power ; but, because the influence of the Executive over legislation has passed into the hands of the Ministers, the veto of the Crown has been disused since 1707.

Has power to appoint all officers in the army and navy, judges, ambassadors, colonial governors, bishops and archbishops of the Established Church, and grants all degrees of nobility.

May make treaties of any kind.

May grant pardon to any particular offender.

GERMANY.

Chief Magistrate (*continued*).*Powers and Duties (continued) :*

Bills passed by the two Houses must be promulgated (*i.e.* given their imperative clause) by the Emperor.

But, in case he regards them as involving a change in the Constitution, he need not promulgate them unless they have received forty-five votes in the Bundesrath. (See *Amendments*.)

All official acts of the Emperor require the countersignature of the Chancellor.

Appoints and may, at his pleasure, remove the Imperial Chancellor. Appoints and may, with the countersignature of the Chancellor, remove all minor officers in the imperial service.

May declare war if defensive, and make treaties and peace ; but for declaring offensive war the consent of the Bundesrath must be obtained.

Has power to grant pardons.

UNITED STATES.

III. Cabinet.*Number of Members :*

Eight.

Appointment :

Chosen by the President, but must be approved by the Senate.

Relations to Congress :

Do not have seats in Congress.

Tenure of Office :

May be removed by the President.

Responsibility :

Responsible to the President.

FRANCE.

III. Cabinet and Council of Ministers.

Both the Cabinet and the Council consist of the same persons. The Cabinet is a political body; the Council, an administrative.

Number of Members :

Eleven.

Appointment :

Chosen by the President, generally from among the members of the Chambers.

Relations to the Chambers :

Are the leaders of the Chambers.

Whether members of the Chambers or not, they have as Ministers the right to attend all sessions of the Chambers and take a specially privileged part in debate.

Tenure of Office :

Dependent upon the favor of the Chambers ; for if not sustained, they must all resign.

Responsibility :

Responsible to the Chamber of Deputies.

ENGLAND.

III. Cabinet.*Number of Members :*

From ten to eighteen.

Appointment :

Nominated from both Houses by the leader of the dominant party in majority in Parliament and appointed and commissioned by the Sovereign. The leader becomes the Prime Minister.

Relations to Parliament :

Are the leaders of Parliament, shaping and directing the business of the Houses.

Tenure of Office :

Dependent upon the favor of the House of Commons ; for if not sustained, they must all resign.

Responsibility :

Responsible to the House of Commons.

GERMANY.

III. Imperial Chancellor.

He has no counterpart in any other constitutional government. He is the Emperor's responsible proxy, controlling the politics of the Empire.

Appointment :

Appointed by the Emperor. Must be one of Prussia's seventeen representatives in the Bundesrath.

Tenure of Office :

Dependent upon the pleasure of the Emperor.

Responsibility :

Does not consist in a liability to be forced to resign, but consists simply in amenability to the laws.

UNITED STATES.

Cabinet (*continued*).*Powers and Duties:*

Meets in consultation with the President concerning matters of policy and administration. Each Minister is at the head of an executive department.

Members of the Cabinet:

1. Secretary of State.
2. Secretary of the Treasury.
3. Secretary of War.
4. Attorney-General.
5. Postmaster-General.
6. Secretary of the Navy.
7. Secretary of the Interior.
8. Secretary of Agriculture.

Commerce
Labor

FRANCE.

Cabinet and Council of Ministers (*continued*).*Powers and Duties:*

As a Cabinet, the Ministers represent the administration in the Chambers; as a Council, they exercise a general oversight of the administration of the laws, with a view of giving unity of direction to the affairs of the State. The President may be present at all Council meetings.

Members of the Cabinet:

Ministers of—

- | | |
|---|-----------------------------|
| 1. War. | 6. Marine and the Colonies. |
| 2. Foreign Affairs. | 7. Public Works. |
| 3. Finance. | 8. Agriculture. |
| 4. Public Instruction and the
Fine Arts. | 9. Commerce. |
| 5. Justice and Public Worship. | 10. The Interior. |
| | 11. Posts and Telegraphs. |

Council of State:

Gives advice on all projects of law which the Chambers or the Government wish to submit to it, and on administrative regulations and by-laws. Its decision is final in all disputes arising in matters of administration.

Is presided over by the Minister of Justice, and is composed of Councillors, Masters of Requests, and Auditors, all appointed by the President of the Republic.

ENGLAND.

Cabinet (*continued*).*Powers and Duties :*

All real authority is with the Cabinet. The executive government is nominally in the Crown, but practically in the Cabinet. The Ministers are at the heads of the administrative departments. The Sovereign does not sit with the Cabinet.

Members of the Cabinet :

1. Prime Minister, and First Lord of the Treasury.¹
2. Lord High Chancellor.
3. Lord President of the Council.
4. Chancellor of the Exchequer.
5. Secretary of State for the Home Department.
6. Secretary of State for War.
7. Secretary of State for Foreign Affairs.
8. Secretary of State for Colonies.
9. Secretary of State for India.
10. First Lord of the Admiralty.
11. Lord Chancellor of Ireland.
12. Chief Secretary to the Lord Lieutenant of Ireland.
13. Chancellor of the Duchy of Lancaster.
14. President of the Board of Trade.
15. Lord Privy Seal.
16. President of the Local Government Board.
17. President of the Board of Agriculture.

¹ This is the almost invariable arrangement. Lord Salisbury's combination quite unusual.

GERMANY.

Imperial Chancellor (*continued*).*Powers and Duties :*

Must give an account of the administration to the Reichstag, and submits the annual budget. He is the centre and source of all the administrative departments, dominating the entire imperial service. He superintends the administration of the laws of the Empire by the States. As chairman of the Bundesrath he is simply a Prussian representing the King of Prussia, as the Emperor has no place in the Bundesrath.

The imperial authorities do not form a Ministry, or a Cabinet, but act independently of each other under the general supervision of the Imperial Chancellor, through a central bureau. The army and navy, however, are not directly controlled by him, but by the General Field-Marshal.

UNITED STATES.

IV. Congress.

I. SENATE.

Composition :

Composed of two Senators from each State (88 in 1891), chosen by the State Legislatures for six years, one-third retiring every two years.

Qualifications :

Must be at least thirty years of age, must have been a citizen of the United States for nine years, and must be an inhabitant of the State which he represents.

Remuneration :

\$5000, with mileage.

Organization :

The Vice-President of the United States is the President of the Senate. Is elected by the Electoral College. Votes only in case of a tie.

FRANCE.

IV. The Chambers.

I. SENATE.

Composition :

Composed of 300 members ; chosen by the Departments and Colonies for nine years, one-third of the members retiring every three years.

Until 1884 the Senate contained 75 life members: the life list having been originally made up by election by the National Assembly of 1875, and vacancies being filled by the Senate itself. In 1884 this arrangement was abolished, and since that year vacancies in the life roll have been filled by ordinary nine-year Senators.

Qualifications :

Must be a Frenchman, and at least forty years of age.

Remuneration :

15,000 francs (\$3000).

Organization :

Chooses its own President, Vice-Presidents, and other officers.

ENGLAND.

IV. Parliament.**I. HOUSE OF LORDS.***Composition :*

Composed of about 550 peers, who hold their seats :—

- a. By virtue of hereditary title ;
- b. By creation of the Sovereign ;
- c. By virtue of office (English bishops) ;
- d. By election for life (Irish peers) ;
- e. By election for duration of Parliament (Scottish peers).

Qualifications :

Must be at least twenty-one years of age.

Remuneration :

Receive no pay.

Organization :

The Lord Chancellor, who is a member of the Cabinet, presides.

GERMANY.

IV. The Government.**I. BUNDESRATH, OR FEDERAL COUNCIL.***Composition :*

Composed of 58 members representing the individual states. They are appointed by the governments (*i.e.* the Executives) of the States for each session.

The apportionments of representation in the Bundesrath among the States of the Empire is as follows : Prussia, seventeen members, Bavaria six, Saxony and Württemberg four each, Baden and Hesse each three, Mecklenburg-Schwerin and Brunswick each two ; the other States (17) one apiece.

Remuneration :

Receive no pay.

Organization :

The Imperial Chancellor presides. Votes with the other Prussian representatives, whose votes must be undivided ; and, in case of a tie, Prussia's vote decides.

 UNITED STATES.

SENATE (*continued*).

Committees :

Members are divided into standing committees, chosen by the Senate itself, which act in the preliminary examination, and shaping of measures to be voted on.

Quorum :

A majority of members.

Powers and Duties :

In concurrence with the House of Representatives, it makes the laws. It also has power to confirm or reject all appointments to office by the President of the United States, and all treaties. The members constitute a high court for the trial of impeachments.

 FRANCE.

SENATE (*continued*).

Committees :

Each month the members are divided by lots into "Bureaux." These select all the special committees to which bills are referred, except when the House chooses itself to elect a committee.

Quorum :

A majority of members.

Powers and Duties :

In concurrence with the Chamber of Deputies, makes the laws, and has in law-making the same prerogatives as the Chamber, except that bills relating to revenue originate with the Chamber. It is a court of justice for trying the President of the Republic and the Ministers.

ENGLAND.

HOUSE OF LORDS (*continued*).*Committees :*

Special committees are appointed to make investigations, and report on matters which could not be undertaken by the whole House.

Quorum :

Three, including the Lord Chancellor.

Powers and Duties :

In concurrence with the House of Commons, makes the laws, having a revising power over all bills proposed by the House of Commons, except those relating to public revenue and expenditure, which it must pass or reject without amendment. It is also the supreme court of appeal.

GERMANY.

BUNDESRATH (*continued*).*Committees :*

There are three standing committees and eight commissions, two of which are appointed by the Emperor, five wholly by the Bundesrath, and one in part by the Bundesrath, being made up principally of members *ex officio*.

Each commission consists of representatives of at least five States of the Empire.

Quorum :

The Imperial Chancellor or his substitute (at regular meeting).

Powers and Duties :

May originate bills to be sent to the Reichstag. Its consent is indispensable to the validity of all legislation. Members may speak on the floor of the Reichstag. Acting under the direction of the Imperial Chancellor, it is the supreme administrative board. It is in some cases the highest court of the Empire. Is the court of appeal between two or more States of the Empire.

UNITED STATES.
2. HOUSE OF REPRESENTATIVES.
Composition :

Composed (in 1890) of 330 members elected every second year for two years by the people of the States in the proportion of one Representative for every 154,325 inhabitants. Each State, however, is entitled to at least one member, whatever its population.

Qualifications :

Must be at least twenty-five years of age, must have been seven years a citizen of the United States, and must be an inhabitant of the State from which he is chosen.

Remuneration :

\$5000 and mileage.

Organization :

Elects its own presiding officer, who is called the Speaker.

FRANCE.
2. CHAMBER OF DEPUTIES.
Composition :

Composed (in 1890) of 584 Deputies, distributed among the Departments and certain colonies in the proportion of one Deputy to 70,000 inhabitants. The Deputies are chosen for a term of four years by universal suffrage, the Arrondissements serving as electoral districts.

Qualifications :

Must be a citizen of France, and at least twenty-five years of age.

Remuneration :

9000 francs (\$1800).

Organization :

Elects its own President and Vice-Presidents.

ENGLAND.

2. HOUSE OF COMMONS.

Composition :

Composed (in 1890) of 670 members, elected by secret ballot for a term of ~~seven~~ years.

As a matter of fact, Parliament has always been dissolved before the expiration of ~~seven~~ years, thus necessitating a new election.

Qualifications :

Must be at least twenty-one years of age. Clergymen are disqualified from sitting as members, also English and Scottish peers, government contractors, and sheriffs and returning officers for the localities for which they act.

Remuneration :

Receive no pay.

Organization :

Elects its own presiding officer, who is called the Speaker.

GERMANY.

2. REICHSTAG, OR IMPERIAL DIET.

Composition :

Composed (in 1890) of 397 members, allotted in the ratio of one member to every 100,000 inhabitants, and elected for five years by universal suffrage.

Qualifications :

Must be at least twenty-five years of age, and have lived at least one year in one of the German States.

Remuneration :

Receive no pay.

Organization :

Elects its own presiding officer.

 UNITED STATES.

 HOUSE OF REPRESENTATIVES (*continued*).
Committees :

Almost all the acts of the House are under the control of Standing Committees, appointed by the Speaker.

Quorum :

A majority of members.

Powers and Duties :

May originate and, in concurrence with the Senate, pass resolutions and bills. Bills relating to the raising of revenue must be originated by the House, but may be amended by the Senate. Has sole power of impeachment.

 FRANCE.

 CHAMBER OF DEPUTIES (*continued*).
Committees :

Each month the members are divided by lot into eleven "Bureaux," which select all the special committees to which bills are referred, except when the Chamber chooses to appoint a committee directly.

Quorum :

A majority of members.

Powers and Duties :

May originate and, in concurrence with the Senate, pass resolutions and bills ; but bills relating to finance must be originated by the Chamber of Deputies. Has power to bring accusations against the President of the Republic and the Ministers.

ENGLAND.

HOUSE OF COMMONS (*continued*).*Committees :*

The business of the House is almost entirely under the direction of the Ministry ; however, commissions and select committees are from time to time appointed to make investigations and report on matters which could not be undertaken by the House.

Quorum :

Forty members, including the Speaker.

Powers and Duties :

May originate and, in concurrence with the House of Lords, pass resolutions and bills ; but bills relating to the imposition of taxes and the granting of supplies for the service of the State must be originated in the House of Commons.

GERMANY.

REICHSTAG (*continued*).*Committees :*

There are no standing committees, but select committees are occasionally appointed by election from the seven "Sections" into which the members are divided by lot for committee work.

Quorum :

A majority of members.

Powers and Duties :

Has power to originate and, with the advice and consent of the Bundesrath, to enact the laws. It also exerts a controlling influence through its power to give or withhold its sanction to certain ordinances to whose validity the Constitution makes its concurrence necessary ; through its right to inquire into the conduct of affairs ; and in many other ways not susceptible of enumeration.

In preparing the foregoing pages, reference has been made among others to the following treatises :—

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