The Differences between the United States System and the Parliamentary System

In Philadelphia in the summer of 1787, fifty-five men worked together to develop a framework of government that would secure the people’s inalienable rights and promote their safety and happiness. While the Framers borrowed from the tradition of ancient republics, as well as from their history as Englishmen, they developed a system that was (and remains) significantly different from other types of representative systems.

Outside the U.S. today, the main system of representation in republics is the parliamentary system. While there are many varieties of parliamentary systems, they share certain important features. The legislature is usually called a parliament, rather than a congress. Sometimes members are elected from single member districts, similar to the method of electing members to the U.S. House of Representatives, and sometimes members are elected from the nation at large.

One of the most significant features of a parliamentary system is that, unlike the United States system, it lacks separation between the executive and the legislative branch. Under a parliamentary system, the chief executive, usually called a prime minister, is a member of the parliament, and is chosen by the parliament. The prime minister is often the leader of the majority party in parliament, which allows him or her to carry out a lawmaking program without much difficulty. Those who support a parliamentary system maintain that this gives the party that wins the parliamentary elections a mandate to legislate without the compromise and delay demanded by the U.S. system. Critics of the parliamentary system might quote Montesquieu, saying it allows a government to “enact tyrannical laws [and] execute them in a tyrannical manner.” They might also contend that legislatures can be too responsive to temporary majorities, changing laws constantly and undoing the good work that a previous parliament has done.

A second major difference is the role of political parties in the legislature. Under some parliamentary systems, members of the legislature are not elected by the people of a geographic district, but are elected by the nation as a whole, in proportion to the total votes received by the party across the nation. This method of organizing a parliamentary system is generally called a proportional representation system. Under such a system, people vote for a party, not an individual candidate. In these systems candidates strongly identify with their parties, and the members of the parties agree on most major issues, unlike in the American system. Some countries that use proportional...
representation today are Germany, Ireland, Israel, and Spain.

**The Changing Nature of Representation over Time**

One of the major changes in representation in the U.S. House and Senate has been the role of political parties. When the first elections for the U.S. Congress were held in 1788, there were no political parties. Parties emerged in the 1790s as Jefferson and Madison organized the opposition to Alexander Hamilton’s program of national government action to build a strong commercial republic. Two groups emerged in Congress—one supporting the Hamilton program, and the other opposing it. By the 1820s, suffrage expanded as state after state eased prerequisites for voting, and political parties became mass movements as we know them today. While political parties are important in the U.S. Congress, they have never been as critical as they are in a parliamentary system with proportional representation. Consequently, individual representatives in Congress tend to be more responsive to their local constituents rather than national party leaders and national majorities.

A second change over the last two hundred years has been the time of service in Congress. In the early years of the republic, few members of Congress served more than a few terms. In these early decades the republican spirit inspired by George Washington’s example emphasized a rotation of service without accumulation of power. Before the Civil War, those who were elected or appointed were typically already financially secure through their law practices, or had considerable business capital, or were from the landed gentry. Therefore, lengthy government service was likely to be an inconvenience to them. This began to change after the Civil War, and between 1860 and 1960, the average time in office doubled. Moreover, as transportation improved, it became easier for politicians to make their careers far away in Washington. In addition, as more power was transferred to the national government it became more prestigious to serve in Congress than in the state legislatures.

While the salary for members of Congress has increased over the years, so too has the amount of work required of them. From the 1790s until the 1940s, sessions of Congress generally only lasted six months of the year. With the dramatic increase in size of the federal government brought about by the New Deal of the 1930s and World War II in the 1940s, sessions became much longer, typically running all year.

**Challenges Facing Representatives: Trustee or Delegate?**

One of the challenges facing members of Congress is the distinction between members as delegates and members as trustees. Traditionally, representatives in Congress have been seen as trustees of the people. Using this view, members are elected by the people because voters trust their judgment. Members are expected to know their constituents’ opinions, but then use their judgment and vote for policies that will best serve the interests of the voters in their district and the nation as a whole. In an understanding of members of Congress as delegates of the people, a member is expected to survey the opinions of his or her constituents, and vote as they expect him or her to vote, even if the member’s judgment might be different.
In some ways, both conceptions of representation are present in the Constitution, as House members are elected directly by the people every two years, forcing them to function as delegates who are attentive to the demands of the voters. Senators, representing their entire state and elected for a six-year term, are more likely to function as trustees. This feature was even more pronounced before the Seventeenth Amendment when Senators were elected by their state legislators, distancing them from the immediate pressures of voters.

**Challenges Facing Representatives: Competing Interests**

A further challenge facing members of Congress is the competing interests they face. Members of Congress are simultaneously expected to be representatives of the people, lawmakers, and members of a political party. As representatives of the people, they are expected to act for the benefit of both their particular district and for the nation as a whole. The conflict between these interests can perhaps be most clearly seen in so-called pork barrel spending bills. These bills call for federal money to be spent on specific projects in various congressional districts—money for a bridge few motorists will use in Alaska, or the Lawrence Welk birthplace restoration in North Dakota, for example. This kind of spending rarely serves the national interest. However, for the individual members of Congress, it very clearly represents the will of the district. Which interest should a member of Congress represent? In a Parliamentary system with proportional representation, the conflict between representing a district and the nation as a whole is eliminated, since the whole nation elects the members and party loyalty replaces the incentive to put one’s local district ahead of the good of the country.

A second set of competing interests involves lawmaking. As representatives, members of Congress are expected to support the interests of their constituents. However, passing laws frequently requires compromise among members, which necessitates sacrificing some constituent desires in hopes of achieving others. A district may wish to see lower taxes, but also want a military base kept open. A law keeping the base open will require spending by the Department of Defense, and might well prevent the possibility of a tax cut. As a trustee, such a member, while carefully considering the competing desires of constituents, would use independent judgment. If considered a delegate, that same member will have a harder time knowing which opinion to follow.

Furthermore, members of Congress must take into account the desires of their political party. Party membership provides critical resources for re-election, so a member cannot ignore his/her party’s wishes. However, members can find themselves in a difficult position if their party asks them to support policies that their constituents oppose. For example in 1991, both political parties realized the need to raise taxes in order to slow the growth of the national debt, and urged their members to support a tax increase. However, many members’ constituents were opposed to tax increases. Members of Congress had to decide if the interest of their party or their constituents should come first. In such a case, a trustee is free to act in the best interest of the nation, while a delegate can only act on the wishes of his/her constituents. Furthermore, in a parliamentary system using
proportional representation, since members are elected not as individuals, but as party members, such a conflict is dramatically reduced.

The framers of the Constitution set up a system of representation for the United States, which although informed by the experiences of other republics, was different from them. More than two hundred years later, the U.S. system remains different from those of other republics. Although the work expected of Congress and the time of service for members have both increased, the fundamental tension between being a trustee for the interests of the people and being their delegate has not disappeared. Neither has the tension between the demands of the district and the interest of the nation, or the potential tension between the member and the member’s political party.

CRITICAL THINKING QUESTIONS

1. In what ways does the U.S. system of electing the legislature preserve the principle of separation of powers? What trade-offs does this require compared to parliamentary systems where separation of powers is not as strong?

2. What roles do political parties play in the U.S. system of representation? How is the role of political parties different in a parliamentary system?

3. What are some of the different groups that a member of the U.S. Congress is expected to represent? In being a representative for different groups, what tension is created for the member?

4. What does it mean when we say members of the U.S. Congress are acting as trustees rather than as delegates? What characteristics (or civic virtues) are expected when a member is acting as a trustee?
Work with your group to analyze the hypothetical countries below and discuss these questions:

A. In which country does the system of representation most closely resemble a parliamentary system? Why?

B. In which country does the system of representation most clearly resemble the United States congressional system? Why?

C. Refer to Handout A: Background Essay: The Nature of Representation in the U.S. Congress as needed.

<table>
<thead>
<tr>
<th>Hypothetical Country A: Transalpinia</th>
<th>Hypothetical Country B: Tutonia</th>
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<tbody>
<tr>
<td>In Transalpinia, the people elect a president every ten years. Every</td>
<td>In Tutonia, elections are held about every five years, but can be held sooner if the governing</td>
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<tr>
<td>five years, the people elect members of a legislature, called the</td>
<td>party decides to do so. At election time, people vote for the political party they prefer, and</td>
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<tr>
<td>National Assembly. The country is divided into 87 departments, and each</td>
<td>parties are awarded seats based on the percentage of votes they receive. The members of the</td>
</tr>
<tr>
<td>department sends a number of representatives based on its population.</td>
<td>legislature elect the chief executive, called the chancellor. The chancellor along with his</td>
</tr>
<tr>
<td>In decades past, the president and most of the members of the National</td>
<td>cabinet members are in charge of enforcing the laws of the country. The chancellor, who is a</td>
</tr>
<tr>
<td>Assembly were from the same political party, and so the president could</td>
<td>member of the legislature, is almost always selected from the largest party in the legislature.</td>
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<tr>
<td>accomplish much of his legislative agenda. In the last several elections,</td>
<td>Does the election system of Tutonia more closely resemble the United States system of</td>
</tr>
<tr>
<td>however, the majority of the Assembly has been from a party in opposition</td>
<td>representation, or the parliamentary system of representation? Why?</td>
</tr>
<tr>
<td>to the president’s party, and so the president has been forced to</td>
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<td>compromise on her goals.</td>
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<tr>
<td>Does the election system of Transalpinia more closely resemble the</td>
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<td>United States system of representation, or the parliamentary system</td>
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<tr>
<td>of representation? Why?</td>
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</table>
Proportional or Single Member Districts?

Directions

Read both passages below and then answer these questions.

A. List the arguments in favor proportional representation. In your opinion, which of these arguments is the strongest? Why?

B. List the arguments in favor of single member districts. In your opinion, which of these arguments is the strongest? Why?

C. Prepare to defend your opinion regarding which system is a better method for providing representation in a republic and why.

The Case for Proportional Representation

BY ROB RICHIE

Nearly all elections in the United States are based on the winner-take-all principle: voters for the candidate who gets the most votes win representation; voters for the other candidates win nothing. ... Proportional representation (PR) is based on the principle that any group of like-minded voters should win legislative seats in proportion to its share of the popular vote. Whereas the winner-take-all principle awards 100 percent of the representation to a 50.1 percent majority, PR allows voters in a minority to win their fair share of representation.

How does this work? A typical winner-take-all system divides voters into “one-seat districts,” represented by one person. With PR, voters in a constituency instead have several representatives: ten one-seat districts might, for example, be combined into a single ten-seat district. A party or group of voters that wins 10 percent of the popular vote in this district, then, would win one of the ten seats; a party or slate of candidates with 30 percent of votes would win three seats, etc. Various mechanisms work to provide proportional representation....

Consider [two] current failures of our winner-take-all system of representation:

1. Members of racial and ethnic minorities are underrepresented;

2. Voters’ choices are restricted to candidates within the two-party, Republican/Democratic monopoly...

Representation of Racial Minorities. At every level of government, the proportion of black, Latino, and Asian-American elected officials lags far behind these groups’ share of the electorate. When members of a racial or ethnic group make up a majority of the electorate in a winner-take-all election, they tend to elect a member of their racial or ethnic group. Every majority-black U.S. House district has a black representative; and in the 49 white-majority states, 144 of 147 U.S. senators and governors are white. Most racial minorities clearly prefer representatives of their race, but winner-take-all elections often deny...
them a realistic opportunity to elect candidates of their choice. A quarter of our population is black or Latino, but these groups are in the minority in every state and as a consequence hold only one of 100 U.S. Senate seats. The fact of such underrepresentation throughout our legislatures undercuts their legitimacy and effectiveness in addressing issues of concern to racial and ethnic minorities.

Two Parties. Winner-take-all elections prop up our two-party monopoly. Since 1960, new parties have formed at comparable rates in the United States and in European democracies using PR. But new parties in the United States are almost completely shut out of representation, whereas half the new parties in the European systems eventually have won seats—and the influence and organizing ability that comes from electoral viability. Polls show most Americans would like to see a third party electing candidates at every level of government, but only three of our nearly eight thousand state and congressional legislators were elected on a minor party ticket—all of them in Burlington, Vermont.

Minor parties by definition begin with minority support, which wins nothing in winner-take-all elections unless it is geographically concentrated. With little chance to win, minority party candidates cannot build or sustain support. Ross Perot’s well-financed independent candidacy in 1992 won 19 percent of the vote, but he did not finish first in any congressional district. In 1996, his vote was reduced by more than half, although one voter in ten still voted for minor-party presidential candidates, and half of all eligible voters saw no reason to participate.

Source: Fair Vote: The Center for Voting and Democracy “The Case for Proportional Representation” (www.fairvote.org) Excerpt from 1998 article used by permission of author

The Case for Single Member Districts (the U.S. System)

BY MARK ROBINSON

The first major advantage for the single member district system that the U.S. uses is strong accountability. Voters know for whom they voted, and they know whom they can hold accountable if they do not like his votes in Congress. Furthermore, they can also hold the individual member accountable for issues around corruption. Sometimes members of Congress may do things that, while not illegal in a strict sense, are nevertheless troubling. Voters in the U.S. can hold an individual member accountable. In a proportional representation system, voters can only hold the entire party responsible. In the U.S. system, a voter can use party membership as one criterion for evaluating a member of Congress, but can use others as well. In a proportional system, voters can only select a party, not an individual man or woman. Furthermore, if a constituent has a specific problem with a government agency, they have a person to whom they can turn for help—an ombudsman who can advocate for their individual interests against a faceless executive bureaucracy.

Supporters of proportional representation will point out that there are systems which allow voters to select not only the party they wish to support, but also an individual candidate (the list system), but such systems tend to be extremely confusing to voters, and have the potential to have elections decided by the courts over
questions of ballot complexity, rather than by the voters. An example of this type of complexity in Florida’s ballots for the 2000 U.S. presidential election resulted in the Supreme Court decision in *Bush v. Gore*.

Those who support proportional representation correctly point out that it allows a larger number of parties to have representation in Congress. But this supposed advantage is really a weakness. Under the U.S. system of two broad political parties, the party of the president generally promotes a vision for the role of government in the U.S. The other party can then present an alternative vision, and voters can chose between them. In a proportional system, the governing party will still promote its vision, but instead of a single alternative, voters will be faced with many different visions, and it may not be clear to a voter which alternative will prevail. With confusion over a plethora of alternatives, instability and chaos may reign.

Furthermore, under a proportional system, small parties sometimes gain an influence larger than expected. If there are several parties, and no single party can form a majority in Congress, the larger parties are forced to negotiate with the small parties to accomplish anything. Small parties can then essentially veto legislation of larger parties.
Delegate or Trustee?

**Directions**
Read each description and decide whether each representative is acting as a delegate or a trustee. Support your answer with evidence from **Handout A: Background Essay: The Nature of Representation in the U.S. Congress**.

<table>
<thead>
<tr>
<th>Congressman Alvarez</th>
<th>Congresswoman Zito</th>
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<tbody>
<tr>
<td>Several times a year Congressman Alvarez hires a political research firm to survey his constituents about different issues facing Congress. He instructs his staff to carefully monitor email, letters, and phone calls from people in the district, and present him with a weekly summary of their opinions. Congressman Alvarez believes that if he listens to his constituents, knows their thoughts and opinions, and votes accordingly, he should have no problem getting re-elected. Is Mr. Alvarez acting as a delegate or as a trustee? Why?</td>
<td>Congresswoman Zito spends as much time as she can in her district, talking with constituents, both to hear their ideas, and to explain her vision about the role and direction of government. She regularly appears on TV programs, where she debates other politicians about the issues facing Congress. Few people in her district have any doubt about where she stands, and she is confident that by remaining consistent in her vision, and explaining her vision to her constituents, she will have little difficulty in getting re-elected. Is Ms. Zito acting as a delegate or a trustee? Why?</td>
</tr>
</tbody>
</table>
Work in small groups to discuss and develop your responses to these questions for each scenario. Refer to Handout A: Background Essay—The Nature of Representation in the U.S. Congress as needed.

A. List the competing interests: What are the interests of the district? Of the nation? Of the member’s political party? The member’s own principles?

B. Explain how you would vote in that situation and why.

C. Explain whether and in what ways each congressperson is acting as a delegate or as a trustee in making the decision about how to vote.

Scenario 1

A bill has been proposed to increase income taxes by 20%, and cut spending on all government programs by 20%. The district that you represent has made it clear they do not want to pay any more taxes, but they also do not want to see their social security and other government benefits cut. Your political party has also stated that no new taxes should be considered, only cuts in spending and benefits. If no changes are made in taxation and spending, in the next few decades, the U.S. will no longer have enough money to do anything other than pay Social Security, Medicare, and interest on the national debt. How will you vote?

A. List the competing interests: What are the interests of the district? Of the nation? Of the member’s political party? The member’s own principles?

B. Explain how you would vote in that situation and why.

C. Explain whether and in what ways each congressperson is acting as a delegate or as a trustee in making the decision about how to vote.
Scenario 2

The president wants to go to war with a country in the Middle East. He has stated that it will bring stability and democracy to the region and make the U.S. more secure against its enemies. Other military experts have testified that the U.S. may be drawn into a long and difficult conflict. The military base in the district that you represent will play an important role in the war, but will also bear the burden of injuries and deaths the war will bring. Your party is divided on the war, although the opposition party is solidly behind it. Your constituents are in support of the war, but only by a thin margin. How will you vote?

A. List the competing interests: What are the interests of the district? Of the nation? Of the member's political party? The member's own principles?

B. Explain how you would vote in that situation and why.

C. Explain whether and in what ways each congressperson is acting as a delegate or as a trustee in making the decision about how to vote.

Scenario 3

The interstate highway that runs through the district that you represent is in need of major repairs. A proposed law would pay for the repairs of the road in your district, as well as roads all over the country, but the money would come from additional borrowing, increasing the U.S. national debt. Both your party and the opposition party are in favor of the bill. How will you vote?

A. List the competing interests: What are the interests of the district? Of the nation? Of the member's political party? The member's own principles?

B. Explain how you would vote in that situation and why.

C. Explain whether and in what ways each congressperson is acting as a delegate or as a trustee in making the decision about how to vote.
Scenario 4

In three days, the federal government will run out of money and will have to shut down all non-essential operations. One of the major employers in the district that you represent is a military base, and although it will remain open, some civilian contractors may no longer be paid. The reason the government will run out of money is because Congress and the president cannot agree on a plan for spending. There is a bill proposed that will sidestep the issue, but it will not solve the basic problem that the president and Congress cannot agree on how much to tax and how much to spend. Shutting down the government might create a crisis that will force both Congress and the president to reach a compromise, or it may simply make people angry at you and your political party. Your political party is largely in support of allowing the government to shut down; the opposition party in in favor of sidestepping the issue. Will you allow the government to shut down, or will you vote for the bill to sidestep the issue?

A. List the competing interests: What are the interests of the district? Of the nation? Of the member’s political party? The member’s own principles?

B. Explain how you would vote in that situation and why.

C. Explain whether and in what ways each congressperson is acting as a delegate or as a trustee in making the decision about how to vote.

Scenario 5

The president has proposed building two hundred new and very expensive airplanes as part of the modernization of America’s national defense. Military experts in the Department of Defense have said the plane would be helpful, but there might also be other uses for the money. The planes will be built in your congressional district, and will create thousands of new, well-paid jobs in engineering and other technical fields in your district. There is no additional tax money available to pay for the airplanes, so it will require additional borrowing by the federal government. Your political party is against the program as waste of money. The opposition political party is in favor of it. How will you vote?

A. List the competing interests: What are the interests of the district? Of the nation? Of the member’s political party? The member’s own principles?

B. Explain how you would vote in that situation and why.

C. Explain whether and in what ways each congressperson is acting as a delegate or as a trustee in making the decision about how to vote.