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## "Our Congressional Critics-Friends Not Foes"

Max S. Baucus

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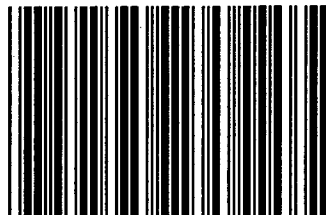
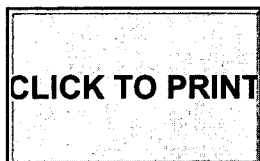
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BAUCUS

## OUR CONGRESSIONAL CRITICS -- Friends, Not Foes

Bashing Congress has become a national past time. It has become as much of a sport as football and baseball, and as American as pizza and sushi bars. Late night television comedians like Jay Leno and David Letterman are making careers out of tossing humorous, sarcastic jabs at Congress.

As a member of the U.S. Senate, I am concerned about the current image of the Congress. I have a deep trust and a profound respect for the workings of our democratic institutions and when that trust seems misplaced, when that respect is, in anyway, lessened, I am troubled.

But this skepticism and criticism is actually more healthy, than it is detrimental. It is healthy for our society and for our body politic for public officials to be kept under the public microscope and to be held accountable for our actions and behavior. These verbal and literary darts from friend and foe help keep us on our toes.

I also point out that Congress bashing is neither a contemporary nor a momentary circumstance. It did not begin in 1997, nor even in the 1990s. Not even in the twentieth century. Historian Paul Boller, in his book, *Congressional Anecdotes*, from which a lot of the following information comes, points out that "Congress bashing is almost as old as the Federal government."

In other words, when today's critics assail this great democratic institution, they are simply following in the footsteps of giants who preceded them. If you think Jay Leno and David Lettermen are tough on us, look back to the turn of the century and read what Mark Twain and Will Rogers had to say about the peoples' branch of government.

With Mark Twain, Congress was subjected to, perhaps, the most pointed, sarcastic jabs in history. I would like to think that they were made in the spirit of fun and good humor, but I have to wonder. A classic Twain quip included his observation that:

"It could probably be shown by facts and figures, that there is no distinctly native American criminal class except Congress."

And there was his remark:

"Suppose you were an idiot. And suppose you were a member of Congress. Ah, but I repeat myself."

That was soft stuff compared to his one-liners. His ten-second sound bites included:

"Fleas can be taught nearly everything that a Congressman can."

And,

"To my mind, Judas Iscariot was nothing but a low, mean, premature Congressman."

With Will Rogers, Congress was subjected to kinder and gentler jabs, but they were just as pointed and just as stinging. Rogers once reported:

"There is good news from Washington today: the Congress is deadlocked and can't act."

Likewise, he scoffed:

"Congress has promised the country that it will adjourn next Tuesday.... If they do, it will be the first promise they've kept this session."

I dare say, no one ever had more fun in giving Congress a hard time than did the cowboy poet-humorist.

A Congressman once attacked Rogers as being nothing more than a "professional joke maker." Rogers countered his congressional assailant by charging that Congressmen are the real professional joke makers as he proceeded to explain:

"At least my jokes don't do anybody any harm.... [But] When Congress makes a law, it's a joke. When Congress makes a joke, its a law."

On another occasion, Rogers explained:

"You know, Congressmen are the nicest fellows in the world to meet. I sometimes wonder if they realize all the harm they do."

And there was his immortal quip that:

"The country has come to feel the same way when Congress is in session as we do when the baby gets hold of a hammer. It's just how much damage he can do before we take it away from him".

And then there is my favorite:

"[Senators] are a never ending source of amusement, amazement and discouragement. But the rascals, when you meet'em they are mighty nice fellows. It must be something in the office that makes'em so ornery sometimes. When you see what they do officially, you want to shoot'em, but when one looks at you and grins so innocently, you kina want to kiss him."

The history of Congress bashing goes beyond humorists and comedians. It has involved Americans from all occupations, from all walks of life.

The clergy has even gotten into the act. In 1903, the Senate Chaplain, Edward Everett Hale, was asked: "Do you pray for the Senators, Dr. Hale?" "No," he replied: "I look at the Senators and pray for the country."

Actually, nobody has been harder on Congress than members of Congress themselves.

More than a century ago (1861), Oregon Senator James Nesmith made his classic comment that people today still quote. Senator Nesmith declared that he spent his first month in the Senate wondering how he had gotten there. He spent the remainder of his term in the Senate wondering how the rest of the members had gotten there.

During a Congressional debate, Senator Henry Wilson (later vice president of the U.S.), became so frustrated with the arcane workings of the Senate that he declared: "If we introduced the Lord's Prayer here, Senators would propose a large number of amendments to it."

A favorite and traditional way to ridicule Congress has been in stories, and there are a plethora of them about anything and everything a Congressman does. Stories of Congressional fence straddling are as legendary as they are legion.

One story tells of a Senator being asked for his thoughts about the military-industrial complex. The Senator replied: "I think I'm undecided, but I'm not sure."

Did you hear the one about the Senator who was asked for his views on inflation. The lawmaker said he was opposed to it. "Well I guess you're for deflation?" he was then asked. "No" answered the Senator, "I'm against that too." "Well, what are you for?" The Senator thought for a minute and answered: "I'm for flation."

No image of Congress has prompted more jokes, and more stories than the image that Congress is filled, not with lawmakers, but with lawbreakers. It has always intrigued as well as baffled me why critics of Congress think the American people select only the sleaziest, and most corruptible among us to make the nation's laws. I personally have more faith in the wisdom and judgement of the American people than to maintain a view that holds them in such low regard. I guess that's why I'm a democrat -- with both a capital and small "d." At any rate, I feel compelled, in this talk, to relate some of the stories I've heard about the most low down, dishonest people in the country -- the U.S. Congress.

A story that goes back to the 1890S tells about the Senator who dozed off during a roll call vote. When the clerk called his name, the Senator suddenly woke up and shouted: "Not guilty."

Another Senator, so goes another story, kept absent mindedly addressing the Chair as "your honor."

In the 1950s, another story told of a new Senate page who was giving his mother a

tour of the Capitol when bells went off for a roll call and a few minutes later for a vote. When the mother asked what the bells were for, the young boy replied: "I'm not sure, but I think maybe one of them has escaped."

This image of Congress has prompted classic quips like:

"Every now and then an innocent man is sent to the legislature."

Of course, your image of Congress depends, to a large extent, on your personal perspective:

The founder and director of Central Pacific Railroad, Collis P. Huntington, once grouped Congressmen into three categories: those so sympathetic to his financial interests that they didn't need to be bought, who he labeled "clean." Congressmen who were open to purchase were labeled "commercial." And finally, there were those members of Congress who couldn't be bought -- those he labeled "communist."

As I said, it can often be a matter of perspective.

Of all the Congressional critics, none has a longer or more proud tradition of going after Congress than does the press. Throughout the history of our republic, the Fourth Estate has constantly reminded the nation's lawmakers of its First Amendment rights as it has held members of Congress accountable for their legislative actions and personal behavior, and, a time or two, has actually pinpointed some individual shortcoming [to be said in mocked sarcasm].

On March 19, 1837, while the American republic was still in its infancy and legislative giants like Henry Clay, Daniel Webster, Thomas Benton, John C. Calhoun were sitting in Congress, the New York Herald complained that the poor state of the nation's economy at that time was "wholly produced by the indolence, the folly, and the party spirit of Congress."

That same year, a newspaper in Baltimore complained:

"A more weak, bigoted, persecuting, and intolerant set of instruments of malice and every hateful passion were never assembled in a legislative capacity in any age or any time."

In 1857, when Congress included such distinguished statesmen as Jefferson Davis, Andrew Johnson, Stephen Douglas, Lyman Trumbull, Charles Sumner, Sam Houston, Benjamin Wade, and Alexander Stephens, the *North American Gazetteer* grumbled:

"How can we expect integrity or uprightness in our legislatures or in Congress, when the barrooms and bullies furnish the candidates?"

A Pennsylvania newspaper complained:

"Had we had more statesmen [in the Congress] and fewer mere politicians, the country would not have been reduced to its present distressing and humiliating condition."

The Congress of the United States has held this country together through some of the toughest times that have ever confronted a nation. And yet, when all was said and done, when wars were fought and won, and economic and social strife was overcome, Congress garnered little recognition.

During the 1860s, Congress provided the money to fight the Civil War and save the Union. It freed the slaves and approved the Reconstruction legislation that would form the basis of the Civil Rights legislation of the 1960s. Did Congress get the credit? Of course not. That went to the Executive Branch. But Congress did get the scorn. In 1865, author and humorist, Artemis Ward, a precursor to Twain, Rogers, Leno, and Letterman exclaimed:

"Congress, you won't do. Go home, you devil."

That same year, Ward also noted:

"I venture to say that if you search the earth, all over with a ten horsepower microscope, you won't be able to find such another pack of poppycock gabblers as the present Congress."

Referring to the economic disasters of the 1870s, the *New York Post* (1873), warned its readers that if it were possible, Congress would "make the situation worse."

During the 1890s Depression, the *Indianapolis News* (1893) asked:

"Does the Senate understand that at the present writing it is the mostly thoroughly despised body of public men in the world?"

Lets move ahead a little bit, to the 1940s, when Congress was filled with political greats like Alban Barkey, Harry Truman, and Arthur Vandenberg. During this time, Congress was helping the Nation recover from the aftermath of Pearl Harbor; providing the manpower and the money to win World War II, and to win the peace afterwards with the United Nations and the Marshall Plan. Did Congress get the credit? Of course not, but again, it was the target of scorn.

In September 1942, *Washington Post* complained:

"At a time when the nation faces the greatest crises in its history, the spectacle presented by our Congress -- one of the few free bodies left in the world -- is anything but encouraging."

That same month, the *Washington Daily News* editorialized:

"Poor old stumbling, scared Congress, blindly throwing away its great opportunity to prove that it can do its duty to the nation at war. It is a tragic spectacle."

The October 1942 issue of *Reader's Digest* carried an article by William Hand that noted:

"Public esteem for the Congress has been falling, and today it is probably lower than ever before in our history.... Congress is living in an age gone by."

It was in 1942 that Congressman Everett Dirksen, cognizant of the public's disdain for Congress, despite Congress's heroic response to the crisis affecting every nation on earth, took the floor of the U.S. House of Representatives, to complain:

"There is evidently a growing belief in the country that something is wrong with the legislative branch of this government. One needs to examine the current press comment, which has been re-echoed in all sections of the country, to ascertain that there is something inherently and fundamentally wrong with the operation of this body or in the composition and character of the Congress."

No amount of effective legislating by the Congress has ever reduced the barrage of criticism and scorn tossed at it. Anything and everything Congress does is subject to criticism and attack.

In his memoir, Speaker of the House Champ Clark observed:

"every evil disposed person in the land can find some slander to utter about the American congress. If the House takes time enough to discuss and important measure, these slanderers savagely assail it for being too slow. If the House puts in overtime and hurries a bill through, these same malignants fiercely denounce it for sending half-baked measures to the Senate."

Likewise, another former member of Congress pointed out:

"If Congress passed a lot of laws, it would be assailed as a busybody, meddling Congress. But if they passed just a few laws, they would be denounced as a 'do-nothing Congress.' If Congress followed the president and passed his laws and upheld his vetoes, they would be called a 'flock of sheep.' If they got brave and overrode his vetoes, they become 'factionists' and 'disloyalists.'"

It was not yesterday, nor the day before yesterday. It was 7 decades ago -- in 1925 -- when Speaker of the House Nicholas Longworth exclaimed, in words that ring as true and relevant today:

"I have been a member of the House ... for twenty years. During the whole of that time, we have been attacked, denounced, despised, hunted, harried, blamed, looked



down upon, excoriated, and flayed. [But] I refuse to take it personally... We have always been unpopular. From the beginning of the Republic, it has been the duty of every free-born voter to look down on us, and the duty of every free born humorist to make jokes at us."

Any wonder why I am not so disturbed by current criticisms of Congress? The headlines and editorials of today are nothing new. We've heard it all before. We've been there before -- and we not merely survived, we prevailed.

This American tradition of keeping our public officials under microscopes and chastising us for our mistakes and our misconduct is good -- not bad -- for a democracy such as ours. In fact, it may well be a prime reason why we are, after 220 years, still a democracy.