

Howard E. Shuman

Legislative and Administrative Assistant
to Senators Paul Douglas and William Proxmire, 1955-1982

Interview #5: The Kennedy Years

(August 26, 1987)

Interviewed by Donald A. Ritchie

Ritchie: I understand that you believe that there are often personal factors behind legislation.

Shuman: Yes, people often ask where do bills come from? Why do they exist? Where do legislators get their ideas? Of course they come from a variety of points. I used to say that I couldn't think of any legislation that ever really originated in the executive branch, that for the most part things like the Peace Corps, arms control, and so on, were issues that were in legislation in Congress, hadn't gotten very far, when they finally got ripe and were picked by the executive and sent to Congress. That's one way that it happens. I was here at the War College recently when someone said he couldn't think of a single new idea that Congress had ever had, that the executive was always initiating things. I don't agree with that. One's view of this may depend on where one stands. I can think of very little constructive legislation that was not first proposed by a member of the House or Senate.

But I was thinking of a series of bills, some major, some minor, that I was involved in where the origin was a personal incident. I will outline them. The first is the Depressed

page 247

Areas bill. The origin of that was from a personal experience Senator [Douglas](#) had in campaigning in Southern Illinois. Southern Illinois is very poor -- I've told about the glaciers -- it's very poor land. He was in Southern Illinois campaigning, mainly in the '54 election. It was the lack of water that made it difficult for that area to be able to attract industry. The coal veins were running out. These factors led him to get involved and to propose the original Depressed Areas bill. He assigned me the task to get the the first Depressed Areas bill drafted. I did not draft it; a person in the Library of Congress drafted it, but I was responsible for it, and got the senator to make the major judgments about how much money we wanted to put into each of the three funds in the bill. But the origin was the personal experience he had in Southern Illinois.

His support for Food Stamps had a similar origin. When he was in Southern Illinois, he saw people lined up outdoors for surplus food. I think the food was on

a haywagon. He said most of them were hiding their faces and were ashamed that they had to line up to get the handouts. He said that he was standing behind a tree watching them, and suffering with them in the sense of their feelings about how improper and demeaning it was that they would have to do this. So part of his support for Food Stamps was the fact he felt it was unfair to single out the

page 248

poor to get food while standing in line where everybody was watching them. That was demeaning.

Truth in Lending had a similar origin. For years, at the beginning of each Congressional session, I would get together with Mr. Douglas and we would map out what new legislation he thought he should put in for the year. In most years he'd say something about Truth in Lending, but we never got it done. It was one of those things that was superseded by other interests. He had been a proponent of Truth in Lending in the thirties, when he had been an advisor to the Roosevelt White House and had been involved in the Social Security legislation. He was one of the people who helped write the first Social Security bill. He had proposed Truth in Lending then, but he thought that he was let go as an advocate or as an advisor because he pushed Truth in Lending. But he had always had it in the back of his mind. He wanted to do two simple things: one was to require the consumer to be told the real cost of interest, the annual percentage rate; and two to have the consumer told the total finance charges.

Well, in the late fifties I bought a dishwasher from Sears and Roebuck on credit. When I got the first bill, I found that not only was I charged for the dishwasher, but a whole batch of other things had been added on, particularly credit life insurance, which I had not ordered. I was so angry at what they had done that I determined that that year I'd get a Truth in

page 249

Lending bill written. That was the reason, my irritation at that personal experience, the bill got drafted that year.

The Indiana Dunes were saved by Mr. Douglas largely because he had spent the summers there when he was teaching at the University of Chicago. He saw how fabulous that area was and was determined to save it. Also, he went to the Dunes just before he joined the Marine Corps. In order to strengthen his legs, he was a man almost fifty at the time, he ran in the sand at the Dunes so that he could make it through boot camp. But the fact that he had a personal relationship with the Dunes, I think, was the major reason when the Indiana people came to him

and asked him to help, that he agreed to sign on. And of course the Dunes never would have been saved without him.

Another incident was a bill that [Proxmire](#) put in, that I initiated, to provide that when pro football games were sold out, they had to be televised, that there could be no TV blackout. That bill occurred because when I wanted to go to the Redskin games, I could never get tickets to the Redskins. I was peeved that even though the games were sold out, I couldn't see them on the local television. As a result, I drafted the bill. I went for help for that bill to the subcommittee which was chaired by Senator [\[John\] Pastore](#). He had a staff man, Nick Zapple, on the Communications Subcommittee of the Commerce Committee. I got advice from him on it, only to see Pastore steal our bill and

page 250

offer it on the floor as his own amendment on another bill. In fact, it passed. It was Proxmire's bill. Proxmire had proposed it, and [Hubert Humphrey](#) had cosponsored it, and both got up to speak for it knowing that it was going to go through and praised Pastore who presented it as his own. But they were seething underneath that he had stolen their bill, which is improper to do. Nick was the source for that.

Finally, there's a story about the fight over limousines. Mr. Douglas was a Marine, and he was very proud of the Marines. He made the point many times that the thing he most liked about the Marines was that they traveled light. They had a small pack. All tooth and no tail. Unlike the quartermasters and the supply corps who were big elements in the Army and the Navy, his beloved Marines traveled light and lived the simple life, and were organized to fight. One evening, it must have been 6:30 or 7:00 o'clock, we were walking together from the Old Senate Office Building, now the Russell Building, to the Senate. We walked outside, and parked outside on that hot spring night were five or six of the biggest limousines one has ever seen. One after another were parked there, all with their windows rolled up, all with the air conditioning going, all with their motors running to keep the drivers cool. We looked at this and were absolutely appalled. Clearly they were government cars. So he went up to the first one and tapped on the window. The driver rolled down

page 251

the window, and Mr. Douglas asked, "Who's limousine is this?" And the driver said, "It's the Commandant of the Marine Corps'." Mr. Douglas died a thousand deaths when he heard that.

We asked the Bureau of the Budget how many limousines there were in the government, because there was a law on the books that cars could be used for official purposes, but that official purposes did not include being driven to and from home. It was quite proper to drive from the Pentagon to the Capitol to testify, but not to be driven to and from home. We asked that question of the Bureau of the Budget, and Elmer Staats, who later became Comptroller General, did the staff work on it. He and I talked about it a lot, and they came up with a list of about a hundred people who were being driven to and from home. They gave us a list of cars, mostly Cadillacs and big Buicks, and the people who had them, and certified that the person who used them was being driven to and from home. We then put in a bill, the "Limousine Limitation" bill, I believe it was called, to cut the cars, and the practice, back. The bill cut back the total number of people who were given the privilege to about twenty-seven. They were limited to the President, Vice President, members of the Cabinet, who under existing law quite properly got one, and those for the Speaker, the President Pro Tem, and the Majority and Minority Leaders of both houses. That was about it. The rest of the people in the government were supposed to drive their own cars to

page 252

and from home, as every senator did and every House member did. It had always seemed odd to me that the Architect of the Capitol and I think the Capitol Physician had limousines, or cars that were government sponsored, and the bill took those cars away from them.

The bill never got very far. When I came back to work for Senator Proxmire in 1969, after we'd failed on cutting them back in the period from 1960 to '66, I found that the total had grown from about a hundred to about a hundred and fifty. It was an example of losing ground. Then later, with the oil crisis, we tried to pass the bill again. Also Proxmire was chairman of the Independent Agencies Subcommittee of the Appropriations Committee, and in every one of about twenty agencies we got rid of the limousines by writing restrictive language into the appropriations bill. At the very time HUD put a moratorium on housing under Nixon, I think the year was '72 or '73, during the oil crisis, we took away their limousines on gas economy grounds. In that period, housing programs were frozen or cut. The under secretary and the assistant secretaries and the counsel came up and lobbied day in and day out, not for housing, but to get their limousines back. I always thought it was a great irony that that happened. Ultimately, after I left the Senate, that problem was largely solved, but it was an example where after years of fighting, the number of limousines had grown by fifty percent. It took more

page 253

than twenty years to win that fight. I guarantee that shortly the number of limousines will escalate again.

But I use these examples to show how and why legislation gets started.

Ritchie: When you mentioned the limousines, that brings up the thought that Senator Douglas had a reputation of being a watchdog of the Treasury.

Shuman: Yes, that's true.

Ritchie: Just recently I came across a debate in 1950 where he led a charge in the Senate against free shaves and haircuts for the senators. And there are a lot of issues where he voted to cut the Labor Department's budget and others, because he thought there was waste in their budget. That seems somewhat incongruous when you think of the liberal as a freespender. How did Paul Douglas get to be the H.R. Gross in some respects of the Senate?

Shuman: Well, first of all Douglas is a Scottish name, so he came by it naturally. Secondly, he was from New England, and he used to quote the old New England saying about use it up, wear it out, make it do. He also was an economist who thought that goods and services ought to be used in their most effective and efficient way. He coined the phrase: "A liberal need not be a wastrel." He was one of the first people to take on the public

page 254

works bills and military waste, even though he was a strong supporter of keeping us militarily strong. He took on those things such as haircuts within the Senate itself, where almost no one else was willing to take on the establishment. One of our little forays was an attempt to get the Senate restaurant to charge an appropriate price, because the Senate restaurant was heavily subsidized. He made the point that those who ate there were not poor and many, especially the press, were on expense accounts and could quite properly afford to pay a fair market rate for the food they ate. So, yes, watchdog activities were an important part of what he did. He often said that wasteful spending did not feed, clothe, or house a single needy person, nor improve our defense.

One of his most interesting forays was in 1960, when he went after waste in the Pentagon. The reason he did it was that he had been unsuccessful in getting the Pentagon to make any changes at all to speak of in their procurement procedures. We held hearings and found that ninety percent of the contracts were let not by competitive bidding but with only one or two contractors allowed to bid. There was surplus property given away every year for one or two cents on the dollar, equal to about fifteen or twenty percent of the yearly procurement budget. He

pointed out these conditions, held hearings on them in the Joint Economic Committee, but absolutely nothing happened. So as one of the staff people

page 255

on this issue, I went out to a warehouse at the University of Maryland where they had received surplus property from the military. Ray Ward who worked with Speaker [John McCormack](#) went with me. The individual surplus property items had tied on them the original price tags, the original invoices as to what the items cost, which the military services themselves had put on the items. We got ten or twelve really horrible examples. True enough, they were horrible examples. There was one small light socket which had a price tag of twenty-one dollars and fifty cents on it. We bought it for twenty-five cents.

The senator went to the floor and exhibited the items. I've never seen such a reaction. Half the Pentagon called on the phone to say why didn't you let us know first rather than to do this on your own? They asked if they could come and examine the items. They sent up a team. There must have been twenty-five to thirty people who came into the office and looked at every item in great detail, took down all of the serial numbers, and made thorough descriptions. I was afraid they might find we'd made a mistake on one of them, fearful that if we had made the slightest mistake they would throw this up and then say, "Well, you were wrong as well on all the rest." But we waited, and waited, and waited, and finally they did make a rebuttal. But their rebuttal was ridiculous! One of the items, a fairly common item, some kind of a fan or blower, they said needed special or unique technology,

page 256

and used that as a rebuttal. I was able to show, because there was a patent number on it, that the item had been patented a dozen years before, and that it was a common item which the military had gotten from general stocks.

That was one of his forays, but basically he did that because people need to be able to see things, and touch things, and feel things, and understand simple devices. People do not understand a cost overrun on a weapon system of two billion dollars, but they can understand that the price of twenty-one dollars for a twenty-five cent light socket is wrong.

Ritchie: Doesn't a senator run a risk of making a lot of enemies by attacking perks like haircuts?

Shuman: Yes, he does. Less so now than before. Now, I think it's customary for people to run for the Senate by running against the Senate. But then it was not.

Some people did object to that. I remember when Mr. Douglas exposed those items on the floor, Senator [Russell](#), who was a very strong supporter of the military, and I think then either chairman of the Military Appropriations Subcommittee or chairman of the Senate Armed Services Committee, decided he wasn't going to make any defense of them at all. It was so excessive he didn't defend them.

Ritchie: It's an interesting side to Douglas' character.

page 257

Shuman: But when I see the new attacks on expensive toilet seats, I am reminded of our efforts more than twenty-five years ago. It's an example of history repeating itself.

Ritchie: It also says something about military procurement practices.

Shuman: Yes, those have not particularly improved.

Ritchie: You talked about the Depressed Areas bill. I noticed that in 1960 when Kennedy was elected, one of the first things he did was to set up a task force on Appalachian depressed areas, and he asked Senator Douglas to chair that task force. I wondered if you had worked with him on that.

Shuman: I did, but by that time the bill was in the Banking Committee, so the bill was more or less taken over by the Banking staff people. But I worked with that task force, met with them, and helped draft the report. We made the bill Senate 1, S.1, because Kennedy had campaigned particularly in West Virginia in favor of the bill. That bill had, I think, passed or almost passed three times in the Congress in the Eisenhower years but either had been vetoed or held up in one house or the other. Kennedy vowed that if he were elected he would make this one of his early priorities, and we did make it S. 1 in the Senate.

page 258

There was an interesting sidelight to that bill. The senator went down to Palm Beach, Florida, to see Kennedy between the time of the election and the time he was sworn in, to talk about the bill. I didn't go on that trip, the Senate Banking Committee staff man, Milton Semer, did. But I remember Mr. Douglas telling me afterwards how Kennedy handled the press. They got down there, went to his house, and the first thing they did was to come out and hold a press conference, before they had talked, so they could honestly answer every question the press asked them with, "No, we didn't discuss that. No we haven't decided this." Then they went back in, discussed the issues, and decided what they'd do, what their

strategy would be. I don't think many people ever knew that that was one way Kennedy functioned at that time. It was the first time I'd ever heard of a person doing it in that manner, but that's what Kennedy did. But since I've learned that Mark Twain would go outside to the porch of his Connecticut mansion so his butler could say he'd stepped out.

When that bill became law, it created a certain amount of turmoil. First of all [Fulbright](#) was adamantly opposed to it on the Banking Committee, and he was chairman of the committee. It strained the relationship between the senator and Fulbright, who had had quite a good relationship until then. Mr. Douglas just couldn't understand why Fulbright was out to kill it. Then after the bill passed, the administrator of the program, Bill Batt, gave

page 259

the very first project to Arkansas and to Fulbright at his request. Mr. Douglas was livid about that.

There were two major issues during passage. One was whether there would be what was called backdoor financing of the bill, because at that time we knew the Appropriations Committee would refuse to appropriate funds directly, so we had loans and backdoor financing as the means of getting the money. The second thing we wanted to do was to create an independent agency to administer it. And we wanted to have both of those issues in the Senate bill, so that when we went to conference with the House, we wouldn't lose both of them. The House had direct financing, so if we were going to win on backdoor financing we would have to trade away the independent agency and put the new agency in the Commerce Department. Therefore, we needed to keep the independent agency provisions in the Senate bill as trading material. Well, Fulbright put up an amendment on the floor to put the administration into Commerce, and he won on it. That greatly reduced our bargaining power in conference. It was a hostile act.

I remember when Mr. Douglas came in one day, just before that vote. I asked him what the administration's position was on it. He said, "Oh, it's a good thing. The administration is neutral on it." He seemed to be pleased that they hadn't come out for putting it in the Commerce Department, because Kennedy had brought in the North Carolinian [Luther Hodges] as Secretary of Commerce,

page 260

who wanted to administer the bill. But we were afraid that as the Chambers of Commerce had been so strongly opposed to it that their influence with the Commerce Department would be a way of effectively killing the program. But Mr. Douglas was pleased. I said, "They've slickered you. You shouldn't be pleased

about that. You're going to lose it. The reason is very simple: all of the Republicans are for putting it in the Commerce Department, and now the Democrats are off the hook. The president hasn't said whether it should be in Commerce or an independent agency, and in that case a certain number of Democrats will leave us on the issue; on the other hand if Kennedy had come out strongly for keeping it as an independent agency, we could win. So by being neutral on it, he really, I think, is doing us in on the issue."

Then we went to conference with the House, and Wright Patman was the House chairman. Essentially, Wright Patman was with us on the bill. What we did in the conference was to trade away twenty or twenty-five items in order to keep the backdoor financing. That made it possible for Patman to say the House won: they gave in on one issue and we gave in on twenty-five. It has occurred to me since then that some of the studies that have been done on how the House and the Senate fare in conference committees by counting the number of issues won by each House are very misleading, because we thought in that instance that one issue

page 261

was worth all the rest of the minor issues. And of course it was. I now call those political scientists "bean counters" and their results are ridiculous.

The second important thing was that we had to pass the conference report in the Senate first. The reason was very simple: once a conference report has passed one house and goes to the other house, the second house can no longer ask that the conference be reconvened. The conference no longer exists. So it has the limited choice of voting it up or down. Well, if the House had gotten the bill first, a motion would have been made to send the bill back to conference on the financing issue, and that motion might very well have passed. But we thought if the House had only the choice of voting the bill up or down, the conference report would win in the House, so it was necessary to get it through the Senate first. I went to the assistant Senate parliamentarian, Murray Zweben, and said that I had read the rules on conference reports, and there was no way one could understand which House acted first. He said, "Very simple, very simple, it depends on who has the papers." The house with the papers votes first. So I captured and commanded the papers. I had them in a manilla envelope under my left arm, while I was sitting there in the conference, behind the senators. At the very last moment, some of the House Republican staff members asked, "Where are the papers?" One of them came up to me and he was almost touching the

page 262

manilla envelope, and asked: "Where are the papers?" I didn't say I don't know, but I gave a facial expression to indicate that I didn't know. I didn't lie, but my body language said I didn't know. And he left. I then left the conference and waited on the Senate floor with the papers for Mr. Douglas to come in. We had arranged that he would get a vote immediately. It is a privileged matter. The conference report passed the Senate, went to the House; they had only one choice, up or down, and they voted to pass it.

That bill taught us two other lessons. One was that to get it through the House we had to expand it greatly. It was originally a bill to help a few pockets of high unemployment around the country, northern Maine, West Virginia, Southern Illinois, Northern Wisconsin and Minnesota. These were pockets of poverty. We wanted to target what limited funds there were -- I think three hundred million dollars was the total amount in loans and grants -- to these areas so that something substantial could be done in each of them. In order to get the bill through, we had to get the votes of the rural members of Congress -- and this was before the one-man-one-vote decision, so that the rural regions had far more Congressmen than their population would justify. So we had to enlarge the bill to include the rural counties that had poverty, all over the country, one by one, in order to get sufficient votes to pass the bill in the House.

page 263

But of course that so diluted the limited funds that not much could be done in the original areas.

The second thing that happened to the law was that as time went on it was turned into a public works program, and in fact went to the Public Works Committee instead of the Banking Committee for jurisdiction. So I think that by the time 1980 came around, when Reagan was trying to do away with the program there was considerable justification, because it had been so corrupted from its original purpose, a) to get it through -- I think we could have survived that -- but b) because it evolved into another public works project. That was a big mistake.

A similar thing happened, but not to the same extent, to the Truth in Lending bill. As I mentioned, Mr. Douglas' idea was that two simple pieces of information would be provided to the consumer, the annual interest rate and the total amount of credit. We wanted to give that information to the consumer so he or she could make an intelligent, informed and valid judgment about the cost of credit. In order to make a good judgment in a competitive economy one has to have information. Well, the opponents of the bill, led by the senator from Utah, who was on the Finance Committee as well as the Banking Committee, raised all kinds of red herrings against the bill: such as that it was impossible to calculate the annual interest rate. . . .

Ritchie: Was that [Wallace Bennett](#)?

Shuman: Yes, Wallace Bennett, who had been the president of the National Association of Manufacturers and an auto dealer, and who in his business life was very dependent on credit. He raised all kinds of specious objections to the bill. In order to meet these objections, we had to accept several amendments. They added pages, and pages, and pages to the bill to explain in detail how to calculate the interest rate, all of which could have been done very simply, and could have been done through regulations by the agency after the bill was passed. Well, when Proxmire finally got the bill through, after Mr. Douglas left the Senate, in '67, I went to the White House for the signing ceremony. Johnson was President. The East Room of the White House was filled with all of the narrow interest opponents Bennett had organized. Johnson was smart in the sense that he gave them credit they didn't deserve, but he never gave enough credit, I thought, to those who fought in the trenches until the bill was passed. Proxmire did not go to that signing even though it was his bill, because he would have missed a Senate vote, and as you know he's now cast something over ten thousand consecutive votes. And it was a vote in which his vote was decisive. He often used that as an example of why it was of first importance in the Senate for a senator to vote, because it was the one thing a senator could do that no one else could do. In this case, he would

have been singled out at a White House ceremony at the expense of losing an issue he believed in in the Senate.

After I came back to the Senate to work for him, I proposed that we ought to simplify the Truth in Lending bill, because the regulations had been written by the Federal Reserve Board and, when you got consumer credit at Sears and Roebuck or elsewhere there was a page of fine print telling you all of the things that you could or couldn't do, which was not our intention. We wanted to keep it simple. This was a time when people were objecting to paperwork, when business was crying out that government was regulating it too onerously, so we thought we should just go back and provide those two simple original goals with a straightforward, simple, one-page bill. He proposed it. The hearings were held. Proxmire was chairman of the committee. And what happened? Almost every group that had originally objected to the bill on grounds of too much paperwork, came in to testify they didn't want the law changed. They opposed simplification. They didn't want the law changed because they had set their computers to do all of the things that were now in the regulations. It was an incredible event to listen

to them testify as they did! But that is a lesson about legislation not found in the textbooks.

Ritchie: I was interested in your comments about the conference committee. I wondered if it was part of the

page 266

strategy to load into a bill some things that you know you will abandon in the conference committee.

Shuman: Yes. Trading material it's called. Deliberate trading material. The best example, I think, of trading material, was the annual tax bill, the "Christmas Tree" tax bill. Now, we used to fight it tooth and nail, both Senator Douglas and Senator Proxmire, and I probably helped save a couple of billion bucks for the taxpayers doing the staff work, and fighting that bill. I can honestly say I more than earned my salary in the Senate over twenty-seven years by savings brought about by killing those loophole amendments. But it was also true that the word was out by the Finance Committee that they would take almost any amendment and throw out most but not all of them in conference. A senator could then say to his constituent, "I got your amendment through the Senate." And they'd say, "Well, it didn't last in conference." He could reply, "I got it through the Senate, that's my jurisdiction, that's where I'm responsible. I did my job. I can't guarantee what the House will do." So a certain amount of that bill was for the relief of senators so they could do something for their constituents without actually doing anything. The problem was that no one knew which bad amendments would remain in the bill. That's why Douglas and Proxmire fought it so hard. In the old days, that bill was called the "Bobtail bill." When [Harry Byrd](#) was chairman of the committee it was called the

page 267

Bobtail bill. The reason for the change in the name was that it originally came up in July, near the end of the session, but then when the sessions started going full scale throughout the year, its name was changed to the Christmas tree bill, a) because of the Christmas season when it usually came before the Senate, and b) because of all the goodies that were hung on the Christmas tree.

Ritchie: What was the origin of the "Bobtail?"

Shuman: I don't know. It had nothing to do with Harry Byrd. I think it came from pin-the-tail-on-the-donkey game, that everybody was there to pin his tail on the donkey. But anyway it was called the Bobtail bill in its original incarnation. At that time, you know, the Senate Finance Committee had no professional tax staff.

I resented that because I had to do the staff work for the Senator for the Finance Committee meetings. And not once in the time Mr. Douglas was on that committee did the Finance Committee staff or the Joint Committee on Taxation staff come to the senator to say that tomorrow tax bills are coming up, here's what's in them, here are the issues. No staff work at all! So I did it for him, from his own office. If there is too much staff now, which there is, there was too little staff then. The second thing I objected to was that the committee, when it held executive sessions, would not allow a Senate staff member, such as myself, into the executive committee meetings. But they did let the

page 268

Treasury staff in. So the Treasury officials, working in another branch, would sit there and say to the senators, "I don't think you should do that, that's not a good idea." I thought it was a bad practice which violated the separation of power between the branches, and that it was improper for the Treasury staff to be in those sessions, except to give information. When Treasury officials met to decide their position on legislation to go to Congress, they didn't ask any Members of Congress or their staff to sit in on their deliberations.

Ritchie: Did the staff of the Finance Committee work exclusively for the chairman in those days?

Shuman: Well, there was no technical staff, no tax staff for the Finance Committee, only an administrative staff. The tax work was done by the Joint Committee on Internal Revenue Taxation, and they had some very good staff people. But only three Democrats and two Republicans from the Finance Committee were members of the Joint Committee with the House. The staff of the Joint Committee served those five senators, and almost no one else could get the time of day from them. I think they were Byrd, and [Kerr](#), and [Frear](#), and on the Republican side the senator from Delaware.

Ritchie: Williams.

page 269

Shuman: [John Williams](#), who was an honest, upright, straightforward man. And one other, [Bennett](#). Those five people were the only ones who got staff work done for them. Now that has changed. People talk about the "good old days," well, that's an example of the not so good, good old days. It was yet another way the barons and poohbahs controlled the Senate.

I saw a very interesting thing happen in that committee. Bob Kerr was number two, and Bob Kerr pushed everybody around. He was a buccaneer. Once on oil

depletion, which was of course dear to Kerr's heart, Harry Byrd who generally supported depletion, voted with us against the oil depletion allowance. And I think I know why he did. At the Finance Committee mark-up meetings Byrd would sit at the end of the table in the chairman's seat, Kerr was to his immediate right, Williams was to his immediate left. Well, as the meeting would go on, Kerr would keep moving his chair to the left around the table, so that in end he'd be sitting next to and equal with Byrd at the head of the table. He was such a dominant personality that he took over from Byrd. Kerr was a bully. Byrd was a very polite fellow. He and Mr. Douglas differed fundamentally on their politics, but Byrd, and Williams, and Douglas were straight arrows. They often combined together to stop the effort to steal the Capitol Dome by many of the rest of the committee, especially Kerr. Well, once after Kerr had tried to take over, when depletion was on the floor, Byrd voted against

page 270

the depletion allowance, and I think he did it to send a signal to Kerr that he was getting out of line in the way he performed on the committee with respect to the prerogatives of the chair.

Ritchie: To go back just one minute to the conference committee, before we get off of that, I've always heard that the senators have a disadvantage on a conference committee because House members tend to serve on one committee whereas senators tend to be on several committees, and senators aren't often as prepared on the issues when they go to conference. Did you find that was the case?

Shuman: That was absolutely true. I think I made a point of it in my book. The House almost always wins the conference committee, unless the House wants the Senate to win. There are three reasons for that. Number one is the reason you've given: House members generally are on only one major committee. They come to the committee meetings very well informed about the legislation they're involved in. And furthermore, before the conference committee, the House members usually meet to plan their strategies, their tactics. They stay together. They're very tough in conference. That's the first reason.

The second reason is that senators have many, many things to do. Even a junior senator becomes quite well known, can become famous, gets a lot of press, serves on several committees, and

page 271

during the conference committee meetings senators come and go, while their staff stays there. So the staff may know the issues and the senators not. Well, no

Senate staff person in the absence of his principal can hold out on substance against a member of the House, an elected member, elected by the people, who is well informed and well versed. So the House member, who really is clashing with a Senate staff person much of the time, generally wins out.

The third reason, and I think perhaps the most important reason, has to do with what I mentioned about the fact that Senate members get a lot of publicity, and are well known in the country. The House people have an inferiority complex about the Senate, and they are very unhappy that while they know their stuff and do their work, the senators are getting all the credit and all the publicity. As a result, I think they are determined to win, to show the Senate, and they do win in almost every case. I've noticed that from the first time I ever went to a conference committee.

Ritchie: Does that get written into the equation also? Do staff consider that as they prepare a bill?

Shuman: Yes, it does get into the equation, certainly. Staff people think about that. During mark-ups, trading material is added.

page 272

Ritchie: That you can't count on coming out ahead in the conference committee.

Shuman: No, almost never or not at all. The Senate generally loses. Whatever the statistics are, it's nonetheless true, the Senate generally loses, and especially on appropriations, money bills, where the House feels it has jurisdiction, and especially on tax matters too, the House generally wins. Partly the House wins because their members don't want the senators to get all the credit for getting amendments into the bill, so they throw most of them out. The Senate loses for two reasons: for that reason, and also because on the whole the Senate amendments are bad amendments. **Ritchie:** And the House does have tighter rules on amendments. **Shuman:** It does. A member can offer really no amendments on the floor except for a party substitute. **Ritchie:** One other thing I was interested in were joint committees. You mentioned the Joint Committee on Taxation and also the Joint Economic Committee which Senator Douglas chaired for a while. How well do joint committees work?

Shuman: They work very well, at least the Joint Economic Committee worked very well indeed. That was a good committee.

page 273

And until recent times, until the Budget Act, that committee had a dramatic influence on public policy. Here's a committee that had no legislative function. It had only what Woodrow Wilson called the informing function, which Wilson said was as important as the legislative function, and it is. It could hold hearings. The Depressed Area bill hearings were first held in that committee, and were held around the country. The hearings to promote a tax bill in the beginning of the Korean War was a result of hearings by that committee, urging the Senate and the House to act, and they did. The Congress passed a six billion dollar tax increase at the beginning of the Korean War, early on, quickly, which I think resulted in the inflation rate during the Korean War being so relatively low. This was because Congress acted quickly. It was very, very good public policy. That committee, and Mr. Douglas personally, were responsible for the Treasury-Federal Reserve Accord in 1954, which was the right policy, and when the Treasury was told that the committee was for it and that it could probably have its way on legislation, the Treasury capitulated to the Federal Reserve.

There is one other example I want to make -- there are many of them. In 1960 the Joint Economic Committee held a year-long series of hearings on the economy, on wages, on prices, and on economic growth. Otto Eckstein was brought in by Mr. Douglas to be the staff director. Mr. Douglas called Jacob Viner at

page 274

Princeton and asked him who his ablest post doctoral student was. Viner said Otto Eckstein. We hired him. Afterwards Otto became a full professor of economics at Harvard, made several million dollars with his private firm, was a member of the Council of Economic Advisors, and died an untimely death from cancer. Virtually every major economist in the country testified before the committee. Charlie Shultz did study paper number one. He was an unknown economist when we picked him up and commissioned his study. Walter Heller testified. Jim Tobin from Yale was one of the major participants. He was from Champaign and won the Noble Prize. His brother Roger, and I, were precinct committeemen in Champaign-Urbana in 1948. A man by the name of Warren Smith who later was a member of the President's Council of Economic Advisers was on the staff. I was the chairman's (Mr. Douglas) liaison with the committee.

These hearings became the basis for the economic policies of the country from 1961 to 1965. Jack Kennedy got himself on as a member of the committee just as this study was beginning, and although he was campaigning for the presidency at the time, he regularly and routinely took the committee reports with him on the plane as he traveled. It was I think in part through the committee's function that he got to know Walter Heller's work. I know that Kennedy met Heller first at the airport in Minneapolis, but partly as a result of what Kennedy knew about him from the

committee work he asked him to be the chairman of the Council of Economic Advisors. I think that what that committee reported and recommended were correct in terms of how to increase the growth rate, how to keep inflation down, and how to get unemployment down. The policies it proposed were carried out faithfully and almost religiously by the Kennedy-Johnson Council and resulted in what must be almost a perfect example of how academic economics can be translated into excellent public policy in the period 1961-1965.

Unemployment fell from about seven percent to three or four percent. The inflation rate I think was never more than one or two percent in any year. Economic growth went up and was sustained after the first year at four percent or higher. It was almost a perfect example of how the economy should run. It was a result, really, of that committee's action and the people who proposed the policies and then were in positions to put them into effect. But the role of Mr. Douglas, a professional economist and former president of the American Economic Association, was crucial. What I'm saying is that I think the Joint Economic Committee, with its informing function, had a great effect on economic policy. Its hearings and its reports got back into the academic community. They were used in the departments of economics, a new generation of economists knew about them, wrote about them, studied them, and they had their effect.

Ritchie: Did it have any advantage in the fact that it was a joint committee?

Shuman: Advantage in what way?

Ritchie: Could it have done the same things as a separate Senate committee and House committee?

Shuman: I think it had more clout as a joint committee, in terms of its views being recognized and carried out by both Houses. Certainly it did. It had a great number of extraordinarily able members in its early years. [Bob Taft](#) was chairman, [Flanders](#) was chairman, Douglas was chairman, [O'Mahoney](#) was chairman, [Wright Patman](#) was chairman, Proxmire was chairman, [Henry Reuss](#) was chairman, [Lee Hamilton](#) has been chairman of the committee. It has spawned a great many extraordinarily able people.



Senators Joseph C. O'Mahoney (D-WY) and Robert A. Taft (R-OH) study
The Economic Report of the President.
Harris & Ewing Photo

Ritchie: [Paul Sarbanes](#) is chairman now.

Shuman: Yes. [Sparkman](#), I think, was chairman at one time. I can't remember whether Fulbright was chairman or not, I think not, but he was a member.

Ritchie: It remains one of the few surviving joint committees. Joint committees as a practice seem to have lost favor with the Congress over the years, but that one is still on the books.

page 277

Shuman: Its time may end soon because the Budget Committee has stolen much of its thunder. I don't think the Budget Committee looks at the economy in the overall way that the Joint Economic Committee did, and doesn't take as broad a view of it, and shouldn't. But it takes enough of the bite to have the Council of Economic Advisors, the Secretary of the Treasury and others come up and testify at the beginning of the year. They testify not only before the Joint Economic Committee but to the budget committees and the Finance Committee and Appropriations Committee and all the rest. This is, I think, excessive duplication. So the committee may be on its way out, although very few institutions started either in the executive or the legislative branch ever die.

Ritchie: One other issue that occupied a lot of your time in that period was international trade. I noticed that Senator Douglas was very active with GATT.

Shuman: The General Agreement on Tariffs and Trade.

Ritchie: I understand that you went to Europe on several occasions relating to that.

Shuman: I did. Almost the first speech I wrote for Mr. Douglas was a speech called the history of the tariff. Grover Ensley, who was staff director of the Joint Economic Committee, had brought in a person to staff that committee

page 278

who was assigned to do the speech. He brought the speech over the day before it was to be given. It was a speech that couldn't be used, I was given the task of rewriting the speech, which I did overnight. I had taught economic history, and I had been particularly interested in the tariff, and I had read most of the substantive works such as Taussig's classic work on the tariff. So I wrote the speech. This I think was in favor of the bill to extend the Reciprocal Trade Act either in 1956 or 1957. Mr. Douglas made the opening speech for it.

Later he went to the Finance Committee, and the issue of the European Economic Community, or Common Market was up. We were pushing the Common Market, because of its overall economic and political value in uniting Europe, but it would injure our interests, because with the Common Market there would be a common tariff barrier against the outside world, whereas the members of the Common Market, Germany and France particularly, would now have no tariffs and free trade among them. So the United States, after having made all kinds of concessions through reciprocal trade bills after 1946, was allowing the Europeans to erect a barrier against us that would put us at a disadvantage. During this period, when extension of the trade bill was before the Senate, both in the late fifties and again in the early Kennedy years, I went to Europe with Mr. Douglas

page 279

on a couple of occasions. We did go into these matters very thoroughly, once in 1957 and once in 1961.

I went with Mr. Douglas to meet the Chancellor of the Exchequer in London and Mr. Douglas quoted Cobden and Bright to the Chancellor of the Exchequer on free trade! The British were keeping out our chickens, which was a cause celebre, on health grounds, and they were keeping out our automobiles because they had extraordinarily high tariffs against cars with high horsepower. So in fact our chickens and our cars couldn't get into the British market. We complained about that. We sponsored a lunch for the staff of the *London Economist* to press our points.

We went to West Germany in '61, to meet with a man who later became Chancellor, an economist.

Ritchie: Ludwig Ehrhardt.

Shuman: Ehrhardt was then the Economic Minister, and we met with Ehrhardt. The U.S. could mine coal in West Virginia or Southern Illinois, ship it down the Mississippi from Southern Illinois to New Orleans, or get it out of West Virginia by rail to the east coast, ship it to Europe, ship it up the Rhine, and unload it at the mouth of the West German coal mines cheaper than the coal could be produced there -- even with imported Italian labor, which was cheaper than German labor. We were making this point.

page 280

We got absolutely no help at all from the State Department officials. We could not get from them lists of items of that kind for the countries we were visiting. They took the view that they were really the advocates of the country to which they were posted. Mr. Douglas was essentially a free trader, but we really did ferret out a whole series of examples where through health rules, or quotas, or other than mere tariff provisions Europeans were keeping out our goods.

Ritchie: I read in Senator Douglas' memoirs about how much trouble he had with George Ball and other people in the State Department.

Shuman: Yes, he had a fundamental falling out on issues, not personally, with George Ball. I've forgotten the exact details now, but Mr. Douglas turned out to be absolutely right about it. It was over the British entry to the Common Market and the French resistance to it and Mr. Douglas' effort to extend freer trade to the EFTA (European Free Trade Area) as well as the 6 countries of the Common Market. Ball, as it turned out, wrongly backed the French position.

Ritchie: But Douglas found that the State Department was never on his side.

Shuman: Not at all. They were very difficult. We worked very closely with the pro-trade groups. One of the luxuries of

page 281

being from a big state, which people sometimes forget, is that in a big state like Illinois there are both protectionist and free trade interests. We had a big agriculture interest; we had firms like Caterpillar Tractor who were for freer trade; we had farm machinery manufacturers and so on, most of whom sold a lot of goods abroad. Also we had the Great Lakes and the Chicago port, so there was

political support for freer trade, as well as for protection from the regular sources, the mining interests, the metal interests in Southern Illinois, for example.

Ritchie: And the *Chicago Tribune*.

Shuman: Well, the *Tribune*, yes. But what this meant was that no matter how one voted, someone was helped and someone was hurt. So the senator was pretty free to do what he thought was the best thing, regardless of the pressures on him from a variety of economic interests, because the economic interests really washed out each other. That isn't as true for a small congressional district, where there may be only one economic interest, such as steel, or coal mining, or copper mining, where the member really has no political choice except to vote protectionist. It is a luxury in that sense to represent a big state.

Ritchie: I understand that one of your trips to Europe involved going to Berlin during the Berlin Wall crisis.

page 282

Shuman: In 1961 we did go to Europe, mainly because of the trade bill. We spent a lot of time in the OECD, in Paris, and in Belgium, and in Bonn. We then went into Berlin. We flew into Berlin shortly after the Wall went up. The Wall went up the 13th of August, 1961, and we were in Berlin I believe early in September. We were there with Hubert Humphrey, visiting at the same time in Paris and Brussels and Berlin. We flew over on Eisenhower's Presidential plane, the *Columbine*. We saw Willy Brandt and visited with General [Lucius] Clay many times. We were there for about two weeks, if not longer. I had a fraternity brother from my Illinois college days who was the legal officer in Berlin. Art Price was his name, a Foreign Service Officer. He drove us around, escorted us, and helped us while we were in Berlin.

We did several things: number one, we went into East Berlin several times. There were then only a few places one could go through the Wall. But we went in several times because we had a right to go in. After all, Berlin was under the jurisdiction of the allies who had won the war, which included the Americans, and the British, and the French, and the Russians, but not just the Russians. So we had as much right to be in East Berlin as the winning allies as the Russians did, even though it was their zone. We went in several times. We made a point of it at the urging of General Clay. General Clay was a very brave fellow.

page 283

He was flying by helicopter into small enclaves in East Berlin, enclaves that belonged to the West, and was bringing out people by helicopter, saving their lives, which took a lot of guts.

We once went to meet Willy Brandt at the City Hall. We arrived too early in our car, and they told us, "You are too early, go away." So we drove away and took a walk in the woods nearby. There are all kinds of woods in Berlin, lots of parks. We took a walk in the woods, got back in the car, went around the block, came back again, and this time we were greeted by the mayor's people in their gold chains of office. We spent more than an hour with Brandt. It has often occurred to me since then that in that conference there must have been Brandt's personal secretary, who later, unknown to Brandt, was found to have been an agent of the Russians. I don't think we talked about anything that was particularly secret at the time, but nonetheless it has always played on my mind that Brandt's person was there during that conference. He was not at Clay's house, where we also saw Willy Brandt, but he was at City Hall.

After that meeting, the senator came out to the plaza in front of the City Hall, where there was a crowd of people, ropes were keeping them back. There were several hundred people standing together. I don't know quite why they were there, but they were. Mr. Douglas, who spoke German well, went up to them and sort of instinctively, he started to speak to them giving a

page 284

pep talk about how we were behind them, and how we would stand with them. And they cheered him, really cheered him, much as they cheered Kennedy a year later, when he gave his "I am a Berliner" speech. It was a magic moment. But I thought at the time, no diplomat would ever do a thing like that, but a politician would. In some respects a politician was more useful in places like Berlin than some diplomats would be. One must remember that at this time we knew that at any moment the Russians might attack and take over West Berlin which was an isolated western island a hundred miles inside the Soviet sphere.

Then we came out of Berlin on the Autobahn. The Russians had slowed down the Autobahn. They had a go-slow policy. There was almost no one on the Autobahn. In leaving Berlin, we stopped at the American sentry, and then the British sentry, and then the French sentry, and finally we got to the Russian sentry guardbox. We presented our passports to them, which were official passports, and we were in a State Department car, which could be identified by its license plate. It was a four-door black Ford. No one else was there, but the Russians kept us waiting from thirty to forty minutes before they handed back our passports, even though they did nothing. They pulled up the window, then slammed the window down, and we waited. Finally, they gave us three chits. The next people in line were the

East Germans. Now, we didn't recognize the East Germans. The East Germans had been our enemies. We were

page 285

the conquerors. So we were not going to recognize them as equals. Art Price said, "What I'm going to do is drive by this East German sentry slowly. I'm going to hold the chits out the window. If he takes them, fine. If he doesn't take them, I'm going to drop them on the ground, but we're not stopping for him, we're not recognizing him." That is what we did. The sentry took the chits.

We got to the other end of the Autobahn, after crossing East Germany. I think we drove a hundred, a hundred and ten miles, and there was almost no traffic. When we got to the West German frontier, the cars were backed up for a long, long way. There were two lanes, cars in the left lane, trucks in the right lane. The truck line was shorter, so we got in the truck line. We finally got up to the gate. It was like the railroad guardrails that used to drop over the tracks to stop cars. I was in the back seat, and Art was in the front seat driving. The senator was in the front seat next to him. And Art said, "When that truck ahead of us goes through, we're going to go through after it, before they drop the gate. Now watch the guard," he said to me. "Watch out the back window, and if the guard raises his weapon -- he had an automatic rifle -- we'll stop." Well, the truck went through, we went through, the guard yelled, "Halt! Halt! Halt!" I was looking out the back window, but he didn't raise his weapon, so we went on.

page 286

If he had raised his weapon, we would have stopped, but it would have been an international incident, and just as I called the Associated Press in Joliet, Illinois, when they kicked the senator off the street for campaigning, I was prepared at that moment to call the wire services to let them know what happened. It would have been a serious international incident if the guard had raised his weapon and stopped a diplomatic car and a U.S. Senator in that situation, but he didn't. I remember at the time that while I was nervous, I wasn't fearful, nor were the others. I should have been, because there was a good chance of getting shot, but after having been in Berlin for those two weeks or more, we were determined to carry out our rights. So it was with a sense of "By God, we're not going to let them stop us," or to keep us from exercising the rights of the United States in that area, that was foremost in our thoughts, to the degree that any fear that we might have had was pushed out of our minds.

There was one other item about that trip. When I came back, for a matter of several weeks afterwards, every time I saw a wall I got almost physically ill. I wanted to vomit. It was a physical sensation of being tremendously upset by any

visible wall. It was traumatic. It was a hostile act for the Russians to have pulled, simply cruel. I also came back with the strong feeling and determination that essentially the Russians were bullies. We were in touch then with Ted Sorenson at the White House, who had

page 287

worked for Mr. Douglas, and we were advising him that the White House should take a somewhat stronger stand in Berlin.

I think we would have approved of even knocking down the wall. Whether that would have been helpful, I hesitate to say in hindsight. Probably what would have happened is that the Russians would have moved the wall from the border a hundred yards, or two hundred yards back so that knocking it down might have been ineffective. But I think they expected us to do it, and I think we probably could have gotten by with it, and that it might have stopped them to some degree. On the other hand, it's one thing to advocate it either as a staff member of the Senate or as a senator, but it's quite another thing for the President of the United States who has the safety of the world in his hands, to be sure that that was the right thing to do. We never faulted Kennedy for this, but I had a strong feeling that we might have done a little more. I don't swear by that, it's a judgment.

It was during these visits to Europe that I developed a strong personal interest in the art galleries. We had a very vigorous schedule but Mr. Douglas found time to visit the galleries in London, Paris, Cologne, Brussels, Bruges, Geneva, Bonn, and Berlin. At first I found going with him perfunctory and a requirement of the job. Then I got addicted and going to the galleries has become a major joy of my life for more than a quarter of a century.

page 288

Ritchie: How would you describe Paul Douglas' world view of the United States versus the Soviet Union?

Shuman: He was both a vigorous anti-Communist, and a believer in the Bill of Rights, and the reason he was the former was the experiences he had in the twenties and the thirties. He went to Russia, in 1927 and he met with both Trotsky and Stalin, and he came back absolutely convinced that the Soviet Union was a dictatorship quite equivalent to the Nazis later on. Then Stalin carried out his purges. Mr. Douglas had been an early opponent of the Nazis and of Mussolini, and had urged this country to stand firm, which is the reason he joined the Marine Corps at age fifty. Having advocated resistance to them, he felt it was his duty to act on his words. But he also felt very strongly the same way

about the Russians, and I think he was right. He was quite willing and ready to resist them in most places.

The second experience was being in a group of progressive institutions in the twenties and thirties. Some were taken over by members of the party, but one could not call them Communists, because people would say that was name calling, so they were called the "action faction," or some such name. But he watched as they took over a variety of otherwise good institutions, captured the mimeograph machines and things of that kind. They stayed longer at the meetings than anyone else, outwaited people, and passed a variety of motions (after others left) which peddled the

page 289

Russian line. So out of experience both in the visit to the Soviet Union and in his personal experiences he felt very strongly about them and was prepared to resist them, but by democratic means.

Ritchie: Do you think that explains his strong support for Johnson's Vietnam policy?

Shuman: Yes, it does; there was one other thing about supporting Johnson's policies. I think most people who had the experience of the thirties, as I did growing up then, believed that one of the lessons we thought we'd learned from the 1930s was that it was important to stop aggression at an early stage. That was called at the end of the war "collective security." I think most people believed that if the Western nations, Britain, France and ourselves, had stood up against Hitler, and tried to stop him when he took the Rhineland early on, that World War II might not have happened. Or that if the world had united against Mussolini when he took over Ethiopia that he might have been stopped. So Mr. Douglas came out of the war, certainly as I did, and as most people of our generation did, thinking that collective security and stopping aggression early was the right thing to do. Well, we did that in Korea. I think that motivated Truman in 1950 to resist aggression in Korea, and Mr. Douglas supported that. I supported it; I thought it was the right thing to do. Two years later, many who said what a great thing it was when Truman went

page 290

in, in 1950, called it Truman's war in 1952. But the initial response was favorable, and I think history will say that it was the right thing to do.

Well, Mr. Douglas saw Vietnam in much the same way. Now, the problem was that Vietnam wasn't as clear cut. There was no single act of aggression as there

had been when the Northern Koreans came down into South Korea. There wasn't an act of overt aggression or any one event, as when Hitler took the Rhineland or when he went into Czechoslovakia, to make the aggression clear. So first of all it was less clear as to the nature of the aggression. And second, in Vietnam the problem was that the response to it wasn't collective. Collective security means that a variety of people join together to stop the aggressor, and it wasn't very collective. There was little help, and the French who got out of Dienbienphu didn't come back to help. So it really wasn't collective. It was essentially a U.S. endeavor.

And then I think perhaps it offended in another way, looking back on it. I mean it had been a long time principle of American foreign policy that it would be very wise for us not to land ground forces on the continent of Asia, that in the Pacific our forte was seapower and later air power, but that we shouldn't waste the lives of our people in a war on the continent of Asia where our manpower was outnumbered many times over. Korea was different, because Korea was a peninsula. One could bring to

page 291

bear both seapower and air power as well as ground troops, but in Vietnam it was a very questionable endeavor. For all those reasons, the public support for Vietnam was not great, and it was a mistake. I did not come to think it was a mistake until very late in the game. But as I listen to the military experts now there was no strategy by which it could have been won in the broad sense. Eisenhower knew the limits of our power, and he was right to resist the overtures of Dulles and Nixon and to stay out at the time of Dienbienphu.

I got turned around on Vietnam when fifty percent of the casualties were black Americans. Sons of the upper middle class could go to college and get out of the fighting. In World War II, which I was in, risk at least to begin with was borne by everyone; at least everybody started out equal. As President Kennedy said, life is unfair. Some people got killed and some didn't. But at least in World War II your name was pulled out of a hat to begin with, and the sons of every class in society had to bear roughly an equal burden. It was only by luck or chance that you were in combat or weren't. But Vietnam was very different. The National Guard was not called up. It was made up of people who had been paid for years to be ready to fight in an emergency, and they weren't called up because they were politically powerful and would have objected to it, and so Johnson was unwilling to do it. The reservists were not called up, except in a few instances, but as a

page 292

group they weren't called up to fight even though they'd been paid for years to be ready to fight, and would retire on a pension after they'd been in the reserve for a certain number of years. Only the weak, and the poor, and the people who had no political pull had to go fight that war, with the obvious exception of the professional military who were very brave and who fought extraordinarily well. So I got to the place where I thought that war couldn't be supported. But I personally supported the war for a very long time, as a creature of the thirties, who believed in collective security. I now believe that it was a mistake; in fact, I know it was a mistake. Nixon's invasion of Cambodia and his secret air strikes were additional offenses.

Ritchie: In the sixties there was a great split in the liberal ranks over supporting Vietnam. Did Paul Douglas feel these tensions from his supporters, some of whom were opposed to the war?

Shuman: Certainly. I think he was defeated in 1966 in part because of that. For example, we lost almost the entire liberal Jewish community on the North Side of Chicago. There were groups of rabbis who had been his strong supporters but who came out against him. And even those who supported him, conservatives who supported him on this issue, didn't necessarily vote for him. So he lost heavily. This was at a time when feeling against the war wasn't being expressed very much publicly. Some feeling was

page 293

expressed, but there was also a deep undertow of opposition. In the year before that election, Mr. Douglas used to talk about Vietnam to groups who came to the office. We had a policy which we carried out between Easter and Labor Day, when the tourist crowds would come down to Washington. There were so many people from Illinois that it was impossible for them to see the senator one by one, so most afternoons at about five o'clock, he would hold a session in one of the committee rooms, or in the Senate Caucus Room. As people came in, we'd honestly say, "He's busy at the moment, but if you'd come back at five o'clock he's going to have a meeting and talk to you." There would usually be forty, fifty, sometimes a hundred people, citizens from the state, who came back to talk with him. In the years '65 and '66, he mostly talked about Vietnam, although there were other issues. He told them quite directly that he supported it and why, and he heard their views. Well, it was clear that there was a strong undercurrent of opposition, and even more clear in the campaign of '66.

During this time Marine Corps General Lou Walt, the U.S. Commander in I (eye) Corps in the Northern part of South Vietnam visited our office many times. He had been Mr. Douglas' superior in the Pacific, exposed himself to fire whenever his outfit was under fire, and at one stage had told his commanding general he

was making a terrible military mistake in ordering a frontal attack on high ground held by the Japanese. This took more than

page 294

physical courage. In the end Walt's views prevailed against his superior, and the superior was "sent home", almost the worst thing that can happen to a battlefield commander. For all these reasons Mr. Douglas had great respect for Walt's views and was persuaded that I Corps had a very fine pacification program and that the people in the I Corps were highly supportive of our efforts.

Since then I've heard former Col. Harry G. Summers, Jr., whose book *On Strategy* is the most famous review and critique of Vietnam, say that this was absolutely true, that the Marines in I Corps had in fact won the hearts and minds of the Vietnamese there. But Walt's group of Marines who were so convincing, in part by living in the villages and protecting them from night raids and integrating themselves into the villages, caused the villagers to become even more discontented with the government in Saigon. So these Marines did such a good job that the overall objective of getting a government that satisfied the people was undermined. Walt's personal reports, which I sat in on, and Mr. Douglas' personal respect for both Walt's military and civil courage, were major factors in the Senator's support for the war.

A very interesting thing happened in the 1966 campaign. Mr. Douglas thought it was wrong for him not to say publicly what he thought, that he wasn't going to equivocate or sweep this issue under the rug, and that he was obligated to say where he stood and why. Abner Mikva, who became a member of Congress and is now a

page 295

superb U.S. Appellate Court judge here in Washington, D.C., was one of our strong supporters. Abner went to him, along with someone else, and said, "Look, Paul, we know where you stand on this. We know you believe in it. You've said so publicly many times. There's no doubt about it. But do you really have to raise it every time you make a speech? Because it's really not helping you any." Mr. Douglas became irate about that proposal. He thought it was his duty and said he didn't think he could run under false colors. It was important to him that he said what he thought. If there was ever a man of principle, it was he. But this characteristic was a factor in his defeat. I think without the murder of Percy's daughter, Mr. Douglas might have won. That event, plus Vietnam, plus the beginning of inflation, plus the undercurrent of unhappiness, and his age to some degree -- although I never thought age was a major factor even when many said it

was, but that wasn't the key factor -- were cumulative forces he could not overcome.

Ritchie: During almost the whole period that Douglas was in the Senate, his partner from Illinois was [Everett Dirksen](#). What was the relationship between Douglas and Dirksen?

Shuman: Their relationship was distant, polite, proper. From 1951 until 1961 at least, Dirksen was a minor figure in the Senate. People don't realize how little he was known. Douglas was the major figure both in terms of Illinois and in the country.

page 296

We used to take street corner polls. In fact we regularly polled throughout the state, very informal polls, but we had a variety of places in the state where we hired a student to go out and take polls every three months or so. The simple question was: "What kind of a job do you think Douglas is doing? What kind of a job do you think Dirksen is doing?" without telling the people who voted who was taking the poll. We picked places which were down the middle of the road. That is, we didn't pick all Democratic places or all Republican places. We picked them so that they were reasonably representative. One of them was the main street corner in Vandalia, Illinois. And regularly and routinely Mr. Douglas would do at least twenty points better than Dirksen, through almost all the time that he was in the Senate.

Dirksen became famous, and powerful, and important really in 1961, '62, when Kennedy needed him so badly to support his program, because of the close divisions in the Senate. One of the things that irked us most was that we felt that Kennedy had not done all that he could have done against Dirksen in '62. The Congressman. . . .

Ritchie: Sid Yates.

Shuman: [Sid Yates](#) ran against him. One of the things Kennedy did was to appoint a federal court judge at the time from Chicago on Dirksen's recommendation. We stopped the appointment

page 297

until after the election, but the word got out. Then Kennedy flew Dirksen back to Washington at the time of the Cuban crisis, and the Kennedy people were very tepid in their support of Sid Yates. Dirksen had never won an election by a very big margin. He just barely beat [Scott Lucas](#), and he barely beat Sid Yates. It was

not a big figure, I've forgotten now, 52 to 48 percent, something like that. So Dirksen was unknown and didn't really become famous until around '62.

It's almost an iron law of politics that presidents and governors take their political friends for granted and woo their opponents and adversaries. This was certainly true of Kennedy in 1962 and has recurred during every administration, Republican or Democratic, during the seven presidents I have watched at close range.

Dirksen had a curious background. He had been a very conservative member of the House. Then in 1946 he left the House because he had great trouble with his eyes. It was thought he was going blind. Fortunately, he didn't. While he was out of the House, he supported [Thomas E.] Dewey. This infuriated the *Chicago Tribune*. He was slated, everybody said, to go into Dewey's Cabinet; it was a certain thing having given his support to him. But Dewey did not win in '48 and then Dirksen ran for the Senate in 1950, and it was important for him to get the *Chicago Tribune* recommendation, to get their support in both the primary

page 298

and the general election, and they were very suspicious of him because he had played footsie with Dewey instead of supporting their man Taft. So Dirksen had to prove to the *Tribune* that he was really an all-out supporter of the *Tribune* and their position. I think this accounts to a considerable degree for why he was such a strong supporter of [McCarthy](#), and why he was Joe McCarthy's counsel on the Senate floor in 1954.

The relations between Douglas and Dirksen were proper but distant. It used to bother me somewhat that where I lived, in Champaign, there was a very Republican paper, the *News-Gazette*, and when Mr. Douglas appeared in Champaign-Urbana, the paper would cover him but the story was always on the fourth or fifth page with no banner headline. I remember one time when Dirksen appeared in Farmer City, which was about eighteen or twenty miles away, and his appearance in Farmer City got the headline across the front page of the *News-Gazette*. We were constantly having to battle that kind of thing. There weren't more than a half a dozen papers in the state which supported Mr. Douglas, but almost every paper supported Dirksen and the Republicans.

There is one thing I want to say about the relationship of senators from different parties. Senators from different parties from the same state tend to get along better with each other than senators from the same party, which to the uninitiated may be a curious thing. There's a very good reason for this.

page 299

Senators from the same party vie with each other for support from people in the party. They vie with each other over judges and postmasters. They vie with each other to see who's going to get credit for projects for the state. Their staffs promote the controversy. When I was with Proxmire, I laid down the law that our staff was never to criticize [Gaylord Nelson](#) in any public way. Senator Proxmire went out of his way to praise Senator Nelson, who was a great public interest Senator. His AA, I am sorry to say, did not reciprocate. But, two senators from the same party from the same state are often very much at odds with each other. In fact, it's seldom they like each other very much.

Senators from different parties are in a quite different situation. They never have to run against each other, because they run at different times. So Douglas didn't run against Dirksen or vice versa. Dirksen would go out in the state when Douglas was running, and he'd make one speech saying that he hoped the Republican candidate would win. He usually didn't say anything personal about Mr. Douglas. Mr. Douglas did the same with him. He always campaigned very hard for the Democratic candidate, but he didn't do so by denouncing Dirksen. He might make a few remarks about him, or his voting record or something, but he never got personal. So there was no particular reason, as they didn't share judges, postmasters, patronage, and projects

page 300

why they should be at odds in any personal way, and they weren't. But they certainly weren't close.

Ritchie: But they weren't at each other's throats.

Shuman: No. And we seldom worked with Dirksen on Illinois projects. I can't remember many issues over which we would get together in a way that the Western senators do, even the way the Wisconsin delegation does when the state delegation meets. That was almost unknown in Illinois. The Republicans and the Democrats really had very little to do with each other, even on behalf of state issues.

Ritchie: Is that because the state is so diverse, with so many different groups and issues?

Shuman: I think that is one reason, but not the only reason because of the diversity and size of the state.

Ritchie: The most memorable moment, when Douglas did take on Dirksen was over the one-man-one-vote issue. Could you tell me a little bit about that?

Shuman: I certainly can. I remember it well. The Supreme Court decision came down. It was a correct decision. There was no other remedy. There are people who say that it was an example of judicial activism, that the issue should have been left to the state legislatures. But no legislature was going to reform

page 301

itself, and that was especially true in Illinois. In Illinois it was necessary to amend the state constitution to change the representation in the senate. It was an absolutely gerrymandered body, with no way to get it undone, because the members of the legislature would have to vote themselves out of a job in order to make it right. The state Constitution was essentially unamendable.

So I think that as there was no other remedy, only the courts could bring needed fairness. Therefore the Supreme Court was correct. The situation was impossible. A state like California had one senatorial seat for Los Angeles with several million people, and one state senator for some of the mountain counties, where there were almost no people at all. The economic interest groups could therefore fashion a state senate majority by getting state senators representing maybe ten percent of the people to support them, when the people as a whole were against their views. They could stop any legislation against their interests. And the politically powerful institutions bought up enough senators to have their way. So it had to be changed.

Well, Dirksen -- we had early word of this -- sponsored a bill to undo what the Supreme Court had done, and it got through the Judiciary Committee pretty fast. It came to the floor. Mr. Douglas earlier had done a major study, which was ready to go into print as a book, on the issue of unfair representation. I think it was in '39 or '40. But before he could get it pub-

page 302

lished, the new census came out making all his figures too old to be used, and he just didn't have the time to redo it. His son, John, did a similar study in 1950, and the same thing happened to him. It never got published because of the new census. So he and his son had been involved in this issue for many, many years, and he knew the issue in detail. Connecticut was one of the worst examples. He knew the California situation. One couldn't name a state where he didn't know almost precisely what the distribution was.

So the bill came to the floor, and it was being rushed through. I was there with Mr. Douglas, and the question was what he should do. Well, he got up immediately, because it seemed Dirksen's bill was just going to zip through on a voice vote. Dirksen had prevailed on Mansfield to cosponsor it. There must have

been thirty or forty cosponsors on the bill. It was one of those things where the stage was set, the skids were greased, and it was on its way. No one had thought very much about it. Mr. Douglas got up, and he gave, on the afternoon it came up, a lengthy speech, off the top of his head using the information that he had developed over the years. The question came then, what should he do. At this early stage, Proxmire joined him as his lieutenant, helped guard the floor and relieved Douglas by asking questions. The two were there alone really and I was the staff person. We did that for two or three days. We then tried to

page 303

reach out, and we got a few other brave souls who stood by us. We met with [Andy Biemiller](#) and the AFL-CIO. Biemiller was a former congressman from Wisconsin, legislative director of the AFL-CIO, a public interest citizen, and our strong ally. His initial response was that this issue wasn't big enough, or they had so many other issues they were involved in that they weren't going to support us in any major way. He reluctantly said no, they couldn't support us with their major resources on the issue, which was a blow. But anyway, Mr. Douglas determined that he would continue the fight.

At this time we had about twelve or fourteen votes, not sufficient to stop the bill, because we needed thirty-four votes to defeat [cloture](#) if the Dirksen forces tried to cut off the debate. But Mr. Douglas had told Andy Biemiller, when Andy said no, that nonetheless he was going to fight it on his own the best way he could, even if the AFL-CIO didn't stick with him. Well, Biemiller went back and thought about it, and his conscience got the better of him. The issue was extraordinarily important to the labor movement, for their agenda was defeated time and again by the ability of the corporations, utilities, and anti-union and anti-consumer forces to stop legislation in gerrymandered state legislative bodies. So he came back in a day or two after we'd gotten a dozen or so supporters and said, "We're going to join you. It's very important to do this. We've rethought our

page 304

position, and we'll stick with you." Well, Andy Biemiller got his troops together and started to lobby. I was his Senate point person. Our immediate goal was to get thirty-four votes of senators who would stick with us to beat cloture. I remember, Andy would call me saying, "Well, we got this one." Then he'd call an hour or two later, "We've got somebody else." And we were at this for two or three days while Douglas and Proxmire and their allies were holding the floor. Finally we got thirty-four, which was the magic number, and we were absolutely elated at that.

Then, as time went on, as we organized, as we drew attention to the issue by the [filibuster](#), the press got interested. At the early stage the Dixiecrats were going to vote against us and for cloture. They never had voted for cloture because it was against their alleged principles, but they had told Dirksen, their political ally, they would vote with him on this. And it looked very much as if they were going to cut us off. We finally had the vote. When the Dixiecrats saw we were going to win, they then voted against cloture so they could keep their traditional position clean. And in the end, we got two-thirds and Dirksen got one-third. We beat him two to one.

That was about 1965, because I remember one of the big things in the '66 campaign we used was that issue. When Johnson was Majority Leader, he got William S. White to write a series of articles against our group, using ridicule and satire especially

page 305

against Mr. Douglas, saying he was ineffective, inefficient, and couldn't get anything done. So after rattling off all the things he had done, the major pieces of legislation, such as the Depressed Areas bills, minimum wage, reciprocal trade and housing bills he had passed, Mr. Douglas made a big point about how his opponents were saying Dirksen was effective, as compared to Douglas, but when the vote came, we got the two-thirds and Dirksen got one third. "So I ask you", he would say, "who is the effective senator?" It was a major point in our campaign.

This became an issue years later in the Bork nomination for the Supreme Court. Bork contended this was a political issue -- what is called the "political question doctrine" -- and that the Court should not have intervened. But on this issue there was no remedy, no possible political resolution of the issue, and I believe in such circumstances the Court can and should intervene. I didn't wait until Bork's nomination to arrive at this conclusion. It grew out of "experience" which justice Holmes rightly said was the life of the law.

Ritchie: What was your own assessment of Dirksen's effectiveness?

Shuman: Dirksen's forte was that he was born to be a funeral orator. The thing he liked to do most was to speak at what I would call ceremonial occasions. I am reminded of the man

page 306

who spoke for two hours before Lincoln at Gettysburg, Edward Everett. I think Dirksen was the Edward Everett of his day. He was mellifluous. He loved to speak on ceremonial and funeral occasions, and he was very good at it. He was very

funny, and he had a command of vocabulary that was unusual. He was still the basso profundo of the Pekin Presbyterian choir. But in the 1960s he didn't produce the important votes. He followed public opinion and the strong incoming tides.

Did I mention to you the time I was at the White House with Kennedy and Dirksen? This was just a week or two before Kennedy was killed. Mr. Douglas was in Illinois. I got a call about seven o'clock in the morning from the White House saying Governor Kerner of Illinois and a trade delegation going to Europe were visiting the White House that morning and that Dirksen was coming down to be there with the president and the group, and Douglas needed representation. Would I please come? They told me to get there. So I got there. There were about fifty people who were going on a trip to Europe to get more markets for Illinois. We met outside the Oval Office near the Rose Garden. The governor made a big to-do about this group of "businessmen and financiers." Dirksen got up and made a quite eloquent, lengthy, wordy speech about them, using big words.

Then President Kennedy got up to reply. The first thing he said was how pleased he was to have this group of Illinois

page 307

businessmen and financiers here today. And he said, tongue in cheek, he found it very difficult to distinguish between the financiers on the one hand and the businessmen on the other. Then he made a pointed reference. They were going to Europe to increase exports and to help the balance of payments problem, so Kennedy pointed out that they might well spend quite a few American dollars in Europe, which might have an adverse affect on the balance of payments, but that that was all right, because there was no way one could stop these "peripatetic, ubiquitous businessmen and financiers from Illinois." As he said peripatetic and ubiquitous he looked at Dirksen and he held up his finger and pulled his finger down as if to say, "Look, I scored one on you." It was one of the wittiest occasions I have ever seen. Kennedy outdid Dirksen, and it was unplanned. A week or so later Kennedy was dead. And it was ironic that the brainiest President we have had since [Jefferson](#) and [Madison](#), was killed by a bullet to his brain.

Ritchie: Kennedy obviously had to use Dirksen, and Johnson did as well, because of the nature of the Senate.

Shuman: The votes were sometimes so close they did have to use him. But the election of Yates could have switched the ratio by two votes. They overdid it at our expense.

page 308

Ritchie: And especially on issues that required two-thirds votes, like the Nuclear Test Ban Treaty and the Civil Rights bill cloture, they had to have some Republican votes. Do you think that accounts for Dirksen's mushrooming in power, despite the fact that he really controlled a very small number of votes?

Shuman: I think Dirksen was smart enough to get everything he could get from his position of power. And I personally think Kennedy gave him too much, especially in his campaign against Sid Yates, needlessly gave him more than he should have. Especially that federal judge! It was used as a signal that the administration was abandoning Yates.

Ritchie: I was thinking that in terms of the payback, the following year Dirksen did throw his support behind the Nuclear Test Ban Treaty and in '64 he was a major figure in the Civil Rights bill. Or at least he gets a lot of credit for it.

Shuman: Dirksen got a lot of credit, but public opinion was overwhelmingly in favor of both at the time. He would not have supported them unless public opinion was with him. In 1956, 1957, and 1960 he opposed Civil Rights vehemently when it was unpopular. I never thought Dirksen had any great principles. He was representative of his party and of the interest groups behind his party. There's no question about that. I don't mean to say that in support of Civil Rights and the Treaty he was a

page 309

flaming left-wing liberal in conservative clothing, nothing of the sort. But I don't think he ever really let principle get in the way of doing what he wanted to do. He could switch on issues, back and forth. He was on every side of issues from time to time, Civil Rights was one of those he supported but only after the battle was over and public opinion supported it overwhelmingly. He wasn't for it in 1957 and 1960 when we really needed him.

Ritchie: Well, I want to talk about that Civil Rights bill, but I think it might be a good idea to save it for the next session, rather than to try to make that the last item on the agenda today.

Shuman: All right.

End of Interview #5

page 310
