

**BRAD CARSON**

# The Fall of the House of Representatives

*The long, sad slide from Henry Clay to Tom DeLay.*

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**THE HOUSE: THE HISTORY OF THE HOUSE OF REPRESENTATIVES**  
BY ROBERT V. REMINI • SMITHSONIAN • 2006 • 624 PAGES • \$34.95

**H**enry Clay was by all accounts a brilliant, eloquent, and altogether remarkable politician. Not only was he said to be the greatest dancer of his generation, Clay single-handedly transformed the House of Representatives into a functioning legislature and forestalled the Civil War by decades. But the Great Compromiser's intellect had one rather peculiar, if chronic, lacuna: a complete inability to remember poetry. For Clay, this was particularly troublesome, as he was wont to burst out with a few lines of favored verse amid orations that, in typically nineteenth-century fashion, could last for hours. Once, when Clay garbled an obscure passage from *Hamlet* during a speech on the House floor, several members jointly and acidly shouted out the correct phrases, greatly embarrassing the Kentuckian.

This incident is recorded in the magisterial and door-stopping biography of Clay by Robert Remini, a professor emeritus at the University of Illinois at

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BRAD CARSON, *a lawyer in Oklahoma, served in the U.S. House of Representatives from 2001 to 2005.*

Chicago and the nation's leading historian of antebellum America, whose other works include award-winning studies of Andrew Jackson, John Quincy Adams, and Daniel Webster. For Remini, Clay's struggle with poetry was an amusing foible, a small crease on the smooth surface of greatness. But for modern observers of the House, the anecdote—not to mention the great struggles of that earlier era—gives the Congress of Clay's day a distant feel. The institution now headed by Dennis Hastert may share the same name as that led by Clay, but which member of Congress today reads Shakespeare? Is it possible to imagine a single twenty-first-century politician—much less several—who is so confidently educated as to recognize a minor quotation from the Bard, much less a misquotation? Even if such politicians were to be found, they wouldn't be present on the House floor during another member's speech. Rather, they'd be holed up in their office, probably meeting with a lobbyist, with (at best) a watchful eye on the now-televised floor proceedings. And the issues that confront today's member of Congress hardly seem to be as existential as the Compromise of 1850 or the Kansas-Nebraska Act; a sense of personal and professional triviality pervades.

The distance from Clay to Hastert can only be measured along a steep descent. It is for this reason that Remini's new history of the House of Representatives reads like a chronicle of degeneration, a well-wrought record of the decay of American politics and, perhaps, of American character, too. The House once was the very heart of democracy; such was its prestige that Clay himself left the Senate to seek election to what he called the "people's chamber." Clay was joined in his esteem for the House by men like Daniel Webster, James G. Blaine, and Cordell Hull, whose love for the institution was matched only by the quality of their public service within it. But the House hasn't seen their like in quite some time. Remini, whom the House requested write its history, would no doubt disagree, but his own fine telling leads to no other conclusion.

I served in the House of Representatives from 2001 to 2005. I was routinely required to vote on bills that not a single member of the body had read—a bill with hundreds, even thousands, of pages would be presented to the full House for a vote just a few hours after its drafting. The work week usually started on Tuesday evening and concluded by noon on Thursday, and there was rarely a vote of any consequence. Any significant vote invariably and inexplicably took place between midnight and six in the morning, which I and other young members concluded was done to minimize the number of CSPAN viewers, who would no doubt be shocked at the griminess of the proceedings. Committee hearings had the spontaneity of kabuki, and they were usually sparsely attended

by members. With a growing number of members coming from safe districts, there was neither a check on, nor penalty for, raging partisanship and naked demagoguery. And for those few members either ambitious for higher office or, more rarely, in competitive districts, fundraising was a concern that trumped nearly all others; each week, dozens of hours were devoted to the thankless task of cold-calling high-net-worth individuals or meeting with lobbyists who controlled political action committees. When you left office, you were almost expected to join a trade association or become a lobbyist. I left the House convinced that, the usual encomiums to American genius aside, something had indeed been lost in the two centuries of the institution.

**T**he Founding Fathers intended the House of Representatives to be the fulcrum of American government, though making it so required a large dose of initial imagination. The First Congress, dominated by Federalists, had few rules and no precedents on which to rely when it met in New York City's Federal Hall. The Founders even had to guess at the population of each state in apportioning representatives, and the resulting errors vitiated the representative quality of the first meeting. Fortunately, the travails and intrigues of the colonial period had created an entire class of well-trained leaders like James Madison, who dominated the First Congress. Indeed, only two members of the First Congress lacked previous public service. And the people of the new nation were keenly interested in self-government—in the early years of the House, legislation was often a direct response to citizens' petitions.

But, if the Founders had dreamed of an institution immune from the unsavory compromises of party politics, the House of Representatives soon betrayed that vision. By the second session of the First Congress, partisanship had emerged, usually based on the regionalism that haunted the nineteenth century and that, to a lesser extent, still stands today. Quickly in the life of the new republic, slavery rose to the surface as the one seemingly insoluble problem that confronted the House of Representatives. From the Missouri Compromise of 1820 to the Wilmot Proviso two decades later (which argued for a slavery ban in territory won in the Mexican-American War), the House was central to this critical debate—and over time reflected the chaos and chasms of American society.

The House of Representatives during the 1840s and early 1850s was populated by Know-Nothings, Free Soilers, Northern and Southern Whigs, and a divided Democratic Party, all of whom gave the institution a tumultuous feel. In 1849, the election for speaker took three weeks and more than 60 ballots. In 1855, the election for speaker took 133 ballots. Characteristic of the House

were men like William Yancey of Alabama, of whom it was said that a duel was only a “pleasant morning recreation.” Even the great Henry Clay routinely challenged opponents to duels, including one with John Randolph of Roanoke, a flamboyant Virginian well-known for aggression and for bringing his hound dogs onto the House floor. Before House debates in the run-up to the Civil War, congressmen would arm themselves with knives and pistols; many, perhaps most, House members carried derringers to protect themselves from sudden attack. There was reason for fear: in 1856, Congressman Preston Brooks of South Carolina marched over to the Senate, where he brutally attacked Senator Charles Sumner of Massachusetts for insulting Southern honor. Disorder quickly became bedlam after the deaths in 1850 of John Calhoun and in 1852 of Clay and Daniel Webster, who had done so much to bottle up the centrifugal

tendencies that, in their absence, would soon violently overtake the nation.

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The years leading up to the Civil War and Reconstruction saw the verbal, if not physical, violence continue. Pennsylvania’s Thaddeus Stevens and Galusha Grow, two more of the many remarkable men who served in the House during the nineteenth century, aggressively pushed the radical Republican

cause. For Stevens and Grow, the oncoming war was not a terrible ravage to be avoided, but a biblical event to be welcomed. “No flag alien to the sources of the Mississippi,” cried Grow from the House floor, “will ever float permanently over its mouth till its waters are crimsoned in human gore; and no one foot of American soil can ever be wrenched from the jurisdiction of the Constitution of the United States until it is baptized in fire and blood.” Grow, who would briefly serve as speaker, and Stevens, who chaired the Ways and Means Committee, ran the House with an iron fist, hastening the Civil War and abetting its prosecution. Even the North’s victory did little to slacken the zeal of Stevens, which would animate Reconstruction and culminate in the failed impeachment of President Andrew Johnson in 1868.

But, by 1869, Stevens was dead and the American people had wearied of Reconstruction, which, by 1877, was officially over. The Gilded Age awaited, and politics temporarily abandoned its central role in the drama of American history. This new era would be a time when the needs of commerce both superseded and corrupted the political process. The greatest days of the House were over. But what days they had been: three generations of leaders—men

like James Madison, Webster, Clay, Randolph, Abraham Lincoln, James K. Polk, and Stevens—had made good on the Founders’ great hopes for the House of Representatives.

If the Gilded Age did not privilege political activity, it did bring about institutional changes in the House of great, if unfortunate, significance. While congressional committees and the basics of the interplay between the executive and the Congress were established by the time of Reconstruction, the Gilded Age witnessed an unprecedented consolidation of political power that largely reflected the era’s consolidation of financial power. Committee chairmen, who rose to prominence not so much through skill as longevity, worked with the speaker to tightly control House activity, while the power of the rank-and-file diminished as their leaders came to demand party-line voting. As Remini notes, “For an individual member, this consolidation of control meant that if he did not occupy a seat on one of the leading committees, he had little, if any, opportunity to accomplish anything... and the member of the House who is unfortunate enough to belong to the minority has no show whatever in legislation. He is absolutely cut off from everything but his vote, and that counts for nothing in final results.” This consolidation, coupled with the public’s disinterest in politics, in turn strengthened the power of the emerging monopolies and trusts, which for the first time deployed lobbyists (many of whom were former congressmen) to do their bidding.

Despite occasional institutional innovation, such as Speaker Thomas Reed’s 1897 creation of the party “whip” position to marshal votes, the House during the Gilded Age and the early Progressive era was, as one prominent congressman characterized it, “a homeopathic dose of nothingness,” an ineffective body that served mainly to prop up special interests and preserve the status quo. Reed and, later, Joe Cannon brutally used the powers of the speaker to enforce discipline. The cigar-chewing Cannon was, in addition to serving as speaker, chairman of the Rules Committee, where he could bottle up disfavored legislation. He was also happy to remove committee chairmen or to delay committee appointments when necessary to enforce his will. All of this power was wedded to a temperament fiercely opposed to change of any sort; contemporaries of Cannon joked that, if God had proposed bringing the world from chaos into civilization, the speaker would have voted no.

A band of reformers ousted Cannon in 1910, but it took another half-century to devolve the power of the speaker in favor of House procedure. The climactic confrontation in this long struggle for procedural supremacy was civil rights. Consider Howard Smith, as refined in manners as crude in sensibility, who was

the chairman of the Rules Committee during the 1950s. As men like Richard Bolling, the great if ultimately frustrated congressman from Missouri, pushed for progressive civil rights legislation, Smith worked aggressively to ensure that the Rules Committee was its purgatory, if not burial ground. Not only did Smith, a Democrat from North Carolina, forge alliances with committee Republicans, but he was not opposed to simply disappearing for a few days (claiming, for example, that his barn had burned down) to prevent the Rules Committee from meeting. But the momentum for civil rights was too powerful and, in 1961, a bipartisan coalition reorganized the committee, enlarging it by three progressive members and checking the authority of its chairman. Remini details well this long, heroic, but underappreciated front in the struggle for civil rights, bringing to light men like Carl Vinson, who, though a Southerner himself, supported the end of Smith's control. In fact, nearly 50 Southern Democrats supported the reorganization; in so doing, they in no small way ushered in civil rights legislation that most of their constituents opposed, and which in many cases they themselves felt compelled to vote against.

With procedural obstacles removed, a new era of reform opened up during the '60s. Within a few years, voting rights, aid to education, Medicare and Medicaid, and a host of other landmark measures passed into law. But, partly as a result, the House became not so much an independent source of legislation as the enabler of an increasingly ambitious executive branch. In the achievements of the New Frontier and Great Society, no figure emerged to rival Clay or Sam Rayburn, men who crafted legislation with that rare combination of wisdom and opportunism. Indeed, it is tempting to see the significance of the House in the late '60s and early '70s through the prism of opportunities lost. In 1969, the House passed a constitutional amendment by a vote of 338 to 70 that would have abolished the Electoral College; the Senate refused to take up the measure. In 1971, "in an effort"—to use Congressman John Anderson's words—"to bring this television monster under control," the House overwhelmingly passed legislation limiting the amount of money candidates could donate to their own campaigns for office; the courts struck it down. At the risk of indulging the counterfactual, how much better would our country be—and how different—if both laws had been given force?

**E**choing the Gilded Age, the last 30 years in the House have been marked more by continued scandal and corruption than by legislative achievement. From Watergate, Abscam, and Iran-Contra to the House Post Office and the impeachment of President Clinton, investigations by and of the House have been ceaseless. In fact, Remini's recounting of recent events almost entirely

omits a discussion of the actual work of Congress. By my count, fewer than 20 pieces of legislation merit mention in the last hundred pages of *The House*. And Remini's omission is not an oversight: the House's role in recent legislation has truly been insignificant. Members, no longer bound by party structures, have become self-styled political entrepreneurs, most adept at fundraising, which has sadly become the essential measure of any politician. The public, rendered numb and mute by the influence of big money, expects little from its elected officials, and the pervasive cynicism of America's citizenry has become a self-validating justification for lowered expectations. Work weeks, which had once been noted for their harshness, are lax. Today, the unspoken truth is that, for a member in a safe district, being in Congress is one of the easiest jobs imaginable: free meals, discounted or free tickets to events, a two-day work week that never starts before noon, and more than \$160,000 per year.

*The House* hits every target it aims for. As a general history of the United States, the work is a fine introduction. Indeed, the filtering of U.S. history through one part of the legislative branch provides a new and welcome perspective on long-known events. Especially useful is the emphasis on the continual debate over the House rules, which seem to outsiders and many congressmen as practically immutable.

Befitting a biographer of Remini's skill and accomplishment, *The House* also succeeds as a vivid group portrait of some of the more than 10,000 men and women who have served in the House of Representatives. A young congressman from Illinois named Donald Rumsfeld is seen engineering the rise of his colleague Gerald Ford. Wilbur Mills receives a generous treatment, as does Jeannette Rankin, the idiosyncratic Montana legislator who was the first female member of the House and who voted against U.S. entry into both World War I and World War II. Less known, but well-noted, is Leonor Sullivan, the chair of the Merchant Marine and Fisheries Committee, who tenaciously insisted on being referred to as "Chairman" and rebuked anyone foolish enough to offer a salutation of "Chairwoman" or "Chairperson." And, if only to remind us of how far we as a nation have come in the last few decades, Remini details how, in 1974, Pat Schroeder, the outspoken Congresswoman from Colorado, was required to share a chair with Ron Dellums, the equally outspoken black Congressman from California, in Armed Services Committee hearings, because F. Edward Hébert, the Louisianan who chaired

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the committee, reasoned that women and blacks were worth only one-half of a “regular” member.

Famous and obscure, all are given their due, and no detail about the House, no gunfight, stabbing, or beating—of which there are surprisingly many—is left unmentioned. Nor does Remini overlook the parliamentarians and clerks who ran the House during the day and who, at night, often procured liquor for prodigious drinkers like Speakers Nicholas Longworth and “Cactus” Jack Garner. Nor does he ignore the Capitol itself—*The House* is one of the best summary sources on its development and architecture. The architects and craftsmen who transformed it from a ramshackle structure known as the “Oven” into the neoclassical grandeur of today receive only slightly less attention than elected officials.

But for all of its excellence, what is missing from *The House* is a discussion of the electioneering activity required to gain admittance to the chamber, a notable oversight given that the electoral side of politics is particularly relevant for understanding recent events in the House. Not that long ago, campaigning was incidental to public service, and raising money was an insignificant aspect of political life. In Remini’s biographies of Clay and Webster, which both aspire to definitiveness, scant attention is given to the men’s campaigns for the House, and few pages are devoted to the pursuit of campaign contributions. Even in a career as recent as Sam Rayburn’s, fundraising appeared to be a necessary yet subordinate task. But what was once secondary has risen to incontestable primacy, and no story of the contemporary House is complete without a recognition that the real action in politics—perhaps for the first time in American history—takes place outside the four walls of the Capitol. To see the authentic House today, you must go to the intersection of money, interest groups, and politicians desperate to reach a television-addicted electorate. Dominance of this crossroads is, as former Majority Leader Tom DeLay has proved, both necessary and sufficient to rule the House floor with an authority that would have left “Uncle” Joe Cannon slack-jawed with admiration. Remini’s focus elsewhere renders unexamined this most important aspect of a twenty-first-century representative’s life.

Congress stands in need of reform. This reform must be aware of the technological changes that have already altered the way elections are fought but that have yet to be reflected in the way Congress does business. Remini saliently notes that the real impact of CSPAN’s broadcast of House proceedings is not grandstanding (of which there’s always been plenty), but the ability of congressmen to follow debate from the comfortable privacy of their offices. If members are watching debate on television—and most aren’t even bothering with this—

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why shouldn't they simply stay in their districts, safe from the predations of lobbyists? A representative wouldn't miss a thing. Committee hearings are a well-known joke that benefit neither witnesses nor representatives. Most meetings on Capitol Hill are either with lobbyists or with constituents who have flown to Washington. By staying at home, they would avoid the former and make life easier on the worthy latter. All votes could be held, not at 2 a.m. as now, but in a group, perhaps at videocast town hall meeting every Wednesday night. With the reduced overhead costs of offices in Washington, we could even increase membership in the House, which has been frozen at 435 since the presidency of Woodrow Wilson, even as the country has almost tripled in size. Coupled with meaningful campaign finance reform, this would revolutionize the House of Representatives. Having served in the institution, I can assure you that this change would be both workable and salutary. And it would at least be a good start. I'd like to think Henry Clay, who was always a visionary, would agree. **D**