

The Cultures of Congress

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The culture of Congress has become a subject of intense discussion in recent years. Numerous legislators have stepped down from office, blaming the toxic environment that both parties face on Capitol Hill. These politicians argue that the institution has become dysfunctional. Upon leaving the Senate, Indiana's Birch Bayh lamented that, "the institutional inertia gripping Congress is no laughing matter."¹ More recently, Maine Senator Olympia Snowe, one of the last standing centrists in the Senate, announced that she would not run for reelection. The lament was similar. "I do find it frustrating, that an atmosphere of polarization and 'my way or the highway' ideologies has become pervasive in campaigns and in our governing institutions."²

Trying to analyze the culture of Congress is always a difficult task. Unlike roll call votes or campaign contributions, there is an amorphous quality to this aspect of the institution that is difficult to examine with pinpoint precision. Nonetheless, the culture of Congress—the informal rules of the game, the rhetoric and ideas that shape political behavior, and the rituals of interaction between members—matter very much. Often, the culture of the institution plays as big a role in dictating political activity as do the formal procedures and codified rules of the House and Senate.

There is some evidence to support the argument that the culture of Congress has deteriorated, in terms of creating an environment that is less conducive to policymaking, since one of the periods of great legislative productivity—the

1960s. In this paper I will focus on three aspects of the culture of Congress—the media culture, the governing culture, and the money culture—all of which have made a institution that is inherently disjointed and inefficient even more difficult to manage.

MEDIA CULTURE

The first area where we have witnessed major changes in Congress has been the media culture. Over the past forty years, the news cycle was transformed. The relatively slow and contained cycle of reporting that offered legislators ample time to respond to stories and which preserved some political space from public view in which to conduct controversial negotiations was transformed into an ongoing and uncontrolled source of scrutiny that makes traditional deal making extraordinarily difficult.

During the era of newspaper and network television, which lasted through the 1960s, the news cycle was relatively slow. This was evident with the structure of television news. Until the 1970s, the network news revolved around half-hour broadcasts that were aired in the evening at 7 p.m. In the morning, the producers met to discuss what stories to work on for the evening broadcast, often taking their cues from the major city papers. The producer (with the tacit permission of the anchor) would contact the bureaus to develop the pieces that he had decided to run.

By 3:30 p.m. the producers were informed about how the segments were developing, and the executive producer released a list at 4 p.m. that included the stories for the evening. The anchor had to approve the final decision. The deadline for final changes was 5:30 p.m. The networks used the remaining 90 minutes for editing and preparation. Late-breaking stories could be inserted but only for a major event.

Just as with newspapers, there was tight editorial control over the material that went out onto the airwaves. Producers were extraordinarily cautious before allowing information to get to the public.

During the show, the anchor read the stories with related images appearing on screen. Several times the show cut to taped stories, and toward the end of the 1960s the networks introduced short commentary sections. Reporters and anchors were extraordinarily cautious about avoiding the appearance of having any partisan leaning. They strove for the norm of objectivity, which dominated the ethics of reporting since the progressive era. Moreover, the Fairness Doctrine prevented networks from giving more weight to one side of the political aisle than the other.³

The media culture has changed dramatically since the 1960s. Although the advent of television is often described as the key change in the news, the emergence of cable television had a much greater impact in the evolution of the news cycle.

From the start, cable television and politics were linked. In 1980, entrepreneur Ted Turner launched the Cable News Network (CNN). CNN broadcast news twenty-four hours a day. CNN's constant news cycle obliged reporters to search for new material incessantly. With the rapid speed with which stories made it onto the air, network editors and producers had difficulty controlling the release of information, and journalists and politicians alike were often caught off guard by events as they were unfolding.

Cable also brought fierce programming competition between the major firms in the news industry (even as economic competition diminished through corporate consolidation). In the two decades that followed the creation of CNN, news channels and shows proliferated at a brisk pace. NBC, for example, launched two twenty-four-hour cable news stations, CNBC and MSNBC. Specialized channels such as the Christian Broadcast Network devoted time to political news as well. The traditional networks increased the number of news shows in their programming.

While the original news shows of the 1960s centered on hosts reading dry descriptions of daily events, cable-era news revolved around celebrity hosts openly challenging their guests. In the aftermath of Watergate, many reporters many reporters were not just seeking the spotlight, but they were also determined to take an aggressive stance toward political elites. Inspired by reporters like Woodward and Bernstein, they wanted to route out corruption and,

like many Americans, didn't trust the government to do the right thing. According to one study, television news was reporting only three policy stories for every story on congressional scandals (compared to thirteen policy stories to one scandal story a few decades earlier).⁴

In 1987, the FCC suspended the Fairness Doctrine, a regulatory decision that also remade the way that news could be presented. No longer were television shows constrained by rules to show both sides of a debate or for reporters to be bounded by what they could say. Along with this change, the culture of reporting also evolved as many in the media no longer felt obligated to pursuing an objective image. Ronald Reagan had argued that the doctrine had stifled free speech and undermined the public interest.

Computer technology compounded these developments. The spread of the Internet in the 1990s expanded the number of outlets producing news around the clock. Networks, magazines, individuals, and political organizations established Websites through which they published news the moment it happened. By the 1990s, the Internet allowed information to be conveyed directly to computer users without the intermediary institutions of news organizations. The resources required to maintain Websites were minimal compared to traditional forms of communication. Furthermore, there were fewer people watched any particular show, but there was an endless amount of time to fill so that stories did not have to compete for limited space in a half-hour broadcast.

There was almost no control, moreover, over who could establish a site. As the price of personal computers plummeted, more Americans obtained access to the information the Internet provided. In this atmosphere, the speed at which information was disseminated accelerated exponentially, as did the media's desperate search to find original material that could attract viewers. Meanwhile, in this environment editorial controls significantly weakened as speed became more important.

This hypercompetitive environment made it more difficult for legislators to find insulated space to negotiate deals and lent itself to accusations of scandal and brutal partisan battles. Internet sights such as Politico covered negotiations in real time and leaks from staffers and politicians easily found their way into national visibility.

All of this took place as the number of local newspapers in the states and districts of members dwindled. Those traditional sources, which tended to provide more coverage of what legislators were actually doing vanished while the national, conflict-based media exploded in scale and scope. As the journalist George Packer recounted:

One day in his office, [Tom] Udall picked up some tabloids from his coffee table and waved them at me. "You know about all these rags that cover the Hill, right?" he said, smiling. There are five dailies — *Politico*, *The Hill*, *Roll Call*, *CongressDaily*, and *CQ Today* — all of which emphasize insider conflict....Bloggers carry so much influence that many senators have a young press aide dedicated to the care and feeding of online media. News about, by,

and for a tiny kingdom of political obsessives dominates the attention of senators and staff, while stories that might affect their constituents go unreported because their home-state papers can no longer afford to have bureaus . . . in Washington.[Chris] Dodd, who came to the Senate in 1981 and will leave next January, told me, “I used to have eleven Connecticut newspaper reporters who covered me on a daily basis. I don’t have one today, and haven’t had one in a number of years. Instead, D.C. publications only see me through the prism of conflict.” Lamar Alexander described the effect as “this instant radicalizing of positions to the left and the right.”⁵

GOVERNANCE CULTURE

The governance culture in Congress also changed with the decline of insider politics that had grown out of the committee-based legislative system. Between the 1920s and 1970s, power in the House and Senate rested in the hands of committee chairmen who had spent decades on Capitol Hill working their way up the committee ladder. That is because the norm of seniority required that a legislator stay in office longer than his colleagues in order to obtain positions of power. As a result of how long committee chairs had been on Capitol Hill, there were extensive personal networks connecting the White House to the key chairmen to the party leaders—decades of shared experiences and memories of tough legislative battles.

By the time they obtained positions of power, all of these men had an expertise in how the legislative process functioned and a deeply rooted familiarity with the other personalities who inhabited Capitol Hill: what made them tick and what caused them problems, how their colleagues tended to advance their objectives and what their individual weaknesses were. The informal ties that bound this

family of legislators smoothed the behind-the-scenes interaction that occurred and lowered the institutional walls that separated the White House and Congress. It also facilitated negotiations within the House and Senate. Committee chairs often served in their positions for a decade or more. This created a certain amount of institutional stability in the chambers and helped provide some degree of predictability as to whether a bill would move and, if not, what was required to make that happen.

Elected officials worked in an environment where the media afforded politicians a significant amount of insulation and secrecy. Not only were most senior reporters less likely to cover the personal foibles and drama of politicians, but much of the legislative process also remained outside their daily purview. In a period when Gallup Polls showed that 74 percent of Americans trusted the government to do what was right most of the time, politicians could go about their personal and professional business without worrying that much about their actions reaching the front pages.

When there was overwhelming pressure for legislation, the rules and norms that governed the House and Senate could make the institution extremely effective. While critics complained about how committee chairman were able to hold up important bills, their formal and informal authority, as they operated outside of public scrutiny, allowed them to cut difficult deals and to weave together controversial legislation.

The divided regionally political parties (conservative southern versus liberal northern Democrats and liberal northeastern Republicans versus conservative Midwestern Republicans) enabled the leadership to build bipartisan coalitions to overcome the intransigence of particular faction who were opposed to bills. The fact that each party was composed of a broad coalition, rather than a homogenous group of like-minded politicians who moved in unison in one direction or the other, could help presidents and congressional leaders grease the wheels—provided they had the political aptitude to apply the grease correctly and if they understood the machinery. Members of both parties were accustomed to discussions that took place with members of the other party and they were familiar with agreements where certain factions broke with their own caucus. Leaders such as Senate Minority Leader Everett Dirksen of Illinois had a long record of reaching agreements with Democrats on domestic and foreign policy. “The Senate is a public institution,” Dirksen said, “it must work; it’s a two way street; and that requires the efforts of both parties.”⁶ The informal inhibitions against doing so were not as strong as today.

All of this changed in the coming years, both a result of congressional reform and demographic change. The contemporary Congress is much different from the committee-era Congress. Since the 1960s, party caucuses have been the dominant force in the institution.

Party leaders have a large number of institutional weapons at their disposal. In the House, reforms in the 1970s greatly strengthened the mechanisms that the

Speaker and House Majority Leader could employ to prevent members of their caucus from entering into bipartisan agreements. Congressional campaign committees, for instance, have offered the leadership funds to distribute to those who were loyal. Speakers in both parties created policymaking panels intended to circumvent committee chairs.

The same has been true in the atomistic Senate. Senate leaders have used the post-1974 budget process to avoid filibusters and campaign funds to maintain party cohesion. Even the filibuster has turned into a tool of party warfare since the 1970s, as opposed to one primarily used by bipartisan factions or individual legislators.

While parties are strong in the contemporary Congress, party leaders continually encounter many threats and challenges. The legislative process crafted in the 1970s offered considerable political space for mavericks, specialized caucuses, the chamber minority, disaffected legislators, and others to challenge leaders through ethics rules, scandal warfare, and the media. Congress is much more open to public scrutiny in the current era, and that meant that it was far more difficult for leaders to shield themselves and control political outcomes.

MONEY CULTURE

The final cultural change revolved around campaign finance. To be sure, money has always been part of congressional politics. During the 1940s and 1950s,

however, the nature of congressional campaign fund-raising was different. Foremost, legislators still relied on large donors who financed campaigns. For example, as a Texas representative and senator, Lyndon Johnson famously formed a close relationship with the Brown and Root Corporation in Texas, whose owners donated large contributions to his campaign chest and to the party coffers when he the Senate Majority Leader. Johnson's campaign, he later said, was "Brown and Root Funded."⁷ Robert Caro recounted that in Johnson's first campaign for the Senate in 1941, he received envelopes stuffed with cash from powerful donors. Johnson persuaded executives from the oil industry in Texas to make donations that he could give to other Democrats once he was majority leader, helping to keep them under control.⁸ Much of the fundraising process took place without any transparency. The disclosure laws from the progressive era were ineffective and it was extraordinarily difficult to find out where money came from.

Campaign fund raising changed during the 1960s and 1970s. Most important the costs of campaigning rose dramatically as a result of television. Candidates, including safe incumbents, were constantly seeking funds in order to pay for television spots, the primary mechanism through which politicians attempted to sell themselves to voters. The cost of running a campaign for a House seat grew from about \$56,000 in 1974 to over \$1 million by 2006. The costs for Senate races were even higher.⁹

Moreover, the campaign finance reforms that Congress passed in response to Watergate, legislators created a public finance system for presidential campaigns but did not establish a fund to help finance congressional campaigns. The result was that costs kept rising while reforms did not provide any alternative funding to the members.

The reforms also had a different effect that increased the pressure on members to scramble for money. In 1974, Congress imposed contribution limitations that diminished the amount of money legislators could receive from any single source. The net result of these changes was that members had to raise more money from a larger number of sources. The day when a member could turn to a company like Brown and Root for the majority of their funds were over. Disclosure laws allowed reporters to provide much greater coverage of how much money legislators were raising and from whom, thus fueling the kind of public distrust that

Campaign contributors responded and mobilized to this new environment. Historians and political scientists have traced a massive proliferation of lobbying organizations in Washington that took place during the 1970s. Business mobilized in Washington in response to the growth of government regulation. While business had always lobbied in Washington the number of interest groups proliferated dramatically. They were more sophisticated in their operations, strengthening their lobbying and fund-raising operations. Trade associations

became more specialized, with specific business and narrow segments of industry establishing offices rather than umbrella operations such as the Chamber of Commerce. Labor, feeling itself to be on the defensive, vastly expanded its operations. Public interest groups committed to middle class issues such as the environment and consumer regulation grew in number, while single-issue organizations proliferated that placed immense pressure on members to vote their way.¹⁰

Over the next few decades, the combination of rising costs, campaign finance reforms, and expanding lobbying operations resulted in a constant cycle of fund raising on Capitol Hill.

CONCLUSION

These three aspects of congressional culture are not the only changes that have taken place since the 1960s, but they have been central dynamics in making the process of governance more difficult. The task of legislating has never been easy. Congress by design is an extraordinarily difficult institution and as more issues seem to pull political elites apart it is not surprising that achieving compromise has become more difficult.

But there are aspects of Congress that have made that process more difficult and resulted in a system where routine systems are become difficult if not impossible to achieve. The cultures of Congress have made legislators spend far more time

dealing with fund raising and placed them under ongoing pressure from the organizations and individual donors that have donated to their campaigns. Legislators try to negotiate deals in a more porous and adversarial media environment where there are few controls on the information that circulates on television or across the web. The type of internal governing structure that once created some stable authority within the House and Senate over time disappeared during this same period.

If legislators are really hoping to break out of the current stalemate and gridlock that helps to bog down the system and fuel high levels of distrust in government institutions, they will have to undertake reforms that deal with these fundamental forces shaping the internal culture of the House and the Senate. While some of the forces will be impossible to reverse, such as the transformation of the media culture, in other areas of congressional culture institutional reform can make a difference. It is clear, for example, that substantive campaign finance reforms could create stricter limits of campaign donations, alternative sources of funding for politicians, and a more effective Federal Election Commission. The parties could also implement formal or informal reforms that reverse some of the developments that have taken place since the 1970s by strengthening committee chairs as well as the rank and file, both of whom could check some of the impact of partisan leaders. In addition, some of the tools that the party caucuses use in their battles, such as the filibuster, could be weakened through procedural adjustments such as lowering the number of senators needed to achieve cloture.

Endnotes

- ¹ Birch Bayh, "Why I'm Leaving the Senate," *New York Times*, 2010.
- ² Jennifer Steinhauer, "Olympia Snowe Won't Seek Reelection," *The New York Times*, 29 February 2012.
- ³ This account of the news cycle comes from Julian E. Zelizer, *On Capitol Hill: The Struggle to Reform Congress and its Consequences, 1945-2000* (New York: Cambridge University Press, 2004).
- ⁴ Zelizer, *On Capitol Hill*.
- ⁵ George Packer, "The Empty Chamber," *New Yorker*, 9 August 2010.
- ⁶ G. Calvin McKenzie and Robert Weisbrot, *The Liberal Hour: Washington and the Politics of Change in the 1960s* (New York: Penguin, 2008).
- ⁷ Robert Dallek, *Lyndon Johnson* (New York: Oxford University Press, 2004).
- ⁸ Robert Caro, *The Years of Lyndon Johnson: Master of the Senate* (New York: Knopf, 2002), 405.
- ⁹ Lawrence Lessing, *Republic, Lost: How Money Corrupts Congress*.
- ¹⁰ Margaret Weir and Marshall Ganz, "Reconnecting People and Politics," in *The New Majority: Toward a Popular Progressive Politics*, eds. Stanley E. Greenberg and Theda Skocpol (New Haven: Yale University Press, 1997).