

THE FRESHMAN EXPERIENCE IN CONGRESS: HAVE THINGS CHANGED MUCH OVER TIME?

An Introductory Essay by Don Wolfensberger For the Congress Project Seminar on “The Freshman Experience: Ideals, Impressions and Influences” The Woodrow Wilson International Center for Scholars Friday, November 17, 2000

Don't try to go too fast. Learn your job. Don't ever talk until you know what you're talking about. . . . If you want to get along, go along.¹

– Speaker Sam Rayburn's
advice to freshmen

When I first came I was awed by the situation and by the people around me and I said, “What am I doing here in the company of these great men?” Then I began to see their weaknesses and that many of them had clay feet. Pretty soon I was saying, “What's he doing here?” But in most cases I find upon longer association that each member possesses some trait which makes him desirable and valuable, and so my respect has been rekindled and regenerated. My present view is that most congressmen are pretty able people.²

- A Senior Member of Congress (1959)

Introduction

Every two years, it seems, the Congress remakes and restores itself through a class of new members whose first-time election mantles and mandates appear to be a little brighter and clearer than those of their senior colleagues. This may all be an illusion created by the angles of light refracted from the mirrors of public opinion and the popular media, but it is nevertheless a useful illusion both for the citizens and their national legislature.

New members become the corporeal symbols of renewal and hope produced by the most recent elections. Their symbolism with the public is not as a collective entity -- “The Freshman Class” -- but rather as individuals committed to cleaning up the system and tackling long festering problems with overdue reforms. If there is any single image (or myth) in the people's mind of how they view their new representatives, it is that of the Jimmy Stewart character, freshman Senator Jefferson Smith, in the Frank Capra movie, “Mr. Smith Goes to Washington” – the naive and idealistic country bumpkin who comes to the Congress prepared to fight for the just cause, to the death, if necessary, against the corrupt nest of fellow senators and their special interest benefactors. Of course, few members can begin to live up to such an image, but most still manage reelection.

In quadrennial election years, when the presidential campaign draws most of the public attention, the first term members elected to Congress are nevertheless reminders of the separation of powers and the Framers' intention that no single branch should dominate the others. The President is not the only new kid on the block with a fresh mandate, and he will have to reckon with others in Congress, who feel just as empowered, if he wants to get anything done. Even when the new members are of the same party as the President, they sometimes make a point of asserting their independence from party and President to demonstrate their overriding loyalty to their district and constituents.

The famous frontiersman, Davy Crockett (Tenn.), expressed this independent streak shortly after he was elected to the House in 1832:

I am now here in Congress. . . I am at liberty to vote as my conscience and judgment dictates to be right, without the yoke of any party on me, or the driver at my heels, with his whip in hand, commanding me to ge-wo-haw, just at his pleasure.³

For elected party leaders and committee chairmen in the Congress, new members present both a challenge and an opportunity. The challenge is in familiarizing the freshmen with the folkways of the institution, the expectations of their party, and the necessity of legislating in the national interest. The opportunity is in harnessing new members' energy and idealism to move the Congress and the country forward, and with it the party's fortunes.

The axiom most familiar to Members of Congress in the mid-Twentieth Century was Speaker Sam Rayburn's advice, ". . . to get along, go along." Part of that same piece of advice is often misquoted and misconstrued as being, "new members, like children, should be seen, and not heard." What Rayburn actually said was that members should not speak until they know what they are talking about. This ties in with another piece of inherited wisdom passed along to new members: "A politician is never defeated by a speech he didn't make." Consequently, even today many new members spend the early parts of their first term quietly listening and learning from their more senior colleagues rather than rushing to the floor to speak out on every issue.

Ironically, Rayburn's advice is not rooted in the customs and traditions of the early Congresses. It is much more a product of the Twentieth Century and the rise of careerism, the seniority system, a larger membership, more complex problems, and an increasing role for the Federal government. Put simply, in the modern Congress there was less time to speak and more knowledge needed to speak intelligently. Still, that did not stop some. As Boris Marshalov, a Russian visitor to America in the early Twentieth Century, observed after visiting the House of Representatives: "Congress is so strange. A man gets up to speak and says nothing. Nobody listens -- and then everybody disagrees."⁴

In the early days of the Republic, the House and Senate were small enough that everyone, including first-termers, felt comfortable with fully participating in nearly every debate. For one thing, the Federal Government was not all that important to most aspects of American life during that period, and what issues Congress did confront were relatively simple. For another, Congress was not considered by most members as a place for lifetime service. Members were truly citizen legislators who maintained full-time jobs back in their districts. Congress was a part-time occupation – both a matter of civic responsibility and a position of respect and honor. So most members wanted to make some contribution during their limited term of service.

As might be expected, the turnover rate in Congress was very high for the first century of the Republic, with the average House member serving a little more than four years, and the average Senator serving roughly nine years. As late as the 1870s it was not unusual for over half the House at any time to be comprised of freshman members. Members thought nothing of resigning in mid-term if business, weather, or travel conditions warranted it. Even in the historic First Congress, as we shall see below, members were not sufficiently impressed with the importance of being present to conduct business on the scheduled opening day of the session.

This essay will give a brief overview of the freshman experience in Congress from the First Congress to the present, mainly to determine whether the experience has changed all that much, notwithstanding the fact that the Congress, the presidency, the country, and our role in the world have all changed dramatically over the last 211 years. As part of the Congress Project's theme this academic year of "Influences on the Congressional Policy Process," the seminar for which this essay was written will pose the question of how much influence freshmen have on policy making in the Congress, as well as how the policy process affects their development as freshmen legislators.

The First Freshman Class

The First Congress was scheduled to convene in New York City on March 4, 1789, but due to bad weather and road conditions, only 13 of the 65 elected members of the House were present on the opening day. So the House adjourned from day to day until a quorum finally appeared on April 1 (the Senate would not achieve a quorum until April 6).

One of the House members of that First Congress was Fisher Ames of Massachusetts, a Federalist and a prolific letter writer who shared his early impressions with friends and family. He saw his House colleagues as "sober, solid, old charter folks," few of whom were shining geniuses, but many of whom "have experience, the virtues of the heart, and the habits of business."⁵

Ames's later letters during that Congress reflected some growing frustration with the body. After just two months he would write:

I felt chagrined at the yawning listlessness of many here, in regard to the great objects of government; their liableness to the impression of arguments ad populum; their State prejudices; their overrefining spirit in relation to trifles; their attachment to some very distressing formalities in doing business, and which will be a curse to all despatch and spirit in transacting it.⁶

Ames admitted he had held unfairly high standards, bringing with him the idea of "demigods and Roman senators, or at least of the first [Confederation] Congress." On cooler reflection, he came to realize that in all public bodies the majority will be such, "and if a few understand business, and have, as they will, the confidence of those who do not, it is better than for all to be such knowing ones; for they would contend for supremacy; there would not be a sufficient principle of cohesion." The "love of ease" makes many members defer to the judgment of the "more industrious," though not more knowing, members, and this "cements the mass." It "produces an artificial ignorance," Ames went on, "which, joined with real ignorance, has been found, in fact, to furnish mortar enough for all public assessments." On balance, Ames found House members to be "good men, not shining, but honest and reasonably well informed," and felt in time they would improve and "not be much inferior in eloquence, science, and dignity to the British Commons."⁷

Six weeks later, Ames was already observing improvement in the House, with most members being punctual and faithful in their attendance at the sessions of body, and with "less party spirit, less of the acrimony. . . , less intrigue, cabal, management, or cunning than I ever saw in a public assembly."⁸

With every member of the First Congress a freshman, the institution fumbled forward in trying to find and define itself and how it should do business. James Madison of Virginia, who had an abundance of prior experience in the Continental Congress, the colonial legislature, and the

Constitutional Convention, became a de facto floor leader in the new House of Representatives. Consequently, he was more acutely aware than others of the problems of legislating for the new Republic. After just two months Madison wrote that, “in every step the difficulties arising from novelty are severely experienced,” and that “scarcely a day passes without some striking evidence of the delays and perplexities springing merely from the want of precedents.” Like Ames, though, he was an optimist, and felt that “time will be a full remedy for this evil.”⁹

Indeed, by the time the First Congress adjourned after three sessions, lasting 519 days, it was clear from its accomplishments that it had learned how to legislate and govern, enacting more than 60 major statutes including legislation creating the departments of War, Treasury, and Foreign Affairs, a Land Office, a government for the Northwest territory, and the regulation of coastal trade. Moreover, it established the permanent seat of the national government, set salaries for executive and judicial branch officers and employees, enacted the first annual appropriations, passed several relief bills, and forwarded twelve constitutional amendments to the States – ten of which were promptly ratified and are popularly known as the Bill of Rights.

The Turnover Rate in Congress: Does Class Size Matter?

During the period 1789-1901, the mean number of terms for a House Member was 2.1 (a little over four years), and for the Senate, 1.5 terms (nine years). As Congress became a full time job in the Twentieth Century and the problems of government became more complex, Congress became a more attractive and interesting place to serve, and so more members stayed longer. Between 1901 and 1995, the mean number of House terms was 4.8 (nearly 10 years), and for the Senate, 2.2 terms (a little over 13 years).¹⁰

In the quarter of a century following World War II, congressional turnover held at a relatively low rate, averaging 78 new members per Congress – 65 in the House and 12.7 in the Senate. That rate began to increase in the mid 1970s: there were 82 freshmen in the 93rd Congress (1973-74), including 69 in the House and 12 in the Senate; and 103 freshmen in the 94th Congress (1975-76), including 92 new House Members (of whom 75 were Democrats) and 11 new Senators. The House members of the 1972 and 1974 classes comprised more than one-third of the total House membership at the beginning of the 94th Congress.¹¹

Similarly, the 103rd Congress (1993-94) consisted of 110 House freshmen (the largest class since 1949), while the revolutionary Republican 104th Congress (1995-96) had 86 new members, 73 of whom were Republicans. Together those two classes comprised 43 percent of the total House membership in 1995. By the beginning of the 105th Congress, the number of House members who had served three terms or less, i.e., since 1992, was 243 members, or 56 percent of the House. While the 106th Congress (1999-2000) only produced 41 new House members, the total turnover in the House during the decade of the 1990s was 67.4 percent.¹² This latter fact may help to explain why, by the 1998 elections, most of the wind had gone out of the sails of the congressional term limit movement that reached its zenith at mid-decade.

It is unclear whether any generalization can be drawn as to how the size of a freshman class affects the legislative productivity of a given Congress. On the one hand it might be argued that a large class means greater inexperience, a steeper learning curve, slower legislating, and therefore a less productive Congress. On the other hand, it can be argued that larger turnover reflects a public

dissatisfaction with the status quo and a demand for greater and more immediate change by the Congress. Certainly if a large class comes armed with what it considers to be a particular policy mandate, its leadership, as agents of the party caucus, will do all it can to help advance that agenda: there is strength in numbers, and security in maintaining those numbers. A paper prepared for this seminar by Professor Burdette Loomis will compare and contrast the impact of two of the largest, recent freshman classes – the class of 1974 (the “Watergate Babies,”) and the class of 1994 (the “Gingrich Revolutionaries”).

The Freshman Challenge

In many ways, first term members in Congress confronted the same challenges over the last two centuries as their predecessors from the First Congress, and that was in trying to figure out how to accomplish their goals in a sometimes complex and confusing environment. For the class of 1788 the challenge was more one of making up new rules and precedents as they went along, borrowing heavily from the British Commons and colonial legislatures. For their successors it was more a matter of trying to cut through the jungle of rules, procedures, precedents and processes that had accumulated over the years.

In his 1885 doctoral treatise, *Congressional Government*, the young scholar and future president, Woodrow Wilson, observed that its not just to the outsider that the doings of the House “seem helter-skelter and without comprehensible rule.” Even insiders who follow the House proceedings on a daily basis find them difficult to understand. This is especially true of the freshman member:

The newly-elected member, entering its doors for the first time, and with no more knowledge of its rules and customs than the more intelligent of his constituents possess, always experiences great difficulty in adjusting his preconceived ideas of congressional life to the strange and unlooked for conditions by which he finds himself surrounded after he has been sworn in and has become part of the great legislative machine.¹³

Wilson goes on to enumerate the many things connected with the new member’s career in Washington that will “disgust and dispirit, if not aggrieve” him. These include the facts that his local reputation has not followed him to the capital, his station is insignificant and his identity indistinct, and he is without weight or title to consideration in the House itself:

No man, when chosen to the membership of a body possessing great powers and exalted prerogatives, likes to find his activity repressed, and himself suppressed, by imperative rules and precedents which seem to have been framed for the deliberate purpose of making usefulness unattainable by individual members.¹⁴

But even when the new member learns that the rules have grown out of the “plain necessities of business” and not to curtail the privileges of new members, “he suffers under their curb.”

The vast majority of new members have a “keen sense of duty,” wrote Wilson, a sufficiently and unhesitating desire to do it, and a “zeal” that is “hot and insistent” in promoting a particular policy they advocated during the campaign. However, when a member tries to find “immediate opportunity” to thrust his views on the attention of the Congress, “he finds both opportunity and means denied him.” He can introduce a bill, but cannot call it up for consideration in the House, and

is told by the Speaker he is out of order if he tries:

The rap of the Speaker's gavel is sharp, immediate, and peremptory. He is curtly informed that no debate is in order; the bill can only be referred to the appropriate Committee. This is, indeed, disheartening; it is his first lesson in committee government, and the master's rod smarts; but the sooner he learns the prerogatives and powers of the Standing Committees, the sooner will he penetrate the mysteries of the rules and avoid the pain of further contact with their thorny side.¹⁵

Of course, he soon learns that the bill doesn't have a much better chance of consideration in committee: "a bill committed is a bill doomed. When it goes from the clerk's desk to a committee-room it crosses a parliamentary bridge of sighs to dim dungeons of silence whence it will never return. The means and time of its death are unknown, but its friends never see it again."¹⁶

Wilson concludes that it is "by this imperious authority of the Standing Committee that the new member is stayed and thwarted whenever he seeks to take an active part in the business of the House." The one principle that runs through every stage of the legislative process is that "Committees shall rule without let or hindrance."¹⁷

Over 75 years later, in 1963, former congressional staff member and political scientist, Charles L. Clapp, would write that Wilson's description "retains much relevance today although some members display little evidence of suffering, and others appear to adjust rapidly to the realities of life in the House." And he goes on to note that the "inhibiting effects of the rules and precedents" is only part of the consternation that new members feel. While both parties are making increased and important use of the talents of freshmen, "it is apparent that a number of recent arrivals are not satisfied with their status or progress."¹⁸ He goes on:

They chafe under inferior committee assignments, and resent following the leadership of party colleagues who, whether in committee or on the floor, seem less than articulate and alert. Some freshmen are impatient for recognition, and they feel ignored.¹⁹

Gradually, though, writes Clapp, "most of them come to accept the system, understand and even defend the reasons it is as it is, learn to appreciate the strengths of their colleagues, and begin to watch for the clues that indicate a man is on the way up." This all happens in no set time period, "but most representatives are absorbed rather quickly."²⁰

The Freshman Experience in Today's Congress

Many things have changed in the Congress since Clapp wrote his book in the early 1960s, just as so much had changed since Woodrow Wilson wrote his dissertation in the mid-1880s. Committee government gave way to subcommittee government in the mid-1970s as a result of a decade of institutional and caucus reforms (a "committee bill of rights" was followed by a "subcommittee bill of rights;" and three House committee chairmen were ousted by caucus vote). Junior members were given more opportunity earlier to have an impact on the policy process, especially if they chaired a subcommittee (the numbers of which conveniently proliferated). The legislative process was opened up and made more democratic. Members became individual policy entrepreneurs, often working around or apart from their committee and party leadership. Subcommittee government in turn was offset in the post-reform Congress of the 1980s by stronger

party leadership, sometimes called “conditional party government.”

The Republican revolution of 1994 rolled back both the number of subcommittees (already on the decline) as well as the semi-autonomous powers of their chairmen, thereby returning some powers to the full committee chairman while at the same time further strengthening the hand of the Speaker over the committee system. Despite this trend towards greater party centralization, freshmen were not returned to their once obscure, backbench status. Majority members of the large class of 1994 were given prime committee slots and even three subcommittee chairmanships. Moreover, they were given two seats at the Leadership table and leadership positions on key party task forces to develop and advance the party’s legislative agenda.

Whether similar deference and perquisites will be lavished on future freshmen classes that are smaller in size remains to be seen, but it is doubtful the clock will be turned back on the status accorded newer members in the last quarter century – especially when slim party majorities place a premium on every seat in Congress. Freshmen will be expected to play a greater role both in the policy process and in maintaining their party’s majority status in both houses. Benjamin Franklin’s admonition to his compatriots in 1776 on the need to hang together or risk hanging separately rings just as true for members of both political parties in the Congress today. And freshman members are increasingly looked to as the linchpin in holding things together.

Notes

^{1.} Neil MacNeil, *Forge of Democracy: The House of Representatives* (New York: D. McKay, 1963), 461 (note 13, chapter 6).

^{2.} Charles L. Clapp, *The Congressman: His Work as He Sees It* (Garden City, New York: Doubleday & Company, Inc., 1963; Anchor Book edition, 1964), 18. The observation is not new. *A Saturday Evening Post*, article dated Nov. 4, 1899, carried the following from an anonymous source: “One of the standing jokes of Congress is that the new Congressman always spends the first week wondering how he got there and the rest of the time wondering how the other members got there,” 356.

^{3.} Representative David Crockett, *A Narrative in the Life of David Crockett* (1834), from *Respectfully Quoted: A Dictionary of Quotations Requested from the Congressional Research Service* (Washington, D.C.: U.S. Government Printing Office, 1989), 55 (No. 262). David Crockett was first elected to the 20th and 21st Congresses (1827-1831), then defeated for election in 1830. He was elected as an anti-Jacksonian in 1832, then defeated in 1834. He accepted his defeat with less than magnanimity, reportedly telling his constituents: “You can go to Hell, I’m going to Texas.” In 1836 he joined a band of men to fight for Texas’s independence from Mexico, and lost his life that year in the battle of the Alamo.

^{4.} *Respectfully Quoted*, op. cit., 55 (No. 266).

^{5.} *History of the United States House of Representatives, 1789-1994* (Washington, D.C.: U.S. Government Printing Office, House Doc. No. 103-324,

1994), 11.

6.. Ibid.

7.. Ibid, 12.

8.. Ibid.

9.. Ibid, 14.

10.. Roger H. Davidson and Walter J. Oleszek, *Congress and Its Members* (Washington, D.C.: CQ Press, Sixth Edition, 2000), Table 2-3, "Length of Service in House and Senate, 1789-1999," 36.

11.. *Congressional Quarterly's Guide to Congress* (Washington, D.C.: Congressional Quarterly, Inc., 2d edition, 1976), 528.

12.. *Vital Statistics on Congress, 1999-2000*, Norman J. Ornstein, Thomas E. Mann, and Michael J. Malbin, editors (Washington: AEI Press, 2000), 3, and 16-17 (Table 1-6, "Seniority of Representatives, 83rd-106th Congresses, 1953-1999).

13.. Woodrow Wilson, *Congressional Government: A Study in American Politics* (Baltimore: Johns Hopkins University Press, 1885; 1981 paperback edition), 59.

14.. Ibid, 60.

15.. Ibid, 62.

16.. Ibid, 63.

17.. Ibid, 64, 66.

18.. Clapp, *The Congressman: His Work as He Sees It*, op. cit., 11.

19.. Ibid, 12.

20.. Ibid.