

Remarks of Sen. Richard G. Lugar
Paul H. Douglas Ethics in Government Award
Washington, D.C.
April 7, 2008

I am deeply honored to receive the 2007 Paul H. Douglas Ethics in Government award. I am grateful to the Institute of Government and Public Affairs at the University of Illinois, the members of the national selection committee, and the Douglas family for this recognition. I want to thank my friend and colleague Dick Durbin and President Joseph White for their generous remarks. It is also a great privilege to be joined on this occasion by many close friends who have been a part of my life and public service.

This award is especially significant to me because it commemorates the life and work of a leader I greatly admire. Senator Paul Douglas's impact on the laws and governance of our nation has been enduring and profound. My home state of Indiana owes a special debt of gratitude to Senator Douglas for his energy and vision in helping to create the Indiana Dunes National Lakeshore. He waged a successful eight-and-a-half year struggle to pass a bill in 1966 that would preserve the beauty of the Dunes and create a national park to enhance citizen enjoyment of this treasure. He rallied a diverse coalition of preservationists in Congress behind the concept and took his case to steelworkers, newspaper publishers, town councils, mayors, cabinet secretaries, and President Kennedy, among many others.

The Indiana Dunes National Lakeshore receives more than a million visitors each year who enjoy its unique shoreline and landscape. But the importance of the Indiana Dunes to the Midwest and Indiana goes well beyond beauty. It functions as an ecological teaching center that has connected uncounted school children and adults to the natural environment. The Paul H. Douglas Center for Environmental Education at the Dunes is a key component of this effort.

With my friend, Congressman Pete Visclosky, I have been proud to have the opportunity over the years to work on behalf of funds for a Dunes information center, a campground, access roads, preservation activities, and more land acquisitions. The park has been expanded to include more than 15,000 acres – an amount that is almost double the acreage authorized by the original bill.

During his career, Paul Douglas made a habit of advancing ideas and projects – like the Indiana Dunes – that were controversial in his time, but that today we take for granted. He was deeply involved in legislation expanding civil rights, federal education assistance, and public housing programs. Today, it is hard to imagine our financial system without the truth in lending laws that he championed or our political system before the ethics concepts that he defined and practiced.

To illustrate how far we have come in terms of ethics legislation, I would like to share with you a passage from Senator Douglas' 1968 book, *In our Time*, published shortly after he left the Senate. In the passage, he discusses the need to plug several gaps in conflict of interest laws. He writes: "Another subtle form of temptation comes to the lawyers in Congress who are offered retainers by economic interests affected by proposed legislation. This is in the tradition of Webster, who not only accepted such retainers but actually solicited them. The practice is a subterranean form of corruption, and it may extend to many among the Senators, two thirds of whom are lawyers. In my judgment it would be well if Congress closed the door to this type of conflict of interest. Another abuse is for a legislator to get a commission from law firms for cases referred to them. The potential evils of this practice are obvious."

The idea that a member of Congress could earn a retainer from outside interests or receive a fee from a law firm for a client referral today seems laughably archaic – something that Mark Twain would have satirized in the 19th Century. But Senator Douglas was writing in 1968 – not 1868. We have come a long way in a short period of time because of the dedication of Paul Douglas and many of his political descendants who have worked for a more transparent and honest government.

Even as we applaud the strides made by the advancement of ethics legislation in the last half century, we understand intuitively that there is no formula of ethical constraints that, by itself, will compel good government or ensure public confidence. Despite ambitious and thoughtful ethics legislation passed by Congress in the last several years, including the McCain-Feingold campaign finance reforms, the public is more skeptical toward Congress than ever.

The Gallup poll that tracks public attitudes about Congress has not been encouraging in recent years. The most recent poll, released March 14, showed that just 21 percent of Americans surveyed approved of Congress. In fact, with the exception of three months in early 2007, the monthly Gallup surveys have not shown public approval of Congress to be above 30 percent since September 2005. These figures exist alongside polls that show constituent support for most individual Senators and members of Congress to be routinely above 50 or even 60 percent.

My own experiences suggest that constituents want to be proud of their representatives, just as they want to be proud of their President. They will give their own representatives every chance to succeed. But they frequently have little patience for the institutions of Congress, which many perceive to be encumbered by inexplicable procedures, partisan schemes, empty rhetoric, and name calling. In my estimation, overcoming partisanship to make Congress more effective and responsive is, perhaps, an even more difficult endeavor than ensuring its ethical behavior.

Too often bipartisanship is misrepresented as the byproduct of moderate political views or the willingness to strike deals. We should be clear that bipartisanship is not centrism, and it is more than just compromise. It is a way of approaching one's duties as a public servant that requires self-reflection, discipline of study, and faith in the good will of others.

Of all the admirable characteristics of Paul Douglas, the one that strikes me as the most distinct and impressive was his study of issues. He devoted his career not only to the concept of public service, but also to the pursuit of truth. In academia and in government, he spent a lifetime gathering objective facts, testing new theories, listening to the opinions of others, and expanding his contextual understanding of ideas. Senator Douglas was not content with simplistic explanations of complex issues, and he avoided offering them himself. In his book, *In Our Time*, for example, even as he enumerated the severe shortcomings of 1960s ethics laws and issued a call to action, he was careful in his overall assessment. He wrote: "Contrary to current belief, the level of congressional behavior is relatively high. Congress is today a far more ethical body than it was in the days of Daniel Webster or during the Gilded Age following the Civil War."

Senator Douglas did not assume that he should be in favor of a particular initiative or idea just because it fit within the political labels that were ascribed to him. To the outside world, this led to contradictions. He was a Quaker, who through his own observations and experiences developed a firm conviction about the necessity of armed resistance to German and Japanese aggression in World War II. He was a progressive liberal, who nevertheless was an ardent anti-communist. He was a strong advocate for expenditures to fight poverty and joblessness, but he voted against domestic spending that he judged to be wasteful. And as I described, though he represented Illinois, he committed himself to saving the Indiana Dunes. It is difficult to imagine today a member of Congress expending political capital to lead the campaign for a preservation project in another state.

Perhaps the most revealing account of Paul Douglas' independent world view and scholarly intensity can be found in the unlikeliest of places – the chapter in his 1971 memoir that was devoted to his service in the Pacific theater as an over 50-year old Marine during World War II. Amidst an insightful account of the American military's island hopping campaign and the excitement of his own death-defying experiences, he takes time at each stop to reflect on the books he read while in the Pacific and their relevance to his military service. We learn that he read the novels and plays of Somerset Maugham while shipping out to the Pacific. His discovery of rare books in a shop in Noumea, a former French penal colony, leads him to an expansive survey of French literature while on the island. Later, he reads Stephen Crane's *Red Badge of Courage*, obtained in a cutlery shop on New Guinea, and the works of Oliver Wendell Holmes, which a friend had found for him on a trip to Melbourne.

After being severely wounded on Okinawa, he underwent an operation in an Army field hospital. His account of his convalescence must be one of the most unique such accounts ever written by a Marine. He wrote: "I had finished [Dante's] *Inferno* a few days before while lying in a foxhole filled with icy water, and it had seemed most appropriate to read then of how the most infamous sinners were condemned, not to perpetual fire, but to being encased in eternal ice. Now, in a milder setting, I started on the *Paradiso*, which, I discovered to my delight, had been translated by one of my favorites, Philip H. Wicksteed, the brilliant economist and mathematician from whom I had learned the co-ordination of the laws of production and distribution...I came to Piccarda, who occupied the lowest rank among the blessed but could never rise higher. Dante, it will be remembered, asked her how she could be content with such a static position and whether she did not have an ambition to move up in the spiritual hierarchy. To this the placid saint replied that she was content, 'For in His will is our peace.' Somehow this spoke to my condition, and it continued to do so on the long journey home on the hospital ship."

I believe this type of independent self reflection and discipline of thought is at the core of any politician's attempt to be truly bipartisan. In today's political environment, politicians are bombarded by demands from our respective parties and loyalist groups to adopt certain orthodox positions. To some extent this is a necessary element of a two-party system. But when positions are adopted purely on the basis of partisan advantage or strategic opposition to the other party, our system begins to break down. Some members may genuinely agree with their party 50 percent of the time, others may genuinely agree with their party 99 percent of the time. The question is whether a politician arrives at those conclusions through honest reflection and careful study of the issue or whether they arrive there because they have adopted an "us-versus-them" mentality. Increasingly at all levels of American politics, capable leaders are succumbing to the temptation to put politics first.

Our problems with partisanship have been exacerbated in the last decade by dynamics related to the internet, cable news networks, and other new media. These sources have rendered a constructive service in expanding transparency and disclosure in government, but they have simultaneously sharpened partisanship. Political interest groups and websites – sometimes operated by just one or two individuals -- have proliferated. To find an audience amid the cacophony of voices, they often take extreme positions and make instantaneous judgments. Virtually any rumor or perceived policy misstep is seized upon by someone for partisan advantage, and specious analysis is often reproduced uncritically on dozens of websites. Meanwhile the 24-hour news cycle and multiple news networks have generated a constant barrage of programs based largely on the presumed entertainment value of partisan verbal combat. With fundraising and grassroots activity increasingly concentrated on the internet, these influences now penetrate deeply into official deliberations.

I am not arguing that the genie can or should be put back into the bottle. But I am suggesting that good public service demands that members of Congress and other public officials work much harder to avoid succumbing to a partisan mindset.

Like many friends in this room, as well as Paul Douglas, himself, I fully understand that politics is a rough game. I have stood for election on multiple occasions, from the Indianapolis school board during an era of desegregation, to two Indianapolis mayoral races, to seven Senate elections and one run for the GOP presidential nomination. I know that politics is and always has been a tough business that cannot be reduced purely to idealistic tenants. But it cannot be devoid of idealism, either.

Particularly destructive is the misperception in some quarters that governing with one vote more than 50 percent is just as good or better than governing with 60 or 70 percent support. Under this theory, the compromises necessary to achieve greater consensus among the American people and Congress merely dilutes the strength of one's partisan accomplishments.

The problem with this thinking is that whatever is won today through division is usually lost tomorrow. The relationships that are destroyed and the ill will that is created make subsequent achievements that much more difficult. If the minority is not a participant, it begins to see its job as frustrating the majority, rather than as trying to advance its ideas or contributing to good legislation. A 51 percent mentality deepens cynicism, sharpens political vendettas, and depletes the national reserve of good will that is critical to our survival in hard times. Leaders should not content themselves with 51 percent if they can expand a working majority through outreach, judicious rhetoric, bipartisan alliances, and thoughtful argumentation. National unity is not simply a civic nicety; it counts in real policy terms.

Senator Douglas' legislative career is a testament to the concept that most successful initiatives come to fruition not because clever legislative maneuvering delivered the magical 51st vote, but because over time minds were changed and new norms were created. We have truth in lending, conflict of interest, and civil rights laws today because through the efforts of Paul Douglas and others over a period of decades, the American people came to believe in these concepts.

With these thoughts in mind, I would offer a short list of questions for any politician or civic leader who wishes to engage in self-reflection with the goal of reducing their own level of partisanship and improving their public service:

- **Do you accept that members of the other party love their country and are people of good will, and do you avoid portraying them as unpatriotic?**
- **Do you believe that members of the opposing party can frequently contribute to good policy and do you make an attempt to include them in early deliberations?**
- **Do you seek out opportunities to work with leaders of the other party?**
- **Even as you participate in partisan debates, is your first impulse a sober reflection on what is good for the country?**

- **Do you study an issue in depth with an open mind and do you avoid an overreliance on your party's orthodox positions and arguments?**
- **Do you allow your thinking to evolve as circumstances and evidence evolve?**
- **While recognizing the essential imperative to represent your constituent's interests and listen to their ideas, are you willing on occasion to disagree with them and explain your reasoning?**
- **Do you maintain your civility, even when others around you do not?**
- **Do you measure your words, to avoid unnecessary inflammatory rhetoric and an overreliance on simplistic partisan sound bites?**
- **Do you avoid actions that have no purpose other than scoring partisan political points?**

I hope that all who are called upon to serve our nation reflect every day on what it means to be a good public servant. I hope we reflect on our public and personal ethics, as well as the tone of our discourse and the magnanimity with which we approach those who disagree with our point of view.

Paul Douglas' life provides us with an extraordinary example of what can be achieved through thoughtful dedication to public service. I am proud to receive this award and to be associated in a modest way with his legacy.