

Floyd M. Riddick

Senate Parliamentarian, 1964-1974

Interview #7

The McCarthy and Dodd Cases

(October 18, 1978)

Interviewed by Donald A. Ritchie

Ritchie: Previously, we talked about impeachment, but now I would like to bring up the question of censure in the Senate, its own housekeeping of its members. You said there were six or seven censures in the history of the Senate, and you participated in two of them.

Riddick: That's a pretty high average. There have been seven censured, but on six occasions. The cases of [\[Benjamin\] Tillman](#) and [\[John\] McLaurin](#) were both in 1902. There were two other trials, of [\[Thomas Hart\] Benton](#) and [\[Henry\] Foote](#), but they were not censured.

Ritchie: That's an indication, I would guess, that the Senate is very reluctant to move against any of its own members, and that it would take a very serious offense before the Senate would take any kind of disciplinary action.

page 344

Riddick: I think there is no question about that. The [McCarthy](#) case, for example, had been building up for a long period of time. It wasn't something that just happened overnight. I remember distinctly, that Senator [\[Ralph\] Flanders](#) of Vermont for nearly six months or longer before he introduced his resolution, kept coming to the desk and asking me about the procedures on this detail and that; and he stated on different occasions: "Well, I've got to come up and learn my lesson today as to how I should move in this direction." Well, that was a long, drawn-out thing too, so it wasn't a sudden thing of deciding one day to consider censure and then the next day of starting out in that direction.

Ritchie: The McCarthy censure was certainly the most famous of all Senate censure cases, and the most dramatic.

Riddick: There's certainly been more written about it than any other case, I'm

sure. The earlier cases, even though the Senate might have been excited about them, there wasn't the publicity. The press wasn't as alert, or as expanded as it is today so it could give the publicity to them that it gave to the McCarthy case.

Ritchie: You arrived in the Senate about the time of Senator McCarthy's peak. You had been here working on the "Daily Digest" when he arrived, but it was about 1950 that he became a national figure.

Riddick: That is correct.

Ritchie: And a very controversial figure. What type of a person was McCarthy, from your perspective, watching him on the floor and seeing him around the Senate.

Riddick: Well, as you said, I came up to set up the "Digest", and I remember one day walking down the corridor between the Russell Office Building and the Capitol Building and encountering him. He'd been here about a year, and I inquired of him what his interests were

going to be. As you know, most of the senators endeavor to specialize in some particular area, and I was inquiring of him what did he propose to devote his energies to, what subject matter, or what course of activities he proposed to specialize in. He said he hadn't fully made up his mind, that he had been talking with some of the professors over at Georgetown University to get them to help to guide him in what he should specialize in. That is about the last that I had any contact with him until he began to make these speeches accusing our government of allowing Communists to infiltrate into the system.

Of course, his first speech got him national recognition overnight, because as you know at that time this country and most officials were very conscious of the activities of the Communists, particularly the Russian Communists, and of their

infiltrating into our system. The speech really set off a storm. I guess he found himself much like Don Quixote beating his horse. Every time he would make a speech he'd get more attention, so on he'd go and take another shot at the Communists.

Personally, he was very likeable, that is as far as my association with him was concerned. He never offended me any, but he was competent at getting very vitriolic and very arrogant and very condemnatory of other persons with whom he was associated. But my dealings with him were not that kind, with me he was concerned with the parliamentary law and related matters. He was always very reasonable and very friendly with me when I had any dealings with him.

Ritchie: Did he stand out noticeably on the Senate floor when he debated, as adding a more vitriolic note to the debate?

page 348

Riddick: He had a tendency to be overbearing at times, versus somebody with whom he was speaking, and he was of such a nature that a lot of the senators didn't care to get entangled with him, because he might be offensive in some regards, or try to play you down or reflect on you so that no senator particularly cared to get entangled with him. It was somewhat the same as I heard about the senior Senator [\[Huey\] Long](#). People just didn't care to get entangled with him, so they sort of stayed at a distance.

I might say that after they had kept talking about McCarthy and his case for a long period of time, the first focus was really brought about when Senators Flanders of Vermont introduced his resolution on censure, which was privileged of course. That was the famous S. Res. 301 of the 83rd Congress. That resolution was very brief but very crisp in its

page 349

determination. It read:

Resolved, that the conduct of the Senator from Wisconsin, Mr. McCarthy, is unbecoming a Member of the United States Senate, is contrary to senatorial traditions, and tends to bring the Senate into disrepute, and such conduct is hereby condemned.

Ritchie: Was this the amendment in July of 1954?

Riddick: July 31, 1954.

Ritchie: In June, the month before, Flanders and [Herbert Lehman](#) had introduced a resolution to strip McCarthy of his chairmanships.

Riddick: That's correct.

Ritchie: But that was not a censure?

Riddick: That was referred to a committee. These were some of the questions that Flanders raised with me when he'd say: "I'm coming up today to learn my lesson." He found that that was not a privileged proposition -- of committee assignments -- but when you go to defend the reputation of the Senate, as he was proposing here in this resolution, it becomes a privileged matter.

Ritchie: Meaning it doesn't get . . .

page 350

Riddick: It doesn't have to be referred to committee.

Ritchie: I see.

Riddick: And so the Senate did proceed to take this up immediately.

Ritchie: Now, with the other resolution, once it was sent to committee it was felt that the probability was that the majority party -- that is the Republican Party -- would not act on embarrassing a Republican chairman.

Riddick: Well, I don't know what the reason was, but it went over to the Rules Committee and stayed there without action. I think there was perhaps a report of some kind made after the trial began, but Senator Flanders concluded that the only way that he was going to be able to get anywhere with his charge was to do something directly on the floor.

Ritchie: One other thing on this I wanted to ask, on the question of privilege, and the whole question of "unbecoming of a senator." "The rules of the Senate,

page 351

Rule 19 says that no senator may reflect badly on another senator.

Riddick: Reflect on a state of the Union or do anything unbecoming a senator, or reflect on another senator.

Ritchie: In effect, does not that prohibit other senators from criticizing their colleagues? So how does one break through that to accuse another member of conduct unbecoming of a senator?

Riddick: Well, it's alright to censure a person as long as you do it in a formal fashion. I will point out something to you in a few minutes that will focus exactly on what you are talking about.

So the Senate debated this resolution [S. Res. 301] right off at the beginning, and soon after the debate started on the resolution the Majority Leader, Senator [Knowland](#), moved that the resolution be referred to a special committee with instructions. The resolution was

page 352

very brief to begin with, but it was modified and finally agreed to by a vote of 75 to 12. The motion they agreed to provided the following:

To refer the pending resolution together with all amendments proposed thereto, to a select committee to be composed of 3 Republicans and 3 Democrats who shall be named by the Vice President; and ordered further, that the committee be authorized to hold hearings, to set and to act at such times and places during the session, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as it deems advisable, and that the committee be instructed to act and to make a report to this body prior to the adjournment sine die of the Senate in the 2nd session of the 83rd Congress.

That, having been agreed to by such a vote on August 2, then on August 5, the Vice President:

pursuant to the order of the Senate of August 2, 1954, referring the resolution (S. Res. 301) to censure the Senator from Wisconsin, Mr. McCarthy, to a select committee, appointed as members of the select committee from the majority, Mr. [Watkins](#), Mr. [Carlson](#), and Mr. [Case](#), and as members of the select committee from the minority, Mr. [Johnson](#) of Colorado, Mr. [Stennis](#), and Mr. [Ervin](#).

page 353

This was a select committee, and it announced hearings to begin on August 30. But the House adjourned *sine die* on August 30, and that *sine die* resolution carried a proviso which permitted the Senate to adjourn *sine die* at any time prior to December 25, and that the Senate might adjourn in the meantime for more than three days as it saw fit to. The Senate that night, when it did adjourn, adjourned under the order until after five days following notification to be assembled, and that such notification was to be given to the senators by the majority leader and the minority leader.

Senator Knowland was the majority leader at that time, but the Senate found itself in a rather peculiar predicament: the majority party did not have a total majority. I believe the membership was 47 Republicans, 48 Democrats, and 1 Independent.

page 354

So whatever they were going to do in this trial had to be more or less nonpartisan.

To point out the significance of the political situation in the Senate at that time, I remember on the closing night of that session Senator Knowland had this to say: "Mr. President, I have presented the case. I have presented it from a position in which no man has heretofore been asked to serve, a position in which I have the responsibility of being majority leader in this body without a majority." And Senator [\[Lyndon\] Johnson](#), the minority leader, responded to Senator Knowland's accusation as follows: "Mr. President, the Senator from California frequently refers to himself as a majority leader with a minority; and he has made reference to all the problems that go with that situation. If anyone has more problems than a majority leader with a minority, it is a minority leader with a majority."

page 355

So that sort of pointed up the picture, I thought very cleverly, as to what was the situation existing in the Senate at that time.

The Senate, pursuant to this order to authorize the two leaders to call them back, reassembled on November 8, for the trial. In the meantime, the Watkins select committee had filed its report on S. Res. 301, which was Senate Report 2508 of the session. But the Senate did not begin to debate the trial until November 10.

Ritchie: I wanted to ask you on that, as parliamentarian, did you and Mr. [Charles] Watkins serve as consultants to the [Arthur] Watkins committee? Did they question what types of offenses might be censurable?

Riddick: Yes, the parliamentarian actually testified, but Mr. Charles Watkins, the parliamentarian was not so active at that time because he had undergone

page 356

a serious operation and had been away from the Senate for nine months. So I was in the peculiar predicament of having to carry the ball all the time in the

relationship with the committee, but Mr. Watkins himself testified. We talked it over at length and he testified about some of the problems that the Senate would be confronted with, and what were some of the precedents and practices with regards to censure.

Ritchie: Was there anything in particular that concerned you at that stage? Any major problems that you foresaw?

Riddick: Nothing other than that we were asked a lot of details about what had been the practice in the past, and I was in the meantime studying and getting prepared for the trial, because I knew we were going to have some problems that were going to be unusual as far as parliamentary procedure in the Senate was concerned.

page 357

The debate started November 10 and went through until November 18, when the Senate adjourned (they were in session seven days), and they adjourned until November 29, because McCarthy had been sick and had to go to the hospital for that period of time. When the Senate came back into session they agreed to vote on the final passage of the resolution with a prescription set forth as to the time when debate was going to become under control. What it really resolved down to was that any amendments to be offered were going to be debated for an hour, except substitute amendments were going to be debatable for four hours, and that this time was to be equally divided between the Chairman, Mr. Watkins, the manager of the bill, and the proponent of the amendment being proposed. So they really didn't begin to vote on anything until December 1, and on December 1

page 358

and 2 the Senate acted on all the proposed amendments and finally reached a vote on the passage of the resolution.

Now there were several things that were significant: the senators became very excited about the situation; it was a very impressive thing -- that the senators were called upon in effect to convict one of their fellow members with whom they had been working very closely. There isn't any question but what nationally McCarthy had become very popular and when he was speaking, or even most of the time during the whole trial the crowds were backed up clear to the Rotunda in the Capitol waiting to get into the Senate to hear the debate. You should have seen the people go agog when McCarthy would come through the corridors. I had occasion several times when he wanted me to accompany him down to his office through the hallways or the corridors, to observe the

people; you could hardly walk along; they were all wanting to get his autograph and touch him or speak to him. But there was just as much hate on the other side.

I remember for example, and I don't think that I'm telling any tales out of school, that senators would come up to the desk and literally curse him for all the trouble that he had brought upon them, as they felt. I might cite that Senator [Fulbright](#) came up to the desk and said: "That SOB has hurt my image in the public. He's referred to me in speeches so often as "Halfbright" that the country is partially beginning to believe it!" There was a lot of animosity during the trial.

I remember, for example, Senator [Flanders](#) got so excited in his debate on the resolution that he began to make remarks against the senator (McCarthy) and a point

was made and the Chair made him take his seat. Then a motion was made that he be permitted to proceed in order. But it was a rather delicate thing, because as we have already said, the rules require you not to reflect on another senator. When you let yourself go, so to speak, you might say things that you shouldn't, and there were some on both sides; obviously, those in defense of McCarthy were going to get up and make a point of order if you said anything that reflected on the senator.

Of course, we had a lot of parliamentary maneuvering on this. Some senators thought that it should take a two-thirds vote to adopt amendments to the resolution. They were on the defensive side, feeling that if they established that it would take a two-thirds vote, they might not be as severe on him. So the Chair, the Vice President, was finally required to rule on it,

and he held that there was no question but that any amendment could be adopted by a majority vote, because under the precedents and practices of the Senate even amendments to a joint resolution proposing an amendment to the Constitution could be adopted by a majority vote, and likewise amendments to a treaty, that took a two-thirds vote for approval, could be agreed to by a majority vote, and that this resolution would be no more sacrosanct than that, and that it could be agreed to by a majority vote. So they lost their battle on that procedural aspect.

The unanimous consent agreement adopted by the Senate required that amendments to the resolution must be germane, and as a consequence a number of amendments were ruled out on points of order. But the amazing thing to me was, and I'm not going to take it completely chronological as to what each

page 362

amendment proposed -- the amazing thing to me was that the resolution that the committee reported was greatly altered by the Senate. If I might read the resolution to tell you what the committee reported to the Senate, it was as follows:

Resolved, that the Senator from Wisconsin [Mr. McCarthy] failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin [Mr. McCarthy] in failing to cooperate with the Senate committee in clearing up matters affecting the honor of the Senate is contrary to senatorial traditions and is hereby condemned.

Section 2. The Senator from Wisconsin [Mr. McCarthy] in conducting a senatorial inquiry, intemperately abused and released executive hearings in which he denounced, a witness representing the executive branch of the government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government;

page 363

and the Senate disavows the denunciation of General Zwicker by Senator McCarthy as chairman of a Senate subcommittee and censures him for that action.

The funny thing is, a division of this resolution was demanded, which is available to any member on demand, and the Senate then worked first on the first part, which was modified for language purposes but didn't really change the intent much, and then it was adopted. But when the Senate came to the second part, instead of condemning him for reflecting on the General, they adopted an amendment by [Bennett](#) of Utah to strike out all of section 2 and insert in lieu thereof something that again was concerned with the Senate itself; the Senate

United States Senate Historical Office -- Oral History Project

www.senate.gov

didn't seem to care about condemning McCarthy for his reflection on the General, only because of his reflection on the Senate as an institution, and on the senators themselves.

page 364

After the Senate amended the second part after that fashion, they agreed to the second part. After that, the whole resolution was adopted which read as follows -- this is what the Senate by a vote of 67 to 22 agreed to as a censure of Senator McCarthy:

Resolved, that the Senator from Wisconsin, Mr. McCarthy, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. McCarthy, is contrary to senatorial traditions and is hereby condemned.

But the second part of that resolution read as follows, as it was amended to get rid of the provision relative to the General:

The Senator from Wisconsin, Mr. McCarthy, in writing to the chairman of the Select Committee to Study Censure Charges (Mr. Watkins) after the select committee had issued its report and before the report was presented to the Senate charging three members of the select committee with "deliberate deception" and "fraud"

page 365

for failure to disqualify themselves; in stating to the press on November 4, 1954, that the special Senate session that was to begin November 8, 1954, was a "lynch party"; in repeatedly describing this special Senate session as a "lynch bee" in a nationwide television and radio show on November 7, 1954; in stating to the public press on November 13, 1954, that the chairman of the select committee (Mr. Watkins) was guilty of "the most unusual, most cowardly thing 'I've heard of" and stating further: "I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement"; and in characterizing the said committee as the "unwitting handmaiden", "involuntary agent", and "attorneys-in-fact" of the Communist Party and in charging that the said committee in writing its report "imitated Communist methods -- that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization" in support of its recommendations to the Senate, which characterizations and charges were contained in a statement released to the press and inserted in the *Congressional Record of*

United States Senate Historical Office -- Oral History Project

www.senate.gov

November 10, 1954, acted contrary to senatorial ethics and tended to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to impair its dignity; and such conduct is hereby condemned.

That's what the Senate finally approved.

Ritchie: The impact then, is not the Senate evaluating McCarthy's activities, or his charges about Communism, or his behavior during the Army-McCarthy hearings,

page 366

but it's really a condemnation of McCarthy for dishonoring the Senate through his attacks on the Senate as an institution and on individual senators.

Riddick: That's right, for the lack of respect. That's really what it resolved into in final analysis.

Ritchie: At the point when the resolution was amended and the second section was changed, the word "censure" was removed and replaced by "condemned."

Riddick: Right.

Ritchie: And McCarthy's supporters in the Senate then stood up with a point of order and asked if the word "censure" was in the resolution itself. The Vice President announced that it wasn't and although he refused to interpret that in any way, he took it as his prerogative as presiding officer to change the title of the resolution from censure of McCarthy to condemnation. Did that make any difference?

page 367

Riddick: Oh, I don't think so. My experience in the two censure cases that I worked with is that an individual member really is hurt when the Senate calls him into question and literally condemns him as an unworthy member of the Senate. That's a killer-diller.

I know from the time that McCarthy was censured until he died he would call me frequently, as a regular practice when he was going to hold a press conference, he'd call me and read his statement to me and say: "Do you think that's something that would offend the Senate's dignity? Or do you think that it would bring me into disrepute as a member of the Senate?" This was a regular practice. He became very inactive; he really, it seemed to me, became almost ashamed to come on the Senate floor, because he didn't show up regularly. As is public

record, he began to drink pretty heavily, because he really was hurt. He felt that he had

page 368

really been kicked out of school, so to speak.

Ritchie: You said that on some of his calls you could tell that he had been drinking.

Riddick: Yes, his conversation was such that his lips were very thick so that you knew that he had been drinking.

Ritchie: Were you able to evaluate his statements and other things he was asking, to make any recommendations to him?

Riddick: Oh, well, I would tell him whether I thought it would be subject to criticism; and I would tell him that I didn't think there would be anything wrong with that; that it would be a matter of his personal opinion and that I didn't see where it would reflect on the dignity of the Senate. I tell you, I think he got very much concerned after that. Until then, he was very arrogant. He would come in on the Senate floor and blast at an individual without hesitancy. But after the

page 369

Senate had voted to condemn him, he was really hurt. I think he really felt that he wished he had never gotten into it.

Ritchie: Do the senators adopt any particular attitude towards another senator who has been censured? Do they not talk to him? Do they avoid him or refuse to debate him on the floor, or anything like that?

Riddick: No; I think the biggest thing is the feeling of the individual who's been censured. I think they feel a guilt complex, or something. For example, I noticed that regularly the senators were very buddy-buddy with Senator [\[Thomas\] Dodd](#) after his trial, but Senator Dodd was a different person. He felt that he had really been hurt.

Ritchie: There's one other question I wanted to ask on the McCarthy censure. We talked about McCarthy's personality, I wondered about the types of people who had the courage to stand up

against him, particularly Ralph Flanders, and what type of a person he was. You said you had some dealings with him.

Riddick: Yes, the funny thing is, I guess it's like most activity in life, if you are a little bit timid when you started something, say for example when you start to speak or when you start to play ball, you might be timid and a little bit scared to start out in this particular activity. But the more or the deeper you get into it the more self-confident or more determined you get to do what you think you should do. I think this is quite true in this case.

Some of the senators, like Senator Flanders, most of his conversation was very confidential, very quiet, he didn't make any assertions, until he really got into the trial. He tried to figure out ways that he was going to go about to accomplish his end, but it was all sort of

hesitant like, I mean he wasn't like a man running a race, he was feeling his way along, how he'd come through. Because, after all, you don't want to stick your neck out against an individual if you don't think you've got a just cause, I'd say. I think this is very true in the Senate. A senator will not charge another senator out publicly, certainly, until he feels that the situation is such that the Senate is going to do something about it and support his feelings. He might have personal feelings, but he just doesn't expose them.

Ritchie: And Flanders had never been a really outspoken person?

Riddick: Hardly. He wasn't very assertive in any of his endeavors on the floor, legislative-wise. He was a very mild, calm person all the way through. But this time when he started speaking against McCarthy on the floor he let his feelings get away with him at that time. I guess

he felt that he was taking the bull by the horns and he was going to assert himself like he wanted to, when, I believe it was [\[Herman\] Welker](#) of Idaho who called him to order, and he was forced to sit down, but then another senator made a motion that he be permitted to continue.

You see, the rules provide that if a senator is requested by the Chair to sit down (they have modified it since) the Chair sat him down and he could only proceed

on that issue if a motion were made that he be permitted to proceed in order, which was determined without debate. And that was the case in this instance; after Senator Flanders was asked by the Chair to sit down, and a vote was taken, and he was permitted to proceed in order.

Ritchie: So many of the really more influential senators and strong leaders in the Senate avoided the issue, they didn't want to tackle McCarthy head-on but someone like Flanders took on the task.

page 373

Riddick: Yes, a lot of the senators felt that he did hurt the dignity of the Senate and reflected on the Senate, but they didn't want to get out in front. It's sort of a nasty issue that they didn't want to get involved in. They were more concerned about legislation, but after all these are jobs that have to be done. If somebody is going to try to tear down the image of an institution, somebody's got to protect it, or expose what the situation is or the public to judge.

Ritchie: There's a quote on this from William S. White that "it was the institution that finally brought McCarthy to the book."

Riddick: I think that's true. I think if it hadn't been reflecting on the institution as such, to the point that the senators felt that they had to defend the institution he'd have never been condemned. There were attempts, as you know, a lot of amendments were offered and voted down, which were

page 374

to soften the blow. Senator [Bridges](#) of New Hampshire offered two or three substitutes in which he was trying to soften the blow and really not condemn him but saying that the Senate takes itself seriously and no member should do things that would be unbecoming of a senator, and things of that nature. But not just to bear down on McCarthy as such.

I tell you frankly, I think there was a division of feelings in there. I think the senators were concerned about the Communistic infiltrations that were occurring in our government, and therefore, they had a feeling that this was something that had to be brought to the attention of the Senate, but at the same time they also wanted to save the image of the Senate. That seemed the way it broke down in a lot of respects, in talking with the senators as the debate went on. A lot of the senators told me that they felt that McCarthy in this regard

was doing a service to the country. Others would say there was nothing to it.

As you know, this situation is really what caused Senator [Millard Tydings](#) to lose his seat, because people were accusing him of getting too friendly with the Communists. There were a lot of people excited about the situation, and this is what made the trial so significant, because there were two extremes here at play.

Ritchie: The other major censure case of your career, the Thomas Dodd case, seems to be so different from the McCarthy case. From what I could see, Thomas Dodd seemed to be a very popular person with his colleagues.

Riddick: He not only was a popular senator, if I might interrupt, but he had an air about him and a dignity that was becoming to a senator. He looked like a senator, really. You were impressed by his reserved conduct, and the way he

approached problems. Simply, he was an impressive person and looked as if he were a senator when you'd see him walking around the chamber and between the office buildings and the Senate chamber.

Ritchie: And yet, in effect, the censure of Dodd was similar to the censure of McCarthy because didn't it come down to the whole question of drawing disrepute on the institution of the Senate, moreso than specifically the charges against him?

Riddick: Well, there was a difference in the situation in many regards; after all, McCarthy was really charged because of his arrogance against the Senate, but the charges against Dodd were because of his management of his finances. It was an entirely different thing. You see, even though a law had not yet been enacted which prohibited senators from taking money from the public and mixing it in with their private accounts, a terrific amount

of opposition against this practice was developing which lead to the enactment of such a law; the public sees this practice to be immoral. This was something that Senator Dodd was unable to explain.

The bad thing about the Dodd case, it seems to me, was that it exhibited a case of his staff betraying him. Members of his staff had gone to Drew Pearson and exposed facts unbeknowning to the senator, and the senator really didn't realize what his predicament was until he was in the middle of it. What I'm saying doesn't mean that it's right to do smething that's wrong, but also I should think that members of a senator's staff should certainly be loyal to the senator. How is he going to operate if he can't expect his staff to be loyal to him? Not if he does something wrong, I don't know that they should find themselves in the predicament of harboring a

page 378

criminal, but if the senator can't trust his staff, how does he know that they're not doing all kinds of things against him, even in the field of legislation itself.

Likewise, this case of Dodd's differed in that an individual senator didn't have to take the matter to the Senate as Flanders did. We then had the Select Committee on Standards and Conduct. While some senators might have gone to the committee itself and exposed their feelings, it didn't seem that that was the case. It seemed that it was the press bringing pressure to bear on the committee that they should clean house, so to speak. You had a non-partisan committee that took the issue up without a single individual having to make charges, and it conducted hearings on its own to see what should be done about it. The select committee first met in January of 1967, in executive

page 379

session, to hear John Sonnett, counsel to Dodd, as to whether they should proceed with the case or not. The committee called me about the matter and I gave them the best advice that I could; of course, they were concerned with my advice about procedure; only procedure, and I gave them the advantage of what I had learned under the McCarthy case and also what the experiences of the Senate had been. It was a new committee, with certain defined powers and that was why my advice was sought, whether or not the committee had the authority to initiate this case under the circumstances. The members of the committee wanted to be sure of themselves before they proceeded.

On March 13 of that year the committee began the second phase of its investigation. The first meetings were in closed session, and it proceeded to hold hearings with members of Dodd's staff. The first ones it

heard were James P. Boyd and Marjorie Carpenter, I think Boyd had been Dodd's administrative assistant and Carpenter one of his aides. The committee held hearings, receiving testimony from witnesses, most of whom had either been employed at one time with Dodd or were close affiliates with some of his people back in Connecticut, or here on the Hill. These hearings ran March 13, 14, 15, 16, and 20. The committee concluded the hearings with Dodd the last to testify. Then the committee filed its report and reported the resolution, and it provided:

Resolved, That it is the judgment of the Senate, that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of 5 years, from 1961 to 1965, of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, a) to obtain and use for his personal benefit funds from the public through political testimonials and a political campaign, and b) to request and accept reimbursement for expenses from both the Senate and private organizations for

the same travel, deserves the censure of the Senate, and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute.

That's the resolution that the committee reported, and the Senate proceeded to consider that on June 13. On June 12 the Majority Leader, [Mike Mansfield](#), had announced the program for the consideration of that resolution, and the resolution was debated on the 13, 14, 15, 16, 19, 20, and 21 of June. So it wasn't just brought up one day, and agreed to the next. It was debated at great length. As in the previous case, division of the resolution was demanded, and there were a number of amendments offered. Senator [Russell Long](#) offered a substitute that tried to soften the blow. He became quite a defender of Dodd's. Unlike McCarthy, who voted present and stayed on the floor and took some part in the debate, Dodd asked and was granted permission to absent

himself from the floor during several of the votes, and he was not very active during the debate at all. Senator [Allen Ellender](#) of Louisiana offered an amendment to strike the second part, which was agreed to by a vote of 51 yeas and 45 nays. Then the resolution was adopted by a vote of 92 to 5. As adopted, the resolution read as follows:

Resolved, (A) that it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct, over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign, deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute.

Ritchie: I suppose it's that last phrase that reminded me of the McCarthy censure, that while Dodd's offense was contrary to the law of campaign funding, it also tended to bring public dishonor to the Senate.

page 383

Riddick: By the senator, in effect, being takers, financial takers.

Ritchie: Yes, and because of the extreme publicity that the case had gotten, from Pearson and the other newspapers, which helped to bring it to the floor and to get such a large vote against Dodd. The McCarthy censure was closer by comparison, but 92 to 5 is an overwhelming rebuke by his colleagues.

Riddick: Yes. Do you have any other questions?

Ritchie: About the Select Committee on Standards and Conduct that essentially had organized the censure of Dodd, this was the first case that they had handled, and I understand they were an outgrowth of the problems dealing with the Bobby Baker investigation, and of a sense of the Senate that it was time to police its own ethics and morals. We now have a Committee on Ethics in the Senate.

Riddick: Which is a renaming of the original select committee on conduct.

page 384

Ritchie: How well do you think the Senate has been able to handle this whole question of ethics in the period that you've been observing? Is it possible to police itself other than in these rare instances of a major case against a person who has offended all sensibilities?

Riddick: It's a difficult thing. You know, in some regards I'm inclined to think the Senate has tried to regulate itself too much. Instead of individual senators

being the leaders of the country and being able to stand high in the opinions of the public throughout the country, the Senate has taken on the attitude that they've got to pass laws and rules and regulations to keep them in line. Senator Dirksen used to insist that as long as he was going to be a member of the Senate he was not going to let the Senate adopt ethics rules. What he felt should be done was to leave the policing to the constituency.

page 385

That if his conduct was not becoming of a senator, then at the next election let his constituents vote him out.

Well, now, if that philosophy is followed, and the senators conduct themselves on a scale that makes them admired and respected by the rest of the country that's a great thing, and in my opinion much better. But when you move in the other direction, of passing rules and regulations, you obviously set a mousetrap for yourself, because the governing game has become so great and so big, I say this in defense of the Senate, that the senators have to delegate certain powers. I think sometimes they find that their own staff has trapped them. Matters of this kind have been called to my attention, that the senator didn't actually know that this was occurring until he had been caught or trapped by his own staff. You

page 386

remember the case of Senator [\[James\] Allen](#). His staff released some information contrary to what had been expected, and he didn't fire this administrative assistant but put him on leave for a period of time as a punishment, for releasing something that was in his confidential files.

So if you pass a lot of laws, stipulating that you can't take money for a campaign and then one of your advocates or campaigners sees fit to raise money somewhat contrary to the law or on a shady basis, and get it into the kitty, you're trapped before you know it. Now, I don't mean to say that sometimes senators might not know what all is going on. I don't say that, but I say the job is so big that it's practically impossible for an individual senator today to oversee or override every particular in his office. It presents a different problem, and I'm

page 387

afraid it's going to get worse instead of better. You know the situation right now, cases pending before the Ethics Committee. What's going to be done, I don't know. I've had a lot of conferences already with some senators on the committee,

however, I am not free to divulge anything at all, but where they will go from here remains to be seen.

Ritchie: This brings up the whole question of the standards for a senator, what is becoming of a senator, and how difficult that it is to live up to the public image that we're creating.

Riddick: Well, as I said a few minutes ago, they have passed so many rules and laws and rules restricting themselves that it makes practically a maze that they've got to follow in order to avoid charges. As you know, there are charges and countercharges going on all the time against senators, particularly by their opponents in the campaigns, and particularly by the outs to get the ins

page 388

out. So, a senator's life is almost like living in a goldfish bowl. He's exposed from every angle, and his every move is being watched by the public, and consequently, if his skirts are not clean there's certainly going to be endless charges that will be established eventually to his hurt.

In some regards it hurts the image of the Senate when all of these charges are being made, unless they are refuted. I've even in conversation with some associates of mine, in my rural community where my farm is down near Williamsburg, heard an individual, an ordinary citizen, say to me on one occasion: "You all up there are crooks!" Well, this is an attitude that is growing, and of course there's not a bit of truth in it. There might be some things that can be established at times, but most of them that I've heard are just grasping at straws

page 389

to find something that they can criticize the incumbent with.

I remember one senator called me just last week. He had been accused of doing something illegal, according to the rules of the Senate. It was involving proxies being cast in a conference committee. Well, there's no regulation in the rules to that effect. But what the candidate running against the incumbent was accusing the incumbent senator of, was that he had done something contrary to the rules, and quoted from the provision of the rules that was regulating the standing committees, but had no reference at all to conferees. So, if you're groping at the straws you pull out anything that you can, even if it's a half-truth, to accuse somebody. Eventually, I guess, it's all fanned out in the public, but it's a slow process, and it gets very expensive.

[end of interview #7]