The Gist of It

This PAR Analysis summarizes the speeches presented at PAR's 1977 Annual Conference which was held April 13, 1977 at the Chateau Capitol Hotel in Baton Rouge. The theme of the day-long meeting was "Ethics in Government" and featured 11 speakers. Moderators for the morning and afternoon sessions were Beth George, public affairs director for Louisiana Educational Television, and Candace Lee, capital news reporter. U. S. Senator Russell Long introduced former U. S. Senator Sam J. Ervin, Jr., of North Carolina who was the featured speaker at the luncheon.

... It is impossible to overemphasize the importance of ethics in government. The reason was explained by two great men. More than 2,000 years ago, Aristotle said that the end of government is the good of man. And then that great American, Grover Cleveland gave us, in a nutshell, the characteristics of the man who ought to occupy public office when he said that a public office is a public trust.

Lust for Money and Power Interfere

Two things interfere with ethics in government, or at least are the causes of some people's failure to observe the fundamental principles of ethics. One is mentioned in the Bible: money is the root of all evil. . . .

The love of money is not nearly as important as . . . the lust for power. Lord Acton said that power corrupts and absolute power corrupts absolutely. The thirst for political power is just as corrupting, if not more corrupting, than political power itself. . . .

Diffusion of Governmental Power

George Washington's farewell address says that one of the sins of many public officials is that they have a love for power and a proneness to abuse it.

James Madison, frequently called the father of the constitution, said that when . . . all the powers of government are concentrated in an individual, in a group or in one government, you have the essence of tyranny, regardless of what the government might be called.

Woodrow Wilson said that liberty has never come from government—liberty has always come from the subjects of it. The history of liberty is the history of limitation of governmental power, not the expansion of it. When we fight the concentration of power, we are fighting the processes of death, because concentration of power is what always precedes the destruction of human liberties. . . .

Thomas Hobbes proclaimed an eternal principle when he said that freedom is political power divided in small fragments, and the founding fathers recognized this to be true. . . . they gave us a government designed to diffuse those powers of government among different repositories. Out of
that belief came what we call the separation of powers of government. If there is any group of Americans—any generation of Americans—who ought to believe in the separation of powers of government, it ought to be ours. The Watergate tragedy shows the wisdom of the founding fathers in dividing the powers of the federal government among the president, the Congress and the courts. When the president failed in the performance of his constitutional duty to take care that the laws be faithfully executed, which is his prime obligation under the constitution, the Congress, both the Senate and the House of Representatives, and the federal courts carried on with fidelity to their constitutional obligation. As a result, our nation was able to weather a great crisis without bloodshed, without tumult; and I doubt whether that could have happened in any other nation except ours which had been conscious from the beginning of the dangers of concentration of power and, therefore, had separated the powers of government and proved that we have the most vital and viable system of government on the face of the earth.

The founding fathers had another thought which ought to encourage ethics in government, and it was proclaimed long after the constitution was adopted, by Daniel Webster in the aphorism: "Whatever government is not a government of laws is a despotism, let it be called what it may." So the founding fathers gave us a government of laws, and a government of laws is a government in which the powers of public officials are defined by certain, constant, uniform laws rather than by the caprice and whim of those who occupy public office. By reason of our diffusion of the powers of government, and by reason of our having a government of laws which apply alike to the rulers and the citizens (as said in the great case of Ex parte Milligan), our constitution was created to be a rule for the government of rulers and people alike at all times and under all circumstances. As a result of our system of government, there is less excuse for lack of ethics in government than in any other government on the face of the earth. But we have this great danger to ethical conduct in government not only because of the love of money, but more than that, the lust for political power. If there is any nation that has had less experience in this field, I think it is the United States. It has been relatively rare, on the national scale, for us to have very much corruption in government as a result of either one of these two temptations which possibly assail every person who seeks to serve in public office.

The Lessons of Watergate

We had, in Grant’s administration, a good deal of corruption among high officials as a result of the love of money, and that was repeated in the early 1920’s in the Teapot Dome episode. The men who perpetrated Teapot Dome upon the American people were moved by the love for money. But undoubtedly, the greatest exhibition of the lack of ethics in politics and in government was in connection with the Watergate affair. . . . Although I am a Democrat and have been persistently sworn to the Democratic Party, I have never considered Watergate an offense perpetrated upon the American people by the Republican Party. I have frequently said that if President Nixon had entrusted his campaign for reelection to the Republican National Committee, which is composed of men and women who have had experience in politics, there would have been no Watergate in my judgment. A relatively small group of men perpetrated Watergate on the American people. They were all either in the White House or were serving on the Committee to Reelect the President, and outside of those two groups, there was no other group of Americans who contributed to the happening of the Watergate affair.

The Watergate affair arose out of a thirst and hunger for continuance of political power, and it is the most glaring representation of what a lust for political power can do to a nation or to a group of people who are charged with high responsibility in connection with a government or political matters. . . .

The essential thing was that people had exercised this power, and they longed above everything else for its continuance. It was that longing for continuance of power that caused these people to succumb to the earth’s oldest temptation. It is worth reading the first part of Genesis to see what that temptation was. I had a professor of philosophy who used to emphasize that temptation never comes to us in hideous apparel—temptation always comes to us as something beautiful, desirable or good. . . .

The people who perpetrated Watergate on America were actuated by exactly the same kind of motive. It is earth’s oldest temptation, and it is a temptation that is particularly effective where there is a lust for political power, because the one who succumbs to that temptation says, “If I can just get this power, I can do good with it.” These men felt that it was the most important thing that confronted the United States. The Watergate affair was perpetrated on the American people at the time of the reelection of the president, and everything was bent to that purpose. . . .

How to Attain Ethics in Government

What can we do to encourage ethics in government? I think one of the greatest things we can do is to educate our people. I am a great believer, as Thomas Jefferson was, in the people. I believe that when people understand the proposition, people will do right. I think there’s a great reservoir of morality, ethics and religion among our people. During the Watergate hearings, we received approximately a million and a half letters and telegrams. When we started the hearings, the committee was accused of engaging in a witch hunt. Letters on that point were about equally divided—half favoring the work of the committee and half deploring its work. After we began the hearings and after television carried the pictures and words of those who testified before the committee to the people of this nation, the people had an opportunity to make their own judgments.

One of the great rules of law is that the best reason for the Sixth Amendment right, to be confronted by one’s accusers, is the opportunity to be seen before a jury. A jury of the American people came to the conclusion that things had been done which no people entrusted with political or governmental authority should ever do. The letters switched from one to one to nine to one deploring what had gone on. So I think that one of the finest ways that we can encourage ethics in government is by the education of the people, and I think that, furthermore, it is a pity that every state in the union does not have an organization like PAR that undertakes, not to dominate politics, but to research and determine what constitutes good government, what constitutes efficient government, and
to enlighten the people on that point, because when they enlighten the people, they also enlighten the candidates.

I know that law is an instrument of great service to our country and it is essential; but I am not only conscious of the strengths of law, I am also conscious of its weaknesses. Laws can deter some people from offending, and laws can punish other people for offending. But law cannot make people good. That is a task that must be accomplished by morality, by ethics and by religion. In the ultimate analysis, we have to depend for ethics in politics upon the men and women who serve in government.

Need for Educated and Dedicated Public Officials

The only insurance we can have against such offenses as the Watergate is in the men and women who are entrusted with politics or governmental powers. No person should be entrusted with governmental power or even political power who does not have a fundamental understanding of the nature of our system of government. A person does not need knowledge such as is required of a great constitutional lawyer or judge, but he needs to know the fundamentals of our governmental system and be dedicated to them. In addition, he must have that inseparable attribute of good character which, for lack of another name, we call integrity.

A poet of a bygone generation, Josiah G. Holland, wrote a poem called "The Day's Demand," I like to call it "America's Prayer." If I had the power of a dictator, I would make every person who is interested in politics, or any person who is interested in government, or any person who is not interested in either one of them, memorize it:

God, give us men.
A time like this demands strong minds, great hearts, true faith and ready hands.
Men whom the lust of office does not kill.
Men whom the spoils of office cannot buy.
Men who have opinions and wills.
Men who have honor.
Men who will not lie.
Men who can stand before the demagogue and damn his treacherous flattery without winking.
Tall men, sunrowned, who live above the fog in public duty and private thinking.
And if we are going to be spared future Watergates, if we are going to have men and women who observe the principles of ethics, law and religion in government, we are going to have to have an answer to that prayer of America.

Historical Origins

Louisiana's political institutions... differ... from those of every other American state. Since she entered the union in 1812, Louisiana has been subject to almost absolute or ironclad domination by an incumbent economic class or political faction. Control shifted from a planter-merchant oligarchy in the ante-bellum period to... a carpetbagger-Negro coalition during Reconstruction, to the Bourbon Democrats or Redeemers in 1877, until the Populist uprising in the 1890's. After the failure of the agrarian protest a reaction against the rural lower classes set in again, which culminated in another explosive turnover—the class revolution which brought Huey Long to power in 1928.

Unlike her sister states, Louisiana was ruled exclusively by the French and Spanish throughout her entire colonial period. She developed not only an entirely different and diverse population, but a distinctive outlook on life and a different philosophy of government. Prior to the American Revolution, each of the original thirteen English colonies experienced an interminable power struggle as friction developed between the representative assembly and the royal governor. Upon achieving independence, the new states inserted into their constitutions provisions to weaken the power of the governor.

Strong Louisiana Governors

Louisiana underwent no such power struggle simply because, under the French and Spanish, she never had a representative assembly elected by the people. The men who led Louisiana into the union in 1812 were accustomed to centralized government, directed from abroad by an absolute monarch, and represented on the homefront by a governor who was almost as absolute in his power as the French or Spanish king was in his realm. Consequently, when Louisianians framed their first constitution, they did not insert the usual checks and balances against a strong governor. This concentration of power made the work of special interests easier. They had fewer people to bribe or otherwise manipulate in order to control the state government.

Subsequent Louisiana constitutions tended to follow the pattern set by the 1812 document, although the power of the governor was gradually reduced. So in Louisiana, tradition and constitution have combined in the office of governor more power than is vested in the chief executive of most American states. As long as the governors came from the same party or faction—or more important—from the same economic and social class, the transition was made with minimal friction. But when a new faction or class gained power, a virtual revolution occurred, because when governors changed seats, a great deal of power changed hands.

Significance of Huey P. Long

It is with the advent of Huey Pierce Long that the issue of the expediency and utility of the use of political corruption to achieve ostensibly humanitarian goals received its greatest test and most widespread publicity. Although his active political career spanned little more than a dozen years, no other man has made such a lasting impression on Louisiana's political history.

Some people in Louisiana, even Huey's supporters, were troubled, but they found justification for Huey's dictatorship in his accomplishments. An LSU instructor told an interviewer: "There are many things Huey does that I don't approve of. But on the whole he has done a great deal of
good. And if I had to choose between him without democracy and getting back the old crowd, without the good he has done, I should choose Huey. After all, democracy isn’t any good if it doesn’t work. Do you really think freedom is so important?”

And Huey himself said: “There is no dictatorship in Louisiana. There is a perfect democracy there, and when you have a perfect democracy it is pretty hard to tell it from a dictatorship.”

Throughout his meteoric career, Huey claimed that the ruthlessness of his opposition forced him to use strong-arm tactics of his own. Huey insisted that he needed power to accomplish progress. He explained his philosophy: “First you come into power—then you do things.” And the Kingfish produced results: roads, bridges, free textbooks, and a spectacular public works program which included a skyscraper state capitol, a governor’s mansion which was a scaled-down replica of the White House, and gleaming new buildings sprinkled throughout the state.

As for corruption, most historians agree that Huey’s predecessors stole less, but they also returned less to the people. Huey himself admitted the existence of graft within his organization, but rationalized it on the grounds that it was actually a bargain for the people. . . .

Huey’s successors adopted his reasoning. The best known . . . was Huey’s brother Earl, three times governor of Louisiana. Earl became famous in his own right for his expertise in the art of political manipulation. . . .

Earl and Huey Long bequeathed to the Pelican State a form of bifactional politics which served as an inadequate substitute for a two-party system. . . . The absence of two-party politics in Louisiana encourages a large number of entrants in the first primary, because no one can lay undisputed claim to the party machinery. In the second primary, the losers attempt to sell their support to the highest bidder. . . .

**Leander Perez**

The Long family is not solely responsible for the origination of political strategy in Louisiana. Certain local bosses have, within a similar geographic area, wielded even greater power over a far longer period of time. The most potent of these was Leander Perez, who ruled his oil-rich, two-parish kingdom of Plaquemines and St. Bernard like a feudal fiefdom for nearly 50 years. Perez’s authoritarian dominance of his home parish caused one Louisianaan to describe Plaquemines as the last unconstitucional monarchy in the United States. . . .

When Governor Huey Long was impeached in 1929, “Judge” Perez, who had escaped impeachment himself in 1923, served as one of his defense attorneys. In 1930, when Huey decided to run for the U. S. Senate while still governor, Plaquemines delivered the lopsided total of 1,913 votes for Huey to 131 for his aged opponent, incumbent Senator Joseph E. Ransdell. More startling was the result in St. Bernard, which had only 2,454 registered voters, yet recorded 3,979 votes for Huey. There were even nine votes left over for Ransdell. Ward 2 of St. Bernard had a total of 912 men, women and children, white and black, but its final tally showed a total 913 votes cast. In Ward 7, Precinct 3, the voters were recorded as having marched to the polls in alphabetical order.

Following the 1930 senatorial primary, New Orleans Item reporter Hermann Deutsch teased St. Bernard Sheriff L. A. Meraux about the lone nine votes cast against Huey Long. “We’ll do better next time,” Meraux grumbled.

St. Bernard did indeed do better. In the January 1932 gubernatorial primary, the count was 3,152 votes for Long-machine favorite O. K. Allen and none for four opponents. A unanimous vote was recorded for all seven members of the Allen ticket. Those who protested that they had voted for the opposition were told that they must have placed their ballots in the wrong box. . . .

After Sheriff Meraux’s death in 1938, “Judge” Perez allied with the new St. Bernard leader and the Lower Delta continued to return huge majorities for Perez’s favorites. In May 1948, U. S. Senator John H. Overton died and Governor Earl Long appointed William Penzel, a wealthy oilman who had bankrolled his gubernatorial campaign, as interim senator. The understanding was that Earl’s nephew, Russell Long, soon to reach the qualifying age of 30, would run for the remaining two years of the term in an August Democratic primary. . . .

Russell Long received 84.4% of the vote in Perez’s Plaquemines in 1948. In 1950 Senator Long faced election for a full term to the Senate seat he had held for two years. However, by 1950 “Judge” Perez had broken with Governor Earl Long and had become disenchanted with Russell because of the senator’s moderate liberalism and support of the Truman administration. Russell’s 1950 opponent was Malcolm Lafargue, an obscure United States attorney from Shreveport, who had no statewide reputation. But Lafargue won 93.7% of the Plaquemines vote, against a candidate who had carried Plaquemines with 84.4% of the vote two years earlier. However, Lafargue failed to carry any other parish in the entire state, and Russell was easily reelected. . . .

Like Huey Long, Perez’s power was achieved through a combination of threats and benefits. As Huey did on the state level, “Judge” Perez brought impressive material progress to his own bailiwick. When Perez first became the political boss of Plaquemines Parish in the early 1920’s, it was one of the most backward parishes in the state. At the time of his death in 1969 it had the best physical facilities of any rural parish in Louisiana. . . .

One Perez partisan described Plaquemines Parish as “a sort of utopia.” And indeed it was—if you were on the “right” side.

Perez became enormously wealthy through securing oil leases on public lands by utilizing inside knowledge and his position as political boss of the Lower Delta. He then used his personal fortune to perpetuate himself in power. The need for large amounts of money to gain election and reelection has opened a Pandora’s box for political corruption in the Pelican State. The absence of a two-party system in Louisiana places even more of a burden on the candidate because he must secure campaign funds independently of a party. Leander Perez, like Huey Long, found money a prerequisite to power and in both men, means and ends became indistinguishable. . . .

**Public Apathy and Complacency**

A further cause of political corruption in Louisiana is public apathy. Louisianians have become notorious for their easy-going attitude towards various forms of vice and corruption. . . .

Louisianians have likewise adopted a complacent attitude towards the old tradition of buying and selling votes. In 1965 Leander Perez enlightened a U. S. Senate committee on the Louisiana practice of selling votes. Perez said that some voters sold their votes.
for $2, others for $5, while others (constituting a sort of elite) charged $10 ....

Political "Log Rolling"

In translating his ideas into substance, the politician with a program is forced to distinguish between the venerable political tradition of "horse trading" or "log rolling" and outright corruption. Fred Claiborne, a political power in Pointe Coupee Parish for more than 50 years, was fond of pointing out the distinction. Early in his career, Claiborne represented Pointe Coupee for three terms in the state Legislature and was also chairman of the "Good Government League." While chairman of the league, however, Claiborne insisted on retaining his right to make deals. He explained one such incident: "I made a deal with the medical boys. They had a law they wanted to get passed so I agreed to help 'em if they let mine pass. Of course, I made them let mine pass first ...."

The message of the Republicans of Reconstruction was: "Corruption is necessary to bar those who led the Confederacy from office."

The message of the Bourbon Democrats was: "Corruption is necessary to maintain white supremacy."

The message of Huey and Earl Long and Leander Perez was: "Corruption is necessary to bring material benefits to the common people."

Must Politics Be Corrupt?

The last is the most narcotic argument and the only one which is still relevant. No one would condone corruption if it were barren of result. The tragedy of Huey and Earl Long and, to a lesser extent, Leander Perez, is not that they were corrupt men in themselves, but that they led many subsequent people—voters, historians and journalists alike—to conclude that corrupt and dictatorial methods were the only means by which progress could be achieved.

The philosophers of antiquity recognized the difficulties of the politician who desires to implement his program by dividing the subject matter of politics and ethics into two different disciplines. Machiavelli, the befe noire of the pragmatic power politician, argues in the same manner as Huey Long, that it is necessary to "fight fire with fire." Reflecting on his own political philosophy, Machiavelli admits: "If all men were good, this advice would not be good ...."

The question we must decide in the end is whether material progress obtained by questionable means is worth the price we pay in the loss of democracy. In answering this question we must recognize that there is a difference between performing isolated acts which violate our moral standards and elevating such a violation by rationalization into a philosophical principle.

"Developing" Democracies vs. "Mature" Democracies

... Most political scientists, and many practicing politicians, agree that politics in Britain is carried on at a higher level than in any other nation. Yet two centuries ago Britain was a sinkhole of corruption. ... But England gradually changed, perhaps proving the theory that, although corruption is a natural appendage of a developing democracy, it has no institutional place in a mature democracy.

Louisiana, as late as the 1940's, could still be considered a developing democracy. It had had democracy, which did not bring needed benefits to the people, and it had had dictatorship, which did. But it had never experienced a working democracy. In part this was due to a lack of imagination and tenacity on the part of inexperienced reformers, who failed to create a lasting organization and surrender after a single defeat. The reformer must be willing to do the hard work of maintaining an organization between elections—after the hoopla is over—and before the next hoopla begins. Louisianians, though still near the bottom of the literacy list, are better educated, more enlightened, and more economically secure than ever before. It will be harder to bribe and deceive them. And the public should come to realize that there is a difference between expediency and corruption, between practical politics and selling the people down the muddy Mississippi.

THE LEVEL OF PUBLIC TOLERANCE

by James H. Hughes, Jr.

Executive Editor, State Times-Morning Advocate, Baton Rouge

"People are either interested, or they are not interested," is a quotation from a novel, Lancelot, by Walker Percy of Covington. In this Percy is saying that in the public register of concerns, there are no extremes. There is no indignation on one end of the scale nor sympathy on the other. There is either interest or there is no interest, and that is all. It is not a pretty thought, but in the research I did in preparing for this subject, I could find no reason to doubt it ....

Let us now consider how people arrive at their own set of conclusions as to government, and especially the individuals involved in it.

How People Think Politically

According to Maxwell E. McCombs, professor of newspaper research at Syracuse University, people for the most part are guided by "orienting cues," which is a fancy way of saying frames of reference or the things upon which people rely in making a decision concerning either an individual or an issue. For example, an individual who is labor-oriented might reach a decision about a candidate simply by reference to his position on labor legislation. An individual identified with management might reach his conclusion on the same basis, but probably a different conclusion.

Where clear orienting cues are present, valid or not, the individual might reach his conclusion based upon the fact that the candidate has a striking smile, is a religious man, a family man. ... Valid or not, these are orienting cues which will lead the individual to a conclusion. McCombs says that in political races, most people make up their minds long before the campaign is over, and all the cards that are going to be put on the table are there; they base their decisions on stereotypes and usually vote the way they do for the wrong reason. This may explain why candidates can promise anything that pops into their heads on the campaign trail and rarely be held accountable for it afterward.

Incidentally, McCombs contends that the news media play a rather remote role in this. He contends that the news media very rarely tell the people what to think, but they do have what he calls an "agenda setting
function," meaning that the media provide the public with a list of concerns. They tell the public not what to think, but what to think about; a priority list in effect.

What I have said so far leaves us in a lot of trouble. I have said that the level of public tolerance is high and that the public is not cynical, and there is an obvious relationship between the two. Let's try to determine if there is real cause for this dismal statement.

**Findings of Public Opinion Surveys**

In the old days, the axiom was: "When in doubt appoint a committee." Today the axiom appears to be: "When in doubt take a poll." So, let's see what the polls tell us.

In 1973, shortly before the Constitutional Convention, the Baton Rouge Advocate and State-Times commissioned a poll. . . . to get an idea of what the people expected from the convention. When asked to name the changes or improvements they would suggest in government, 62% had no ideas at all for beneficial changes. That alone tells us a lot. Only 5% mentioned stopping graft and corruption as an undertaking worthy of consideration.

In that same poll, people were asked to suggest ways to make things better in Louisiana. Only 4% mentioned graft and corruption and 32% had no ideas at all. The chief areas of concern were for industrial development, improved highways and an improved educational system. Each of these, all worthy of concern, attracted 15% of the 1,000 people interviewed statewide.

The following year, 1974, a similar poll by the same firm showed that eliminating graft and corruption was 11th on the list of concerns, attracting mention by 5% of those interviewed. In that same poll, it was found that when left on their own to list areas of concern, only one in 20 mentioned graft and corruption as something of concern to them.

When, however, the question was put directly to them, their responses showed that many of the voters had underlying suspicions about corruption connected with financing gubernatorial campaigns in recent years. This question came in the wake of the initial Clyde Vidrine allegations, and the question was put to the person being interviewed in this way: "With regard to financing of campaigns for governor in this state, do you believe there has been a great deal, some, very little or no corruption in recent years?"

Statewide, the results showed that 42% felt there was a great deal of corruption, 37% felt there was some corruption, 8% said very little and a lonely 2% felt there was no corruption at all; 11% had no thoughts on the subject, one way or the other.

In the 1975 poll, 5% continued to mention graft and corruption, and in 1976 that figure dropped to 4%. Thus far we have studied the responses of those who of their own accord or in response to specific questioning had in mind the words graft and corruption. But graft and corruption are not the single measure for determining what we have set out to learn.

Let us take a look now at how the public rates its government as to performance. Let us look first at a poll taken . . . for the Governor's Education Study Committee, dated February 1975. Based upon 1,695 statewide interviews, here is how Louisiana citizens rated the following: . . . State government, 37% favorable, 59% unfavorable; federal government, 21% favorable, 71% unfavorable.

Think now, 59% of those interviewed gave an unfavorable rating to state government; 71% gave an unfavorable rating to the federal government. And yet, there is nothing apparent in the future to indicate that any substantive change is in the making.

In late 1961, John Tower of Texas spoke at LSU shortly after his election as United States senator. . . . He said something which I thought at that time to be cynical in the extreme: "The people, in their apathy, get a hell of a lot better than they deserve." But if 59% of the people in this state think unfavorably of their state government and 71% think unfavorably of their federal government and nothing changes, then he must be right. . . .

The surveys show that in 1975 only 20% of those interviewed felt any satisfaction of any degree with the Dome Dome Stadium in New Orleans; 55% expressed dissatisfaction. The following year, asked if the operation of the dome had improved, there was no significant change in the attitude toward the dome. This should not be surprising because, in unaided recall, these same polls found that John McKeithen, the daddy of the dome, was ranked as the third best governor the state has ever had, outranked only by Huey Long and Edwin Edwards who was at the time of the poll a newly-elected incumbent.

Now, let us look at the popularity of Governor Edwards over the years. In 1973, 74% of those interviewed were to some degree satisfied with Edwards' performance. Only 19% were to any degree dissatisfied. In 1976, 66% were satisfied; 35% were dissatisfied. In 1978, 65% were satisfied and 27% were dissatisfied. In 1976, following the revelations concerning the gift from Tongson Park allegedly made to Mrs. Edwards, the Governor tallied only 55% satisfaction and 42% dissatisfaction. Have we a tolerant public in Louisiana? Mrs. Edwards receives a $10,000 gift from a Korean, an international con man, and the Governor's popularity drops a few percentage points. In Israel, Prime Minister Rabin is guilty of owning a $2,000 bank account in New York—his money—and he is forced out of the government. It must be that we are neither pleased nor displeased. It must be that we are indifferent.

We, and I mean all of us, are worse than tolerant. We are just not interested.

**WHAT LEGISLATIVE AUDITS REVEAL**

by

Representative Walter O. Bigby

Chairman, Joint Legislative Audit Advisory Council, Bossier City

Representative Bigby explained the role of the legislative auditor in post-auditing Louisiana's state and local governmental agencies to ensure compliance with the law. He also discussed the role of the Joint Legislative Audit Advisory Council which follows up on any infractions revealed in audits. Unfortunately, the text of Representative Bigby's address is unavailable.
ROLE OF THE FEDERAL GOVERNMENT
by
Gerald J. Gallinghouse
United States Attorney, Eastern District of Louisiana, New Orleans

... If we are to recruit and retain our best-qualified citizens for government service, we must raise our political standards, and we must upgrade our public attitudes toward government—or politics—and the people in it so that government—or politics—will be looked upon as a proud and honorable profession. Every good citizen should be active in government—or politics—and do all that he or she can to improve it. ...

Unfortunately, we suffer from a crisis of public confidence—widespread dissatisfaction and deep distrust—of public officials, particularly and paradoxically our elected officials, but also in so many of our governmental institutions and services. This is understandable when we consider the abuses of political power, the betrayals of public trust, the compromise of governmental integrity, the use of public office for personal gain, the brazen conflicts of interest, the disrespect for our laws, the contempt for the people themselves, and the political corruption in local, state and federal governments.

Credit to Honest Officials

Let me make this clear as we talk about our twin public enemies—crime and corruption. My respect is high for the integrity, ability and dedication of the unsung heroes of government—those who render faithful service day in and day out, year after year in career administrative positions, those who provide the experienced competence and long-range continuity for our public business, those who get things done. Fortunately, most of these personnel are within our merit system of public employment, covered and protected—and removed from partisan political activity—under our civil service laws. I mean no criticism of those who are doing their public jobs faithfully and well. We must recognize and appreciate that there are many sincere, honest and competent officials serving in appointive administrative positions and in elective office as well who have rightfully earned the trust and confidence of the people through their conscientious and effective public service.

Federal Prosecutions

For the past seven years, it has been my privilege and honor to serve in the U. S. Department of Justice as U. S. Attorney for the Eastern District of Louisiana. While it would be inappropriate for me to discuss, or even make reference to, any particular investigation or case, I think that the people have the right, and need, to know that governmental corruption is a serious problem that requires much more thoughtful attention and remedial action than it has received in the past from local, state and federal law enforcers and prosecutors, as well as the news media, civic groups and the general public.

In the course of our numerous intensive federal investigations, we have seen much evidence of many corrupt practices and wrongful transactions involving many public officials in various kinds of governmental activity.

Let me give credit where credit is due—to the federal investigative agencies, such as the FBI, that have been responsible, in cooperation with our fine staff of competent attorneys, for all the significant public interest cases that have resulted from their superb investigative work including, for example, the 71 convictions in the grain scandal, the 50 convictions in the ILA-Welfare Fund fraud case, the 23 convictions for vote fraud, the convictions of numerous public officials for extortion, and the successful prosecutions of more than 5,000 defendants on various criminal charges. We would like to believe that the administration of our public affairs in Louisiana has been improved by the splendid investigative work and vigorous law enforcement efforts of our federal agencies. They are deserving of the highest public commendation.

And, too, I would like to avail myself of this opportunity to express our appreciation for the cooperation and assistance that we, on the federal side of law enforcement, have received over the years from many local and state lawmen.

Causes of Public Corruption

... What are the causes of public corruption? Well, unfortunately, for the first point, we have some—too many—men of limited ability and unlimited ambition in many elective and appointive positions; men who lack the ability to govern, the will to serve or the conscience to care; men whose arrogance is exceeded only by their avarice; men who have no sense of public responsibility, who look upon public office as providing opportunities for self-service rather than public service.

The solution to this problem is simple. The people should remind such officials that they occupy these public positions only temporarily—and proceed to vote them out of office.

Secondly, you have often heard it said that "Ours is a government of laws, not of men." In a philosophical and theoretical sense, this is true. Under our constitutional system, we live under the rule of law and no man, however high and mighty he may be or may think he is, is above the law. All of us in public life as well as in private life must obey and uphold the law and must be held accountable if we break the law. But our laws are not self-executing. The best of laws are worthless if they are ignored and not enforced. Let us enforce the laws that we have, as to one and all, fairly, courteously, equally and vigorously, without fear or favor, malice or ill will, and without regard for any personal, partisan or political consideration.

Unfortunately, we have some—too many—public officials who will not let their law enforcement responsibilities interfere with their partisan politics. Every prosecutor—state and federal—is charged with the duty to see that all our laws are faithfully executed and vigorously enforced in order to maintain the rule of law; and every prosecutor has the affirmative and unavoidable responsibility to investigate—or cause to be investigated—suspected illegal activity, inside as well as outside our government. It is the right, and it is the duty, of every prosecutor to take prompt and positive action, on his own initiative, against crime and corruption wherever he finds it, and without regard for who may be involved. There can be no compromise with violent crime that endangers the lives, safety, homes, property and rights of our citizenry. There can be no compromise with public corruption that threatens the integrity of our governmental institutions. And so we, the people, should insist that our laws—all our laws—be strictly enforced.
**Duty of the Press**

... Governmental venality and rascality cannot survive when exposed to public view by a vigilant press. Accurate newspaper, television and radio reporting are essential to the administration of criminal justice. Critical inquiry and reporting by the media off official misconduct and wrongdoing can discourage dishonest practices in our public affairs even more than the remote risk of criminal prosecution. Competent investigative reporting serves not only the cause of justice, but also improves the administration of our public affairs. ... If I might suggest to those few in the news media who are conned by our charismatic public officials, it does not serve the public interest to glamorize, lionize or martyrize deceitful or dishonest public officials who have violated their oaths of office and betrayed their positions of public trust. Much better it would be, I think, to ostracize those who have broken faith with the people.

**What the Public Can Do**

For my fourth point, let me urge you to press on for essential reforms and incorruptible integrity throughout our governmental affairs—local, state and federal. Reform. Reform. Reform. Let that be your message to the law-abiding, right-thinking, liberty-loving and self-respecting citizens of this state who want honesty, efficiency, economy and decency throughout our public affairs. ...

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**POLITICAL CORRUPTION AND THE PRESS IN LOUISIANA**

by

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In addition, there is a natural tendency toward mutual protection among officeholders who may depend upon one another for political goodwill, if not survival, in office. As a consequence, the biggest problem in law enforcement in Louisiana today may be district attorneys and sheriffs who do not vigorously enforce laws pertaining to political corruption. ... Can the public ever be satisfied that any district attorney or judge, for that matter, can be completely impartial and detached, when he must run for office and return to the statehouse "well" time and again for salary increases and retirement benefits?

**Effectiveness of the Press**

Other than law enforcement officials, the only local check on governmental corruption in Louisiana is the press which probably is no more effective in combating corruption. Unfortunately, a scarcity of scandals in the headlines usually means that reporters haven't stumbled across any lately, or that the few newsmen in the state regularly assigned to investigative reporting are involved in the laborious process of assembling the documentation necessary to support the few cases they are able to handle. ...

Even more unfortunately, it may be that even the few exposures the press does make are self-defeating, or only part of a losing battle against corruption in the state. For as soon as reporters catch officials and businessmen in the isolated instances of corruption that do get public exposure, other officials and businessmen are put on the alert: If they want to engage in corrupt practices, they must do it in a different way than the one just discovered; graft becomes more sophisticated, harder to detect. ...

The problem is that newsmen might not be matching the sophistication of their targets. In the past, a crooked official might simply have demanded a 25% kickback for buying shells from a contractor and taken the money in cash directly. Now he may employ accountants and lawyers, dummy corporations with hidden stockholders, and land transactions with concealed owners. Too few reporters know the accounting techniques, procedures for running down public courthouse records, legal language, or computer technology needed to understand the increasingly complex business of government agencies. ...

**The Superdome and Other Missed Opportunities**

The history of the Louisiana Superdome perhaps best illustrates this point. It took too long, for instance, to realize that the "feasibility studies" on which the project was based were unrealistic; that estimated costs and benefits were erroneous and misleading, perhaps deliberately so; that the backing of the huge debt by the full faith and credit of the state was denied but disguised in legal and financial print. Only after unnecessarily costly contracts and favors were given out as patronage and made legally irrevocable did the press catch on.

The Family Health Foundation scandal, one of the few cases of intricately sophisticated corruption that has been brought to light, involved complex transactions to launder money—invoking state government and Tulane University—that were beyond the capability of the press to unravel. The wrongdoing was exposed through an intensive and costly federal investigation.

The Louisiana Department of Health and Human Resources, with one of the largest budgets in the state, administers worthy and complicated social services programs that seem to intimidate reporters from examining whether there is waste or profiteering. For instance, even with disclosures of Medicaid and Medicare abuses in other states, the Louisiana press has not scrutinized these programs here in any systematic way. For one thing, the rules are too complicated. For another, the department is one of the many state agencies that relies more and more on computerized recordkeeping. A *States-Item* reporter was recently told that Medicaid records in the department were indeed public, but unfortunately they were stored in computers, accessible only through trained staff members who were busy on other projects. Obtaining some of the requested information was achieved only on the newspaper's promise to pay for the staff time and computer time. This sort of approach...