

THE EMPORIA STATE

RESEARCH



STUDIES

THE GRADUATE PUBLICATION OF THE KANSAS STATE TEACHERS COLLEGE, EMPORIA

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A Midwestern Progressive and
Insurgent During "Normalcy"**

by

PATRICK G. O'BRIEN

*Np:dg. 2
v. 19 no. 2*

The Emporia State Research Studies

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EMPORIA, KANSAS 66801

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Volume XIX

December, 1970

Number 2

THE EMPORIA STATE RESEARCH STUDIES is published in September, December, March, and June of each year by the The School of Graduate and Professional Studies of the Kansas State Teachers College, 1200 Commercial St., Emporia, Kansas, 66801. Entered as second-class matter September 16, 1952, at the post office at Emporia, Kansas, under the act of August 24, 1912. Postage paid at Emporia, Kansas.

"Statement required by the Act of October, 1962; Section 4369, Title 39, United States Code, showing Ownership, Management and Circulation." **The Emporia, State Research Studies** is published in September, December, March and June of each year. Editorial Office and Publication Office at 1200 Commercial Street, Emporia, Kansas. (66801). The **Research Studies** is edited and published by the Kansas State Teachers College, Emporia, Kansas.

A complete list of all publications of *The Emporia State Research Studies* is published in the fourth number of each volume.

KANSAS STATE TEACHERS COLLEGE

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United States Senator Robert B. Howell

— Courtesy of Nebraska State Historical Society

SENATOR ROBERT B. HOWELL: A Midwestern Progressive and Insurgent During "Normalcy"

Patrick G. O'Brien *

by

A basic theme in recent American history concerns those Midwestern Republicans who practiced political insurgency and sustained progressivism throughout the bleak Republican interlude from 1921 to 1933.¹ Whereas some independent progressives have acquired nearly legendary stature, others have been relegated to obscurity. This situation is reflected in the historical status of the two United States Senators from Nebraska: George W. Norris is a major biographical figure, while Robert B. Howell has received only perfunctory attention. The neglect of Howell is inexplicable, because his interests and activities were prodigious, and included extensive public service as well as participation in both Nebraska and national politics. He concluded his full political career as an insurgent and progressive in the United States Senate from 1923 to 1933. This study focuses upon his Senate career in an attempt to rectify his omission from historical writing and to establish his political prominence. Analysis of his political profile should also help to clarify the nebulous patterns in Midwestern Republican insurgency and progressivism during "normalcy."

Robert Beecher Howell was born in Adrian, Michigan on January 21, 1864, with a distinguished genealogy; his father was distantly related to Thomas Jefferson, and his mother's relatives included Henry Ward Beecher and Harriet Beecher Stowe.² He attended Adrian public schools and then was graduated from the Naval Academy at Annapolis in 1885. Howell soon resigned from the navy, but he returned to active duty both in the Spanish-American and World War I. In 1888, he

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¹ Whether these Republicans were authentic insurgents and progressives is the subject of a historiographical dispute. They receive a provocative defense from Arthur S. Link, "What Happened to the Progressive Movement in the 1920's?," *American Historical Review*, LXIV, No. 4 (July, 1959), 833-51. They are dismissed as pseudo-insurgents and progressives in Richard Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York: Alfred A. Knopf, 1955). For a "middle-of-the-road" interpretation see Patrick G. O'Brien, "A Reanalysis of Republican Insurgency in the Nineteen-Twenties," *Rocky Mountain Social Science Journal*, V, No. 1 (April, 1968), 93-101.

² For condensed summaries of Howell's personal and public life see *The National Cyclopaedia of American Biography*, XLIII (New York: James T. White and Company, 1961), 377-78; Chester H. Rowell, "Brookhart, Howell, and 'Brother Charley' Bryan," *The World's Work*, XLVI, No. 5 (September, 1923), 481-84; Charles Phelps Cushing, "Natural History of a Candidate," *Collier's*, LXX, No. 19 (November 4, 1922), 6; and the *New York Times*, November 12, 1922, IX, p. 1; and *Ibid.*, March 12, 1933, p. 28.

There was conjecture over the Senator-elect's future fidelity to the Republican Party. An opinion was that, Howell, although not totally malleable, could "be depended on to stand by the Administration in its hours of need."⁵ A contrary judgment was that he would be an intractable independent, who would join "the other men in the . . . Senate who [had] refused to be controlled by party orders."⁶ While Howell was in the Senate, he was usually described as an insurgent. There was general agreement that he would be a Senate progressive. It was agreed that he would not be too radical, for whereas some "sons of the wild jackass" registered "near red" on the political "color scale," Howell appeared "pale pink."⁷ The expectation was that the Senator-elect would be in "the progressive group, an adherent of the 'farm bloc,' and . . . generally lined up with Borah and Norris in other matters of national legislation."⁸ Except for an occasional reference to Howell as a radical, this original characterization as a progressive was never basically modified during his Senate years.

This study is essentially an analysis of the degree to which Howell conformed to these insurgent and progressive labels. These vague designations fail to transmit a precise idea of either Howell's party loyalty or political philosophy. Contemporary judgments of him, moreover, may have been deceptive, inaccurate, or biased. There is a need, therefore, to ascertain empirically his attachment to party and political ideology. This analysis will determine Howell's party regularity and examine his political and economic philosophy. It should also increase insight into the cryptic subject of progressivism and insurgency during "normalcy," a perennial historical controversy.

Howell was both a tenacious and unreliable Republican. The Nebraskan often disputed the party leadership and opposed the Senate Republican majority. In actuality, he was less responsive to party influence than some of his political colleagues usually identified as independents. But it would be misleading to describe him as an inveterate insurgent if one means that party made a negligible impression on him, because Howell dissented within the party but refused to defect from it. He would be among the Republicans whom Senator Peter Norbeck (S.D.) described as disappointed: "but when I talk with the most rabid of them, they say as between Democratic or Penrose control, they would have Penrose."⁹ Howell was often a reluctant Republican, but it was impossible for him to be a Democrat.

Party membership imposes well-defined obligations upon the politician. The fidelity with which the politician fulfills these obligations

⁵ *New York Times*, October 28, 1922, p. 15.

⁶ *Ibid.*, November 9, 1922, p. 2.

⁷ Cushing, *Collier's*, LXX, No. 19, p. 6. For corresponding impressions see Rowell, *The World's Work*, XLVI, No. 5, pp. 481-84; and the *New York Times*, October 28, 1922, p. 15; and *Ibid.*, November 26, 1922, IX, p. 1.

⁸ *New York Times*, November 12, 1922, IX, p. 1.

⁹ Quoted from Gilbert Courtland Fite, *Peter Norbeck: Prairie Statesman*, "The University of Missouri Studies," XXII, No. 2 (Columbia: University of Missouri Press, 1948), 105. The independent Republicans regarded Boies Penrose, an expedient Republican politician from Pennsylvania and a power in the United States Senate, as anathema.

is the basis for classification as a party regular or irregular. For a senator to be classified as a partisan, it would be required that he (1) identify himself as a party member; (2) endorse the party presidential candidate; (3) vote for the party choice for Senate president *pro tempore* and approve committee assignments; (4) vote for the partisan appointments proposed by the President, if the executive is of the same party; (5) ordinarily vote with the party majority, especially when partisanship itself is an issue; and (6) generally defend the administration, when the President is a member of the same party.¹⁰ When these criteria are applied to Howell, the conclusion is that he was unreliable but not an intractable insurgent.

A politician seldom casually discards his party label, especially when he has had such a long, practical, and emotional attachment to the Republican Party as Howell had. Whenever it was appropriate for the Senator to identify his party affiliation, it was always unequivocally Republican. Neither did he impose qualifying adjectives on Republicans as was the practice with some unreliable Republicans. His firm party identification may have also stemmed from an appreciation of Nebraska political realities. A Republican constituency might excuse or even approve of an independent politician, but only if he were an independent Republican.

A decisive indicator of party loyalty is whether the politician endorses the party presidential candidate. Bitter internal party factionalism notwithstanding, all party members are expected to unite in the common support of the candidate. Howell endorsed both Republican candidates from 1924-1932. After a talk with President Calvin Coolidge in July 1924, Howell announced his support of the national ticket with a commitment to speak for it in Nebraska and throughout the country. He surmised that Republican prospects in Nebraska were encouraging, because fewer Republicans than Democrats would vote for Senator Robert M. La Follette, the progressive party candidate.¹¹ The *New York Times*, usually a ceaseless critic of Howell, approvingly pronounced him an "active and regular Republican." Howell, according to the editorial, had made a valuable contribution to the Republican Party with his "blow to the great expectations of the La Follettians."¹²

In 1928, the Senator began his own campaign for re-election with an endorsement of Herbert Hoover. As with many other midwestern politicians, he seemed to defend Hoover less than he castigated Alfred E. Smith, whom he maligned for his urban background and involvement in a political machine. "Tammany and New York City are his political god-parents," said Howell. "If as President he should effectively espouse the cause of the farmer he would turn his back upon

¹⁰ The denominators of congressional partisans are in Roland Young, *The American Congress* (New York: Harper and Row, 1958), 67.

¹¹ *New York Times*, July 26, 1924, p. 2.

¹² *Ibid.*, July 28, 1924, p. 10.

New York and Tammany.”¹³ This concept obviously made it impossible for Nebraskans to vote for Smith. The *New York Times* again concluded that Howell showed sufficient party loyalty during the election.¹⁴

With the gloomy prognosis for the Republican on the national ticket in the 1932 election, it required political courage to support the incumbent President. Many Republicans chose publicly to repudiate Hoover or remain prudently silent, but Howell campaigned for him. Although he occasionally expressed the view, “We’re not merely republicans or democrats out here in the middle west. We’re agrarians and agriculture must have our support,” he also expounded markedly more partisan positions.¹⁵ Howell worked for the Republican ticket in Nebraska and joined the Hoover campaign train to accompany the candidate west from Grand Island.¹⁶ The Senator’s willingness to support an unpopular depression President with whom he personally often disagreed is a revealing gauge of his Republicanism.

Howell usually accepted party fiat on candidates for Senate offices, choice of committee chairmen, and committee assignments, but there were major exceptions. Together with other Midwestern and Western Republicans, he opposed Albert B. Cummins (Iowa) for chairman of the Interstate Commerce Committee in the 68th Congress (1923). They defied party tradition and authority, because the Iowan was entitled to the position under the seniority rule, and he had been selected by the Committee on Committees and approved by the party conference. The obstructionists insisted that Cummins would have excessive power as both Senate president *pro tempore* and committee chairman, and that as an author of the Esch-Cummins Act, supposedly repudiated in the 1922 elections, it would be a travesty for him to preside over the committee responsible for railroad legislation. The recalcitrants prevented Cummins’s election and paralyzed Senate proceedings for a month. They originally supported Robert M. La Follette (Wis.) for chairman, and then switched their votes to James Couzens (Mich.) and Howell with the idea that the regular Republicans would accept them as compromise candidates.¹⁷ The strategy failed, and four midwesterners bolted from the party to break the impasse and elect Democrat Ellison D. Smith (S.D.) committee chairman. Howell had resisted Cummins, but he refused to vote for Smith.¹⁸

The election of the Senate president *pro tempore* in the 72nd Congress (1931) generated another intra-party struggle. Howell and other midwest and western incorrigibles boycotted the Republican conference and announced their opposition to the incumbent party candidate George H. Moses (N.H.). They prevented his election for nearly a month, and distributed their votes primarily among Norris (Neb.),

¹³ *Ibid.*, September 7, 1928, p. 2.

¹⁴ *Ibid.*, November 8, 1928, p. 4.

¹⁵ *Evening World-Herald* (Omaha), November 2, 1932, p. 2.

¹⁶ *Omaha Bee-News*, November 6, 1932, p. 1.

¹⁷ *New York Times*, December 15, 1923, p. 1.

¹⁸ The election votes are in the U.S. *Congressional Record*, 68th Cong., 1st Sess., 1923-1924, LXV, Pt. 1, 159-747. Hereafter cited as *Cong. Record*.

Charles N. McNary (Ore.), Wesley L. Jones (Wash.), and Arthur H. Vandenberg (Mich.). At the end, they unified behind Vandenberg, but they failed to attract the needed votes from the regulars to elect him. Howell opposed Moses, who continued in office, on every ballot.¹⁹

The obstructionists insisted that their rejection of Moses stemmed from his rude description of them as "sons of the wild jackass." Since Moses was ideologically antithetical to most of the dissidents, they may have seized his indiscretion as a pretext to depose him from power. Whatever Howell's actual rationale, his votes for the conservative Vandenberg indicate that it may not have been a simple ideological vendetta against Moses. The incorrigibles may have opposed Moses under any condition, but he provided them with an ideal excuse.²⁰

These were the occasions when Howell was the most obstreperous over party choices for Senate offices, committee chairmen, and committee assignments, although he made other less vehement protests. The Republican conference decision to punish the defectors in the 1924 presidential election in the 69th Congress (1925), which included revoking their committee positions and seniority as Republicans, elicited his opposition. He dissented from the majority vote to depose Edwin F. Ladd (N.D.) from the chairmanship of the Committee on Public Lands and Surveys, and he voted with six irregulars against approval of committee assignments.²¹ The actual controversy was over party obligations, not committee composition; and Howell obviously had a more permissive attitude on fulfillment of party responsibilities than most Republicans.

Some westerners and midwesterners applied pressure on their party leadership in the 71st Congress (1930) to increase their sectional representation on the powerful committees. The leadership responded with the appointment of Robert M. La Follette, Jr. (Wis.) and John Thomas (Idaho) to the influential Senate Finance Committee. A few dissidents were offended when William H. McMaster (S.D.) was not assigned to the Interstate Commerce Committee. Howell agitated over the South Dakotan's exclusion from the committee on the Senate floor. He argued that McMaster merited membership under the seniority rule, but his major contention was that the West was insufficiently represented on the committee responsible for transportation. The matter ended with Howell's futile objection.²² Although Howell was not in categorical opposition to the party on this denominator of partisanship, he had been

¹⁹ The election votes are in the *Cong. Record*, 72nd Cong., 1st Sess., 1931-1932, LXXV, Pt. 1, 69-922, and *Ibid.*, Pt. 2, 1197-98.

²⁰ The dispute is covered in the *New York Times*, November 22, 1931, p. 24; *Ibid.*, November 25, 1931, p. 5; *Ibid.*, December 4, 1931, pp. 1-2; and *Ibid.*, December 5, 1931, pp. 1-2.

²¹ These votes are in the *Cong. Record*, 69th Cong., Spec. Sess., 1925, LXVII, Pt. 1, 15, 63, 67. Also see the *New York Times*, November 29, 1924, pp. 1-2; *Ibid.*, March 8, 1925, pp. 1-2; and *Ibid.*, March 10, 1925, pp. 1, 4.

²² *Cong. Record*, 71st Cong., 2nd Sess., 1930, LXXII, Pt. 2, 1421-23. Detail on the movement for increased representation is the *New York Times*, January 11, 1930, p. 4; *Ibid.*, January 12, 1930, p. 14; and *Ibid.*, III, p. 4.

willing to participate in the main challenges to party authority which involved election of Senate officers, selection of committee chairmen, and committee assignments.

Howell was equally unwilling to acquiesce to the Administration on partisan appointments. He either voted or was paired against confirmation on sixteen of twenty-seven crucial appointments proposed by Coolidge and Hoover to the cabinet, Supreme Court, lower Federal courts, and Federal commissions, boards, and corporations. Because votes on confirmation often involve more variables than party loyalty, the Nebraskan's votes were ascertained on major appointments (where the executive is usually permitted wide latitude in appointing his personal choice to office) and on minor appointments (where party influence may be secondary because of pressures such as senatorial courtesy). Howell voted against three of the five major appointees and thirteen of the twenty-two proposed minor appointments.²³ The Senator was as implacable toward major as minor appointees, and this indicator of partisanship demonstrates exceptional unresponsiveness to party. Coercion, such as Howell's exclusion from a White House conference on Nebraska patronage after he voted against Charles B. Warren for Attorney-General, failed to make him more supine on partisan appointments.²⁴

Howell's chronic disregard of party position in his Senate voting perhaps most exemplifies his independence. A series of vote computations demonstrate that he voted the party consensus markedly less than most Republicans. To gauge accurately his voting profile, one should examine Howell's voting record in reference to those of other party members. There were seventy-three Republican senators who served in at least two Congresses from 1923 to 1933 and voted enough times for valid tabulation.²⁵ The most any Republican voted with his party majority was an average 91 percent, and the least was 36. Howell had only a 50 percent average. He was near the end of the hierarchy of voting regularity with only seven Republicans below him. Almost the identical results were obtained from an analysis of party votes (votes upon which a majority in each party vote against each other). On these, Republican averages ranged from 95 to 27 percent. Howell had an unimpressive 37 percent average, and only eight Republicans had lesser percentages. Party affiliation should be a more decisive influence on party votes than others, but Howell became less reliable when party

²³ The major appointees were Frank B. Kellogg as Ambassador to Great Britain, *Cong. Record*, 68th Cong., 1st Sess., 1923, LXV, Pt. 1, 235; Harlan Fiske Stone as Associate Justice of the Supreme Court, *Ibid.*, 68th Cong., 2nd Sess., 1925, LXVI, Pt. 3, 3057; Charles B. Warren as Attorney-General, *Ibid.*, 69th Cong., Spec. Sess., 1925, LXVII, Pt. 1, 17-18, 275; Charles Evans Hughes to be Chief Justice of the United States, *Ibid.*, 71st Cong., 2nd Sess., 1930, LXXII, Pt. 4, 3591; and John J. Parker to be Associate Justice of the Supreme Court, *Ibid.*, Pt. 8, 8487. Howell voted to confirm only Kellogg and Stone.

²⁴ *New York Times*, April 27, 1925, p. 16.

²⁵ The statistics in this paragraph are based upon an analysis of the nearly 1400 roll-call votes in the *Congressional Record* and *Journal of the Executive Proceedings of the Senate* from the 68th through the 72nd Congress (1923-1933).

lines were drawn. When party loyalty should have been the highest, party actually repulsed Howell. Finally, the Nebraskan's voting reliability could be judged on his support of Administration measures. He voted twenty-one times against twenty-five Administration measures which the Senate defeated. This is not the inordinate unreliability implied, because the Republican majority joined with him sixteen times do defeat proposals, but it does confirm that Howell was more willing than most Republicans to rebuff Coolidge and Hoover. The Nebraskan followed largely a personal course in voting and often opposed the Republican Administrations.

Although not included in the original list of partisan denominators, it is a generally accepted axiom that political rhetoric and personal behavior may contribute to an "insurgent" image. This situation applied to Howell. He achieved immediate distinction for unruliness in a forum which had an abundance of demagogues and incorrigibles. The Nebraskan was irreverent toward Senate rules, violated the traditional Senate style, and was testy and abrasive with colleagues. That a "freshman" senator be unobtrusive was the first unwritten rule he violated when he became embroiled in a series of highly vocal and bitter disputes in the 68th Congress: this affinity for conflict and recrimination extended throughout his Senate career.

Howell's behavior toward fellow senators was his major breach of Senate decorum. He interrupted, disputed, patronized, and criticized his colleagues. Through endless obsession with minor and irrelevant detail, complusion for needless exactitude, irrepressible lectures, and authoritative pronouncements, Howell stretched the patience of the most indulgent senators. It was Howell's self-righteousness and his accusations that his colleagues were incompetent, irresponsible, and unfair that especially disturbed them.²⁶ That he was often rude, pedestrian, and querulous is a fair if severe judgment.

Howell also possessed some qualities of an agitator, evident in his ceaseless condemnation of alleged evil and vitriolic accusations of corruption, incompetence, conspiracy, and machinations in government and business. Although he usually indicted vague interests and groups, such as international bankers, of nefarious conduct, he could also be direct and personal. Once, he accused the Federal Farm Board members of misconduct ranging from simple incompetence to virtual thievery from the public treasury. When his revelations had authenticity, he often oversimplified and embellished them. Usually his revelations were general knowledge, but he presented them with his own interpretation of culpability. He frequently characterized as dishonest those legal policies and practices of which he disapproved. The Nebraskan

²⁶ There are many illustrations to support this judgment. Howell had personal clashes with Bert M. Fernald (R-Me.) over the Cape Cod Canal and Reed Smoot (R-Utah) on the issue of war debts. Perhaps the best example would be his dispute with Nathaniel B. Dial (D-S.C.), Joseph T. Robinson (D-Ark.), and Carter Glass (D-Va.) over the Federal Farm Loan Board. *Cong. Record*, 68th Cong., 1st Sess., 1924, LXV, Pt. 9, 8985-93, 9073-80.

had dogmatic opinions about how things should be, and when they were not he attributed it to malevolence.

Howell's appreciation of political realities may have made bitter rhetoric both an effective and necessary technique. He was politically vulnerable with an obvious need to mollify his constituents. In the 1922 senatorial election, he was described as "an educated gentleman of ability and means."²⁷ The description should have included that he had political sagacity. Ideally, he would have presented his platform to the electorate in a quiet and rational manner. "But unfortunately, that isn't the way political campaigns have to be waged. Mr. Howell must speak dramatically to embittered farmers and shout to be heard round the world."²⁸ With a restless constituency, he had no practical recourse except to assume the mantle of a crusader against oppressive economic interests and become a militant defender of agrarianism. His choice while in office was to continue the impression or be defeated by a surly electorate. His instinct for political survival can be forgiven, but it involved exacerbating the delusions, myths, and prejudices of his constituency.

Howell's position on the party regularity continuum was between the implacable and undeviating regular on one end and the militant and chronic insurgent on the other. Although he fulfilled some vital party obligations, he obviously failed to practice party regularity as diligently as the scrupulous Republicans, such as Charles Curtis (Kan.), James Watson (Ind.), and Thomas C. DuPont (Del.). Howell had a personally strict code of party loyalty, but it was too permissive for most Republicans to accept. Although he was often censored for unreliability, he drew an unequivocal line between party loyalty and disloyalty and refused to violate it. He himself was critical of Republicans who regarded their party responsibilities too casually, demonstrated when he broke a long political friendship with Norris (Neb.) because the senior Senator endorsed Alfred E. Smith for President in 1928.²⁹ It is significant that Democrats never regarded Howell as one of their own.³⁰

In practice, Howell was closer to the insurgents than the regulars. He cannot be included, however, in the category of truculent and chronic insurgents. Republicans such as John J. Blaine (Wis.), Robert M. La Follette (Wis.), Smith W. Brookhart (Iowa), Lynn J. Frazier (N.D.), and Norris (Neb.) were decidedly less receptive to party influence than Howell. At the same time, he was more independent than some Republicans defined as insurgents in historical writing, such as William E. Borah (Idaho), Charles N. McNary (Ore.), Arthur Capper (Kan.), Peter Norbeck (S.D.), and James Couzens (Mich.). Howell merits historical stature for putting independence and integrity before partisanship more than many who have received the accolades. The

²⁷ Howell, *The World's Work*, XLVI, No. 5, p. 481.

²⁸ Cushing, *Collier's*, LXX, No. 19, p. 6.

²⁹ *New York Times*, March 12, 1933, p. 28.

³⁰ *Omaha World-Herald* (morning), March 13, 1933, p. 10.

Nebraskan paradoxically demonstrated both high independence and attachment to his party.

Howell was described as a progressive, but that was an oversimplified and deceptive label. His philosophy was based upon the American agrarian tradition: it encompassed Populist suppositions, Progressive axioms, Jeffersonian truths, and the anomaly of agrarian provincialism and self-interest, as well as vision and altruism. To this eclectic philosophy, he added his own distinctive contributions. He failed to expound his philosophy in an expansive and systematic overall scheme; perhaps all the variants could not be compressed into a coherent and unified conceptual framework. Usually, he expressed his creed as a series of independent and often unrelated ideas. Although Howell frequently relied upon simplistic premises, utilized moot logic, and often reached fatuous conclusions, he could also be forceful, critical and authoritative. His agrarian colleagues often equalled or surpassed his deficiencies in logic and perception. In fairness to Howell, it must be remembered that the politician must often be contradictory, vague, and ambiguous in his public expressions without regard to philosophical consistency or subtlety.

Agrarian self-interest and antipathies were the most pronounced themes in his value system. He could be relied upon to be almost a perfect gauge of agrarian attitudes on crucial issues. This agrarian perspective was reflected in his militant advocacy of agricultural welfare. He was a zealous "farm bloc" member and a persistent and strident defender of agricultural relief: perhaps no other senator exceeded his commitment to the farmer. He perceived and responded to issues in an agrarian context.

Howell's zeal on this issue reflected his judgment that the agricultural situation was "more than serious; it has proven fatal to many." Without "relief for the farmer, . . . he is on his way to peasantry."³¹ This overstated the farmers' peril, but the agriculturalists did bitterly resent exclusion from what they thought was their equitable share of the expanding prosperity and they railed against industrialization at their expense.³² Howell defended their resentment and accepted their analysis: "It must be recognized that what is confronting the farmer is the fact that he is not receiving his share in the distribution of wealth in this country. He is not getting his part of the annual national income."³³ It was, therefore, only proper that the farmer "come here to Congress, not asking special privilege, but merely justice — equality for his industry."³⁴

The Nebraskan described the non-agrarian population as on "economic stilts" provided through government assistance. Agriculture could

³¹ This representative opinion on the gravity of the farm problem is in the *Cong. Record*, 68th Cong., 2nd Sess., 1925, LXVI, Pt. 5, 5296, 5300.

³² For a thorough analysis of agrarian attitudes see Gilbert C. Fite, *George N. Peek and the Fight for Farm Parity* (Norman: University of Oklahoma Press, 1954), 119-37.

³³ *Cong. Record*, 68th Cong., 2nd Sess., 1925, LXVI, Pt. 5, 5301.

³⁴ *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 2, 1505.

achieve equality in only two ways: "either . . . the farmer must be afforded economic stilts such as are enjoyed by his fellow-industrialists or else the stilts which others enjoy must be eliminated."³⁵ The latter course would depress industry to the level of agriculture, but Howell concluded, "I do not think we want that to happen. Far better to bring agriculture up to a prosperous level."³⁶ The appeal to economic justice and equality notwithstanding, this made him an unabashed defender of special interest legislation for agriculture. He implored incessantly, that "Nothing is being done for the farmer. Something ought to be done."³⁷

Although Howell philosophically deplored special privilege, he actually only insisted that the farmer be an equal recipient of special privilege. He argued that "All the farmer has been asking is that he have equal consideration."³⁸ When critics objected that the agriculturalists wanted assistance at public expense, he rejoined that legislation already existed "for the purpose of the elimination of competition to the end of assuring profits and satisfactory wages. Unfortunately the farmer has generally developed in his behalf no corresponding offensive. He is the victim of unrestricted competition."³⁹ As a proponent of increasing competition among the railroads, it seemed incongruous for Howell to insist that agriculture be allowed to emulate the railroads through price fixing with government assistance.⁴⁰

The Senator was impatient with the theory that agriculture was regulated by natural and immutable economic laws and, therefore, legislation could not increase farm income. He admitted that the "production of wealth is governed in invariable laws. We cannot by legislation change the rainfall, the fertility of the soil, the efficiency of the farmer." But, "when it comes to the distribution of wealth — and that is the farmer's trouble — the laws governing the distribution of wealth are not invariable. They are just what society makes them."⁴¹ The Congress had many times redistributed wealth for the industrial, transportation, and financial communities through special interest legislation. Howell warned that unless Congress made agriculture equal with business, America would degenerate into an undemocratic society with the farmer reduced to serfdom.⁴²

Agrarian attitudes and interests had primacy in the Senator's ideology. He approved all conceivable measures to assist agriculture, even when they were of moot value or preordained to political failure. Agrarianism was the basis of Howell's sectional perspective. He subscribed to any means to assist and defend the economically beleaguered

³⁵ *Ibid.*

³⁶ *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 9, 9465.

³⁷ *Ibid.*, 68th Cong., 1st Sess., 1924, LXXV, Pt. 10, 10502-03.

³⁸ *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 9, 9307.

³⁹ *Ibid.*, 69th Cong., 2nd Sess., 1927, LXVIII, Pt. 4, 3492-94.

⁴⁰ *Ibid.*, 68th Cong., 2nd Sess., 1925, LXVI, Pt. 5, 5302.

⁴¹ *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 8, 9281.

⁴² *Ibid.*, 71st Cong., 1st Sess., 1929, LXXI, Pt. 5, 5378.

and politically descending Middle West against external predatory interests and the political system which sustained exploitation.⁴³

The second motif in the Nebraskan's value system was a series of interrelated economic beliefs and suppositions. He preached competition in business, had a monomania about monopoly, and excoriated prevailing business ethics. Competition was his panacea whatever the origin, nature, or result of an economic problem; it would lower consumer prices, improve business service to the public, and purify business practices. As Howell summarized his belief, "The power of competition is a wonderful thing."⁴⁴ The Senator proposed and supported, with Populist invective against "Wall Street" and monopoly, many measures to preserve and intensify competition in business.

Although he was effusive about the virtue of competition, he also admitted that *laissez-faire* competition was not a reality nor a plausible prospect. Carter Class (D-Va.) once criticized the farmers who simply emulated other interest groups and urged that instead the agriculturalists elect congressmen opposed to any special privilege legislation. This criticism provoked a quick response from Howell. It was impossible for farmers to end special privilege, he argued, because they were a minority. "How," the Nebraskan asked, "can they pull out the stilts from under the other fellow?"⁴⁵ This assessment, his determination to raise agriculture to the business level through special interest legislation, his conviction that there was excessive competition in agriculture, and his belief that the end of government assistance to business would depress it to the agricultural level, belie his rhetoric on competition. Howell's objective may have actually been to impede increased business consolidation or reintroduce competition where it was possible, but it also had the political advantage of placating those farmers who thought themselves exploited from the lack of competition in banking, industry, and transportation.

Howell professed that the decline in competition and thrust toward business consolidation was a serious threat to society; and he attributed his election to the public looking upon the "continued development of monopoly as a serious menace."⁴⁶ There was a prospect that monopoly would result in socialism. "The greatest step toward socialism in the United States was taken when Congress fixed minimum rates for the railroads," Howell proclaimed, because it "eliminated competition absolutely."⁴⁷ He warned, "Every monopoly is an island of socialism in the economic sea. All that is necessary is to have enough such islands and we have socialism."⁴⁸ The incongruity was that American "Social-

⁴³ See the manifestos issued by Howell and other dissident midwesterners supporting the election of Smith W. Brookhart (Iowa) and Gerald P. Nye (N.D.) against their "conservative" opponents. *New York Times*, June 6, 1926, pp. 1-2; and *Ibid.*, June 26, 1926, pp. 1-2.

⁴⁴ *Ibid.*, November 13, 1922, p. 14.

⁴⁵ *Cong. Record*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 9, 9307.

⁴⁶ *New York Times*, November 9, 1922, p. 3.

⁴⁷ *Cong. Record*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 11, 12221.

⁴⁸ *Ibid.*, p. 12222.

ism is not coming up from the bottom. Socialism is coming down from the top."⁴⁹ Monopoly, therefore, should be assiduously resisted.

Howell's belief in aggressive competition would seem to contradict his commitment to public ownership, but he perceived the two as complementary. He believed in limited public ownership of only local public utilities, and then as means not ends, and only if there were "no other way to prevent the continued plundering of the people."⁵⁰ Public ownership of utilities was to create "public competition, not public monopoly." He explained that, when Omaha acquired ice plants, the city "did not want to do all the ice business." The idea was that "Public competition could keep the privately owned ice plants good, and they would necessarily keep the publicly owned plants on their toes or they would go out of existence." He concluded that "public competition is decidedly more advantageous and safer than public monopoly."⁵¹ During his Senate years, he slightly expanded his original ideas on the scope of public ownership and announced that he was for "public competition so far as Muscle Shoals is concerned;"⁵² indicated "that the only possible method of developing a merchant marine shipping service . . . is for the Government to develop it and operate it;"⁵³ and proposed that, if there was no other recourse, that the Government nationalize one railroad and "squeeze out the water and run it for blood to ensure competition."⁵⁴ No evidence suggests that Howell either thought about the possible inconsistencies in his position on public ownership or drastically modified his seminal ideas on public ownership. He proposed limited government ownership and operation to intensify and ensure business competition, not to institute a socialistic commonwealth.

Howell often confessed that "he was not a believer in idealism in business."⁵⁵ It was a gross understatement. He was convinced that business had indefensible influence in government, at the least, and, at the most, that business was a powerful "invisible government." The historical pattern was transparent: "From time immemorial property rights have been the cause of encroachments on human rights by virtue of the power of wealth and assumed privileges. The most glorious pages of history recount the struggle of mankind against such encroachments." Howell added "Notwithstanding this great dominating note in our history, the power of great wealth and its encroachments upon our institutions is the chief menace that confronts us today."⁵⁶ Business was especially dangerous to the public welfare because it was furtive. In Howell's judgment, secrecy was "for the protection of business interests, to protect competitors from each other" and it was "the greatest aid

⁴⁹ *Ibid.*, pp. 12223-24.

⁵⁰ *New York Times*, October 28, 1922, p. 15.

⁵¹ His soliloquy is in the *Cong. Record*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 3, 3013.

⁵² *Ibid.*

⁵³ *Ibid.*, Pt. 2, 2064.

⁵⁴ *New York Times*, November 13, 1922, p. 14.

⁵⁵ *Ibid.*, November 9, 1922, p. 3.

⁵⁶ *Cong. Record*, 68th Cong., 1st Sess., 1924, LXV, Pt. 4, 2235.

to corruption.”⁵⁷ Further, he said, “The reason why secrecy has been practiced in this country is because there are those who have something that they do not want the public to know.”⁵⁸ Howell proclaimed, “The price of liberty is not only eternal vigilance but also publicity.”⁵⁹

He accepted the personal responsibility to save liberty through warnings and exposure of business malpractice and invidious influence. He attributed the war debt situation and subsequent moratorium to unscrupulous Europeans and “our ‘invisible government,’ which includes our international bankers.”⁶⁰ Business interests exploited the public and government at every opportunity. Howell expressed the business ethic as follows: “Whenever a dollar is to be made a private interest is at hand to take it away from the Government.”⁶¹ Although his accusations against business were unoriginal, they were distinctive for their vehemence.

In spite of his criticism of the business community, Howell was a firm exponent of government run according to business principles and methods. His language was punctuated with business shibboleths, and he venerated business techniques and theory, which he implored government to adopt. His proposals on government policy were often defended on the grounds that “it can be done the way private business is conducted.”⁶² Government practices, he insisted, should conform to the “well-understood and well-known principles of private business.”⁶³ He usually defined these as frugality, rigid bureaucratic procedures, and stringent controls.

In the broadest context, he equated private business with government, and described the American people as owners of a “business” who should insist upon efficiency and profits like stockholders in private firms.⁶⁴ Government policy, functions, and objectives should correspond to those in private enterprise. The Post Office, for example, was simply engaged in a business. “Whenever the Government enters the business field it should run that business for blood. It should adopt the best possible business methods and should not indulge in any deviation therefrom.”⁶⁵ Considering the above ideas, Howell seemed to subscribe basically to negative government which would be involved in society only insofar as it was consistent with business principles.

But, he primarily used the business and government analogy to resist business, which paradoxically also used the same analogy while it was the recipient of government beneficence. He used the narrow concept of “business” government to oppose subsidies to business. He

⁵⁷ *Ibid.*, Pt. 8, 7690.

⁵⁸ *Ibid.*, p. 7691

⁵⁹ *Ibid.*, p. 7690.

⁶⁰ *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 8, 8494; and *Ibid.*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 6, 6554.

⁶¹ *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 2, 2066.

⁶² *Ibid.*, 71st Cong., 3rd Sess., 1931, LXXIV, Pt. 4, 4208.

⁶³ *Ibid.*, 2nd Sess., 1929, Pt. 1, 720.

⁶⁴ *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 2, 2066.

⁶⁵ *Ibid.*, 68th Cong., 1st Sess., 1924, LXV, Pt. 4, 4075.

railed against the United States Shipping Board for selling ships to private firms for less than the cost of repairing them. He asked, "Is not that substantially a subsidy to private interests? Is not that what has been going on here year after year?"⁶⁶ And the result was "a loss to the people of the country . . . largely due to the policies adopted by the Shipping Board and the administration. Whereas we have been endeavoring to conduct a commercial business we have flouted the primary principles of business."⁶⁷ The policy was "little less than robbery of the American public."⁶⁸ Only government based upon business principles could protect the public from the rapacious business interests.

Howell made a distinction between legislation for the "people" and that designed for "interests." He usually voted for the former and against the latter. The Senator, for example, derided the home loan bank proposal because it was not to assist the actual home owner, but "In the name of the home . . . aid another class of financial institutions."⁶⁹ "Business government" was conveniently irrelevant when the needs of the "people" were involved. He was willing to massively amplify government responsibility and intrusion into the society when it could be defended as in the public welfare. This is readily demonstrated in his advocacy of agricultural, relief, labor, and economic recovery legislation.⁷⁰

Agrarianism, "Populistic" and advanced progressive economic assumptions, antipathy to business domination of government, and willingness to use government in the public welfare were Howell's main ideological principles. These are often identified as progressive precepts. Howell's position on major issues during the Republican interlude will be analyzed to ascertain whether and how his general principles corresponded and related to specific issues. This will enable a judgment on the scope of his progressivism. It will also supplement and provide a fuller ideological profile of Howell.

Prohibition was a highly emotional and divisive issue that generally aligned urban against rural senators. Howell was a "bone-dry" prohibitionist, who largely attributed American economic recovery from World War I to the 18th Amendment and predicted that if the public would "cling to it without flinching, the country will ultimately be repaid the cost of the war."⁷¹ Actually, he did not intend that the public have any choice about clinging to it or not. He was the paragon of the dry forces; he was easily the most vocal dry with perhaps the

⁶⁶ *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 8, 8791.

⁶⁷ *Ibid.*, p. 8802.

⁶⁸ *Ibid.*, p. 8803.

⁶⁹ *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 14, 1596.

⁷⁰ Among other measures, Howell voted for or supported a bill to provide wheat for the indigent, *Ibid.*, 71st Cong., 3rd Sess., 1931, LXXIV, Pt. 4, 3478-79; a \$25,000,000 relief appropriation, *Ibid.*, Pt. 3, 2563-64; the Costigan-La Follette plan for direct federal relief to the unemployed, *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 4, 4051-52; and expansion of the Reconstruction Finance Corporation to create employment on public works, *Ibid.*, Pt. 14, 14957.

⁷¹ *New York Times*, November 13, 1922, p. 14.

driest voting record in the Senate. This position often led to clashes with the Republican Presidents, who were less euphoric about prohibition than Howell.

His major public dispute was with Hoover over prohibition enforcement. While addressing the Senate on drug traffic, Howell charged that prohibition enforcement in Washington, D.C. was lax, and that the President had the power but lacked the will to institute effective enforcement.⁷² The White House issued an angry response to the charge and insisted that Hoover was committed to make the capital a model of prohibition enforcement. It called upon Howell to support his accusations with "definite facts, with time and place."⁷³ Howell denied that he intended a personal criticism of Hoover and admitted that he had no evidence of bootlegging in the capital.⁷⁴

But Howell subsequently criticized Hoover's request for exact information as unfair, and reiterated that Washington was "wet" and the President was unwilling to enforce prohibition. The Senator now defended his charges with a newspaper clipping which described alcoholic orgies in the capital, reported liquor violations at the Carlton Club, and indicated that American shipping and trucking lines transported liquor for the Siamese legation. Howell called for a Marine Corps general to be brought to Washington to enforce the law.⁷⁵ The press judgment was that the struggle between the Senator and the President was a draw: "If Senator Howell was embarrassed in being called upon for facts, the President may be even more embarrassed in fulfilling his pledge to make Washington a model."⁷⁶

Howell followed his "revelations" with a bill for stringent prohibition enforcement in the District of Columbia. It was criticized as unconstitutional in its original form and as ineffectual but still repugnant after revision.⁷⁷ Passage of the bill became Howell's crusade. With opposition to prohibition increasing and national attention focused on the depression, the Senate only begrudgingly considered S. 3344. The Nebraskan restated his old defenses of prohibition, but added "I found that panderers in Washington can ply girls of tender age, and do wholly unafraid."⁷⁸ The Senate, callous to the perils of American womanhood as described by the senator, quickly disposed of the bill and refused to consider it again. As prohibition lost public and congressional support, Howell had become more implacable on prohibition violation and resistant to changes in the 18th Amendment.

Tax legislation generated sharp divisions between progressives and conservatives in the Coolidge and Hoover years. Howell voted the

⁷² *Cong. Record*, 71st Cong., 1st Sess., 1929, LXXI, Pt. 4, 3847-52.

⁷³ *New York Times*, September 23, 1929, p. 1.

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*, September 25, 1929, p. 1.

⁷⁶ "Wetness of Washington," *Outlook and Independent*, CLIII, No. 6 (October 9, 1929), 215. Also see "Hercules Hoover to Cleanse Augean Washington," *Literary Digest*, CIII, No. 1 (October 5, 1929), 7-9.

⁷⁷ *New York Times*, January 30, 1930, p. 2.

⁷⁸ *Cong. Record*, 71st Cong., 3rd Sess., 1931, LXXIV, Pt. 3, 3966-67.

interest of his Nebraska constituency, insisted upon publicized tax returns, and defended the graduated principle in taxation. Public accessibility to tax records and publicity of tax returns were major issues during the era. Howell was a persistent advocate of publicity because secrecy on taxes "leads to favoritism, fraud, and consequent scandal."⁷⁹ He proposed and supported "progressive" amendments for extensive tax publicity on each major revenue bill in the 1920's.⁸⁰

A basic precept in his tax philosophy was that taxes should be based upon ability to pay. He expressed the optimistic belief that "it is recognized that those should contribute . . . to the conduct of the affairs of the Government who are best able to contribute."⁸¹ These, in his opinion, were the upper income classes and business, which was heresy to the Republican Administrations. Howell consistently opposed the regressive provisions in Secretary of the Treasury Andrew Mellon's tax programs. He attempted to amend the 1926 revenue bill to impose a 40 percent maximum tax on incomes over \$500,000, twice the schedule approved in the Senate Finance Committee.⁸² The Senator also opposed Administration attempts to revise the inheritance tax downward and repeal estates taxes.⁸³

The principal conflict over the 1932 revenue bill was between proponents of the graduated income tax and the defenders of the sales tax. Equitable distribution of the tax burden was the clear issue. Howell was a conspicuous advocate of the graduated principle and introduced perhaps the most controversial amendment to the bill, one to raise taxes on electric companies based upon profits. The Senate accepted his amendment, but the Senate-House conference deleted it from the bill, and the Senate acquiesced in the decision.⁸⁴ Howell's role in the 1932 revenue bill struggle was indicative of his progressive tax position throughout his Senate career.

War debts was an emotional issue which the Nebraskan exploited as assiduously as prohibition. In the 1922 campaign, he charged that President Woodrow Wilson had "loaned money to the Allies . . . practically upon I.O.U.'s." If the United States failed to collect the debts, "every family in Nebraska today, and its descendants, will have to pay \$900 as its share."⁸⁵ He insisted that the United States had

⁷⁹ *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 9, 9845-46, 9853-54.

⁸⁰ His amendment to the 1928 revenue bill was adopted, *Ibid.*, pp. 9920-21. A Senate-House conference committee deleted it and the Senate accepted the decision. *Ibid.*, p. 9854. He earlier voted for the Norris amendment to the 1926 bill. *Ibid.*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 4, 3526. He supported the Norris and Kenneth McKellar (D-Tenn.) amendments to the 1924 bill.

⁸¹ *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 10, 11562.

⁸² *Ibid.*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 3, 3218-19.

⁸³ For example, he voted against the Hiram Bingham (R-Conn.) amendment to repeal the estates tax in the 1928 revenue bill. *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 9, 9175.

⁸⁴ Howell's amendment passed 72-11. *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 10, 11666. The conference replaced it with a sales tax on electric power consumers. After rancorous debate, the Senate approved the conference decision 46-35. *Ibid.*, Pt. 11, 12071.

⁸⁵ Cushing, *Collier's*, LXX, No. 19, p. 6.

already actually cancelled the war debts, but argued that he would oppose cancellation because "It was idealism to loan money to Europe in that way, and idealism can never mix in business."⁸⁶ Howell never modified his original and contradictory position, and he became a leader of the Senate forces who opposed war debt adjustment and were determined to punish the culpable European states.

When the Coolidge Administration negotiated war debt settlements with the European governments, Howell was the most strident Senate critic. These agreements, he concluded, provide that "no principal is ever to be paid, and hence . . . every debt agreement . . . provides for cancellation."⁸⁷ The negotiations were the fruition of a project which originated in Europe.

It penetrated the chancelleries of that continent, it stalked to the peace table, it reached across the Atlantic and clasped hands with our international bankers, it intrigued our trade associations and chambers of commerce, it instituted a subtle and all-enveloping propaganda, that worked while many of us slept.

Following such a barrage, the British Debt Commission finally came to Washington, and the cancellation project, as remarkable as it may seem, actually triumphed.⁸⁸

The American public had been duped by wily Europeans and insidious domestic interests, and would be forced to pay the war debts. "The people of the United States," Howell asserted, "do not realize the truth respecting these cancellations."⁸⁹ His exposition was typical of the conspiracy thesis.

A small contingent of Western and Midwestern Republicans organized around Howell to use parliamentary obstruction to prevent approval of the debt settlements. When they failed, the Nebraskan voted against every debt agreement.⁹⁰ After his defeat, he remained implacable toward adjustment of the war debts; effused about American generosity to the European ingrates; and revealed conspiratorial forces intent upon debt cancellation.⁹¹

Howell became increasingly vociferous and vindictive toward the European states. When a debt moratorium was proposed, he protested, "We have treated our European debtors with such generosity that there is no parallel in history for our action, and yet what we have done is not appreciated — certainly not in Europe."⁹² The only defensible

⁸⁶ *New York Times*, November 19, 1922, p. 3.

⁸⁷ *Cong. Record*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 6, 6554.

⁸⁸ *Ibid.*,

⁸⁹ *Ibid.*, p. 6657.

⁹⁰ The war debt votes are for Italy, *Ibid.*, Pt. 7, 7902; Belgium, *Ibid.*, Pt. 8, 8208; Latvia, *Ibid.*, p. 8274; Esthonia, *Ibid.*, p. 8278; Rumania, *Ibid.*, p. 8282; and Czechoslovakia, *Ibid.*, p. 8347.

⁹¹ He opposed the subsequent French debt settlement, *Ibid.*, 71st Cong., 1st Sess., 1929, LXXI, Pt. 3, 3154-66.

⁹² *Ibid.*, 72nd Cong., 1st Sess., 1931, LXXV, Pt. 1, 1003.

policy was to prohibit financial transactions with foreign states in default on their debt payments. It was time, he insisted, to inform the European debtors that they "can not expect forgiveness. The alternative is repudiation. We insist that if we are not to be paid, that at least our people shall have the benefit of the lesson repudiation will impose."⁹³ The punitive policy later adopted toward the European states would have evoked Howell's approval.

His position on war debts was an oblique reflection of his deep isolationism. The Nebraskan thought the correct American foreign policy would be to nullify existing external commitments and avoid those in the future which would involve the United States in war. His obsession and apprehension over internationalism led him to conclude that any foreign participation was perilous, including involvements as unthreatening as United States membership in the World Court. The rationale for his isolationism was that Americans were too naive to have an internationalist foreign policy. Diplomatically wise and morally debauched Europeans could easily manipulate innocent American statesmen into policies which were not in the national interest. The only recourse was to insulate the United States from the world.

Government regulation of business was a persistent theme during "normalcy." Howell often warned that unrestrained business was dangerous and proposed and worked diligently for regulatory legislation. The Senator proposed two major regulatory bills. Although neither was enacted into law, each merit brief attention: (1) to give his concept of legitimate government regulation of business; and (2) these bills had broad political and public support and were guides for bills subsequently passed into law.

The failure of Title III of the Transportation Act of 1920 and the Railroad Labor Board to resolve railroad labor disputes was the impetus for the Howell-Barkley bill. It would supplant the Railroad Labor Board with two boards which could use their good offices to settle labor conflicts. If these boards failed to achieve a settlement, labor and management had recourse to arbitration and the award would be filed in a federal court. Either party could appeal the award to the Circuit Court of Appeals, which would have the authority to render a final judgment.⁹⁴ Railroad management, the Chamber of Commerce, National Association of Manufacturers and their political allies opposed the bill.⁹⁵ It was supported by the American Federation of Labor, the Railroad Brotherhoods, and the "railroad radicals" in Congress.⁹⁶

An impasse developed between the opposing congressional factions, and Senator Cummins announced the bill's demise after a White House conference with the statement that he had abandoned efforts at a com-

⁹³ *Ibid.*, 2nd Sess., 1933, LXXVI, Pt. 2, 2139.

⁹⁴ The bill is analyzed in "The Railroad Battle in Congress," *Literary Digest*, LXXXI, No. 7 (May 17, 1924), 14; and the *New York Times*, December 10, 1924, p. 34.

⁹⁵ See the *New York Times*, November 17, 1924, pp. 1-2; *Ibid.*, December 1, 1924, p. 16; and *Ibid.*, December 2, 1924, p. 34.

⁹⁶ *Ibid.*, November 23, 1924, II, p. 2; and *Ibid.*, December 2, 1924, p. 34.

promise between labor and management based upon the Howell-Barkley bill.⁹⁷ Then, Coolidge encouraged the carriers and unions to work out an agreement. After a series of meetings, both sides approved a bill which corresponded to the Howell-Barkley proposal. With Administration support and the regular Republican leadership committed to passage, the bill easily became the 1926 Railroad Labor Act.⁹⁸

Howell had a genuine interest in radio together with the belief that the broadcasting industry was usurping air rights which were an "inalienable possession of the people." He introduced a bill to prevent the industry from claiming a vested right in a wave length or to use the ether, and to provide for radio licenses and other privileges to use the ether for two years with power delegated to the president to annul them in a national emergency.⁹⁹ But the Congress was unwilling to legislate until the industry and Administration admitted that government control was needed to prevent chaos in the air. Then the Senate was inundated with bills.¹⁰⁰ There was general agreement on the need to regulate radio, but sharp political antagonisms were generated over which government body should have jurisdiction over radio and how much control was needed.¹⁰¹

Howell worked futilely for a bill based upon the principle of public ownership of air and stringent control of the broadcasting industry. The eventual law increased government regulation over radio and created the Federal Radio Commission to license broadcasters and bring order into the industry. The Nebraskan opposed the measure because it was not based exclusively upon his proposed principles.¹⁰² Some of his ideas, however, were incorporated into the law; and he had perceived an urgent need and worked for regulatory legislation in the public interest.

Muscle Shoals was a tempestuous issue. The Senator was a determined exponent of government development of the complex's hydroelectric potential, which aligned him against the private electric power industry and the agriculturalists, primarily southerners, whose only interest was in the production of fertilizer. He worked to persuade the latter that Muscle Shoals should be viewed "as purely a hydroelectric-power proposition."¹⁰³ Howell opposed private operation of the complex, even with the production of fertilizer as a condition for the lease, because its massive electric power capacity could be exploited for excessive profit without concern for the public interest.

⁹⁷ *Ibid.*, January 25, 1925, p. 24.

⁹⁸ Howell voted for the bill which passed the Senate 69-13. *Cong. Record*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 8, 9207.

⁹⁹ *Ibid.*, 68th Cong., 1st Sess., 1924, LXV, Pt. 6, 5735.

¹⁰⁰ Some are examined in the *New York Times*, January 10, 1926, VII, p. 8; and *Ibid.*, April 25, 1926, IX, p. 18.

¹⁰¹ *Ibid.*, January 10, 1926, VII, p. 8; *Ibid.*, March 21, 1926, IX, p. 19; and *Ibid.*, April 29, 1926, p. 9.

¹⁰² *Cong. Record*, 69th Cong., 2nd Sess., 1927, LXVIII, Pt. 3, 3122-23.

¹⁰³ *Ibid.*, 1st Sess., 1926, LXVII, Pt. 5, 5070-76.

During the debate over Muscle Shoals in the 70th Congress, Howell used both forceful arguments and impressive data to support the premise that government operation and development of its power potential was in the public's welfare.¹⁰⁴ With the obvious public benefits, he asked, "why should we shrink from public ownership of the great Muscle Shoals power plant? We own it. We have long been committed to public ownership and operation of utilities generally."¹⁰⁵ He chided his opponents when he asked if it was true "Why, then, should we hesitate respecting power plants? . . . Is it not a fact that if . . . they were not highly profitable, there would be little objection?"¹⁰⁶ A Senate majority joined with Howell to approve government operation of the complex, but the bill received a pocket veto.¹⁰⁷ Nearly an identical bill was later passed in the Senate.¹⁰⁸ A Senate-House conference quarreled over it for months, but the bill's most crucial provisions were retained. The Senate approved the bill only to have it vetoed, and when the Congress failed to override it the dispute ended until 1933.¹⁰⁹ Muscle Shoals was the issue in the 1920's which perhaps most saliently and bitterly divided progressives and conservatives, and Howell constantly subscribed to the progressive position.

The Nebraskan was most absorbed with agricultural relief. He believed in McNary-Haugenism and worked without surcease for its acceptance. With characteristic brashness, he was responsible for the first Senate confrontation over the McNary-Haugen plan. In the final hours of the 68th Congress, he introduced the plan as a rider to the Naval Omnibus bill, and then prevented Senate business with a one-man filibuster. Although he prevented passage of administration bills, McNary-Haugen was decisively defeated.¹¹⁰

The next vote on McNary-Haugen early in the next Congress had the same result.¹¹¹ Howell refused to accept defeat, and he proposed a McNary-Haugen provision for wheat to an administration bill. The U.S. Grain Corporation had a money surplus which in fairness, he argued, belonged to the grain farmers. It should be used to experiment with the equalization fee over a three-year period to determine McNary-Haugen's effectiveness and permit the federal courts to judge its constitutionality.¹¹² His proposal was overwhelmingly rejected.¹¹³

A McNary-Haugen bill was written to gain Southern support, and it passed the Senate late in the 69th Congress.¹¹⁴ A presidential veto

¹⁰⁴ *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 4, 4405-09.

¹⁰⁵ *Ibid.*, p. 4457.

¹⁰⁶ *Ibid.*, pp. 4457-58.

¹⁰⁷ *Ibid.*, p. 4635.

¹⁰⁸ *Ibid.*, 71st Cong., 2nd Sess., 1930, LXXIII, Pt. 6, 6511.

¹⁰⁹ *Ibid.*, 3rd Sess., 1931, LXXIV, Pt. 6, 5716.

¹¹⁰ *Ibid.*, 68th Cong., 2nd Sess., 1925, LXVI, Pt. 5, 5296-5302. The vote was 69-17. *Ibid.*, p. 5309. Also see the *New York Times*, March 4, 1925, p. 3.

¹¹¹ Howell voted for the bill. *Cong. Record*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 11, 11872.

¹¹² *Ibid.*, p. 12208.

¹¹³ *Ibid.*, p. 12211.

¹¹⁴ Howell voted for the bill. *Ibid.*, 2nd Sess., 1927, LXVIII, Pt. 4, 3518.

rebuffed the farm forces, but they passed another McNary-Haugen bill early in the next Congress.¹¹⁵ It was again vetoed, and when the agrarians, Howell included, failed to override the veto the McNary-Haugen movement was moribund.¹¹⁶

The Nebraskan's advocacy of McNary-Haugenism stemmed from an appreciation of the economic forces afflicting agriculture. Only active government assistance along the lines of McNary-Haugen could provide effective agricultural relief. The opponents of the plan insisted that government assistance should be based upon voluntary cooperation. Howell admitted, "The theory appears correct . . . But the trouble is that what the others have done is impracticable for the farmer to do because of his numbers if no other reason. The farmer is essentially an individualist. He has done comparatively little cooperating."¹¹⁷ McNary-Haugenism was a realistic plan, because it would impose "compulsory cooperation" upon farmers, redistribute the national income to ensure equity for agriculture, and provide a check on indiscriminate agricultural production.¹¹⁸ Howell was detached enough to admit that McNary-Haugenism would not mean euphoria for agriculture, but he thought it was a practical measure with possibilities for the farmer which exceeded the alternative plans.

The cooperative voluntary marketing philosophy, however, prevailed with the passage of the Agricultural Marketing Act in the Hoover Administration. Howell's commentary was succinct, critical, and prophetic: the Act was inequitable and ineffectual and would fail. He voted for passage but without illusion. It was "treating symptoms and that is all." In time the farmer would "awaken and find that . . . he has not what he had a right to expect, . . . economic equality . . . with other industries."¹¹⁹ During the savage debate over appointments to the Federal Farm Board, he concluded "that the President has upon his doorstep, in connection with farm relief, a responsibility which I am confident he will not be able to discharge to the satisfaction of the farmer of the country."¹²⁰

Howell used the 1929 economic collapse to verify his agrarian suppositions: he attributed the depression to the gross inequity between agriculture and industry, and he insisted that economic recovery was dependent upon major assistance for agriculture.¹²¹ He opposed simple "welfare" legislation for the farmer and demanded massive economic assistance programs to save agriculture. In his impatience with Senate procrastination on the agrarian crises, Howell made a series of aggressive,

¹¹⁵ The Senator was paired for the bill. *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 6, 6283.

¹¹⁶ The vote was 50-31. *Ibid.*, Pt. 9, 9879.

¹¹⁷ *Ibid.*, 68th Cong., 2nd Sess., 1925, LXVI, Pt. 5, 5300.

¹¹⁸ For Howell's position on the virtues of McNary-Haugen see *Ibid.*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 10, 11137; and *Ibid.*, 70th Cong., 1st Sess., 1928, LXIX, Pt. 9, 9309-10.

¹¹⁹ *Ibid.*, 71st Cong., 1st Sess., 1929, LXXI, Pt. 3, 2877-78.

¹²⁰ *Ibid.*, Pt. 4, 4600.

¹²¹ *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 9, 9464-65.

and often authoritative, speeches describing the acute depression in agriculture. They always concluded with "agriculture must be rescued."¹²² These speeches vexed some of his colleagues who had given priority to agriculture and were writing legislation to assist the farmer. Although Howell had not endorsed any single proposal for agriculture, he was an immediate proponent of S. 4536, which included the equalization fee, export-debenture plan, and the domestic-allotment scheme, when it was finally reported out of committee.¹²³ The bill was re-committed to committee over his vociferous objection, and major agricultural relief was deferred until the New Deal.¹²⁴ Throughout his Senate tenure, Howell's position on any measure was usually determined by the repercussions it would have upon agriculture. Agrarians had a forceful defender in the Nebraskan.

A plethora of crucial issues was raised during his Senate career, and a brief summary of his position on some of them will give more detail to his political configuration. Howell approved of veterans' compensation in his 1922 campaign, and he fulfilled his commitment with his vote for the compensation bill and subsequent vote to pass it over a presidential veto.¹²⁵ The Nebraskan encouraged immigration restriction, and he voted for the controversial Japanese exclusion amendment and the conference report on the 1924 bill.¹²⁶ He was expedient on the tariff. Howell was for the tariff when it could be used to agriculture's advantage and against it when it could not.¹²⁷ He was responsive to labor's welfare on several major proposals, including the child amendment and the Norris-La Guardia bill to restrict the use of injunctions against labor.¹²⁸ And during the depression, he readily supported welfare and relief legislation, such as the Costigan-La Follette bill for direct relief to the unemployed and the expansion of RFC to create employment through public works projects.¹²⁹

Howell had nearly an impeccable progressive voting record from 1923 to 1933. A politician will seldom be either absolutely progressive or conservative on the total spectrum of issues, but the Nebraskan's divergences from the progressive position were minor and infrequent. This conclusion is reenforced when his voting record is examined in re-

¹²² See his speeches on agricultural prices, *Ibid.*, Pt. 8, 8676; farmer indebtedness, *Ibid.*, pp. 9211-12; the rural tax burden, *Ibid.*, pp. 9278-79; and agricultural transportation costs, *Ibid.*, Pt. 9, 10014.

¹²³ *Ibid.*, Pt. 10, 10796-97.

¹²⁴ The vote was 38-28. *Ibid.*, Pt. 12, 13000.

¹²⁵ The vote on the bill is in *Ibid.*, 68th Cong., 1st Sess., 1924, LXV, Pt. 7, 6972; and to override the veto, *Ibid.*, Pt. 9, 8871.

¹²⁶ The vote on the amendment is in *Ibid.*, Pt. 6, 6315; and on the conference report, *Ibid.*, Pt. 9, 8589.

¹²⁷ For impressions of his tariff politics see *Ibid.*, 71st Cong., 1st Sess., 1929, LXXI, Pt. 5, 5377-78; *Ibid.*, Pt. 4, 3654-64; *Ibid.*, 2nd Sess., 1930, LXXII, Pt. 2, 1968; and *Ibid.*, Pt. 4, 4045-46.

¹²⁸ The vote on the amendment is in *Ibid.*, 69th Cong., 1st Sess., 1926, LXVII, Pt. 10, 10142; and on Norris-La Guardia, *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 5, 5019.

¹²⁹ The vote on the first bill is in *Ibid.*, 72nd Cong., 1st Sess., 1932, LXXV, Pt. 4, 4051-52; and the second, *Ibid.*, Pt. 14, 14957.

lation to the more publicized progressives. A meticulous quantitative analysis of Senate voting blocs on progressive issues confirms that Howell was consistently in the progressive nucleus.¹³⁰ There was often a gulf between a politician's rhetoric and voting record in the 1920's, but Howell was an authentic progressive.

Howell ran for reelection to the Senate in 1928. He only narrowly defeated Nebraska Attorney-General O. S. Spillman for the nomination in the Republican primary, and he barely managed to defeat Democrat Richard L. Metcalfe in the general election. The Senator attributed his reelection to prohibition, and the Democrats concluded that his "poor showing . . . was . . . due to the senator's own weakness" and Metcalfe's virtues.¹³¹ Howell continued to work in his second term along the lines of the first, especially for agrarian welfare.

Howell participated in two weeks of exhaustive hearings on a disputed Senate election in Louisiana in early 1933, and he was tired and suffering from a cold upon his return to Washington, D.C. He developed pneumonia and was admitted to Walter Reed Hospital. He struggled for his life for two weeks and died of a heart attack on March 11, 1933 at the age of 69. The public and all political factions paid tribute to a man who had firm convictions and a history of public service.¹³²

Recent American historians have nearly totally excluded Robert Beecher Howell from political writing on the Republican era from 1921 to 1933. The result has been to overlook a prominent and authentic party dissident and political progressive, who was a formidable critic of "normalcy." Howell was often more implacable toward party authority and consistent in his progressivism than many Republicans now venerated in reform litany. This analysis has been offered to rectify his unmerited exclusion from political history and to provide a more encompassing perspective of Republican protest and progressivism.

¹³⁰ Charles Mason Dollar, *The Senate Progressive Movement, 1921-1933: A Roll Call Analysis* (Lexington: University of Kentucky History Department, unpublished Ph.D. dissertation, 1966), 111, 146, 191, 239, 289.

¹³¹ *Morning World Herald* (Omaha), November 7, 1928, p. 1, and *Ibid.*, November 9, 1928, p. 22.

¹³² See the eulogies in the *Omaha Bee-News*, March 13, 1933, p. 10; and the *Omaha World Herald*, March 13, 1933, p. 10.