



Written by on June 28, 2010

Veteran Senator Robert Byrd Dies at 92

Senator Robert Byrd (D-W.Va.), the longest-serving member of the U.S. Senate, died at about 3 a.m. at Inova Hospital in Fairfax, Virginia, on June 28. Senator Byrd, who was 92, had served in the Senate since January 1959.



The late Senator was admitted to the hospital late last week suffering from apparent heat exhaustion and severe dehydration resulting from the high temperatures in the capital.

Byrd held a record not only for the longest service in the Senate, but also for the longest overall service in the bicameral Congress. He was chairman of the Senate Appropriations Committee, was twice elected Senate Majority Leader and twice elected Senate President pro tempore, the third in line of succession for the Presidency after the Vice President and the Speaker of the House.

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Byrd regarded himself as a staunch defender of the U.S. Constitution and always kept a copy of that document in his left shirt pocket. He also prided himself as being a champion of civil liberties. ??But Voice of America news reported that "there was a brief period of his life that he was not proud of. In his 2005 autobiography he recalls his time in the white supremacist group, the Ku Klux Klan, when he was a young man."??

Byrd was understandably reluctant to talk about his youthful poor judgment publicly.

??"I'm ashamed," Senator Byrd said. He once described his membership in the KKK as "the worst mistake of my life."

As Byrd's influence and seniority grew over the years, he was noted for using his political clout for channeling more than one billion dollars in federal funding to West Virginia to construct roads, buildings, and other institutions, many of which were named in his honor. Many of these federally funded projects were labeled as "pork" by Byrd's opponents and critics of excessive federal spending.

"Well, you know, you'll see that in my obituary," Senator Byrd once said. "He was in the Klan, and he was the pork king.' You watch."

A *Los Angeles Times* report quoted a statement Byrd made as members of Congress hurriedly rushed through legislation to create a Department of Homeland Security following the September 11, 2001, terrorist attacks. Alarmed by his colleagues' lack of diligent consideration of the consequences of establishing such a powerful agency, he asked: "Have we all completely taken leave of our senses? If



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ever there was a time for the Senate to throw a bucket of cold water on an overheated legislative process that is spinning out of control, it is now. Now!"

The *Times* report also noted Byrd's reaction as the Senate prepared to debate authorization for war in Iraq in early 2003 that began: "Today, I weep for my country."

"We stand passively mute in the United States Senate, paralyzed by our own uncertainty, seemingly stunned by the sheer turmoil of events," the Senator scolded his colleagues. "We are truly sleepwalking through history."

And AP report noted that Byrd stood firm in opposition to going to war in Iraq and welcomed the change in public opinion against the war, saying: "The people are becoming more and more aware that we were hoodwinked, that the leaders of this country misrepresented or exaggerated the necessity for invading Iraq."

Senators on both sides of the aisle paid tributes to Byrd. Sen. Jay Rockefeller, West Virginia's other Senator and a fellow Democrat, said it was his "greatest privilege" to serve with his senior colleague.

"I looked up to him, I fought next to him, and I am deeply saddened that he is gone," Rockefeller said. "The Senate Republican leader, Mitch McConnell of Kentucky, said Byrd "combined a devotion to the U.S. Constitution with a deep learning of history to defend the interests of his state and the traditions of the Senate." "We will remember him for his fighter's spirit, his abiding faith, and for the many times he recalled the Senate to its purposes," said McConnell.

During Byrd's long political career, the assortment of positions he took on issues were so varied that it is almost impossible to pigeonhole the late senator in "liberal" or "conservative" terms. If he was anything, Robert Byrd was a pure political pragmatist, who despite his avowed love of the Constitution, did not hesitate to promote programs the document's authors never authorized, probably never even envisioned.

While securing over a billion dollars in federal funding for West Virginia certainly ruled out describing Byrd as a fiscal conservative, as the influential chairman of the Senate Appropriations Committee, he severely criticized the cost of the Iraq war. "The cost of the war has spiraled to \$149 billion," said Senator Byrd. "That's \$149.00 for every minute since Jesus Christ was born and the White House is on the verge of asking Congress for another 80 billion dollars."

Byrd staged a filibuster the Senate floor for 14 hours and 13 minutes in an unsuccessful attempt to stop the 1964 Civil Rights Act, which was also opposed by the conservative Arizona Senator Barry Goldwater — not because the Arizonan was against civil rights, but because the Constitution did not grant the federal government any power to interfere in an area reserved to the states. Byrd likely held similar sentiments.

But while Byrd's opposition to U.S. military invasion of Iraq and the establishment of Homeland Security put him in such company as Ron Paul — the libertarian, constitutionalist representative from Texas — there were foreign policy blemishes in his history that no defender of the Constitution should have been party to. Most notably, Byrd was instrumental in helping President Jimmy Carter overcome strong Republican opposition to obtain the votes he needed to pass the Panama Canal treaty that gave away a strategic piece of U.S. territory.

One of Byrd's legacies is appreciated by every American who loves the Constitution, however, is the fact that he wanted young people to learn about the Constitution. In 2004, he introduced legislation in



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Congress (which became law) to require schools and colleges to teach about the Constitution every September 17, the anniversary of the document adoption in 1787 — though the strict constitutionalist could argue that, as vital as such instruction is — better legislation would have been to have ended the federal role in education, which is unconstitutional.

Senator Robert Byrd undoubtedly did love the founding document he so zealously espoused. Unfortunately, he conducted his political career more in demagogic fashion than in the statesman-like manner the Founders envisioned for members of the Senate. Byrd's statement: "If ever there was a time for the Senate to throw a bucket of cold water on an overheated legislative process that is spinning out of control, it is now," indicated that he was well aware of that role. He undoubtedly was familiar with the oft-quoted story about the conversation between George Washington and Thomas Jefferson, who was in France during the Constitutional Convention. Upon his return, Jefferson visited Washington and asked why the Convention delegates had created a Senate. "Why did you pour that coffee into your saucer?" asked Washington. "To cool it," said Jefferson. "Even so," responded Washington, "we pour legislation into the senatorial saucer to cool it."

But the realities of politics turns many a theoretical constitutionalist into a political demagogue once he arrives in Washington and learns that providing funds from the public trough is the best way to secure reelection from the folks back home.

Had the 17th Amendment providing for the direct election of senators never been passed, and had Byrd been sent to the Senate by the members of the West Virginia legislature as had been done for well over a century, he just might have risen to levels of statesmanship called for by the Constitution he proclaimed so vigorously.???

Photo of Senator Robert Byrd: AP Images



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