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Humphrey speech, TVD draft

The Presidency, American Assembly

I assume you asked me to address you on "The Choosing of the President" because you suspect I'm done running for the office and might therefore finally tell you the truth about the whole business.

If that was your reasoning, you were right. It would take a Democratic Party draft bordering on a cyclone to make me run for President again. I'm thus prepared to give you the straight medicine about the part-sham, part-torture, part-glorious exercise we call Presidential campaigning. I feel secure in doing this now that -- by losing enough elections to so qualify -- I've made the full transition from ambitious partisan to senior statesman and party elder.

First, how do you get to be a Presidential candidate?

Let me right away reject the updated "noble savage" theory -- that is, the theory that we're unfairly excluding dozens of potential Presidents -- bankers, educators, businessmen, labor leaders -- because they're not presently holding high and highly-visible elective office.

H. L. Mencken, expressing this theory, once derisively observed that "a Galileo could no more be elected President than he could be elected Pope of Rome." My response would be that Galileo would be a poor Presidential choice -- even though the name would have some pulling power among what are now fashionably called "ethnic" voters.

Jack Conway of Common Cause gave us another taste of this the other day when he said publicly that his boss, John Gardner, was just too able and decent to be given Presidential consideration, and it was a damned shame.

My response to this is that John Gardner, or Galileo -- if they're interested in running for President -- ought to first get themselves some experience in public office.

They ought to be on the receiving end of angry letters, phone calls and personal meetings with their constituents. They ought to be squeezed by contending interests -- interests with votes and money -- as they seek office and search for public-policy decisions.

They should have the experience of drafting legislation or of administering public law.

They should have been exposed to hostile questions at press conferences, and hostile hecklers at political rallies, and to the demands of an elected official's 20-hour days. They should know, if possible, how police departments and state legislatures work -- and should even have kissed a baby or two.

I'm a great admirer of John Gardner's. I'd even be honored to have him marry my daughter. But I don't think he or anyone else should reach the Presidency without first having exposed himself to the rough-and-tumble realities of the electoral process. He would shortchange both himself and the people he wished to serve.



You get to be a Presidential candidate by learning your trade in politics and in elective office. And that's the way it should be.

Now, let's assume you're John Gardner, Hubert Humphrey, or anyone else who decides he might be interested in running for President. Where do you begin?

The first practical, political requirements are, of course, to establish a respectable recognition factor among the general electorate and a loyal following among some key constituencies -- preferably both. When I say both, let me explain what I mean.

In 1971, Ed Muskie was able to sustain a credible candidacy because the public-opinion polls showed him running very well in straw heats against President Nixon. That good showing brought him national press coverage; financial contributions; and the help of many Democratic politicians eager to jump on a potentially-winning bandwagon.

George McGovern, on the other hand, ran quite weakly in the public-opinion polls until well into the Democratic primaries in the Spring of 1972.

Yet he was able to sustain his candidacy because of the other vital factor -- the loyalty of key constituencies within the party. In this case, they were students, peace activists, and many of the remnants of the 1968 McCarthy campaign.

Because of his weakness in the national polls, Senator McGovern got little press coverage prior to the 1972 primary campaigns. But, because of the loyalty of his constituencies, he was nonetheless able to raise money and marshal volunteers.

As it turned out, Senator Muskie failed in both the primaries and the caucus states because -- despite his strength in the polls against President Nixon -- he was never the first choice of most Democratic voters.

The data show that Democratic voters generally liked Senator Muskie and vastly preferred him to Mr. Nixon.

But they also show that, in the pre-convention period of 1972, black voters, for instance, preferred me. Young voters preferred

Senator McGovern. Jewish voters preferred Senator Jackson and myself. Blue-collar voters preferred Governor Wallace, Senator McGovern, Senator Jackson, or me.

To be nominated, you must have first claim on the loyalty, money and work of important segments of your party.

Otherwise you will be left, as Senator Muskie was, with the endorsement of all the party luminaries, with ample financing, with high recognition among the electorate, with good prospects in the general election, and with an embarrassing lack of your own party's convention delegates.

The intensity of his pre-convention supporters helped bring George McGovern the Democratic Party's 1972 nomination. But that same intensity -- and many of the issues which drew them to him -- were harmful in his fall campaign against Mr. Nixon.

All of this, of course, enables one to draw the obvious conclusion that either party's nominee should be known and acceptable alike to Independents, Republicans and Democrats; calm and confidence-inspiring; yet dynamic enough to enlist the energies of the

ideological, activist true-believers within his own party. Now you see the problem.

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The long trail to even declaring one's candidacy lies through endless television exposure on network and major-city stations; through repetitive emphasis on one or two issues which the public and key constituencies will eventually identify with you; through systematically-scheduled meetings in most of the 50 states with labor leaders, religious leaders, political leaders, editors and publishers, broadcast executives; and, not least, through the hard work of doing your job -- whether it be Senator, Governor, Mayor, Congressman, or even Vice President.

Then, there is -- or, at least, has been up until now -- the necessity of raising enough money to run.

I need not remind you of my painful 1960 experience, broke and traveling by Greyhound bus in West Virginia while John Kennedy's charter airplane and professional staff helped carry him to victory in that primary election.



Two years ago we saw, in the Democratic Party, such candidates as Harold Hughes, Fred Harris, John Lindsay, Birch Bayh, Shirley Chisholm -- and, eventually, Hubert Humphrey -- fall by the wayside in large part because they were no longer able to pay for the staff, travel, television, direct mail, and other costs of a competitive Presidential race.

George McGovern was able to outspend me 5 to 1 in the crucial California primary in June 1972. Senator McGovern's spending advantage in the New Jersey primary, held on the same date, was approximately 10 to 1. I narrowly lost in both states.

I'm not complaining about my lack of money in 1960, in 1968, or in 1972. I've never had much campaign money; more credit to others who've done a better job of raising it. (Incidentally, I don't believe more ample financing would necessarily have won me the Democratic nomination in either 1960 or 1972. But I am convinced that it would have won me the Presidency in 1968, when the Nixon-Agnew campaign outspent the Humphrey-Muskie campaign by some \$23



million to \$12 million overall, and by some \$12 million to \$5 million in television time).

The point of all this is simply to confirm what everyone here already knows: It costs an enormous amount of money to seek a Presidential nomination and, if nominated, to wage a competitive campaign in the general election. Up until now, at least, unless you have been a man or woman of independent family wealth; in alliance with well-funded special interests; or able to exploit a money-raising emotional issue, your chances have been far slimmer than those who were.

Beyond this, there is the degradation which Presidential candidates have been forced to undergo to raise money.

Ask any past or present Presidential candidate about fund-raising. He or she will tell you it's the most demeaning and shameful part of politics.

We have all heard and read about the campaign-financing abuses committed in last year's Presidential campaign.

Maurice Stans, Mr. Nixon's chief fund-raiser, apparently instituted a system akin to "tithing" for major American corporations.

The system, in practice, was a system of extortion.

As numerous business executives have testified, Mr. Stans, Herbert Kalmbach and others made approaches to most Fortune-500 companies, and many others, asking for a standard contribution of \$100,000 each. Many of them gave, and many gave corporate money.

We have also read the accounts of the special arrangements the Nixon Administration allegedly made with ITT, the milk producers, carpet manufacturers, textile and other interests in exchange for big contributions.

I've attached to my text, as an illustration, a first-hand account of the Nixon campaign's fund-raising procedures as provided to Frank Wright, a Washington correspondent for the Minneapolis Tribune, and published in that paper. *(CR of Nov 28, 1973, pg 521254)*

There are a few large political donors who give only out of public-spirited idealism, and who make no prior or subsequent



claims upon a candidate. But they are outnumbered by far by those who demand something in return for their money.

The Republicans are a different breed. But the demands, in my experience within the Democratic Party, have least often been for special governmental treatment of the donor's economic interest.

More often, the contributor wants your time and attention (hours of it, on the telephone, in person, and through his friends).

He wants you to heed his pet political theories ("You will win the election," he will tell you, "if you will only come out in favor of my plan for colonizing the Planet Venus"). And he wants to be loved not for his ball-bearing fortune, but for his innovative mind.

Let me offer now what you may hereafter label "Humphrey's Law."

Humphrey's Law dictates that the time demanded of a candidate and his staff by any campaign contributor can be directly related to that contributor's quotient of common sense.

That is, you never hear from those few contributors with solid political judgment and good policy ideas. They assume you need



their money, not their advice. You always hear, and hear often, from the far larger number of big contributors without either political experience or substantive background.

There is nothing more stimulating, I can tell you, than returning to your hotel room after midnight at the end of a campaign day to find a contributor, his wife, his children and in-laws, -- all ready to discuss, page by page, his carefully-prepared 160-page position paper dealing with revision of U.S. patent law.

But he is invariably there. And he will continue to be there -- as will the more serious threat of abuse of the public trust -- until we enact into law effective measures for comprehensive public financing of Federal election campaigns.

In my own view, the Presidential general election should be wholly publicly financed and Presidential primary campaigns should be at least partially publicly financed.

But, you may say, if we publicly-finance the primary campaigns, we'll be overwhelmed with dozens of candidates.

The answer, of course, is that there must be some safeguards.

A number of formulae have been offered. I co-sponsored this year's Kennedy/Scott Amendment to the Debt Ceiling Act, which would have provided a candidate federal matching funds in the Presidential primaries only after he first accumulated \$100,000 in small private contributions.

The Amendment also set forth limits on spending during Presidential primaries, and on contributions from any single private source.

There would, of course, have been strict reporting requirements.

That amendment was, as you know, stopped by a filibuster.

But I believe we'll pass it -- or something like it -- in 1974.

Even with safeguards, there would no doubt be more Presidential primary candidates than in the past. But natural selection would nonetheless, as always, take place. And a starting field of 15 or 20 Presidential candidates in either party would, I am sure, be reduced to a hardy half-dozen by the time of the party convention.

We would at least insure, through partial public financing, that no deserving candidate was in practice disqualified at the starting line for lack of access to big political money.

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Now, what about the nominating process itself?

Would we be better off with a single national primary election in each party? Or should the number of state primaries be reduced, with more emphasis on the caucus states?

I've thought about this a great deal.

For a long time, I leaned toward the idea of a single national primary. But today I am convinced that the best means of selecting our Presidential candidates would be through a series of regional primaries.

A single national primary would offer a tremendous advantage to the candidate who began with a high recognition factor.

It would be extremely costly -- at least as costly as the general election. Even with matching funds, numerous deserving candidates would be discouraged from even beginning the process.



A single national primary would also offer an advantage to the candidate who was the best television performer ... to the candidate best able to make demagogic use of a single, short-term issue ... to the candidate who concentrated his time and money in the 10 most-populous electoral states to the exclusion of the rest of the country.

It is one thing to hold a 50-state general election after the major parties have gone through their own tortuous winnowing-out process. It would be another to eliminate the many benefits we gain from the pre-convention procedures in which the parties can test their candidates against the issues and against each other.

I am also wary of too-great emphasis on the non-primary states in the selection process.

Last year's McGovern volunteers would be the first to tell you, I am sure, that the supporters of George Wallace would have overwhelmed and outvoted them -- at precinct, county and state caucuses

-- had the Wallaceites known the implications of the Democratic Party's new 1972 reform rules.

The caucus system is just too susceptible to the efforts of any disciplined, willful minority ready to expend enough effort to outnumber and outlast its adversaries. A state may have a million registered voters in either major party. But a disciplined 500 to 1,000 can control a convention or a caucus.

The Stakhanovites might belong to George McGovern, George Wallace, Hubert Humphrey, organized labor, the League of Women Voters, or the anti-Vivisection League. Whoever they were, it would not be right that their true-believer efforts should in effect disenfranchise the more numerous but less-deeply-involved voters of their party.

So, as you can see, I believe a series of primaries -- if not made prohibitively expensive to the candidates (and partial public financing should help on that count) -- are the best answer.

But the present sequence of individual state primaries doesn't seem to make much sense.

New Hampshire comes first. It's a good state. But no one would argue that it in any way is representative of the rest of the country. Yet a disastrous showing there can, and has, ended Presidential candidacies.

Then there's Florida. When Florida set up a Presidential primary last year, it was announced by the state fathers that its purpose was to bring new money and publicity to the state. Nobody thought to mention its usefulness to the democratic process. Florida is a more cosmopolitan state than New Hampshire, in many ways. But it is also a far from representative test.

The Illinois primary, next on the list, should mean something. But last year it did not, because most of the candidates bypassed it. Ed Muskie got 59 delegates there, to George McGovern's 14. But, because the rest of us weren't entered, it was treated as a non-event. Senator Muskie is still puzzling over that one.



Wisconsin, which comes next, was pivotal in determining last year's Democratic nomination.

It was George McGovern's first primary victory, after three comparatively-weak showings. But, because Gene McCarthy and John Lindsay had fallen by the wayside, he came sole heir after Wisconsin to the money and support of my party's most liberal and activist wing. (A poor Wisconsin showing, on the other hand, would have driven McGovern from the race).

Ed Muskie, who'd been spending his time in Illinois on the rational but mistaken premise that there were more delegates there, did poorly in Wisconsin. And, as a result, the national press proclaimed that the frontrunner had fallen. Two weeks later he was effectively out of the game.

George Wallace and I each did pretty well last year in Wisconsin. In fact, when you tabulate the Democratic votes in that Democratic primary, you find that Wallace, Humphrey and McGovern ran about even.

But McGovern got enough Republican crossover votes -- because Republicans can vote in the Wisconsin Democratic primary -- to finish several percentage points ahead of us.

If you wanted to reduce the whole thing to an oversimplified absurdity, you could say that a few thousand Republicans in Wisconsin chose the 1972 Democratic Presidential nominee.

I used last year as an example. But previous years, too, offer a great deal of evidence to show that the present system of state primaries, coming in random order, could be improved upon.

My own preference would be for a series of some half-dozen regional primaries covering all 50 states -- to be held three weeks apart.

Under this system a New England primary, for instance, might begin the sequence.

All the Presidential aspirants would be listed on the ballot and would personally campaign in Maine, New Hampshire, Vermont,

Massachusetts, Rhode Island and Connecticut. They would, of course, be discussing national issues. But they would also be subjected to questioning on purely regional issues, and would fail to respond at their own peril.

On primary day, say March 15, all Democratic voters in those states would cast their votes. Convention delegates would then be awarded to each candidate in direct proportion to the percentage of his votes in the New England region.

The next primary, to be held April 7, might cover the Southeastern or Middle Atlantic states; the next, on April 30, the Midwest or Pacific Northwest. And so on, through the end of the sequence in July.

By the time of the party convention, all candidates for the nomination would have been exposed to, and reach a better understanding of, the concerns and interests of voters in all regions of the country.



They would have been given ample time to discuss and develop truly national issues and the differences among themselves.

And the sequential process would have eliminated by convention time the less-than-serious contenders.

All delegates to the convention would have been democratically selected in elections open to all Democrats of all 50 states.

And, perhaps most importantly, both the public and the various candidates should, at the end of such a process, have every confidence that the public will had been reasonably reflected.

It has been pointed out that such a system of regional primaries, operating under a proportional-representation formula, would make it very difficult for any single nominee to come to his party's convention with the prospect of first-ballot nomination.

In my view, however, regional primaries would offer less chance of a stalemated outcome -- with, say, four or five candidates dividing the delegates relatively equally among them -- than the recently-reformed Democratic Party system would seem to offer us for 1976.

With all winner-take-all primaries now eliminated, and with proportional representation all but certain to be applied down to precinct level in the non-primary states, we will in the Democratic Party almost surely have guaranteed ourselves a multi-balloted convention, leading to a brokered outcome in 1976.

And it is just such a brokered outcome -- with a half-dozen people finally settling things up in a hotel room -- that the reforms were meant to avoid.

All in all, then, both my populist instincts and my practical experience in the nominating process leads me to the regional-primary system as the fairest, most representative and most wholesome means of choosing our country's Presidential nominees.

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The general election itself will, in my judgment, be a far fairer test with total public financing -- and I believe we'll have that by 1976.

Not only will the candidates' chances be more nearly equal, because of more equal financing, but the pressures of fundraising -- and the massive amount of time and energy now devoted to it -- will have been removed.

Money may not be the root of all political evil, but it is certainly the major one.

What about the so-called "dirty tricks" associated with the 1972 general Presidential campaign.

The Nixon Administration would have us believe that forged letters, double agents, smear literature, burglary, wiretapping and sabotage have all been part of Presidential politics-as-usual.

I've been involved in every Presidential election since 1948. I have been directly and personally involved since 1960. In none of those campaigns have I had any knowledge of such activity on the Democratic side. In none of them, prior to 1972, did I hear of any such widescale activity on the Republican side.



In 1968, as you know, Mr. Nixon's representatives were in acknowledged contact with the Thieu government, in the weeks immediately preceding the November election, urging that government to refuse to come to the Paris peace negotiations on the basis that the Saigon regime would get a better deal from Nixon than it would from Humphrey.

That, in my judgment, was not only a "dirty trick." It was a probable violation of the Logan Act.

But, other than that instance, I was aware of no other such 1968 activity by the Nixon campaign.

The fact is that the Nixon-Agnew 1972 "dirty tricks" were not all Presidential politics-as-usual. They were not, in fact, "dirty tricks" but for the most part were indictable criminal offenses, as subsequent events have shown.

I can see no way to protect against such acts in the future -- except to remain vigilant and to prosecute those who commit them.

The American voter will, I am sure, supply us with the best antidote to those who commission and commit political dirty tricks. They will reject them at the polls.

There isn't a politician in America who doesn't know this today.

Fear of damnation will exert a strong restraining influence upon those politicians, if simple conscience does not.

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Finally, are we choosing our Presidents by the right criteria?

As one who has never been chosen for President, I'd strongly suggest that this may be the case.

More seriously, though, I think the Watergate scandals have caused all of us to reflect about the office of the Presidency, and the kind of people who would be best suited to its conduct.

The questions are myriad: Would Sam Rayburn, for instance, ever have allowed us to become mired in Vietnam? Would Adlai Stevenson have embarked upon the Bay of Pigs? Might someone other

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It hardly needs saying, but let me record here my firm belief that the reform most important in our process for selecting the President and Vice President -- next to campaign financing -- is to abolish the electoral college.

It is one of our peculiarities as a nation, but perhaps only a human failing, that we ignore this most serious defect in our Constitution until the dangers it presents to representative government are thrust violently upon us.

Mark my words, not many years will pass before a George Wallace will once again come within a hairs breadth of forcing the election of the President of the United States on a pressured, divided, harrassed Congress, ill equipped to make a decision which will sustain the unity of our people so important to the preservation of our republic.

The Bayh amendment, S.J. Res. 1, should be pressed to ratification without delay. No further evidence is needed as to the urgency of this reform.



than Woodrow Wilson have been more flexible and effective in introducing us to internationalism after World War I? Would a healthy Thomas Dewey have been better able to create a stable postwar settlement than a dying Franklin Roosevelt or an unprepared Harry Truman?

I do not know the answers. But I sense that all of us are asking such questions.

As we examine the Presidency, we of course conclude that different times call for different men. But it is this time which obviously preoccupies us now.

I am an activist. But given our recent experience, I wonder if we should not now value most highly the quality of reflection over the quality of activism ... the quality of maturity over that of youthful vigor ... a sense of tragic history over a sense of personal mission ... a leader of humility rather than one of pride.

We need now, I believe, a President who will address our national problems, but who will have the wisdom and patience to do so in a sense of shared power.

Since World War II, consciously or not, we have conducted ourselves as a garrison state -- a state requiring rapid and often arbitrary executive decision at the price, quite often, of the democratic process itself.

My friend Eugene McCarthy talked in 1968 of "taking down the fence around the White House."

That, figuratively, is what we need.

John Adams had cows grazing in the White House backyard.

Andrew Jackson's inaugural was marked by the consumption, by thousands of citizens, of a huge cheddar cheese in the White House East Room.

(I don't recommend those steps now, although they might be a refreshing change at that).

What I do propose is that we, at least in and for these times, set aside the concept of The President as Commander-in-Chief in favor of a concept of The President as Temporary First Citizen.

What if all federal officials, short of the President and Vice President, drove their own cars to work and traveled by commercial, rather than private, plane?

What if White House staff and papers were to lose their so-called "Executive Privilege" -- which I regard as a dubious concept at best -- and made accessible to the Congress and, through them, to the people?

What if a President were to open himself to telephone questions by ordinary citizens, via national television, for at least one hour each month?

What if the President himself, and members of his Cabinet and staff, were to hold open public hearings throughout the country in advance of the annual budgetary process?

What if all major foreign and domestic decisions were formulated and arrived-at in joint consultation among the White House, executive departments, and pertinent Congressional committees?

What would happen if honest-to-goodness rather than lip-service Cabinet and National Security Council meetings were restored as normal procedure, in place of governance by a President and an ad hoc kitchen cabinet?



What would happen, if tomorrow each citizen's tax return, military service record, and personal bank records were made all but inviolable -- to be examined only under court order, and under far stricter circumstance than at present?

What would happen if the CIA were to be reduced to its original purpose -- that is, as a central collection point for information -- and its operating functions discontinued?

What if our whole process of security classification was reviewed and only the most-sensitive documents were allowed to retain top secret or secret status?

Most importantly, what if our Presidents came to see themselves as temporary surrogates for the individual taxpaying citizen rather than as powerful leaders of the free world?

Would these things harm us? More likely, I think, we'd find ourselves a healthier and better-balanced nation.

You may say that the things I've cited have more to do with the form of government than its substance.

That is quite true.

But, as Mr. McLuhan has long since told us, the medium is the message. At least, it can be.

The paramount issues of the next decade, in my judgment, will not be the accustomed "programmatic" issues, but will have far more to do with the relationship of the individual citizen to his government.

There is no doubt in my mind that the voters and taxpayers are no less than desperate -- and rightly so -- to find some way in which they can become participants in the business of our democracy, rather than mere objects to be manipulated by distant and well-insulated bureaucrats.

They want a Presidency, as Gene McCarthy said, without fences.

Does our present political system offer us the chance for that kind of Presidency?

The cynic would say that, through our democratic process, we as a people get just about what we deserve.

We deserve better than what we have now.

If we cleanse and reform the process itself in the months that lie ahead, we might stand a chance of getting it.

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