

Oklahoma City, Oklahoma,

May 9th, 1935.

Mr. Glen Frank,
c/o University of Wisconsin,
Madison, Wis.

Dear Mr. Frank:

Your articles concerning timely topics appear in one of our daily papers. I read them with interest, and I trust, with appreciation. Naturally, your discussion has largely concerned the depression in economic conditions. It has also touched on the measures being taken with the announced intention of furthering improvement.

It would be of temporary benefit only if better conditions could be only temporary. In analyzing the benefit of the measures taken we must necessarily review the causes of our present condition. Briefly stated, they are as follows:

1. The folly of mankind.
2. The World War.
3. Inadequacy of our government.
4. Inadequacy of our financial and industrial machinery and personnel.

I shall endeavor to discuss these briefly and in order.

1. The folly of mankind.

Of course, this primary cause has existed since the beginning. From it flows all the ills of mankind. It cannot be eliminated. It can only be restrained and lessened.

2. The World War.

The World War, as others in the past, was the direct result of the folly of mankind. There is little that one country can do to prevent a recurrence of it. Since our present ills flow largely from the war they could not have been avoided after the war. We could only have lessened the effects of the war both in extent and duration. It is with this topic in mind that I write you. And this brings us to the third cause of our conditions.

3. Inadequacy of our government.

There seems to be a sharp difference of opinion as to the extent of the power of government over financial and industrial conditions. Almost all concede that great destructive powers over and human welfare are vested in the government. Naturally, destruction is much easier of accomplishment than is construction.

I am adopting here the theory that government should regulate and supervise economic and financial agencies as little as possible, consistent with national safety and welfare.

In that, I take it, I am supported by no less an authority than Jefferson. On this theory and in fact on any theory consistent with general welfare, it is necessary that the best human talent available be entrusted with governmental authority. In order to guard against human frailty it becomes necessary to have safeguards. We assume, for the purpose of this discussion that our Federal constitution provides such. At least we know of no other applicable to our situation.

If then, our methods of selecting and retaining public

servants are correct we, as individual, citizens have done what we should do in that regard. It is now evident to even the least well informed that an individual citizen can have little or no direct participation in government. Such was not the case in Athens, and other historical examples. Such is not the case in any small, self-contained community. Our fathers realized this when the Constitution was adopted. We have endeavored to depart from it in many ways. One of these is the primary system. Another is the formation of organizations representing minorities to work directly on the elected and appointed officers.

Early in the government it was thought that political parties were necessary. They were founded and functioned. With the introduction of the primary system the strength of the party organizations has been almost eliminated. The strength of self organized minorities has been increased. The ability, integrity and tenure of office of public servants has declined.

This brings us to a discussion of the point I have in mind which is:

THE PRIMARY SYSTEM IS
EVIL AND DANGEROUS.

One thousand years from now a second Gibbon will undertake his life work. As was the original Gibbon, he will be actuated by the highest patriotic motives and equipped with the greatest talents of an historian. His subject will be "The Decline and Fall of the American Republic". He will devote his preliminary chapters to a concise statement of the beginning and growth of that great republic. He will fix the beginning of "The Decline" with the adoption of the primary system of selecting candidates for public office. If I may be permitted further prophetic powers he will select as his outstanding example the State of Oklahoma. After examining and discussing the affairs and history of that commonwealth in detail he will demonstrate that its history is typical of all the states. The primary system as applied to the general government will then be taken up and meticulously reviewed. He will point out the likeness of this system to Sinbad's "Old Man of the Sea". The selfish politicians and the advertising managers of our newspapers were so firmly fastened to the political body that they rode it to destruction.

Permit me to further anticipate this second Gibbon.

THE PRIMARY SYSTEM IN
OKLAHOMA.

Such will be the heading of one of his leading and longest chapters. He will already have pointed out the growth and development of the political parties. The various methods of selecting candidates for public office will be reviewed historically and analytically. The growth, merits and practical abolishment of the party convention will have been discussed. Also will its demerits have received careful attention. His discussion concerning Oklahoma will inform us that Oklahoma was the first state to adopt the primary system from the beginning of its history. In 1907 the state was admitted into the union with the primary system written firmly into its constitution. The evils did not make themselves apparent in the beginning. The party machinery of the respective political parties at first functioned. The first great shock came when a man was named as the successful candidate for Mine Inspector on one of the two political parties. This man's name commenced with the letter A. Because of this his name was first on the ballot and because of the complete ignorance of the voters at the primary he was selected. After the selection and after it was too late to select another candidate the appalling discovery was made that this man had been convicted of a felony. It was further discovered that

he was even then confined in the State Penitentiary for a term of years. The candidate of the opposite party received the election. As to his merits no one was better informed than they had been of the merits of his opponent.

Seeking to eliminate a recurrence of this result the primary law was amended. It was provided that the names of the candidates should not be printed in alphabetical order. They should appear in a different order in each voting precinct. This method has since been followed.

However, the results have been little different. At a later primary election several years afterwards it developed that the candidate receiving the majority of votes on the ticket of the dominant party was not confined in the penitentiary. He had been convicted of a felony and his case was pending on appeal. During this time he was at liberty on bond. After very strenuous efforts he was induced to resign as a candidate and the party central committee selected a successor who was legally competent to accept the office.

The defenders of the primary system discount these examples on the ground that the office of Mine Inspector is of such minor importance that the people cannot be informed concerning the candidates. It would cost too much money to place the information in their hands; that such an office should be filled by appointment rather than by election.

However, let us examine the record of Oklahoma's governors. This office is the most important single office in the commonwealth. The first governor was elected in 1907. He and his successors held office until January 1919. During this time the state was growing in population. The early idea of selecting the best man was still prevalent. Beginning with 1919 the three next elected governors were confronted with bills of impeachment. The first bill was defeated by one vote only. He filled out his term. His successor did not fare so well. In his eleventh month of office he was impeached, convicted and removed on the grounds of corruption in office. This governor was arrested and arraigned on a felony charge but escaped conviction. His successor, the lieutenant governor, happened to be competent and trustworthy. His administration was both successful and economical.

The governor elected in 1926 took office in January 1927. He was impeached and removed on the charge of incompetency. The lieutenant governor also happened to be capable and his administration was successful. Since then there have been no impeachment trials. However, the persons nominated by the dominant party and therefore elected, have been far from competent. Few impartial observers will take issue with the statement that the last four governors nominated by the dominant political party have not been the best ones available. Most of such observers will agree in saying that in each case they were near the bottom of the list in ability and fitness for the office.

We now arrive at the following most pertinent inquiry.

WHY ARE UNWORTHY CANDIDATES SELECTED OVER
WORTHY CANDIDATES?

The answer to this question lies in the fact that in a state as large as Oklahoma (over two million inhabitants) the voters are not informed. They are not informed because the means of correct information is seldom available. The candidate receiving the most favorable publicity, as a rule, must have at his command the most money. This results in this:

- (a) Either the candidate must be wealthy, or
- (b) He must have friends with wealth who will expend their money for him.

If he has wealth of his own this in itself is a handicap to favorable consideration from the average voter. And even though wealthy the candidate hesitates to spend from two to five hundred thousand dollars in seeking an office with a total salary of \$25,000.00 for a four-year term.

If friends supply the campaign funds they are almost sure to be fair weather friends who must be repaid in some manner. Their repayment almost necessarily comes from favors extended to them which others cannot get. These favors, in most cases, cost the state or its citizens large sums of money or property of value. In other words, the obligations of the candidate are to a few, only, of the electorate. His obligations are such that he cannot be independent and impartial.

When the party organizations were active, permanently functioning organizations, the strength of the party organization was back of its candidates. The party leaders openly solicited, received and spent contributions from those interested in the party welfare. These contributions came from many, in many small, as well as larger, sums. The loyalty of the party worker was more to the party and not so much to the individual candidate. The Ticket was supported by an active coherent party in which each member had a strong personal interest and partisanship. When a candidate was elected he knew that he was elected by and responsible to at least more than half the voters. These candidates had been selected at a convention of delegates of the party. These delegates had been chosen for their fitness by their precinct neighbors. These delegates felt a responsibility to themselves, their party and to their neighbors who selected them. Therefore the incentive to exercise care and wisdom in the selection of the candidate was ever-present in the convention. When the ticket was selected the party took charge of the campaign and financed it with party funds.

Now, the primary candidate is not selected by those who are directly charged with the safekeeping of the traditions of the party. He is not selected by delegates who must return home to account to their neighbors for their actions. He is not selected by men who have spent much of their mature years in weighing the capability and availability of other men for public office. He is not selected by a comparatively small group who must put their party to a great test by their wisdom in selecting candidates and a platform. He is not selected at an organized gathering in which the merits of the candidates may be given careful discussion.

On the contrary, any person, who cares to may enter the primary election booth. He need not have any party loyalty or knowledge of its workings. He may, in fact, be an enemy of the party and of its success. The preliminary campaigns of the many offering themselves at the primary have been financed either by themselves or their few self-seeking friends. Not one of them may have any regard for the welfare of the party on whose ticket he proposes to run. If a party convention

has laid down a platform the candidate knows that it is not binding on him. No one can raise a finger if he disregards it.

The voter at the primary booth is generally in a maze of bewilderment on account of the many claims and counterclaims that have been made concerning the respective candidates. He votes in a hurry.

His vote is the result either of insufficiently founded prejudice or it is the result of pure guess. What wonder then is it that the demagogue prospers in a primary?

And when the primary is over the successful nominee is bound by no pledges, except those he may have made to the empty air. He has made no pledges to a well-organized, political party. The only binding pledges he has made are to the unknown few who have furnished the means to successfully finance his campaign. The party platform, if any, was not adopted by the same people who nominated him. It was not adopted by anybody which has any control over him.

When he is elected no party chieftain, as such, may point a warning finger. The feeble party organization can bring no effective arguments to bear to arrest the unwise or corrupt course of conduct that may be pursued by the officeholder. The party, as such has no effective plans for helpful legislation. It has no effective plans for preventing unwise legislation. If it had such plans it has no power to carry them out. The course of legislation must therefore be largely shaped by well organized minorities. Most of the minorities have nothing but selfish ends.

THE PRIMARY SYSTEM IN NATIONAL ELECTIONS.

The convention system of selecting party candidates was the slow growth of many decades of trial and error. It also grew and functioned at a time when political preferment appealed to our best minds more than it did in the beginning of the 20th century. Its wisdom seemed to be established. Political wisdom, like wisdom concerning any other subject, must be the result of slow growth. It must result from the experience of many over long periods of trial and error.

About the beginning of the 20th century there arose a tremendous outcry in favor of the primary system. It was alleged that the convention system was outgrown, corrupt, unwise. It was claimed that the government had been taken away from the people and given to the political machine.

At about this time tremendous growth in industry, manufacture and trade burst on the country. Many think that the pressure of this growth diverted the best brains from politics to business. At any rate no intelligent and effective effort was made to arrest the primary enthusiasts. Who they were and why they were it is unnecessary to discuss here. The part of wisdom would have been to try out this brilliant idea very gradually. It was no new thought. It was merely an attempt to apply to a large territory a principle which had been found to work well in a very small territory. Its past failure when applied to large populations had been demonstrated.

The enthusiastic primary crusaders were successful in completely overturning the convention system. The primary system was substituted almost overnight. It was the theory that wisdom sprang full blown from the educated minds of the primary enthusiasts; that such kind of complete instantaneous wisdom is much to be preferred to the imperfect wisdom gained by the painful and laborious century consuming method of trial and error.

The result to the nation has been almost as disastrous as to the states. The halls of Congress are not filled with legislators selected for wisdom, experience or party loyalty. They are entirely selected for other reasons. The term selected is hardly correct, since it implies an intelligent choosing.

In order to make plain what has happened to the National House of Representatives a few instances from Oklahoma are illuminating.

1. Hon. Manuel Herrick.

In 1924 the 8th Congressional District had been represented since statehood by the same man who had so entrenched himself that capable candidates hesitated to test his strength. Manuel Herrick, had offered himself at every primary since statehood and always unsuccessfully. Each time he filed for a different office. This time he filed for Congress. He and the incumbent were the only candidates before the primary. After the time for filing had elapsed and before the primary was held the veteran died. No provision was made for this condition. Mr. Herrick was automatically nominated. The other party had nominated a man of little appeal to the voters. It was a national election. Mr. Herrick, although running far behind his ticket, was elected and served his two years. No one ever gave him credit for wisdom. In fact, to be blunt, he was almost an idiot. When in Washington, he was the butt of the Capitol. Chorus girls at the suggestion of hilarious newspaper correspondents sued him for damages for breach of promise, just to make headlines. Reputed prohibition agents would place him under pretended arrest for operating illegal liquor stills.

2. Will Rogers. In 1932 a gentleman named Will Rogers entered the primary lists as a candidate for Congressman at Large. His only known qualification was his name. He needed nothing else. He was nominated and elected. Movie fans, not a political party, nominated him. He had 8 opponents, some of them of capacity for and experience in government. Not one candidate had, or could get, the endorsement of a political party. The machinery for securing that selection had been destroyed. So that the managing director of the Fox Studios in Hollywood, California, selected and elected this candidate. He happened to have (or adopt) the same name as the leading star of that studio.

3. Josh Lee. In 1934 there were several candidates in the 5th Congressional District. At least three were experienced in government and of well recognized ability. Mr. Josh Lee was a teacher of public speaking at one of the state institutions of learning. During his several years there he had been called upon to address many common school and high school graduating classes. The members of these classes were now voters. They knew Mr. Lee. They did not know his opponents. They nominated and elected him. He may well be qualified to hold the office. He was, however, not selected for that reason.

Most of the congressmen have been selected for their industry either as campaigners or seed distributors. If they have ability so much the better. Now they will be selected, apparently, for this ability to provide a living from the public treasury for their most vociferous constituents.

In the Senate of the United States the same thing has occurred to a lesser degree. The fact that the term of the senator is 6 years gives him an opportunity to acquire some wisdom in public affairs before demagogue overthrows him.

So that a patriot can view our legislative branch only with sadness.

If there had been an effective Democratic party would it have permitted Congress to violate every pledge of the Democratic National platform? Would it have allowed the abject surrender by Congress of constitutional rights to go unchallenged? Would it have remained silent when Congress surrendered its legislative powers to an unknown coterie of socialistic crusaders to whom had been entrusted the preparation of our laws?

Would a Republican party have permitted, without warfare, any of its members in Congress, to participate in the wounding and maiming of the Constitution? Would it have permitted the work of Washington, Madison, Hamilton and Marshall to be trampled into the ground, without a most vigorous resistance?

These questions have only to be asked to bring forth their answer.

THE PRESIDENCY IS NOT A PRIMARY
OFFICE.

Those who deprecate the primary system seem to take comfort in the above statement. It is true that the candidates for president are still selected by conventions. The choice of these convention is usually good.

However, if the candidate selected by the convention on a platform of economy and tax reduction does not see fit to be bound by such a platform, who can lift a finger? The National party organization is not consulted when members of the opposite party are selected as members of the cabinet. They are not consulted when socialists are selected for cabinet positions. They are not consulted when the affairs of government are delivered to cloistered theorists concerned only with billion dollar experiments, on the nation, without regard to the wisdom of the ages.

In other words, the shells of the political parties which now exist cannot cope even with an assistant professor of political economy from a Metropolitan University.

Nationally the president controls the party. If others control him they control what is left of the party.

THE SUPREME COURT.

This is the last resort of orderly, constitutional government. Organized minorities have no access to it. The calm wisdom of a John Marshall, William H. Taft or a Charles Evans Hughes is not affected by the statesmanship of a Plato, Moore or even an Edward Bellamy, if it conflicts with the constitution or if it requires a rebirth of human nature for success.

4. Inadequacy of our financial and industrial machinery.

This topic I shall leave to a later date. It would seem that the voluntary action of the groups comprising our financial and industrial system are more competent to adjust their affairs than is a congressional committee.

Respectfully submitted,

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