

INTERVIEW I

DATE: November, 1968
INTERVIEWEE: VANN M. KENNEDY
INTERVIEWER: PAUL BOLTON
PLACE: Corpus Christi, Texas

Tape 1 of 2

B: We are in Corpus Christi talking with Mr. Vann M. Kennedy who has been in politics as an observer and an active participant in the affairs of the Democratic Party for a good many years.

Mr. Kennedy, what is your present vocation?

K: I am president and general manager of television station KZTV and [radio station] KSIX.

B: I should note that prior to establishing radio and television facilities in Corpus Christi, you were for many years a resident of Austin.

To go back to the 1930s, you were a student at Southwest Texas State College?

K: Southwest Texas State Teachers College.

B: That's right, many years later the "Teachers" was dropped from the name.

Was that before or after Mr. Johnson was a student at the same college?

K: Just before.

B: Just before. And he followed you into the college. Did you know him at Southwest Texas?

K: No.

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B: Then you became bureau manager for the International News Service at Austin and a correspondent for a large number of newspapers. Is that correct?

K: Yes.

B: During that period back in the 1930s a man named Jimmie Allred was elected governor. I believe that you and I thought a lot of Mr. Allred, did we not?

K: Yes, we admired him greatly.

B: Can you tell us something about some of the things we did in those days?

K: Well, we tried to be a help to Jimmie Allred, because he was a bright and honest young man, an idealistic young man. He also appreciated help we gave him and guidance on a good many things. I suppose one of the things that encouraged us to help Jimmie was the fact that when we gave him an idea he would enthuse upon it and it would sort of catch fire with him. So playing Pygmalion, as it were, we probably contributed a few ideas that he adopted and did something with.

B: When you say "we," you mean yourself, do you not?

K: I think you also were in on it.

B: Well, in a slight sense, but you were the brains of the organization at that time. Perhaps we should explain that I was associated with you in the International News Service and other projects and that's why you use the term "we."

K: I think you're a little too generous about my being the brains, but I was denounced and criticized as being his braintruster by some of his adversaries.

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B: In any event, during Mr. Allred's administration as governor, you became secretary of the Texas State Democratic Executive Committee. Is that right?

K: Yes, actually prior to his inauguration I was elected secretary, I believe first in September, 1934.

B: Then how long did you continue in that job?

K: As I recall, I was secretary of six committees and attorney for another one and a member of still another committee.

B: Yes. Now, during that period, Mr. Johnson was director of the Texas NYA. He was appointed, I believe, in 1935 or 1936, along in there somewhere. Then in 1937 he was elected to Congress from the Tenth Congressional District, which included the Austin area. Did you have any part in that particular campaign?

K: Yes, my association with Lyndon began when he came to Austin as state director of the NYA. He has since credited me with some courtesy or favor which I did. I think it was no more than some courtesy, but since then he has made much of it. Many, many years later he recalled this small courtesy.

B: What was that courtesy?

K: Frankly, I've forgotten! I think it had something to do with the Governor and I'm sure it was of a trifling nature. But at any rate, that was my earliest association with him, which has always been very cordial on a personal basis.

But in 1937, the incumbent Congressman James Buchanan died. The vacancy occurred and made a special election necessary. Johnson

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immediately announced and became the advocate of the recently proposed plan by President Franklin Roosevelt to reorganize the Supreme Court by adding a great many members to it. The obvious objective here was to gain support which would validate a great many of Roosevelt's proposals. This, of course, focused attention on the race in this district, because it was the only congressional race in the nation where the President's so-called Court-packing plan was an issue.

B: Right there perhaps we should interject--you are also a licensed attorney, are you not?

K: Yes.

B: Go ahead.

K: Thinking the constitutional question to be a very important one and indeed the moral question involved to be an important one, I was very much opposed to the so-called Court-packing plan or stacking plan. And I gave my support to Polk Shelton, a prominent Austin attorney and old-time political leader in Central Texas. Mr. Shelton was opposing very vigorously the Roosevelt Court plan. While there were many supplementary issues and proposals by the large field of candidates, this was the most important single issue in the campaign, as I recall.

The campaign, of course, was dramatized by the support given by the Roosevelt family to Lyndon Johnson. It was reported that a substantial contribution was made by some members of the family, not the President himself. Whether this was ever actually the case or whether it was a means of inducing others to contribute, or merely, I suspect, an endorsement, I don't know. But this was one of the big things that helped

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dramatize the race. Johnson won by a substantial margin, but it was noteworthy that the runner-up was Polk Shelton, the one man who had had the courage to oppose the President's plan in a congressional district in which Roosevelt was very, very popular at the time. The subsequent greeting given Lyndon Johnson by President Roosevelt when he was fishing from a cruiser off the bay, off Galveston, dramatized the race even more and focused even more national attention on Lyndon Johnson, who was an extremely personable, handsome young man. This launched his career as a national figure.

B: Now, to go forward a few years, in 1948 when Mr. Johnson ran for the United States Senate, at that time you were secretary for the [State] Democratic Executive Committee, is that right?

K: That is correct.

B: Among the duties of the State [Democratic] Executive Committee and its secretary is the tabulating of votes in the primary election. Will you tell us something about what is involved in getting and counting these votes?

K: The statutes give the duty to the executive committees of political parties of tabulating and canvassing primary election returns. A state convention normally adopts the report of the executive committee and formally makes another canvass and declares the nominees, certifies these nominees, for inclusion on the general election ballot. The State Democratic Executive Committee, having sixty-two members, one man or one woman for each state senatorial district, of course, does not do the direct physical work of canvassing. This has always been done by

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the secretary. And, in this instance, as I had done in many primaries before, or several primaries before, I tabulated all the votes, prepared them for approval by the committee at its formal meeting. Inasmuch as the reported unofficial election returns showed the contest for the United States Senate between Governor Coke Stevenson and Congressman Lyndon Johnson was very close and even in doubt, this created a great deal of interest and attention on the part of the executive committee and on the state convention which was to follow the committee's meeting.

It might be explained that one of the functions of the executive committee is to pilot the convention into session. It sets up the temporary order of business which prevails until the convention can become completely self-governing. Inasmuch as this committee was to certify its findings to the state convention which in turn would declare the nominees of the party for the various offices, it became very important to the two candidates for the United States Senate. Their adherents had done a great deal of unofficial canvassing and there had been many published reports and speculations as to the actual totals. Since the number of votes was so large and it was so close, it centered a great deal of interest and attention on the actual canvassing process.

B: I don't want to interrupt your chain of thought there, but just for a moment--was the state committee blessed with lots of funds to do this job with? Was the state committee secretary at that time endowed with a great war chest to get all this mechanical work done?

K: No, at that time the party organization was about minimal. The funds available to the committee were very small. The candidates for state

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office and the United States Senate had to pay a filing fee of only one hundred dollars and this provided very, very few funds.

The need for a state organization of the Democratic Party in those days was not great. The word Democrat was about as generic as the word Texan. In fact it might be noted parenthetically that the primary election system in Texas was sometimes criticized as giving a rather broad area of choice. Anyone could run for governor, for example, by paying a one hundred dollar fee. Under the usual procedures he would develop his platform and expose his personality to the voters. They would make the choice and then they would hold a convention which would declare him [the successful candidate] the formal nominee and usually adopt his platform as the platform of the Democratic Party of Texas. This was usually done at the September convention biennially, usually called the Governor's Convention.

There were many different factions within the Democratic Party from time to time, many battles, but these were not so much in terms of party ideology. The party machinery operated not so much as a campaign organization at all, but to perform the basic functions to keep the party together. So it did not need essentially any big war chest at that time, or at least none was thought to be necessary. The secretary, at various times, was short of staff and a lot of other things, but by volunteer help and occasional contributions, the party machinery operated.

B: As a matter of fact, the party had no formal office at that time, did it? Your office was the office of the party.

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K: Yes. Primarily because at the time I was in Austin and this was a convenient location. Outside of the required meetings, there were not too many functions of the party machinery as an organization.

It might be worthy of note that despite the fact that there were many bitter primary battles in the years going back to the origin of the Terrell election law, so-called, in the early 1900s, there has never been any question of the canvassing of state office returns by a state committee, either Republican or Democratic, that I recall. I don't think there's ever been one.

B: What do you mean by that, now?

K: Well, these committees have functioned fairly and honestly. There has been no scandal or question of the accuracy of the returns made by any state executive committee or any party. These committees, both Republican and Democratic, usually very representative citizens served on them and they have performed this ministerial function apparently without scandal or question. As to policy, of course, there has been litigation. There was the Ferguson-Sterling campaign in which efforts were made for a mandamus. However, the executive committee was not behind them. And the precedent [established in that litigation] provided an important bearing on the 1948 issue. Knowing the closeness of the contest and the heated partisanship involved, I abstracted an opinion written by Chief Justice C. N. Cureton in which the Supreme Court had defined the duties of a party executive committee and its functions and what it could do and what it could not do. The essence of the opinion was that a state executive committee had to certify results that formed

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the certificates that were valid on their face, that it had no authority to look behind any valid certificate.

B: Now, by certificate, you mean the certificates that were sent to you by whom?

K: The process starts with the members of the county executive committee which is made up of the various precinct chairmen within each county. Of course, each precinct chairman has recorded and certified the returns of his box to the county committee. The county committee, in turn, certifies the primary results for the entire county to the state executive committee.

B: How many counties are there?

K: Texas had two hundred fifty-four counties. So the process of tabulation and canvassing is a rather large one in Texas and very often there are a great number of candidates for each office. In addition, the state executive committee is burdened with the duty of canvassing and certifying the returns on all district offices. So this is a pretty huge job that has to be done very rapidly after each primary election. There is not too much time between the official meeting of the state committee and the election to get these returns together.

But nonetheless in the 1948 campaign there was certainly plenty of stimulus and pressure, I assume, in most counties for the county chairman to get his returns in promptly, [due to] the fact that the outcome was in doubt. The Johnson people, as I recall, were quoted as being confident of the outcome on the basis of their private, unofficial canvass. The Stevenson people had some hopes that they still might win, but everyone

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was really in doubt. Because of this intense interest and because I felt that it should be a matter to be revealed only by the state executive committee in the circumstances, I did not reveal what the official returns showed. As a matter of fact, I refrained from running up the tabulation on the senatorial race until the night before the committee met. This was partly in self-protection, so I wouldn't give away by any hint what I really knew or didn't know. I tabulated this personally, ran up the adding machine tapes personally, and checked them personally. I revealed the result the next morning just before the executive committee meeting to the chairman of that committee, R. W. Calvert of Hillsboro, who is now chief justice of the Texas Supreme Court.

B: This committee met where?

K: In the Texas Hotel.

B: In Fort Worth?

K: In Fort Worth. As I recall, there wasn't a meeting room large enough and I think we met in a broad area on the mezzanine floor. I don't think it was a particular meeting room; I don't think the hotel had a big enough meeting room. I seem to recall it was a wide area that was cleared off on the mezzanine floor.

B: Did anybody believe that you didn't know those totals?

K: Oh, probably not. They thought I was kidding them or stringing them along. Of course, many efforts were made to learn the results: "Tell us," "You know you can tell me." But I thought it was the best policy to let this come from the executive committee itself. So the first real public knowledge of what the returns were was the report that I made

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to the executive committee. That was the first public knowledge of what the tabulations would show officially. Of course, this was then submitted, as was customary, to a canvassing subcommittee of the executive committee. It became, however, in effect, a meeting of the committee as a whole because of the intense interest.

B: The canvassing committee.

K: Yes. The executive committee abandoned all other projects and sat as a body while the official canvass was going on, which consisted, of course, of going back over every county in detail. This is the only time in my memory that any executive committee has ever examined the returns this closely. But because of the closeness of the race and the intense interest, every certificate was passed around for examination [by members of the committee] by the tally clerks that I had set up, with additional clerks to be checking them as the totals were called out. So this was a long, laborious process, but I don't believe tension relaxed at any time through this whole process.

B: Now, right here in the middle of the tension, let me ask you to back up just a moment and revert to this Cureton opinion, Judge Cureton's opinion. You say that you made--what would you call it--a summary of the opinion?

K: It was an abstract, a synopsis.

B: Did you send this out to members of the committee?

K: Yes, I mailed this to the members of the executive committee, oh, sometime before the committee meeting. I was not asked to do so, but I thought it was going to be rather important and I wanted the committee to have the benefit of the one important legal precedent.

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Incidentally, this opinion has never been set aside or successfully challenged. In fact, I don't know that it has ever been challenged since the time it was given and certainly at no time since. I think there have been election contests in local precincts and local counties and local offices, but as far as I know this law, this opinion, prevails as to the authorities, the duties, and the limitations of an executive committee when it is canvassing and certifying returns.

B: That is, substantially, that they cannot go behind the certificates submitted to them by the county.

K: They are not an investigative body and they have no authority to go beyond the certificate if it is valid on its face. In this particular instance, the dramatic interest was Box 13 in Jim Wells County. The Jim Wells County certificate was authentic and valid in all respects, and no one challenged the authenticity of the certificate. Of course, this certificate of Jim Wells County incorporated the votes from Box 13, which was under question and which had received a great deal of publicity. But there was no challenge to the authenticity of the Jim Wells County certificate on the total return of Jim Wells County. And following the Cureton opinion, since the certificate was valid on its face, the executive committee was required to certify its totals among the totals of the state. In other words, if there had been fraud or irregularity, it was not the duty of the executive committee to inquire into it. If I recall, the theory of the opinion is that in the Courts and other laws, the machinery for election law contests are very clearly set up,

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and anyone unhappy with the outcome of an election had recourse to these courts under these statutes. But an executive committee could not set itself up as a special court, so to speak, to inquire into or adjudicate election contests. So the duty of the executive committee was rather clearly defined by this opinion. That is why I sent a fairly lengthy abstract of the opinion to the members of the executive committee. It may have had some influence on the decision of the executive committee.

B: Now, taking up again the meeting of the committee, its duty was either to accept or reject the report as you presented it. At least that is what the vote in the committee came on.

K: Well, of course, I was merely an agent of the committee, acting for the committee in the performance of its duty. Of course, I was gratified that the detailed canvass by the committee--subcommittee and the committee as a whole, for that matter--agreed with my canvass and confirmed my findings. I suppose in a parliamentary turn, the usual procedure, and I think it prevailed at this time, is for the subcommittee on canvassing and elections to make a report to the committee as a whole, which is normally done. I think this occurred in this case. The subcommittee made its finding, which, of course, was the report I had prepared for it. Then came the question of adoption of the report by the entire executive committee. This was a very close vote. As I recall, it ended up with a margin of one vote for certification of Lyndon Johnson as the nominee for United States senator.

Meanwhile, the committee had disposed of all of the numerous other officers and other certifications about which there were no questions.

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But this was the one dramatic incident of that committee meeting. The closeness of this vote intensified the divisions within the state convention itself which had some factions and some issues which had developed even before the senatorial race had been completed and involved contests for power and positions over issues that were not involved at all in the senatorial race. But very quickly the senatorial race became a dominant concern in the convention because it became pretty important as to what group or what individuals controlled this convention.

B: Why was that important if the committee had already done it? The committee's judgment is subject to being overturned by the convention?

K: The convention is the certifying body which puts a nominee's name on the official general election ballot, so in normal process the convention always adopts the findings of its executive committee. However, the political rivalries in this case were so intense that there was a question as to whether the convention itself would follow the clear guiding rules of the Supreme Court decision or whether it would act in political partnership. This being the case, the Stevenson and Johnson people were very active in helping to organize the convention and very much interested in its outcome.

The issues involved in organizing the convention were not strictly those of Johnson versus Stevenson. There had been a power struggle going on in the party for some time. The factions in various names and guises of times and with a great deal of oversimplification could be described as roughly New Deal and Anti-New-Deal or Pro-Roosevelt and Anti-Roosevelt. Many of the quarrels endured from a great rupture in

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the party that occurred in 1944 in which the then-Congressman Lyndon Johnson had taken some part. Roughly it was a fight between Roosevelt Democrats and the so-called Texas Regular Democrats, who characterized themselves as representing the true or regular principles of the established, orthodox Democratic Party, of the pre-Roosevelt Democratic Party. These, however, are simplifications. There were many ramifications to the overall power struggle and the many smaller power struggles that sometimes occur at political conventions.

B: I'm happy to hear you say that that is an oversimplification. If you will pardon an interruption here, I have long contended that it is not adequate to divide the Democratic Party into two arbitrary groups, one called liberals and one called conservatives, because nobody can agree on a definition of what is a liberal and what is a conservative. What is liberal to you might be conservative to me, and vice versa. That's all beside the point. I'm sorry to interrupt you, but I wanted to get that in there.

K: I agree with you. Many of them involve personalities and many of them involve simply the question of who will be queen of the May. The complexities of political issues cannot be defined with simple labels.

But in this case, there were many explosive factors of this convention and there was no clear-cut majority that could be discerned to any particular idea, group, or cause. The big question arose crucially as to who would be the temporary chairman, this being the first big confrontation between forces in any convention, and at that time, before statutes, Texas statutes, had clearly defined the process by which a convention

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is called into order, a great deal depended upon who would be elected temporary chairman and who would be the slate of temporary officers. A slate of temporary officers is recommended usually by the [State] Democratic Executive Committee. A vital question is the eligibility of contested delegations to vote at this juncture in a convention. This is a difficult and at times quite controversial question as to parliamentary rights and in particular as to whether contested delegations have the right to vote on the contest, even though they had been seated under the temporary rules of the convention.* This is too long a parliamentary discussion for this narrative, but it was a question on which there was much division of opinion in the parliamentary sense of the correctness of the parliamentary issues on whether certain delegations could be seated, or rather whether certain delegations seated on the temporary rolls would have the right to vote for temporary officers. The ruling of the chair, in this case, if memory serves, was that certain very large delegations could not vote, which resulted in rival factions gaining control of the convention. This had nothing to do directly with the senatorial race, with the Stevenson-Johnson issue. The primary battle had been formed and the lines had been drawn beforehand. But the fact that the prevailing temporary slate of officers, the prevailing new group took possession after the test roll call, there were

*Insert by Paul Bolton not included on tape: It seems in order to explain at this point that many counties had sent two delegations to the state convention--a Regular Democrat delegation, or a Pro-Roosevelt delegation. The executive committee determines which of these contesting delegations shall be included on the temporary rolls. For further elucidation of the happenings at Fort Worth in this respect, see the interview with Stuart Long.

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enough of this majority group favoring Johnson to ensure the convention would certify his name as the senatorial candidate. So, perhaps chance played some part in this also.

But the convention proceeded. There were other contests that developed later over who would be party officers, a very important one over who would be Democratic national committeeman and whether the convention had the right to remove an incumbent national committeeman. In spite of being told that they had no authority over this and no control, the convention did make this effort, which was futile. And they even elected, or attempted to elect, a national committeeman. Of course, this is a function of the Democratic National Convention, which elects members of the Democratic National Committee, usually electing those nominated by a state convention. The national committee until the national convention is in session is in control of this matter. So this was a futile gesture, but this was one of the extremes this convention went to.

B: How about the removal of the furniture? Do you know about that episode?

K: Yes. I had been elected secretary of this convention, its temporary secretary, if I recall correctly, and the Tarrant County delegation was the nominal host of this convention. The local organization, but in particular the local executive committeeman and executive committeewoman with others, an arrangements committee and a convention committee, had set up some of the preliminary arrangements, such as engaging the hall, supplying typewriters, furniture, desks, decorations--a variety of the

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other things that go into the operation of a huge convention. The Tarrant County delegation was not seated, whereupon some of the leaders of this delegation who had collected a lot of funds and made a lot of arrangements for this convention were understandably irritated and annoyed. One of their first gestures of annoyance was to remove all of the rented equipment--adding machines, typewriters, desks, tables, and so forth, which they had a right to do since they had rented them and stood good for the payments on them.

But I asked former Governor Allred to pass the hat to see if we couldn't gather a little money in a hurry to rent some more equipment, which he did, and quite successfully. We quickly had enough funds and we quickly rented some more material. Meanwhile, oh, I think we were down to one or two portable typewriters that I owned myself that we were using, and we got by until we could get more equipment in. Meanwhile, the convention proceeded.

B: I was not present at that convention, but I have heard that when Sam Rayburn got up to protest the taking of the furniture, somebody took the chair that he had been sitting on. Did you ever hear that story?

K: No, I never heard that one; I don't recall that incident. I was extremely busy at the time. I recall, I think, that there were published newspaper photographs of us having barrels and a few planks to set my portable typewriter on. The individuals who pulled the rug out from under us, so to speak--

B: Literally, as well as figuratively.

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- K: --gained nothing by the gesture. The Fort Worth Star-Telegram remarked editorially that they achieved nothing except to mar the reputation of Fort Worth and its hospitality. The incident was referred to humorously in later years, and I think the participants in this were probably not proud of it. But it was a very minor footnote to the convention.
- B: Following this convention, what was your next contact with Mr. Johnson?
- K: It's hard to say. I saw him frequently. I suppose after the war in which I was in the army and he was in the navy for a while. . . .
- B: This just about wrapped up your part in the 1948 vote counting episode, did it not?
- K: Almost. As I recall, nominally a part in a suit brought an effort by the Stevenson people to bring about a change of the results or a blocking of the certification of Johnson.
- B: I understand that you were asked to advise with the then-Senator Johnson concerning at least one of his subsequent campaigns, perhaps others. But I'm thinking particularly of the 1956 campaign, when he was named a favorite son for the presidential nomination from Texas. Can you tell us a little bit about that?
- K: The political situation that had developed nationally, or most specifically in Washington, within the Democratic Party itself, was such that the 1956 convention became rather important to Lyndon Johnson and Sam Rayburn. It was not merely the issue of whether Lyndon Johnson would be the favorite son or not. It really went to the leadership in the party and in Congress of Johnson and Rayburn. The divisions within the party, the anti-Adlai

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Stevenson aspect, anti-Truman forces in the state were such that other party leaders were looking at Johnson and Rayburn with raised eyebrows. There was a question, in a few instances spoken aloud, but quite a bit discussed within the party and particularly by Democratic leaders in the North and East, who are from states where they have well established party organizations and machines, as to why Johnson and Rayburn didn't keep better control over the party in Texas.

These people did not realize that the Texas Democratic Party had been a vast name under which was gathered all sorts of people. In effect, it was generic as the word Texan, and there has never been a state machine in Texas or even a party machine. There have been organizations adhering to a particular candidate or cause. Usually it has been a personal following attached to various successful gubernatorial candidates. Indeed the organization of the party, such as it was at that time, had usually been dominated by a governor, never by senators or congressmen.

But the rather critical view being taken of Texas on some of its publicized and party turmoil gave rise to public speculation as to why Johnson and Rayburn were not controlling it and whether they could or not and shouldn't they control it, and so forth. So this was not merely a question of whether or not Johnson would be the favorite son of Texas. It went to a more basic issue of the leadership, national leadership, of Johnson and Rayburn in Washington. At least, that's the way I viewed it then, and I still do.

So Johnson asked me to assist him in organizing the convention. He had not had too much personal experience in state and national party

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conventions up to that time, and he felt that I could be of some assistance to him in organizing this convention, having found that I did not believe that party machinery should bolt, that is, if a delegation went to the national convention, it should be ready to support the nominees of the convention and not take a walk. In fact, I had resigned from the executive committee at an earlier time to make it clear--this was in 1952--that I intended to support the presidential nominee of the party, inasmuch as I had been a delegate and a party officer in the process of making that nomination.

B: Should it not be inserted right here that the state party under the leadership of Governor Allan Shivers had voted to support the Republican nominee?

K: Yes, I believe that is correct. At least they were not supporting Governor [Adlai] Stevenson. And I resigned from the committee to make it very clear that I was not a party to this action, that I intended to support the nominee, Governor Stevenson, though this was a matter of no importance at the time.

So for this reason, perhaps, Senator Johnson wanted me to assist him in organizing the convention, and of course, he asked me whether I thought he had to. He was very reluctant to get involved in what was going to be a bitter contest within the state and within the state's political convention. My advice, which he was flattering enough to solicit, was that he must make the fight as a matter of preserving his leadership in the national party and in Congress, not merely as a matter of a favorite son nomination. There were many reasons for a prudent politician to stay out

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of this. He could have done so. And he might well have avoided a very mean and very bitter contest and might very well have survived and gone on to the vice presidency anyway [without] making the fight in Texas when he really didn't have to and taking on a very mean political battle that normally is not something that a United States senator meddles in, or in our state had no need to involve himself in. Nor did Speaker Rayburn have any need to do so. They could have easily avoided it on the ground that they were holding federal offices and this was a state matter and that the state party machinery was controlled primarily by the governor and they did not have to involve themselves in it. In fact, there were those who felt that a congressman and senator should stay out of state party politics as most of them in the past had done.

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B: Mr. Kennedy, we were talking about the 1956 campaign and the fact that federal officials ordinarily don't have to get mixed up in a state campaign of that type. Could you pick it up there?

K: The crux of the matter was that if Texas bolted or failed to support the nominee, or created a problem at the Democratic National Convention, that rightly or wrongly, Johnson and Rayburn would be blamed by many party leaders outside the state. So this became a rather important undertaking, one that Johnson agonized over to some degree and very much did not want to get involved in. Many of the people were his good friends. This was going to create some division, some problems for a lot of his supporters and Speaker Rayburn's. But having made the decision, Johnson called upon various of his friends to get busy setting up the campaign.

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In this case, his campaign manager for the convention was his former administrative assistant and secretary, John Connally, later the governor of Texas.

My function was to help organize for the precinct conventions and county conventions and then to help organize the state convention, which would be the final and decisive arena for this contest for control of the party machinery, or more specifically, for control of the delegation to the Democratic National Convention. This contest took place in the spring of 1956 and the quadrennial convention was held in Dallas. The lines had been drawn for this convention some time before and again there were issues besides the question of Johnson versus Shivers. Governor Shivers had been a long-time governor, a very powerful governor and for a long time an extremely popular governor. So this was not a small undertaking that Senator Johnson was taking upon himself. It became a sharp contest which even involved public speeches and state-wide radio broadcasts, preceding the precinct conventions.

B: Perhaps it would be good for those who may study this script in future years to explain at this point how the consensus builds from the precinct up to the state convention. Somewhat different, but almost the same as in a primary election.

K: The precinct, being the smallest unit politically and administratively, elects delegates to the county convention, which in turn elects delegates to a state convention. In this case, the state convention is held every four years for the specific purpose of selecting delegates to the

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Democratic National Convention or the Republican National Convention, as the case may be. That is why the process had to start with the precinct convention. Inasmuch as all of the voters within a precinct may attend the precinct convention within that precinct, it had to be a public issue as well as one of working directly with political leaders. So the contest [for control of precinct conventions] became a very partisan matter, and there were many cross currents.

But there were already a good many cross currents involved. Involved were a good many anti-Shivers people; in particular a good many organized labor people who were bitter toward the Shivers administration. So there were other cross currents and factors involved, but the overriding issue became one of either Johnson or Shivers control of the convention. The prestige of the Governor was involved, as well as the prestige of Senator Johnson and Speaker Rayburn. So this is why they had to take on this very mean, difficult political fight. It was not what would have been said about them in the state; it was the hue that would have been taken of them outside the state where it was felt that anybody who had the prominence of Senator Johnson or Speaker Rayburn certainly should be able to control political matters within their own state. Therefore, the important issue was whether the Johnson forces or the Shivers forces would control the state government.

Had Johnson ducked this thing, it is possible that he would never have become vice president. This is one of those hard things to say. But certainly by entering this difficult struggle and winning, he removed

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any question of his right to leadership within the party and to a national party figure, as [did] Speaker Rayburn.

The convention was a coalition of people interested in Senator Johnson as well as people who were bitterly against Shivers, many of whom were not particularly interested in Lyndon Johnson. So a coalition of forces came about which was rather difficult to set up and difficult to maintain.

B: Difficult to handle?

K: Very difficult. The convention was held in Dallas. The pro-Johnson and the anti-Shivers forces--if we may use some convenient and over-simplified labels--were able to establish control at the outset by winning a roll call vote on a temporary slate of officers. But the convention became drawn out, got bogged down in long, tiresome procedures. Meanwhile, many of the victorious Johnson delegates left and went home. But many of the anti-Johnson people and people who were with Johnson as a matter of political convenience remained. And as a consequence, a last-minute effort by Senator Johnson to have Mrs. Lloyd Bentsen nominated as the Democratic National Committeewoman to represent Texas was sharply contested. In a long roll call and electioneering contest that lasted far into the night, Senator Johnson's candidate was defeated by Mrs. Frankie Randolph of Houston. Mrs. Randolph and some of her faction in the party she represented were to remain as a thorn in Johnson's side until her term as committeewoman ended.

B: It occurs to me at that point, Mr. Kennedy, that the unit rule, which

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received a great deal of attention at the last national convention of the Democratic Party in 1968, had a great deal to do with Johnson's victory in the 1956 convention. Is that a correct statement or not?

K: No, I don't think it was responsible for his victory at all. I think that it merely helped to consolidate it, as has been a custom for many, many years in the Democratic Party.

The question of unit rule really needs to be considered historically with the two-thirds nominating rule, which prevailed until 1936 when Franklin Roosevelt brought about its abrogation. A rule was set up at the time of Andrew Jackson when it was felt that a successful candidate for the presidency should at least be able to command the support of two-thirds of his own party, or two-thirds of the votes of any political nominating convention. The rule endured for a hundred years, and it gave the South, in effect, a veto power over who was nominated. Some Northern Democrats felt unhappy with it--Roosevelt, in particular. Some people feel that Roosevelt, even back then, wanted a third term and knew that he had to get rid of the two-thirds rule. Now, with the two-thirds rule abrogated, it began to make the unit rule obviously less fair for the nominating convention. When somebody has to get two-thirds of the delegates, you have less danger of a few big states with big-city political machines and transient and hysterical majorities booing a candidate into nomination by a bare majority. So the unit rule should have been abrogated at the same time that the two-thirds rule was abrogated. Of course, I never thought the two-thirds rule should be abrogated.

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Among the many very small distinctions I had was of being the first party officer in Texas--in late 1955--to come out squarely against the abrogation. I persuaded the state executive committee to go on record opposing it, and in turn, the state convention opposed it. Governor Allred was uncertain about it but later he became very much concerned and as a member of the Rules Committee to the Democratic National Convention in 1936 spoke out strongly against abrogation. But the cards had been pretty well stacked by the Roosevelt people then. The Chairman of the Rules Committee was Senator Bennett Champ Clark, son of the late great Speaker Champ Clark of Missouri, who lost the Democratic nomination to Woodrow Wilson in 1912 because of the two-thirds rule. Clark was able to get a simple majority, but he could never obtain a majority, in part due to the fact that the "Immortal Forty," as the Texas delegation at that convention was called, headed by [Senator Tom Connally and] Colonel E. M. House, held out for Wilson and finally brought about the nomination of Wilson. But many delegates from many of the state delegations were so strongly influenced by Roosevelt that they would not oppose anything he wanted.

So the two-thirds rule went out, and since that day the South has been of very little consequence in the nominating of a president. Especially since the unit rule was retained, it made the South a whipping boy for any Democratic faction of the North who wanted to use it this way. The reason of its importance, it must be explained, was in Democratic conventions. The apportionment of delegate strength is based on

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population of the state and not on the number of Democrats, so that a few big states of the North and the East could out-vote the entire Solid South, even though they had far fewer Democrats.

This is one of the inequities that has not been corrected in the Democratic National Convention. A token correction was made by a few little credits for going Democratic, but essentially the disproportionate apportionment remains. It is doubtful that some of these self-righteous people who were beating their breasts over abolishing the unit rule will come around to wanting their strength reduced into the number of Democrats rather than the number of populations in the congressional district. But the unit rule, I think, should have gone.

I think the way it was abolished at this last convention did great violence to orderly procedure and precedent. If they wanted to abrogate it, they should have set it up for a future convention, because what they did in effect was to deny democracy any voice in this matter, [deny any voice in this matter] to all of the people who had unit rule delegations. This was a tyrannical and despotic majority imposing its will on a minority, an unhappy and unwholesome event. And this among many other things made the Democratic Convention in Chicago an outrage to justice and many other things.

B: Thank you very much, Mr. Kennedy. You have been quite helpful.

[End of Tape 2 of 2 and Interview I]

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