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Choosing

Vice

Presidents

While we celebrate how well the constitutional process has worked in getting rid of Richard Nixon, we ought to pause a little to ponder how poorly the political process has worked in producing him and Spiro Agnew as candidates for President and Vice President in 1968 and 1972. Less than two years ago, 47 million Americans cast their votes for these two men, both of whom have been implicated in criminal offenses. The fault is not so much in the voters—after all, none of us knew that Nixon was directing the cover-up and that Agnew was taking payoffs—as in the system which elevated such men to such high positions.

The root of the problem is the vice presidency. Richard Nixon probably would not have become a major presidential contender if he had not been selected as Dwight Eisenhower's running

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mate in 1952. Spiro Agnew would never have got a heartbeat away from the presidency if he had not been selected by one tired man in the midst of a hectic and closely contested convention, for reasons which had little to do with his fitness for the presidency.

But once a man becomes Vice President, he is an instant celebrity—and a presidential contender. Never mind that job usually prepares him poorly for the presidency; its holder has gained massive identification, which is half the battle in any presidential campaign. So we have been burdened the last 30 years with presidential candidates whose chances were taken seriously largely because they had once been Vice Presidents. Some of them were well qualified on the basis of pre-vice-presidential experience, like Lyndon Johnson and Hubert Humphrey. Others had long and useful experience in the Congress

like Harry Truman and Alben Barkley and Gerald Ford. But at least two were picked for the slot after very brief careers, indeed after holding statewide office less than two years, by men who had very little knowledge of their ability or character. They were, of course, Richard Nixon and Spiro Agnew.

There is a need, certainly, to provide for the presidential succession, and so we are going to continue to have a Vice President or some kind of designated hitter who by virtue of his designation will have a head start in future presidential races. But if we cannot eliminate this otherwise useless office, we can at least improve the selection method.

From our brief experience, now about to be enlarged, it seems clear that the 25th Amendment process nomination by the President and confirmation by both houses of Congress—is a preferable to the traditional method. It allows the decision to be made, not overnight (remember George McGovern struggling to meet a 3 p.m. convention deadline?), but over a period of weeks. And it allows for scrutiny of the nominee by an independent body, the Congress. Scrutiny is something most Vice Presidents never receive until after their selection; their nominations are always routinely ratified by tired convention delegates.

So it is misleading to say that we will now have for the first time a President and Vice President who have never been elected by the people. Nobody really elected Spiro Agnew in 1968 or 1972; the people elected Richard Nixon and, by Nixon's sole personal decision, got Agnew as his designated successor. Nor did anyone except John F. Kennedy select Lyndon Johnson in 1960; only Dwight Eisenhower chose Richard Nixon in 1952. Gerald Ford, by virtue of his confirmation by the Senate and the House, was selected by something closer to a democratic process; if the people did not get to vote on him, at least their elected representatives did. Indeed, we have some evidence that the requirement of confirmation by an independent body has positively affected the results of the process. Richard Nixon, we are told, was deterred from nominating the now-indicted John Connally because he thought the Texan might have difficulty winning approval on the Hill.

What we need, then, is a better method for choosing Vice Presidents, and the 25th Amendment seems to supply one. Under most circumstances, there should be no problem of long vacancies: a newly elected President will have from November to January to pick his vice presidential nominee, and Congress could confirm (or not) before Inauguration Day. The 25th Amendment does not, of course, provide a fully democratic process; but it is time to stop talking as if the present system does, and to do something about changing it.