

Michigan Political History
Society
NEWS

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John B. Swainson 1926 - 1994

John B. Swainson, former Governor of Michigan and Justice of the Michigan Supreme Court, was a founding member and Board member of the Michigan Political History Society. His career and character are recalled in the following excerpts from the eulogy delivered by Attorney General Frank J. Kelley:

We met on the day that new young lawyers were sworn in as members of the Bar. He stood next to me in firm attention. I was to learn in minutes that he was standing on artificial limbs given to him by a grateful government for his heroism in our most recent war. We all had that enthusiasm and vitality of youth still within us.

I thought in those moments that I was a sophisticated, experienced young man, ready to face the future. Then, when the social hour began and John Swainson talked to me, I realized that I was a mere novice in life — for John had already at the age of twenty-five, survived more adversity than most men face in a lifetime.

Picture a youth of eighteen, enjoying his strength and vigor as captain of his high school football team — before that he was an eagle scout, an all-american boy in the eyes of his friends and family.

Then, imagine this young boy — just a few months later — a war weary soldier on the battlefields of France, volunteering to lead a night patrol across a mine field. Within minutes he stepped on a buried land mine, and his legs were separated from him. For that sacrifice, he received tributes and medals for high valor from Belgium and France, as well as the United States. And, as was the story of his life with good fortune following bad, he survived physically and mentally, as a double amputee at the tender age of nineteen.

It was never to be easy for John Swainson. I sometimes thought God put John to special tests, and

God never found him wanting. He returned from the war, worked many months at therapy and rehabilitation. He learned to walk on prosthesis so well that a stranger could not discern a flaw in his step.

Instead of giving in to despair and self pity, John went to college at Olivet where he met Alice Nielson, the love of his life, then on to law school at the University of North Carolina.

While John was in private practice with other young attorneys, we got to know each other attending the same political party meetings, and working together on campaigns of those we admired, Like G. Mennen Williams and Phil Hart.

In 1953, I suggested to John that he run for State Senator. After a little lecturing on the glories of public service, he agreed to run, and the rest is history. He was elected and was one of few in history who had a perfect attendance record in the Michigan Senate. He was an early and lifelong fighter for civil rights and civil liberties.

In 1958, G. Mennen Williams selected him to be his running mate as Lt. Governor. Mennen and John were the political heroes of the post war generation in Michigan.

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It was exhilarating to be involved in politics and public affairs. In 1960, John F. Kennedy emerged on the national scene. We were all still young, idealistic to the core. John Kennedy, Soapy Williams, Phil Hart and John Swainson were in office. We all thought that individual leadership and good intent could make a difference, and we could create a better world for all.

Because of the tragedies that were to come, that happy idealism could not last. But, while it did, we all enjoyed the adventure. If only for a brief time, we were in Camelot.

John Swainson at thirty-four, at the peak of his powers, campaigned for Governor and achieved a tumultuous victory. In November 1961, as John was finishing the first year of his two year term, he appointed me as Attorney General and elevated Paul Adams to the Supreme Court.

Our party had held the Governor's office for seven terms. Political calls for change were in the air. And true to the pattern of the destiny of his life, after a time of good fortune, misfortune was bound to set in. John Swainson lost the Governorship in November, 1962. At the age of thirty-six, his career was pronounced finished by the pundits of that day.

During this period and throughout all of his adult life, John Swainson would secretly visit men, women and children who had just lost their limbs. He would visit them in hospitals throughout the state and show them, by example, that they could survive and enjoy life.

Once again his strength of character came to the fore. He returned to private law practice, but it was only a year or so before public service reached out to him. He was elected by a huge majority to the Wayne Circuit bench. There he was a successful judge, handling with distinction many notorious cases of the time.

In 1970, he was elected, with ease, to the Michigan Supreme Court. But misfortune was destined to visit John again.

It has since been well documented that during the 1970s some overly ambitious federal prosecutors seeking personal success initiated a shameful series of wrongful prosecutions of public persons. In my opinion, and more importantly, in the opinion of legal scholars, John Swainson was the victim of one of those improper prosecutions. Many in leadership positions, who suspected that John had been persecuted, began to speak well of John and his courage.

John founded the Retired Judges Association and was later elected president by his peers. Governors of

both parties appointed John to the Michigan Historical Commission. His love and appreciation of the flow of history, were to establish him as a leader in that field — a reputation he enjoyed for the balance of his life.

No one having knowledge of the life of John Swainson could come to any other conclusion than there was a dedicated, caring, strong and courageous man. To those of us who were privileged to know and love him, our lives have all been greatly enriched and with his passing we have lost a great man.

I am reminded of the lines from Shakespeare's Caesar:

"He was Gentle, and the elements so mixed in him, that nature might stand up and say to the world, 'This was a man!'"

Michigan Political History Society Purpose Statement

While our political environment has had and will continue to have a major impact on the quality of life of Michigan's citizens, there is limited understanding of the political history that has brought us to this point in time.

The Michigan Political History Society has evolved in recognition of the need to appreciate the past so as to better envision the future for our great State.

The Michigan Political History Society is established to:

- inspire greater knowledge of our political history
- educate the public as to the role politics has historically played in the State and its relevancy to future policy-making
- study and document events, groups, and persons notable in Michigan's political history
- advance research and writing of political history
- share the experience and wisdom of the older generation with the younger generation
- cultivate working relationships with pertinent institutions and organizations
- provide a common foundation for political leaders, educators, public administrators, historians and interested citizens
- encourage and facilitate the deposit of privately-held political documents with appropriate public institutions
- promote interest in civic affairs and participation in civic duties
- foster bipartisan communication and mutual respect and civility
- communication on a regular basis with members
- plan and coordinate functions

A 1995 Constitutional Convention

by Kathleen E. Schafer

Ms. Schafer is Senior Consultant for Public Affairs, Public Sector Consultants and Executive Director of the Michigan Political Leadership Program. The following excerpts are included with the permission of the author. For a complete copy, contact Public Sector Consultants (517)484-4954.

Introduction

The Michigan Constitution establishes the relationship between the people of the state and their governance. The state's current governing instrument, unlike the U.S. Constitution and its simple eloquence, is complex: It has 12 articles, which range from 7 to 53 sections, and it sets forth in detail the form and function of our local and state governments, finance, taxation, public schooling, and other government services.

The current constitution was adopted by state voters in 1963. It was written in the constitutional convention of 1961-62 by 144 elected delegates; 17 amendments subsequently have been adopted by voters. Michigan, like the country and the rest of the world, has undergone significant change during the past three decades - technology, demographics, economics conditions, environmental quality, competitiveness, and many other factors affect us - and indeed, the pace of change seems to be accelerating. Has our state constitution kept up? Are there reasons to open it?

The Early Years

The first constitutional convention, in 1835, assembled at Detroit, the territorial capitol, to set forth the governance of the territory and to exert pressure on Congress to admit Michigan to the union. Acting Governor Stevens T. Mason was using the forceful technique that had brought Tennessee success: The territory would demand statehood based on the establishment of a constitution.

Governor Mason already had ordered a census to confirm that the Michigan territory's population had, at 90,000, surpassed the 60,000 mark that was a Congressional prerequisite for admission, and 91 delegates, a majority of whom were Democrats, were elected by residents of the territory to produce Michigan's first constitution.

The delegates completed their mission within 45 days. Patterned on the constitutions of other states, Michigan's

included a "bill of rights" as well as provisions for gubernatorial terms (two years), school finance, and infrastructure improvements.

The 1835 constitution was adopted and Mason - whose strategy assisted in Michigan's being granted statehood on January 26, 1837 - went on to win election as Michigan's first governor (and its youngest ever - he was only in his 20s).

The constitution was farsighted in many ways. It was the first in which the state school superintendent was made an appointed position and thus preclude the office from abolition by the legislature. It also provided for a permanent primary school fund to ensure public finance of education, and it set a precedent of earmarking state revenues for certain purposes.

After little more than a decade, there was a movement to discard Michigan's infant constitution. The swell of popular support for change was rooted in the new Jacksonian democracy, the key tenets of which included the notion that public officials should be chosen by election rather than appointment, the power of the legislature should be limited, and special acts of incorporation should not be allowed.

The 100 delegates to the 1850 constitutional convention met for slightly more than two months. The new document instituted the long ballot. It radically altered the judicial system and created circuit courts. In addition, it extended the term of legislators from one to two years and dramatically restrained legislative action, including curbing that branch's power to spend and borrow.

One of the 1850 constitution's mandates was that the question of whether to convene a constitutional convention automatically be put to voters every 16 years, and in 1866 the voters approved calling a "con con." This constitution was rejected by voters. A second revision failed in 1874.

Although in 1904 voters had rejected the automatic question on calling a constitutional convention, in 1906 supporters of a convention convinced the electorate that a constitution created during the turbulence of the mid-1800s was not suitable to guide the state in the 20th century. In October 1907, 96 con-con delegates assembled in Lansing. The 1908 constitution was essentially the same as its predecessor, and it was approved nearly 2:1.

Continued on next page

In conformance with the enduring requirement to present the con-con question automatically every 16 years, in 1926 and 1942 voters were asked if they wished a constitutional convention to be convened and they declined. In 1948, however, responding to growing interest in constitutional reform, the legislature placed the issue on the ballot and although it was approved by a slim margin of those voting on the question, the proposal was defeated because it lacked a majority of all those casting ballots in the election. The result was the same in 1958.

Modern Times

By the early 1960s, several factors had converged to create support for calling a constitutional convention.

The League of Women Voters and the Junior Chamber of Commerce led the effort to draw up a new constitution. These groups spearheaded the gathering of enough signatures to place a two phase question on the 1960 ballot: (1) The first part would amend the constitution so that approval by only a majority of those voting on the question would be required for a con-con proposal, and (2) the second part would place the con-con question on the ballot the following April. The measure passed and the campaign began - with the assistance of other groups, including George Romney's Citizens for Michigan - to achieve passage of the con-con question now on the April 1961 ballot.

In April 1961 the call for a constitutional convention was narrowly approved (by 51 percent). In September voters went back to the polls to elect 144 constitution delegates, one from each existing state house and senate district. The delegation's partisan split was wide: 99 Republicans and 45 Democrats. By comparison, the partisan makeup of the 1961-62 legislature was 78 Republicans and 66 Democrats; the lopsided representation to the convention reflected the public's conservative approach to reworking its constitution and to legislative reapportionment.

The legislature, dominated by outstate representation who feared that a constitutional rewrite would diminish their power, failed to appropriate funds to hold the convention, but the W.K. Kellogg Foundation stepped forward with a grant, and the 1963 constitutional convention began deliberations.

The delegates to the 1963 con-con - hailed as one of the seminal events in modern Michigan political history because the delegation fostered a new generation of political leaders, among them Richard Austin, William Ford, George Romney and Coleman Young - dealt with several important issues. The document they framed guarantees equal protection of the law and prohibits discrimination based on religion, race, color or national

origin. It bans the death penalty, limits the number of state departments to 20, prohibits a graduated income tax, and sets out state government responsibility for public community and junior colleges. It establishes four year terms of office for the governor and lieutenant governor, bestows considerable autonomy on local units of government, and limits property assessment for tax purposes to no more than 50 percent of true cash value.

In 1963, voters approved the new constitution by a slim margin - 7,000 votes. Although the new constitution was not the panacea for which some had hoped, it did update the powers and principles for necessary to organize and update the industrial state Michigan had become.

In 1978 the question of whether to hold a constitutional convention was defeated 3:1.

A 1995 Con Con?

If this November the majority of the people voting decide that a constitutional rewrite would be in the best interest of the state, next spring 148 delegates would be elected and the 1995 constitutional convention probably would convene by October.

The convention probably would last nearly a year. Each past assemblage has been longer than the one before, and it can be expected that today's myriad issues and interest groups would dictate a slower pace than in the past.

A 1995 constitutional convention would be Michigan's political event of the decade. The issues taken up would range from such lightning rods as reproductive rights and assisted suicide to term limits and the structure of local government. As in the 1963 convention, those who successfully build consensus undoubtedly would become leaders in the next generation of the state's political leadership.

If the coming constitutional convention ballot question follows the pattern of the others, little attention or thought will be given unless credible special interest groups work vigorously in its support.

The key question is, of course, is it in Michigan's best interest to reevaluate our governing instrument? Is a constitution rooted in the 1850s and revised during the 1960s sufficient to carry Michigan into a new millennium? That is the question voters must answer in November.

Voters will weigh their interests and options, and if the scales appear to be beginning to tip toward revision, activists will push and the call of a constitutional convention eventually could become a reality.

OFFICERS' CORNER

Sharman A. Moore, President
Anne Mervenne, Vice-President
Kevin A. Kelly, Secretary-Treasurer

What Is So Special About The Michigan Political History Society?

This is a question that several of us have been asked on numerous occasions since our founding in the Fall of 1993. We thought that we would provide you with just SOME of the answers in the event that someone asks you or that you simply want to know for your own benefit.

1 We are, first and foremost, an organization with an intense curiosity about Michigan's history; that is, **POLITICAL HISTORY**. Our inquisitiveness lies not only in what happened but in the WHY, WHO, and HOW. Discovering the circumstances that surrounded the happenings of the past and identifying the forces that came to bear on the decision-making process intrigues the best of today's visionaries - US!

2 In the attempt to satisfy our own selfish "need to know", we are involved in one of the most crucial issues of the day - **EDUCATION!** In our minds, not enough information is readily available to satisfy our appetites and time is of the essence. As a result, we are "in the business of" encouraging others to research and write about Michigan's political history through sponsoring a competitive essay contest among students, professors and historians. We're even going to pay the winners for doing it!

3 Where else can a group comprised of bipartisan politicians, political activists, educators, business leaders, lobbyists, and citizens, sharing a common interest AND having fun in the process, be found? The answer is NOWHERE! The MPHS is proud to provide the foundation for bipartisan communication and mutual respect as we strive to evolve as a leader in promoting **CIVILITY** among the players in the political arena. It is a goal of the MPHS to properly recognize outstanding civility in the near future because of its importance to the betterment and advancement of Michigan politics.

4 Most importantly, we are attracting all **AGE GROUPS!** In order for Michigan's political history to be captured and passed on, the *working together* and *sharing of knowledge* between all age groups is essential. This is a start in bridging the gap between the younger generation and those of us who are no longer in that category!

5 Variety is the spice of the Michigan Political History Society's life - evidenced by our **Board of Directors**, comprised of a blend of well-known bipartisan elected officials, political activists, lobbyists, business leaders, educators, and citizens, and the establishment of four **standing committees** (Events and Functions, Newsletter, Archives, and Membership Development). It should also be noted that your team of **officers** (that's us) also present quite an interesting combination - in case you hadn't figured it out already!

6 Last, but not least, we are having a lot of fun **planning functions and events** that serve to meet the goals of the MPHS. Mark your calendars!!!

1994-95 MPHS Schedule

Fall, 1994	First Annual Political History Essay Contest
September 18, 1994	Stewards of the State Governors of Michigan George Weeks
October 12, 1994	Michigan's Constitutional Convention Program
February 9, 1995	Governor Frank Murphy by Sidney Fine
Spring 1995	Women in Political History
Summer 1995	Mackinac Bridge Centennial Celebration

WATCH US!!!

Those were our words at the end of our first event in November of 1993 and again, in our now-famous newsletter in February of 1994 (although this one is even better). In less than 12 months, we have gone from a dozen enthusiasts to over 200 MEMBERS. We suggest that you go over the membership list in this newsletter. You will soon realize what a **UNIQUE GROUP** we really are!! And check out the events planned to date - with more to come!!! We proudly repeat our words...

WATCH US...AND PARTICIPATE WITH US!

Michigan Political History Society

In less than 12 months, the Michigan Political History Society has grown from a handful of founding members to over 200 political history enthusiasts. Recently, the society received non profit status from the Internal Revenue Service and your contributions are tax deductible. Join the following members of the Michigan Political History Society by returning the attached membership application.

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Glen Allen
Bruce Ambrose
John E. Amerman
Fred Anderson
Denise Arnold
Bruce Ashley
Sharon Ashley
Richard H. Austin
Glen Bachelder
David Balas
Justine Barns
Karl Benghauser
Maxine Berman*
Sandra Bitonti
Joyce Blaney
Fred Bohm
Roy Boudreau
James Brickley
Frank Brock, Jr
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*Board Member

Michigan Political History Society Events

Members of the Michigan Political History Society have unique opportunities to learn more about the role of politics in shaping our state's history. Building on the success of our inaugural event - "Three Bullets Sealed His Lips" - and the recent "Stewards of the State" dinner, the MPHS Events Committee plans several informative and stimulating events:

On October 12, delegates to the 1963 Constitutional Convention will share their perspectives and experiences. Craig Ruff will moderate discussion with the delegates,

including Glen Allen, Robert Danhof, Donald Doty, Tom Downs, Milton Higgs, Harold Norris, Thomas Sharpe, Frank Staiger and Eugene Wanger. The evening begins with a 5:30 reception, followed by the program at 6:30. The program will be held in the Con Con Room of the International Center on the campus of Michigan State University - site of the 1963 convention. Artifacts of the 1963 convention and campaign will be displayed.

As participants in the recent Stewards of the State dinner learned, each Michigan Governor played a

unique role in our state's history. On February 9, 1995, Professor Sidney Fine of the University of Michigan will explore the career of Governor Frank Murphy. Watch future MPHS mailings for more information about this Lansing event.

Also in the planning stages is a summer of 1995 event observing the anniversary of the construction of the Mackinac Bridge, through exploration of the political forces surrounding the project. Again, members should watch future mailings for more information.

Competitive Writing Contest

A primary purpose of the Michigan Political History Society is to advance research and writing of political history. Toward that goal, MPHS is sponsoring a competitive writing contest - see details below.

TOPIC: Take any person from Michigan's political history and make the case for his/her immediate redemption from obscurity. Examples of such persons include, but are not limited to: Hazen Pingree, Ruth Thompson, Austin Blair, Henry Crapo and Chief Pontiac.

RULES:

- Length - 2500 words maximum - double spaced.
- Style - Inclusion of proper references, endnotes, and bibliography. No prescribed style manual.
- Entries must be postmarked December 1, 1994.
- Entries are the property of the Michigan Political History Society.

CATEGORIES:

- Michigan high school student
- Michigan college/university undergraduate or graduate student
- Michigan teacher/professor and Michigan historian

AWARDS IN EACH CATEGORY:

- 1st place in each category - \$250.00
- 2 honorable mentions in each category - \$ 50.00

Members wishing to do so may make a contribution toward prize money for this and future contests. Checks should be made payable to the Michigan Political History Society, and designated for the competitive writing contest. Members also are encouraged to share information about the contest with interested students, professors and historians.

Michigan Political History
Society

1993-1994

MEMBERSHIP APPLICATION

Name _____

Address _____

City _____ State _____ Zip _____

Home Phone _____ Business Phone _____ Fax _____

Enclosed is my check for membership in the amount of:

_____ \$10.00 Student Membership - Annual

_____ \$150.00 Lifetime Membership

_____ \$20.00 Regular Membership - Annual

_____ Other Contribution

MAKE CHECKS PAYABLE TO:

Michigan Political History Society

MAIL TO:

Michigan Political History Society
P.O. Box 4684
East Lansing, MI 48826-4684

Michigan Political History
Society

P.O. Box 4684
East Lansing, MI 48826-4684

