

**Walter F. Mondale:
In the Tradition of James Madison**

By Lawrence R. Jacobs

Walter F. Mondale was born in the small southern Minnesotan town of Ceylon in 1928. He grew up under the influences of the United Methodist church, where his father was a minister, and the Great Depression. These influences instilled a sense of compassion, a bent for public service, and a strong suspicion of self-serving platitudes.

Mr. Mondale attended Macalester College and the University of Minnesota, where he earned a B.A. in political science in 1951. He received a J.D. from the University of Minnesota Law School in 1956 after serving in the U.S. Army. He began his career of public service as Minnesota Attorney General from 1960 to 1964. He then served as U.S. Senator from 1964 to 1976 before becoming Vice President in 1977. He served as U.S. Ambassador to Japan from 1993 to 1996.

Mr. Mondale's wide-ranging career in public office placed him at the center of many decisive episodes in American political history. Weaving through his public service are three themes, two of which stretch back to James Madison's design of the American constitutional system: balance between individual freedom and governmental authority, promotion of the national interest abroad, and reconnection of the Democratic Party with the working people.

Individual freedom versus state authority

As Minnesota's Attorney General, Mr. Mondale took a leading role in a seminal Supreme Court case that would require state courts to supply legal counsel in criminal cases for defendants unable to afford an attorney. Prompted by a hand-written petition to the U.S. Supreme Court by Clarence Gideon, who had been in and out of prison for theft and gambling most of his 51-year life, Attorney General Mondale rallied 23 state attorneys general to fortify a core principle of the American justice system: that all Americans are entitled to "their day in court," regardless of income or pedigree.

Attorney General Mondale concluded that the constitutional principle of protecting individual liberty without the means to exercise it is a hollow barrier against unjust or arbitrary government action. Later, as a U.S. Senator, he worked to establish the Legal Services Corporation, further widening access to legal assistance.

In another expansion of individual freedom, Attorney General Mondale brokered a deal at the 1964 Democratic Party Convention in Atlantic City that is still controversial. It allowed the all-white delegation from Mississippi to be seated along with two African-American Mississippi Democrats as at-large delegates. Although the Mississippi Democrats protested in 1964, the deal established a commission that prevented future discrimination and led to an integrated, non-discriminatory southern Democratic Party. Senator Mondale also was a leader in enacting civil rights legislation. His crowning achievement was passing fair housing legislation against long odds.

Within the Senate, Mr. Mondale balanced the deliberative power of the Upper Chamber against the democratic principle of majority rule and created the modern “filibuster.” With civil rights legislation stymied by the procedural maneuvering of opponents, Senator Mondale at first supported elimination of the filibuster to allow majority rule to dictate the body’s decision-making (mirroring the rules in the U.S. House of Representatives).

However, over the course of the debate, his appreciation for deliberation and the Senate’s unique capacity to build broad coalitions tempered his drive to establish majority rule. He created a compromise for terminating a filibuster that stipulated a clear process and reduced the votes necessary from two-thirds to 60. The filibuster was preserved but the barrier it posed to majorities was moderated.

Senator Mondale also played a decisive role in balancing individual liberties and homeland security. In the aftermath of the Watergate crisis, an unparalleled bipartisan investigation of American domestic and international security services was conducted by a committee chaired by Senator Frank Church. Although widely known as the “Church Committee,” Senator Mondale assumed operational leadership of the investigation—according to the Committee chief counsel Frederick A. O. Schwartz, Jr.—following Senator Church’s decision to run for president.

The Committee’s findings were staggering, making plain the need for vigilant scrutiny of government. In addition to revelations of sordid and ill-conceived efforts to assassinate foreign leaders, the Mondale-Church investigations documented F.B.I. plans to undermine Martin Luther King, Jr. and engage in wide-ranging inappropriate and illegal activities violating the Bill of Rights. Legislative intervention to check executive branch excess was precisely the kind of counterbalancing that James Madison identified as essential to preventing tyranny and injustice. Walter Mondale also sought a workable balance between America’s security against foreign attack and the results of unchecked power uncovered by the Mondale-Church investigations. As Senator, and then as Vice President, Mr. Mondale worked both with America’s national security services to facilitate intelligence-gathering **and** with constitutional experts to create a judicial process of review.

The resulting law, the Foreign Intelligence Surveillance Act (FISA) of 1978, became a cornerstone of American governance, recasting the issue of security versus civil liberties into a synthesis that advanced both. The FISA process continues to be an important rallying point for the bipartisan resistance to recent governmental policies on domestic surveillance.

Advancing America’s national interest on the world stage

We now know from previously top-secret documents that Vice President Mondale contributed to the modernization of American military capabilities. Today, we see evidence of the historic shift from mechanized forces to digitized forces in cruise missiles, unmanned predator drones, and many other military capabilities.

In his roles as U.S. Senator, Vice President, and Ambassador to Japan, Mr. Mondale closely connected America's practical power to economic and diplomatic relations. Although Presidents Richard Nixon and Jimmy Carter opened relations with China, Vice President Mondale's meeting with Vice Premier Deng Xiaoping and other senior leaders in China in 1979 established the foundation for the economic, cultural, and security interconnections that define relations today.

Vice President Mondale prepared for his trip by generating from a resistant bureaucracy a host of historic commercial and diplomatic packages. Recently declassified confidential transcripts of the historic meetings reveal the palpable excitement of Chinese leaders as they came to realize the new levels of interdependence that the Vice President was offering. Looking back now, the Mondale initiatives shifted US-Sino relations from strictly military and territorial rivalry to complex interconnections that included extensive trade and diplomatic partners (as recently illustrated by the coordinated diplomacy regarding North Korea).

Vice President Mondale's conviction that human rights advance and secure American national interests precipitated one of the most important peaceful regime changes since World War II: the South African transition from apartheid to a democratically elected government led by Nelson Mandela. In a series of confidential 1977 meetings with John Vorster, Prime Minister of Apartheid South Africa, that have only recently fully come to light, the Vice President announced a new U.S. policy of encouraging the gradual and peaceful transition to majority rule.

The counter-attack was ferocious. Prime Minister Vorster warned that the situation in South Africa was not conducive to democratic governance with the black majority, and that the Vice President's approach was naïvely opening the door to Soviet exploitation, a claim that would be further pressed by officials in the U.S. Government.

With the backing of President Carter, the Vice President's position prevailed. Imagine the situation today without a stable and prosperous South Africa.

The first “new” Democrat

Two decades before President Bill Clinton's promotion of a “third way” and a “new Democrat,” Mr. Mondale was speaking about and proposing policies that re-examined taxes, questioned welfare dependency, and promoted programs to expand opportunities to working Americans.

A consistent pattern emerges from Mr. Mondale's career—the scrutiny of apparent contradictions and antinomies to find balanced and practical resolutions. Civil liberties and protecting homeland security are bound together, not inevitable foes. Human rights and national defense support each other rather than feed off each other. Open government and loyalty are allies rather than tools of subversion.

Mr. Mondale's career demonstrates that blending values and beliefs with practicality is a necessity in politics, not just an "art" form or an ingredient for winning an election. Principle without expediency is a recipe for irresponsible irrelevance; expediency without principle is a recipe for unthinking recklessness and barbarism.

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