

In Defense of Burton K. Wheeler *Post 2/14/75*

Man's inhumanity to man is a continuing source of amazement to me. The broadcast of Rod MacLeish on my father, reprinted in *The Post* (Jan. 18) thirteen days after his death, is yet another example. As soon as my father was no longer able to defend himself, the carrion descended. Adopting the mantle of psychiatrist, he drew the conclusion from only two incidents that my father espoused "right-wing causes" from two false statements. From there it was all downhill for our self-anointed analyst to finding my father ended in "a blind alley of silliness."

Far from supporting "Joe McCarthy's power-besotted ravings," as MacLeish would have it, my father decried guilt by association and defended others (as well as himself) from this deceptive practice. He had a long and consistent record of defending unpopular minorities and the right to dissent. In World War I, he was United States District Attorney of Montana. At some personal risk, and despite official pressure and public calumny, he declined to prosecute the more outspoken members of the large Irish population in Montana who were so anti-British as to be fair game for the super-patriots of that day.

When in the '50's Max Lowenthal was the subject of such accusations by the House Unamerican Activities Committee, my father appeared as his counsel and, in the process, lectured the committee members and its counsel on the First Amendment. When a Senate committee later subpoenaed Max, my father in ringing tones gave members, most of whom were friends, the benefit of his views. Both committees promptly dropped their investigations. Lowenthal's crime was having written a book on the FBI without J. Edgar's prior approval.

I happened to be present when my father met Joe McCarthy. John Balliet from Appleton, Wisconsin, a director of a company we represented, insisted that my father and I meet his hometown hero. At a lunch at the Carroll

Arms Hotel McCarthy, flanked by his lieutenants, Cohn and Schine, swooped into the dining room 20 minutes late. After a quick sandwich swallowed between ostentatious whispers to his cohorts and name-dropping, McCarthy and his entourage left to keep an alleged appointment with an "undercover agent who will blow the lid off that Commie State Department." So disgusted with this display was my father that, on the way back to the cab, he said, "John, you can have my interest in your friend McCarthy—he's riding for an early fall."

Subsequently, my father discussed with me an invitation from a former senatorial colleague to attend a rally organized by a rabbi to protest a motion to censure McCarthy. He decided to attend because he did not believe that the Senate or anyone else should interfere with the right of each state to be represented in the Congress by two senators of its choosing. The only exception to complete and unencumbered representation in my father's view was when a senator-designate had been elected by fraud or other illegality. He spoke for and voted to seat Senator Langer of North Dakota, despite charges that the latter had been guilty of illegal acts while governor of North Dakota. He argued that the people of North Dakota knew all about Langer and if they wanted him to represent them in the Senate, that was their prerogative. At "that point in time" that MacLeish writes about, one of my father's closest friends was Senator "Glad" Tydings who led the fight against McCarthy. My father did all he could to keep several Texas friends of McCarthy from sending money into Maryland against Tydings, even though he had told Tydings he was opposed to censure and thought it a politically unwise precedent. So much for the first underpinning of Mr. MacLeish's charges.

Now, about that support for an anti-Semitic candidate for the House, our pundit's other basis for his charge that "Senator Wheeler ended in a 'blind al-

ley of silliness.'" The man referred to was a doctor named Thorkelson from my home town of Butte, Montana. To everyone's amazement, in 1938 (while, not after, my father was in the Senate), he obtained the Republican nomination for Congress from the western district. My father and other Democrats wanted to defeat the sitting congressman, Jerry O'Connell, because his personal habits and extreme views deprived western Montana of effective representation in the House. If Thorkelson had uttered an anti-Semitic word prior to his election to Congress, neither my father nor my mother had heard of it. Thorkelson was taken in by anti-Semites after he came to Congress. To the best of my knowledge, my father did not support Thorkelson in other than his original campaign to unseat Jerry O'Connell.

My father didn't bruise easily and gave as good as he took from adversaries, but he didn't relish either the anti-Semitic or conservative labels, respectively, that were hung on him as a result of his opposition to our entry, prior to Pearl Harbor, into World War II and his opposition to packing the Supreme Court. He consistently opposed our entry into wars from World War I to Vietnam, and didn't think that made him anti-Semitic. He opposed packing the Supreme Court because he firmly believed that the Supreme Court should not be subservient to the President. He, particularly because of his experiences with the mass hysteria during World War I, believed the Supreme Court was the only bastion minorities could count on. His position about the Court was also influenced by his mentor throughout his years in the Senate, Justice Brandeis.

If MacLeish is to continue doing commentaries for *The Post*, may I suggest that he make some slight effort—like picking up the telephone to ensure accuracy—before he harpoons another of the vanishing breed who had the guts when it counted.

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