

Dirksen's Mad Rush To Confirm Burger



Drew Pearson

Today's column is by Drew Pearson and Jack Anderson

SENATOR Everett McKinley Dirksen of Illinois has become the eagerest eager-beaver on Capitol Hill to rush the confirmation of federal judges.

He tried to push the confirmation of prospective Justice Warren Burger up from June 9 to June 5 for fear more details would leak out regarding Burger's amazing discussion at the Santa Barbara Center for the Study of Democratic Institutions at which Burger blasted the Fifth Amendment, cast doubt on the jury system, and decried the presumption of innocence until proved guilty.

In contrast to Burger, Chief Justice Earl Warren was appointed in September, 1953, and he was not confirmed until March 2, 1954. Yet every chapter of his long life as Attorney General and Governor of California was well known, in contrast to the little-known Burger.

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NOW IT DEVELOPS that Dirksen is pushing confirmation of another judge of dubious qualification, Charles A. Bain of Chicago, to the Seventh Circuit Court of Appeals.

Bain is a member of the law firm of Isham, Lincoln and Beall, which represents Commonwealth Edison, Sam Insull's old utility firm. He has been on the special-interest side in every squabble in Chicago.

In addition, he has a record of favoring religious segregation. When Judge Jacob

Braude, for 35 years on the Illinois Circuit Court applied for an apartment at 209 Lake Shore drive in Chicago, he was barred as a result of Bain's opposition because he is Jewish. Bain was both a resident in the apartment house and attorney for the management.

Bain also helped bar Phil Klutznick, head of Bnai Brith and former Ambassador to the United Nations; also Dr. Morris Fishbein, former editor of the American Medical Association Journal. In each case, the reason was the applicant's religion.

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"HE RAISED so much hell with the management," Judge Braude told this column, "that they finally turned me down. He was their attorney. He has been trying to backtrack now that he has been appointed to the Court of Appeals. But the facts are there, and he can't escape them.

"I have written to Senator Dirksen saying that I would be willing to come to Washington to testify, but I haven't heard from him."

Word from inside the Judiciary Committee, of which Dirksen is a member, is that he is not anxious to have Judge Braude come to Washington. He wants to get Bain confirmed before his background leaks out, just as he has been pushing Burger's confirmation before his background becomes fully known.

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