

BURTON K. WHEELER and the MONTANA



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NA CONNECTION

by RICHARD T. RUETTEN

AS THE TRAIN clicked across the plateau, a lean, flax-haired six-footer, dressed in light summer suit and straw hat, stared at the snow-covered hills, wondering if the prospects of establishing a successful law practice in Butte, Montana, would be as bleak as they had been elsewhere in the west. It was October 15, 1905, and Burton Kendall Wheeler had come a long way since June when he was graduated from the law school of the University of Michigan. Detraining at the Northern Pacific Depot, the twenty-three-year-old lawyer shivered in the raw cold of Butte's early snowfall and glanced up at the "richest hill on earth," where thousands of miners swarmed within the bowels of the mountain, hacking at the rich copper veins that would that year produce roughly thirty-five per cent of the total copper production of the United States.

His eyes shifted to the city of Butte—the "perch of the devil," someone once said—squatting a mile high almost astride the Continental Divide, where scarcely a flower or a tree graced the barren landscape, where the saloons never closed, where nearly every race, religion, and nationality could be found—even in the red light district among the "girls of the line" who plied their trade primarily for the benefit of Butte's many bachelors. It was a tough, bawdy, yet strangely attractive mining town of approximately 40,000, distinctly different from anything the rangy New Englander had known before. Yet it was destined to become his new home, the base from which he would fashion one of the most remarkable careers in American political history.

WHO WAS THIS MAN who would put his stamp on Montana, and indeed on the nation, as have few politicians? In probing Burton K. Wheeler's pre-Montana background, one would hesitate to plunge into the murky waters of psychobiography. Such an approach, although hazardous, has its place where the evidence is abundant and clear—as in the case of Hiram Johnson of California, whose rebellion against his father played a major role in persuading him to revolt against the conservative establishment, of which the elder Johnson was a member. The result was Hiram's lifelong Manichaean view of the world.

With Wheeler, there are hints but no comparable or compelling evidence. Born into a fairly impoverished family on February 27, 1882, the tenth child of Asa L. and Mary Elizabeth Wheeler, young Burt experienced a relationship with his parents that was warm and close. From his Quaker father, a cobbler by trade, he acquired an abhorrence of war (which his experience in Montana reinforced), a tolerance for those with whom he disagreed, and a liberal acquaintance with ideas.

But it was Burt's mother who exercised a major influence on his young life. Clearly the "boss" of the family, Mary Wheeler was an aggressive, ambitious, disciplined woman, fiercely loyal to the strict moral standards of her Nineteenth Century Methodist faith and staunchly opposed to smoking and drinking, although, ironically, her husband occasionally managed a glass of wine and her son's trademark later came to be a thin cigar habitually protruding from his mouth. Her death, while Burt was still in high school, was a grievous blow, "the end of the world," he later recalled, and almost shattered his ambition. Yet her influence transcended the grave, for the career she most wanted for her youngest son, the practice of law, was the profession he finally chose.

Mary Wheeler's influence may have extended beyond the grave in still another way. In the summer of 1903, in order to finance his law studies at the University of Michigan, Wheeler tramped through the state of Illinois on a book-selling tour. The expedition was more than simply a financial success. On one occasion, in spite of the fact that he failed to sell a book to a farm woman near Albany, Illinois, he succeeded in selling himself to her daughter, Lulu M. White. Although it was not love at first sight, as Wheeler later recalled, "it was clearly the loveliest sight Illinois had displayed thus far," and he and Lulu hit it off immediately. Strong-willed, independent, well-educated, intellectually alive,



BURTON KENDALL WHEELER

fiercely loyal, and a Methodist with high moral standards, Lulu bore a striking resemblance to Burt's mother. That chance acquaintance in 1903 led to marriage in 1907.

The conclusion seems inescapable that these two women, both cut from the same mold, exercised a profound influence on Wheeler throughout his life and political career. Indeed, following Lulu's funeral in September, 1962, the 80-year-old former senator confessed to two of their closest friends: "I probably would have been a bum—had it not been for her. She had great courage and never once in all my fights in Montana or Washington did she falter when she believed I was right." Sadly, he concluded: "I don't know what I want to do now—or what tomorrow will bring."

The Wheeler who arrived in Butte in 1905, however, possessed within himself other characteristics that would become trademarks of his long political career. For one thing, he had already revealed a good deal of independence—from cutting up in high school, which resulted in notes from the principal to his father, to supporting the free-silver heresy of William Jennings Bryan in a high school debate, at the same time that his older brothers were espousing Republican orthodoxy. He had also revealed a penchant for verbal combat and a disposition to oppose and to rebel against authority and tradition. As a law student, what excited him most was "the verbal cut and thrust in the arena of the courtroom." And as a second year law student, he ran successfully for the class presidency, temporarily overthrowing the fraternity domination of campus politics.



LULU WHITE WHEELER

THIS, THEN, WAS the Burton K. Wheeler who arrived in Montana in 1905. The young lawyer was determined to make a living, not to begin a political life; indeed, he did not have any clear-cut political philosophy. Here, Montana and the Rocky Mountain region of which it was a part would play a most significant role. Wheeler was never scholarly or bookish, and his knowledge generally derived from experience. His tumultuous years in Montana from 1905 to his election to the Senate in 1922 would constitute the most educational years of his life and determine his philosophy and the positions he took on most of the issues of the day.

In short, perhaps more than most politicians, Wheeler was a product of his environment. He did not simply represent his liberal Montana constituents in the sense of obtaining material benefits from Washington, although he did that well enough. More important, he personally identified with Montana's railroad workers, coal and copper miners, loggers, small farmers, and small businessmen. In effect, he became one of them, although in the late 1930's his constituency would change slowly and subtly—so subtly, in fact, that Wheeler seemed at times unaware of the desertion of old liberal allies and the enlistment of new conservative followers.

The region and the state adopted by this impressionable lawyer had a long history of grievances—some real, some imagined. And some of these grievances were not the lamentations of illiterates or paranoids. The widespread feeling that the east victimized the west through exploitation of natural resources, high tariff and transportation

rates, control of the nation's money supply, creation of monopolistic corporations, and domination of western industry was later given considerable intellectual respectability in several provocative studies, including Walter Prescott Webb's *Divided We Stand* (1937), Joseph Kinsey Howard's *Montana: High, Wide and Handsome* (1943), A. G. Mezerik's *The Revolt of the South and the West* (1946), Wendell Berge's *Economic Freedom for the West* (1946)—and, more recently, K. Ross Toole's *The Rape of the Great Plains* (1976).

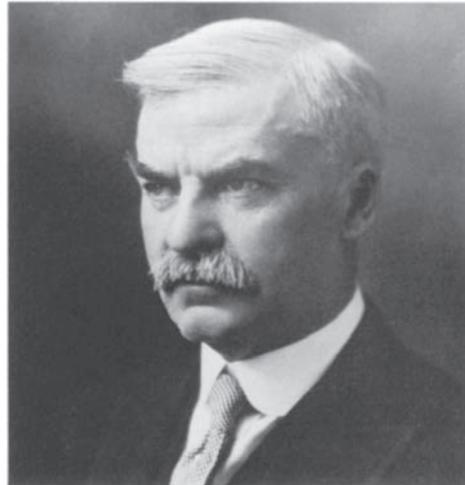
In Montana in 1905, there was an additional reality not present in some of the other exploited western states—the awesome presence of what ultimately became known as the Anaconda Company. In the years after 1905, Amalgamated, as it was then known, consolidated and increased its economic holdings by pressure and purchase, to the point where the state, or at least part of it, appeared to have become virtually a one-company concern controlled by eastern stockholders seemingly interested only in gutting the earth and exploiting the state and its people. Its cavalier disregard of public responsibility prompted one writer to label Montana “The Spanish Main of American industrial history.” To protect this economic empire, the Anaconda Company actively entered politics, exercising at times a determining influence in both political parties. The company's covert purchase of a chain of newspapers between 1900 and 1929 aided and abetted this economic and political control—a control which, although never complete, was palpable enough.

Given Wheeler's ambition, courage, stubbornness, and independence, it was inevitable that when he entered politics he would clash with the Anaconda Company and its conservative allies. The feud began during his one term in the Montana legislature from 1911 to 1913, when he opposed the election of the company-sponsored candidate for the United States Senate and supported Thomas J. Walsh instead. The clash continued when he served as U. S. Attorney for Montana from 1913 to 1918. Indeed, when Wheeler refused to prosecute labor radicals and succumb to the war hysteria that swept Montana in 1917 and 1918, the company and conservatives, generally, exerted enough pressure to force him from office.

The bitter struggle reached its climax in the gubernatorial campaign of 1920 when Wheeler ran as the Democratic, Nonpartisan League candidate against Republican Joseph M. Dixon. It was undoubtedly the most vicious governor's race in the history of Montana. Huge posters lined roads and



JOSEPH M. DIXON



THOMAS J. WALSH

highways depicting "Bolshevik Burt's" alleged love for bloody revolution. The good citizens of Miles City and Wibaux refused to admit him within the city limits, and he narrowly avoided a mob while delivering a speech outside Dillon. Company and noncompany papers alike distorted his program, accusing him, for example, of favoring free love, an erotic fantasy attributed to the Nonpartisan League government in neighboring North Dakota.

The brash young Wheeler gave almost as much as he got. He promised to put the Anaconda Company out of politics and to return the state capital from the company's administrative offices in Butte to its rightful home in Helena. Nor did he ignore the accusation of advocating free love. While delivering a speech in Butte on election eve, he spotted Richard Kilroy, editor of the *Anaconda Standard* (a company newspaper) in the audience. "You all know Dick Kilroy," Wheeler said. "You know the kind of life he has led. If there was free love in North Dakota, do you think he'd still be in Butte?"

For a variety of reasons, Wheeler suffered the most decisive defeat of any Montana gubernatorial candidate to that time. But he learned something from the campaign. In 1922, he and the company declared an armistice, either verbally or tacitly, when he ran successfully as the Democratic candidate for the United States Senate. The company's main concern then was to gain control of the state legislature to thwart Governor Dixon's proposal to increase mining taxes, an issue far more crucial to the company and its conservative allies than the election of a sympathetic senator in Washington.

Although Wheeler refrained from criticizing Montana's corporate giant during the campaign, the company did not control him, as subsequent events revealed. In February, 1923, for example, he addressed the Montana legislature and urged its members to enact a tax requiring the "great vested interests" to pay an equitable share of Montana's tax burden.

WHEN BURTON K. WHEELER took his seat in the U. S. Senate in December, 1923, he carried these Montana experiences with him. Indeed, virtually every stand he took on national issues in the 1920's had its roots in what he had learned from 1905 to 1923. Philosophically, he had developed an abiding fear of concentrated power, whether public or private. In the 1920's he fulminated mainly against private corporate power and public judicial power. In the 1930's that orientation changed, at least in one significantly different direction.

On specific issues during the era of Republican ascendancy, Wheeler's position mirrored that of many Montanans. Although the state ratified the Eighteenth Amendment, which made possible that "noble experiment" of prohibition, Montanans were ambivalent on the issue throughout the decade. In fact, for a variety of reasons, prohibition failed more spectacularly in Montana than in many other parts of the country. Wheeler's attitude was similarly ambivalent. When he arrived in the Senate in 1923, he was a conspicuous dry. By the end of the decade,

he had become noticeably damp or perhaps even wringing wet. Unlike Senator Thomas J. Walsh but quite like Montana, Wheeler was never fanatically dry either personally or politically, and his shift required no basic soul searching.

Similarly, although Wheeler and most of his Montana constituents were low tariff, he found no difficulty in supporting an increase in the tariff on copper, which was included in the Revenue Act of 1932. The increase was not necessarily a sop to the Anaconda Company, which, with two-thirds of its copper production located outside the United States, was basically indifferent to the increase. As the *Western News*, an anti-company sheet, later put it: "Practically everyone in Montana, liberal, reactionary, progressive, mugwump, stoolpigeon, or what not" was "strongly in favor of a high protective tariff on domestic copper in order to keep the Montana miners at work. . . ."

Wheeler's Montana experiences, especially those as U. S. Attorney during World War I, also made him a staunch defender of civil liberties, a concern that emerged during the bitter debates over the Hawley-Smoot tariff of 1930. Prior to the Act of 1930, various tariff bills had included a provision to protect the book industry and the morals of the country by prohibiting the importation of "obscene" or "revolutionary" books and pictures. Wheeler and other western senatorial insurgents sought unsuccessfully to delete the censorship from the bill of 1930.

Defending retention of the provision, Senator Reed Smoot of Utah argued that D. H. Lawrence, author of *Lady Chatterley's Lover*, "had a diseased mind and a soul so black that he would even obscure the darkness of hell." At one point, Wheeler retorted that some of Brigham Young's essays would be inadmissible, if coming from abroad, because of their revolutionary nature, an argument that visibly stunned the Mormon Smoot. Wheeler also suggested that "if the morals of the people of the United States are so easily corrupted, then surely the keeping out of a few volumes of classics . . . is not going to save them."

Wheeler's Montana experience, where he had witnessed the "dirty business" of "listening in on a person's privacy" in order to blackmail people, also prompted him to oppose all bills in the 1930's that would have legalized wiretapping in certain situations. In fact, on two separate occasions when the House approved such bills, Wheeler managed to have them referred to the Interstate Commerce Committee, which he chaired, so that he could sit on them.

FIGHTING FRESHMAN FROM MONTANA



In his first term as Senator from Montana, the principled Wheeler took after Attorney General Harry M. Daugherty in 1924 for malfeasance in office. Wheeler's persistence in exposing Daugherty's "Ohio Gang" resulted in the Attorney General's resignation under pressure from President Calvin Coolidge.

ABOVE ALL ELSE during the so-called prosperity decade, Wheeler championed the rights of two aggrieved groups in Montana—the farmer and the worker—who were primarily responsible for his election in 1922. The condition of the eastern Montana farmer immediately following World War I was critical; one estimate has it that by 1924, nearly one-half of the wheat farmers had quit in despair. As one desperate farmer pleaded in a letter to a Great Falls banker: "I got your letter about what I owe you. Now be patient. I ain't forgot you. Please wait. . . . If this was judgment and you were no more prepared to meet your Maker than I am to meet your account, you sure would have to go to Hell. Trusting you will do this, I remain sincerely yours. . . ."

The farmer's pathetic plea actually illustrated what was in fact the worst agrarian crisis since the 1890's, but aid was not forthcoming when President Calvin Coolidge twice vetoed the McNary-Haugen bills, which Wheeler strongly supported, in 1927 and 1928.

Moreover, during this decade of political complacency, there was little that could be done for labor—organized or otherwise. These were "the lean years," according to historian Irving Bernstein, and major legislation favorable to the worker would not come until the 1930's. In concert with organized labor and the NAACP, however, Wheeler and other liberals successfully blocked the nomination of John J. Parker to the Supreme Court in 1930. Parker not only allegedly harbored southern racist views but apparently approved of the "yellow dog" contract, which labor detested, and the efforts and accusations of this reform bloc were enough to defeat his nomination.

One brief but bitter episode involving labor in Montana and throughout the country in 1922 had a decided impact on Wheeler's entire senatorial career. On July 1, 1922, the nation's railroad shop unions went on strike because of the Railway Labor Board's decision to support the demands of the carriers for a twelve per cent reduction in pay. The strike, the greatest of the decade with some 400,000 shopmen involved, took an ominous turn when Attorney General Harry M. Daugherty concluded that Bolsheviks, Wobblies, and other assorted radicals were responsible. Rushing to Chicago, the headquarters of the Union, Daugherty persuaded an Illinois judge to issue an injunction against the strike under the Sherman Act of 1890, an injunction that proved to be the most sweeping in American labor history. The results were tragic. The strike failed, the unions virtually collapsed, and many Montana

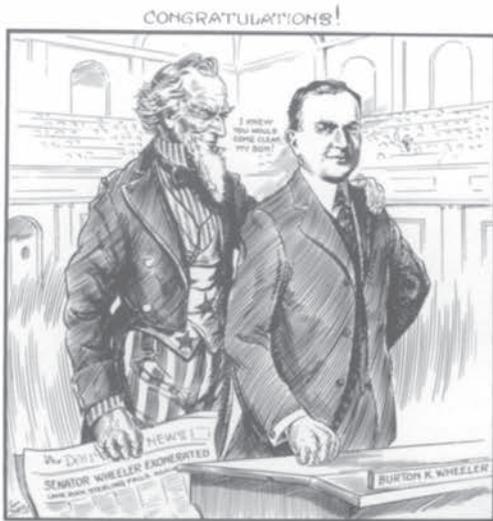
shopmen lost all seniority. The affair created a towering bitterness against the carriers and the "scabs," a bitterness that persisted in Montana as long as the erstwhile strikers lived.

As a candidate for the Senate in 1922, Wheeler was already a strong critic of railroad management, in part because of the excessive freight rates for Montana and other parts of the Rocky Mountain West, rates that were permissible under what Wheeler called the "nefarious" Esch-Cummins Act of 1920. In addition, as U. S. Attorney, he had obtained a \$50,000 judgment against the Great Northern Railroad for the loss of federal timber resulting from the absence of adequate spark arresters.

Daugherty's injunction halting the strike was the last straw, and in the fall of 1922, Wheeler peppered his campaign speeches with criticisms of what he called "Daughertyism." Immediately upon taking his seat in the Senate, he insisted on appointment to the Interstate Commerce Committee, which ultimately resulted in his ascension to the chairmanship in 1935 and his sponsorship or co-sponsorship of virtually all transportation legislation from 1935 to 1946.

His appointment to the committee and his opposition to the Esch-Cummins Act and to Daugherty's flagrant use of the injunction also had immediate effects. Seven days after taking his Senate seat, Wheeler rose to object to the appointment of Republican Albert B. Cummins as chairman of the Interstate Commerce Committee. Cummins had co-sponsored the Transportation Act of 1920, which offended many Montanans. The objection was probably without precedent and, after a protracted battle, resulted in the appointment of a Democrat to chair the committee, the only Democratic chairman in the Republican Sixty-Eighth Congress.

For a freshman senator, Burton Wheeler had registered a modest, although impressive, victory. As a result of his Montana background, however, he had an even more important score to settle—with Attorney General Daugherty and his use of the injunction. Within days of the end of the Cummins affair, Wheeler introduced a resolution calling upon President Coolidge to demand Daugherty's resignation. Frustrated by Coolidge's inaction and legendary silence, the Montanan subsequently introduced a resolution authorizing the appointment of a select committee to investigate the Attorney General. With Senator Smith W. Brookhart as chairman and Wheeler as the chief interrogator (where his Montana experiences as U. S. Attorney stood him in good stead), the select committee heard enough testimony to persuade Coolidge that Daugh-



A CLEAN RECORD

Wheeler's investigation of Daugherty brought out the worst in the Senator's foes. In a smear campaign they charged Wheeler himself with influence peddling; but, as John Baer's cartoons in *LABOR* indicate, Burton K. Wheeler stood before the nation in 1925, exonerated and victorious.



AND A FRIEND OF LABOR

Support of the working class was a hallmark of Senator Wheeler's career. In 1928, as a member of a select subcommittee of the Interstate Commerce Committee, the Montanan and his colleagues spent several weeks touring the strike-torn coal fields. In the Pricedale, Pennsylvania community church (above) Senators William B. Pine of Oklahoma, Robert F. Wagner of New York, Frank R. Gooding of Idaho and Wheeler witness a meeting of striking miners.



erty had to go. The investigation also resulted in the resignation of William J. Burns, head of the Bureau of Investigation, who had been using government agents for illegal purposes. Within less than three months, the freshman Senator from Montana had cleansed the Department of Justice of various unsavory elements, which constituted his foremost contribution to good government in the 1920's. At the same time, his fellow Montanan, Senator Walsh, had successfully probed the corruption surrounding Teapot Dome.

ONE OF THE OUTCOMES of the investigation of Daugherty was the Department of Justice's unsuccessful attempt to frame Wheeler, which even unnerved one accustomed to the bare-knuckle fights of Montana. Another outcome was the fact that within less than six months, Wheeler had rocketed from obscurity to national prominence. Above all else, the investigation of Daugherty persuaded Senator Robert La Follette of Wisconsin to choose Wheeler as his running mate on the Progressive ticket of 1924.

Wheeler had made himself available when he announced, after the Democrats had wearily nominated the able but ultra-conservative John W. Davis on the 103rd ballot, that he could not support the party when it "goes to Wall Street for its candidate." After first refusing the second spot on the Progressive Party slate, Wheeler accepted the nomination, pledging to "oppose every man on whatever ticket he may appear who bears the brand of the dollar sign."

Although regular party Democrats in Montana and elsewhere grumbled about Wheeler's defection, Davis' nomination, coupled with that of Calvin Coolidge, was an affront to the democratic process. No presidential election in the Twentieth Century left the voters with less of a choice.

Many western voters agreed, for La Follette and Wheeler won the state of Wisconsin and ran second to Coolidge in eleven western states. In Montana they won roughly twice the vote of the Democratic candidates. Indeed, Coolidge received only 44 per cent of the Montana vote in contrast with his 54 per cent nationwide. It was, overall, an impressive performance for the third party candidates.

The presidential campaign of 1928 did not confront Wheeler with the same dilemma, and he had no difficulty remaining regular. For one thing, Al Smith, the Democratic nominee, seemed to offer a clearcut alternative to Herbert Hoover. For another, Wheeler was a candidate for re-election, and political apostasy was not in order. Still, although the Senator admired Smith as an effective governor of New York, he recognized some of his liabilities as a presidential candidate. In July, even before the campaign got underway, Wheeler urged that prominent Swedes and Norwegians be recruited in the state to offset the religious issue. "The need for that kind of approach," he complained, "ought to be pounded into the heads of those simple-minded people in New York who think the whole world revolves around that section of the country east of the Hudson River."

As Wheeler feared, the New Yorker was quite unacceptable to Montanans, for he won only three of fifty-six counties. Smith was a stranger with an alien accent, a politician identified with Tammany Hall and urban concerns, a provincial easterner ignorant of western needs, particularly those of the farmer, and a Roman Catholic who not only aroused fear of the Pope but also reminded Protestants, especially those in the eastern part of the state, of the influence that Montana Catholics wielded in state politics.

AS A RESULT, Wheeler was determined that the Democratic party should not repeat its mistake of 1928. Casting around for a presidential alternative to Al Smith and other conservative Democrats, Wheeler fastened upon the name of Franklin D. Roosevelt, the vibrant governor of New York, who had already spoken directly to westerners of his concern for their problems. Late in April, 1930, speaking over the NBC radio network carried everywhere but the Pacific Coast, the Montanan became the first Democrat of national stature to endorse FDR for the presidency. From then until the election of 1932, Wheeler worked tirelessly for the New York governor. He campaigned in western presidential primaries, he achieved the unlikely result of bringing both Joseph P. Kennedy and Huey Long into the Roosevelt camp, and he fought vigorously in the Democratic convention to hold committed delegations in line. Conceivably, Wheeler's support made the difference in Roosevelt winning the nomination. Undoubtedly, he was the most important westerner in the Democratic victory of 1932. And most Montanans agreed with the Senator's choice of FDR, giving him majorities in all of his four presidential campaigns.

When President Franklin D. Roosevelt and his wife, Eleanor, visited the Fort Peck damsite near Glasgow in August, 1934, Senator Wheeler's early support of the new administration is graphically portrayed in this picture. Three years later, after Wheeler broke with Roosevelt over the President's "Court Packing" plan, the Senator was conveniently out of the state when FDR returned to Fort Peck, the massive public works project which was an important part of his New Deal program to alleviate effects of the Depression.



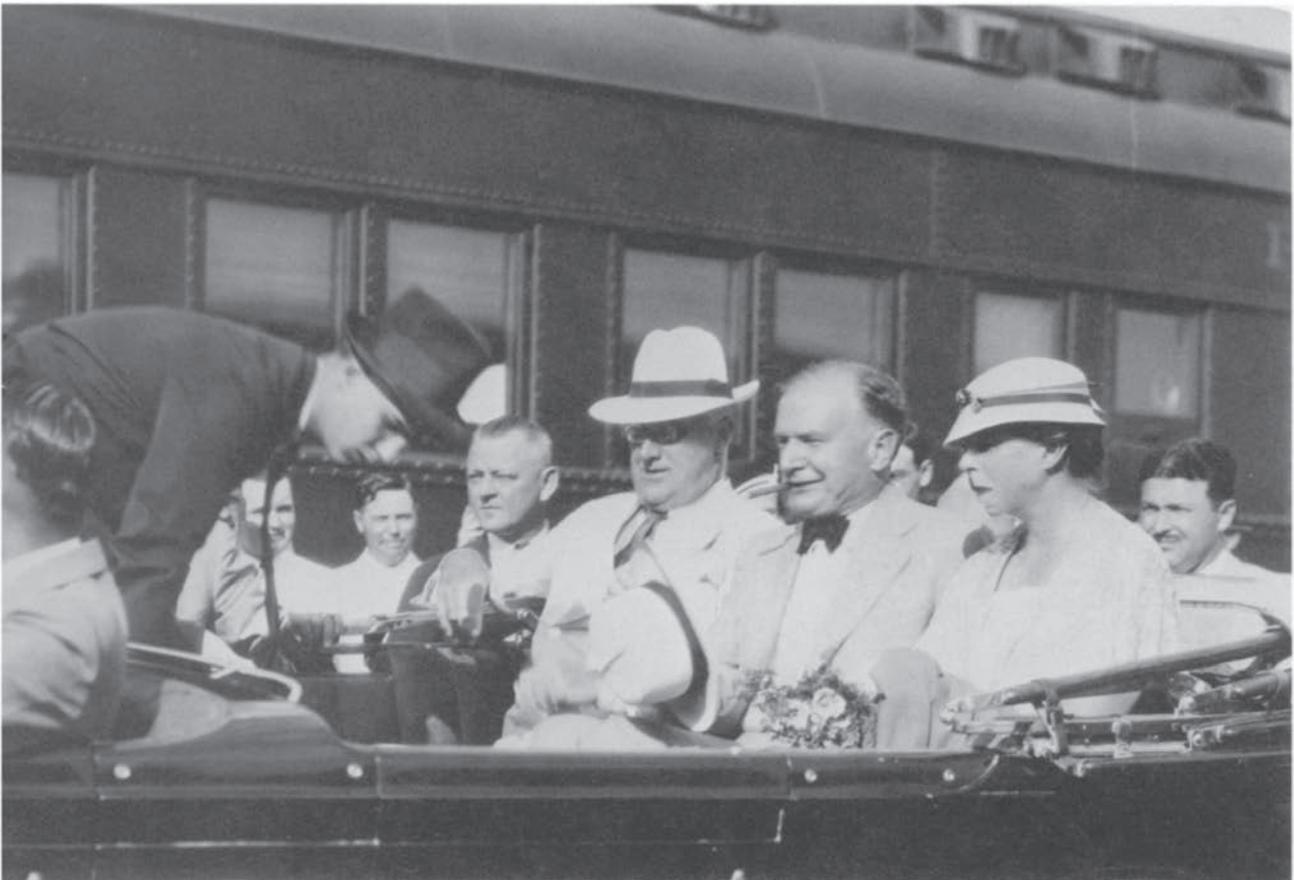
Even before FDR took office in March, 1933, Wheeler had launched a crusade that resulted in his first rift with the incoming President. On January 4, 1932, the Montanan rose in the Senate to announce that "one of two things is going to happen in this country. We will have bimetallism or we will have bolshevism in the United States of America." Pronounced dead and forgotten many years before, the spirit of silver now haunted the Senate chamber, reviving fearful memories of the youthful William Jennings Bryan, the campaigns of the 1890's, and the passion for free silver.

Wheeler's commitment to remonetization stemmed in part from his espousal of Bryan's crusade of 1896. It also stemmed from his concern for his Montana constituents where the mines produced some 16 per cent of the nation's supply of the white metal. But Wheeler was not simply interested in special interest legislation, as was Key Pittman of Nevada. He supported the Silver Purchase Act of 1934, which had only a slight effect on the money supply, only when it became apparent that nothing else was possible. Although the remonetization of silver was wrong-headed in many ways, Wheeler's primary motive was to increase the money supply in a time of severe deflation, a position that subsequently became financial orthodoxy. Wheeler lost his fight

for remonetization, but the widespread sentiment for inflation forced Roosevelt to accept the so-called Thomas amendment, a measure limited in effect because it gave the President permissive rather than mandatory instructions. Even so, the silverites led by Wheeler could claim considerable credit, for they were the first prominent exponents of inflation.

Despite the disagreement with Roosevelt over money matters, Wheeler supported much of the early New Deal legislation. He was never a New Dealer as such, however. He was too independent to follow Roosevelt blindly through a patchwork of sometimes contradictory and coercive legislation. He could not, for example, support the National Industrial Recovery Act of 1933, which to him "went beyond curbing economic power and sought to put behind the natural economic power of business combination and concentration the coercive power of government."

One bill he could endorse—indeed, he co-sponsored and supported it with courage and tenacity—was the Public Utility Holding Company Act of 1935. The bill was designed in part to eliminate monopolistic control, through holding companies, of the electric power industry. It was a proposal that appealed to Wheeler's instinctive distrust of bigness



and his opposition to the so-called money trust and the eastern part of the country. As he noted, "the only difference between Jesse James and some of these utility men is that Jesse James had a horse." The bill also delighted his liberal Montana constituents, although the conservative forces in the state, led by the Montana Power Company, were predictably dismayed. The *Montana Standard*, for example, flatly predicted the doom of the electric power industry and the destruction of the investments "of frugal, thrifty Montanans." It did not turn out that way, and the Public Utility Holding Company Act of 1935 stands as one of the important monuments of the New Deal.

ANOTHER OF Senator Wheeler's interests that grew out of the Montana connection was his determination to do the right thing for the American Indian, the state's most important deprived minority. Because of this concern, he had requested appointment to the Senate Indian Affairs Committee in 1923. Known as "Chief Bearshirt" to his Indian followers, the Senator did what he could during the uncongenial 1920's, which included a successful campaign to require the Montana Power Company to pay royalties to the Flathead Indians for use of their land for an electric power site. He also played a leading role in forcing the resignation in 1929 of Charles Burke as Commissioner of Indian Affairs.

Assuming the chairmanship of the Indian Affairs Committee in 1933, Wheeler agreed to sponsor the administration's Indian Reorganization Act of 1934, a proposal that represented a significant departure from the assimilationist philosophy of the Dawes Allotment Act of 1887. Wheeler introduced the Indian Reorganization bill without reading it, immediately insisted upon revisions after studying it, and eventually repudiated altogether its basic philosophy, which called for the perpetuation of an Indian way of life.

Wheeler had always favored improvement of Indian schools, health facilities, and living standards and had opposed the government's policy of alienating the Indians from their lands. But he could not accept the separatist philosophy of the Indian Reorganization Act. Wheeler believed that eventually the Indian should be integrated into white society, a position that became liberal orthodoxy during the Truman administration and firm, conservative policy during the Eisenhower administration before its repudiation in the 1960's. No one, incidentally, has yet stumbled across a solution.

WHEELER'S FIRST major break with Roosevelt and with his own liberal Montana constituency came in 1937 with the President's ill-conceived and ill-advised plan to pack the Supreme Court. The proposal both angered and frightened the Senator from Montana, and his vigorous opposition was the most effective among all his colleagues in achieving its ultimate defeat, which must certainly stand as one of his greatest contributions. Wheeler undoubtedly had a variety of reasons, including some personal ones, for opposing the President, but most important was his increasing fear of the executive branch of the government. He had voiced this concern as early as April, 1933, when he informed his senatorial colleagues that by giving Roosevelt the power to dictate wage reductions, to control the railroads, and to fix the gold content of the dollar they were "going a long way toward destroying our form of representative government and coming mighty close to setting up a dictatorship in the White House."

Wheeler's fear of big government and of the executive may have had some roots in his Montana experience. Historically, the Rocky Mountain states had grievances, both real and imagined, against the federal government. One frustration was the extent of federal land ownership, which in Montana was nearly thirty per cent.

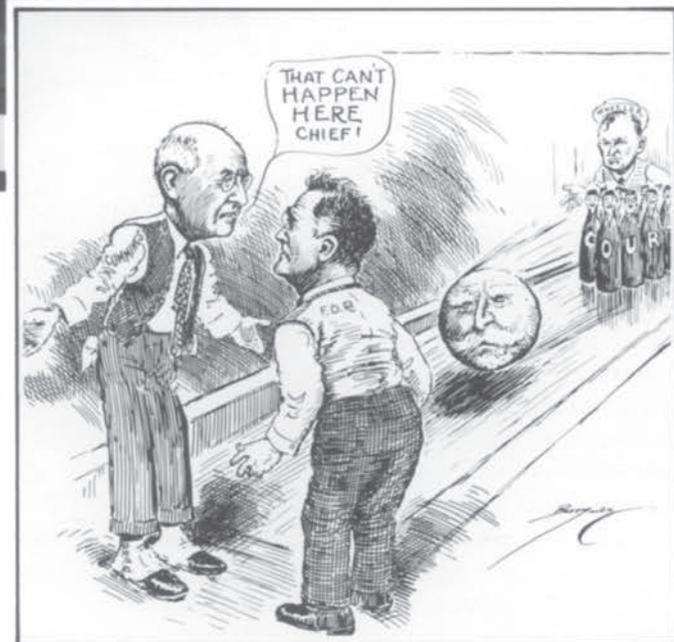
The mountain west was also financially dependent on the federal government. The region received more per capita in federal benefits in the 1930's than any other section of the country, the three leading states in the category being Nevada, Montana, and Wyoming. Chronic dependency produces suspicion and insecurity, and the result has been a kind of schizophrenia—the wish to be completely independent financially and yet the fear that the federal government might agree.

More important, Roosevelt's attack on the Supreme Court reminded Wheeler of his wartime experience in Montana when he and Judge George M. Bourquin had tried to stem a tide of hysteria that at times had reached flood-like proportions. As he recalled in speaking against the court packing plan in April, 1937, "the bill of rights remained in force [during the First World War] only because of the existence of an independent judiciary," a federal judiciary that tried to protect the rights of free speech, of freedom of the press, and of freedom to assemble. The statement was partially true, at least as far as Montana was concerned. But Wheeler had also developed a selective memory. The fact is that prior to 1937 the Montanan had joined Roosevelt and others in criticizing the Supreme Court

PERSISTENT VOICE
OF OPPOSITION



In 1937, when President Roosevelt and Attorney General Homer S. Cummings proposed a revolutionary revision of the Supreme Court, Montana's Burton K. Wheeler, in words publicized throughout the nation, led a righteous and zealous crusade to block what Wheeler called an "anti-Constitution grab for power." FDR knew Wheeler's opposition could not be ignored, as C. K. Berryman's cartoons made clear in 1937.



for invalidating various pieces of New Deal legislation and had toyed himself with the idea of curbing the power of the Court.

In any event, although Wheeler's Montana background may have been a factor in his opposition to packing the Court, his experiences in Washington had become paramount. Formerly an exponent of government ownership of railroads, he now repudiated it because of what he perceived as in efficient, burgeoning federal bureaucracy.

But most of all, Wheeler had become fearful of executive power generally and of Franklin D. Roosevelt personally. And his fears were to become even more pronounced as Roosevelt became increasingly intolerant of those who disagreed with his policies. The President's illiberalism emerged in a variety of ways—his attempt to purge dissident Democrats in the primaries of 1938, his expressed interest in Wheeler's income tax returns, and his encouragement to those vocal, foreign policy interventionists who sought to discredit Wheeler and others by labeling them as pro-Nazi, anti-Semitic, and un-American, an earlier version of what became known as McCarthyism in the early 1950's.

THE SUPREME COURT packing plan was a turning point in Senator Wheeler's career, for it played a major role in his ultimate conversion to a more conservative position. He changed more than he was willing to admit, either then or subsequently. His Montana constituency also began to shift as a result of his opposition to Roosevelt, although there had been rumblings of liberal discontent before. Now in 1937, led by Democratic Representative Jerry O'Connell, the liberal opposition was open and vocal, especially from the state's labor unions.

During and after the Court fight, Wheeler hastened to repair the rupture. But he neither groveled nor apologized for his opposition to the President's plan. At one point, for example, he announced that "if the people of Montana really want to be represented by a rubber stamp, they should send someone else to represent them."

He meant it, as he had in the past when he declared that he was not a messenger boy for anyone. As with most politicians, Wheeler had worked strenuously to gain material benefits for his state, and he was undoubtedly more successful than most. But when it came to the larger philosophical issues—those not involving work relief, the construction of a dam, or a reclamation project—Wheeler seldom sought the advice of anyone or heeded the threats

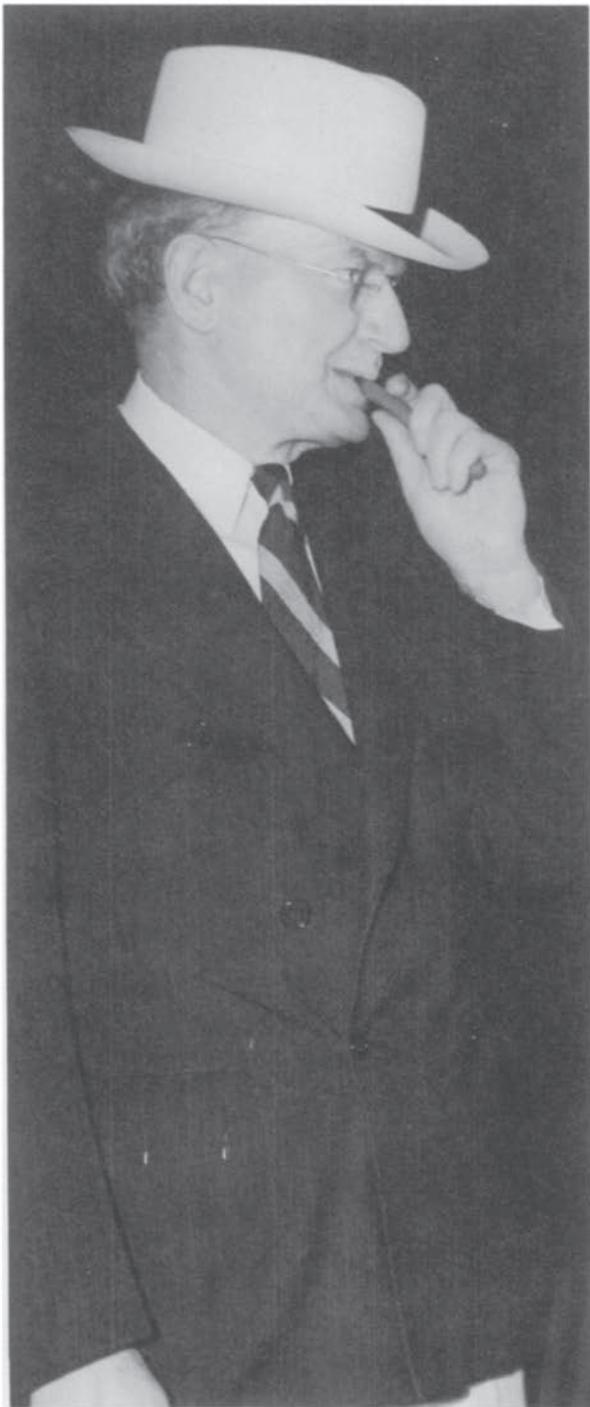
or admonitions of any group. He was his own man. As pointed out earlier, he did not represent his liberal constituents as much as he reflected them and their fears and their aspirations. The distinction is important. Now as a result of his long exposure to Washington, he was changing—and so, too, was his constituency, which included an increasing number of conservatives. He was still opposed to bigness, to monopoly in industry, but he had grown even more fearful of big government, especially that of executive power, at the same time that liberal Montanans were still enamored with Franklin D. Roosevelt.

And that fear of executive power was partly responsible for Wheeler's opposition to much of Roosevelt's foreign policy between 1939 and 1941. Based on his Montana past, however, one could have predicted Wheeler's wariness of measures that might involve the United States in war. He had opposed American participation in World War I, a position he never regretted or repudiated. During the 1920's, the Senator had been a staunch non-interventionist. He was especially incensed with American military intervention in various Latin American countries and once observed that if the marines were in Nicaragua to suppress bandits, "they might be put to better use in Chicago."

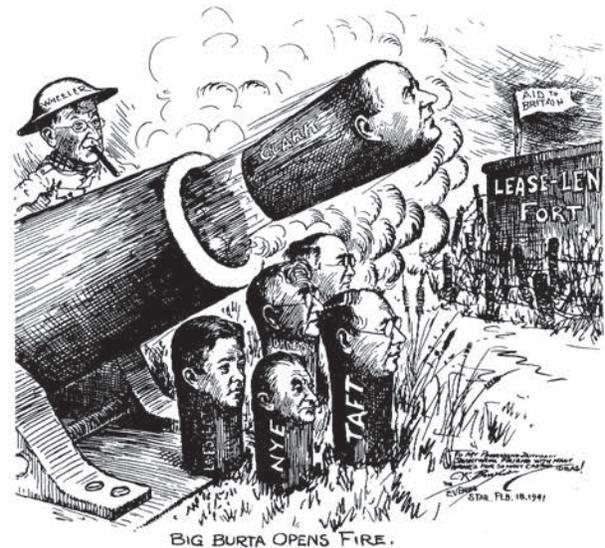
This noninterventionist stance stemmed partly from his sectional view of domestic politics and his neo-Populist approach. To Wheeler, the same interests involved in the eastern economic exploitation and domination of Rocky Mountain states—"big business" and Wall Street—were also responsible for an imperial foreign policy.

In the late 1930's, as he became increasingly alarmed that Roosevelt might involve the United States in the European war, he also recalled the hysteria in Montana during World War I. As he noted melodramatically in opposing the first peacetime conscription bill in August, 1940: "Enact peacetime conscription and no longer will this be a free land. . . . Hushed whispers will replace free speech; industry, men and women, will be shackled by the chains they have themselves forged. . . . If you pass this bill, you slit the throat of the last democracy still living. . . ."

Given Wheeler's past radical agrarian experiences, his fear of wartime hysteria, and his personal distrust of Roosevelt and his use of executive power, it was not surprising that he strongly supported the neutrality legislation of the 1930's, that he opposed peacetime conscription in 1940 and 1941, and that he bitterly fought lend lease to Britain in 1941. And given his personality, courage, and political savvy,



THE BREACH WIDENS



Wheeler became the chief Democratic critic of FDR's foreign policy on the eve of World War II. Fearful of executive power and true to his pacifistic beliefs, Wheeler opposed peacetime conscription, military preparedness and Lend-Lease aid to Britain in 1941. From the floor of the Democratic Convention in 1940, when FDR ran for an unprecedented third term, Wheeler fought for a peace plank in the party platform, and in the following months blasted the administration without end, warning that America was being thrust toward war.



A jovial Senator Wheeler is obviously in familiar and friendly company at the 50th Anniversary of the founding of the United Mine Workers of America in 1940. Wheeler and John L. Lewis (right), long-time president of UMW, had fought for labor through the 1930's, and now they fought against FDR's foreign policy.

1940's:
STILL A
FRIEND
OF LABOR



it was not surprising that he was the most powerful Senator in opposition to the President. On some of these issues, Wheeler was not necessarily out of step with some of the leftist forces in Montana. Many of the copper miners of Butte, for example, were not only anti-British but had vivid memories of World War I and the lynching of Wobbly organizer Frank Little. Indeed, they still honored Little's memory with annual pilgrimages to his grave.

What really irritated and alienated many leftist groups in Montana was the accusation, which Wheeler did not bother to deny, that he served the Anaconda Company and its conservative friends. Since the Supreme Court fight, the company's press had warmed to the Senator and had given ample coverage to his activities and to his criticisms of Roosevelt's foreign policy. This was enough to convince many Montana liberals that Wheeler had sold out. He had not, of course. What they failed to understand was that Wheeler seldom, if ever, repudiated support from anyone. In the case of the Anaconda Company and its press support, his si-

lence was politically foolish. In the case of his friendship with some unsavory characters, his silence was reprehensible, as in 1939 when he refused to renounce the support of the Rev. Charles E. Coughlin, a notorious anti-Semite, on the grounds that he "was not going to repudiate anyone who said nice things about me."

Moreover, the accusation that Wheeler had sold out to the company ignored basic changes then occurring in Montana's power structure. Although still a significant force in state politics, especially with the state legislature and some administrative agencies, the Anaconda Company had lost considerable political clout by the late 1930's. Montana liberals, however, confused the image of power with the reality of power and failed to perceive that, in some respects, Wheeler was more powerful than the company. Wheeler knew it, the company knew it, but Montana liberals did not.

Yet if Wheeler was aware that his constituency in Montana was shifting significantly between 1937 and 1941, he seemed unconcerned about it.

Long after the sagacious Burton K. Wheeler ceased to rise on the Senate floor, he remained a respected and successful participant on the Washington scene. Time and again politicians and friends urged him to re-enter the arena as candidate or lobbyist, as the American Federation Labor did in 1948, but Wheeler meant it when he told President Truman he was "out of politics for good."



AFTER 1946: RETIREMENT AND A NEW ROLE IN WASHINGTON

And his decisive re-election to a fourth term in 1940 may have concealed from him much of the growing liberal animosity. Indeed, in his memoirs, he stated that his "stand on the war was put to a popular test," although he did concede that his Republican opponent, recently commissioned in the army, did not campaign. Nonetheless, he took pride and comfort in winning 73.4 per cent of the vote, a record to that time, and in the fact that his margin of victory was more than double that of FDR's. The decisiveness of the victory was unfortunate, for it may have given Wheeler the same feeling of invincibility that Roosevelt apparently experienced after his landslide victory of 1936.

Wheeler's margin of victory was, in fact, deceiving. As the incumbent, he had an overwhelming advantage over an opponent who chose not to campaign. More important, the results of his primary campaign in 1940 contained some ominous overtones. Although he easily defeated his opponent, Attorney General Harrison Freebourn, Wheeler received only 55 per cent of the vote of Silver Bow

County, the stronghold of the miners. Although a comfortable margin, it was far below his 79 per cent in 1928 and 87 per cent in 1934. Yet neither in the flush of victory nor in the pages of his memoirs was there evidence of concern on his part. Nor was there any apparent concern over the composition of his audiences in subsequent speeches in Montana for the America First Committee, the leading organization then fighting Roosevelt's foreign policies. As one Democrat noted in July, 1941, "there is not in Billings one single, solitary, legitimate Democrat" connected with the America First Committee.

The bombs on Pearl Harbor ended the greatest foreign policy debate in American history. Although they need not have, the bombs also contributed to Wheeler's decline as a national political figure; his remaining years in the Senate were anti-climactic. He had lost the greatest political battle of his career, and he never seemed to recover from it. The end came in the Democratic primary of 1946 when he lost to the liberal candidate, Leif Erickson, by less than 5,000 votes.



HOMECOMING AND HOMAGE TO AN OLD ADVERSARY

Still exhibiting his famous style of pugnacity and candor without personal bitterness, Burton K. Wheeler made one of his last public appearances in the rotunda of Montana's capitol on November 17, 1972, at the dedication of a bust honoring Joseph M. Dixon, his bitter gubernatorial rival in 1920. With members of Dixon's family present, the 90-year-old former senator recalled that campaign, one of the hardest-fought in Montana political history. Yet he paid tribute to the good qualities of his old adversary, adding that "Joe Dixon did me one of the greatest favors of my life when he defeated me in 1920," for that defeat led to his own election and long career in the U. S. Senate. Senator Wheeler died on January 6, 1975, a month short of his 97th birthday.

ALTHOUGH THE defeat of the 64-year-old Montanan stunned political pundits across the country, the surprise is not that he lost. In view of the many enemies he had made over the years, the wonder is that he almost won. Wheeler had a persuasive, sometimes hypnotic, effect on people, and in previous campaigns he had turned on the personal magnetism, winning generally by lopsided majorities. This time it was different. He might have recouped, but his mistakes—his many mistakes—probably cost him the Democratic nomination. He began his campaign belatedly, he emphasized the wrong things, he acted as a statesman warning America about the menace of the Soviet Union rather than as a politician stressing what he intended to do for his fellow Montanans. And in style he sought to perform according to what he had been, rather than what he was in 1946. The old fire was gone, and to some extent he was bewildered. "I know that some of the labor leaders in Great Falls are very much against me," he confided to an old friend in March, 1946. "Why, I am unable to understand, excepting that they have short memories."

Actually, it was his memory that was faulty, not that of his old liberal allies. For in truth, B. K. Wheeler had become a prisoner of the past, especially his Washington past of 1940 and 1941. He could not admit that he had changed. Only the times had changed, he continued to insist. In the campaign of 1946, he was essentially reliving the foreign policy debates of 1940-1941. To him, American participation in the war had resulted in an even greater threat to the nation's security—the survival of the Soviet Union and its domination of eastern Europe, its threat to western Europe, and its encouragement to Communist parties elsewhere in the world. He was therefore still right, and Roosevelt and the interventionists were wrong. It seemed to have become a way of life. His views were sin-

cere and essentially unselfish, but he failed to understand that over the years others perceived him differently. As a railroad conductor from Bonner, Montana, observed in October, 1941: "He is a one way Rail Road. He gets on at Bert & gets off at Wheeler."

Yet Burt Wheeler left politics without bitterness, thanking the people of Montana for their generous support for so many years. Years earlier, in 1925, he had thanked them when he named his sixth and last child Marion Montana. Ultimately, his defeat turned out to be a financial blessing. With his son, Edward, he opened a law partnership in Washington, D. C., which provided the economic security that had eluded him during his political career. Still, he never forgot Montana and its people. Summers invariably found him in his cabin at Lake McDonald in Glacier National Park. And in 1969 he informed a reporter for the *Denver Post* that "in Montana and the West you have friends. In Washington you have acquaintances."

Montana—the state that profited much from the service of Burton K. Wheeler in the United States Senate—also profited from his defeat. Throughout his long, stormy political career, he was so persuasive, so personable, so roughly charismatic, that he became almost a party unto himself. Over the years, he constructed a bipartisan machine that had no equal in Montana politics, with the exception of that of the Anaconda Company earlier in the century. His defeat in 1946 allowed the Montana political parties to regroup along ideological lines and to function once again as legitimate opponents in the political arena. At the beginning of his political career, Senator Wheeler had contributed significantly to the transformation of the Montana Democratic party into a vehicle of liberalism. Ironically, his defeat in 1946 insured the continuation of that trend.



RICHARD T. RUETTEN is Professor of History at San Diego State University with a particular interest in the history of the present century. A native of Havre, Montana, he graduated from Northern Montana College in that city, then earned a B.A. in history from the University of Northern Colorado in 1955. He took his graduate work at the University of Oregon, receiving his M.A. in 1957 and the Ph.D. with honors in 1961. Following a year's instructorship at the University of Oregon, he joined the faculty at San Diego, succeeding to a full professorship in 1968. Prof. Ruetten's deep interest in the career of Burton K. Wheeler, which has resulted in a number of articles and papers, is consonant with his study of 20th Century politics. The study published here is adapted from a lecture delivered in 1976 at Montana State University, Bozeman, to launch that institution's memorial lectureship honoring the late senator.