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# Judge Wisdom and the 1952 Republican National Convention: Ensuring Victory for Eisenhower and a Two-Party System for Louisiana

Joel William Friedman\*

At the same time that John Wisdom was struggling to unseat John E. Jackson and rebuild Louisiana's Republican Party, another southern attorney, Elbert Parr Tuttle of Atlanta, was spearheading a movement to reform and broaden the base of the Republican Party organization in Georgia. Tuttle's efforts so impressed the national Republican Party leaders that when John Wisdom asked Senator Henry Cabot Lodge, in the winter of 1951, to recommend someone who had experience in a delegate challenge and who might be able to advise him in his nascent Eisenhower effort in Louisiana, Lodge immediately suggested Elbert Tuttle.

Wisdom took Lodge's advice to heart, called Tuttle, and Tuttle agreed to take a Sunday train to New Orleans so that the two could compare notes. Tuttle was well acquainted with the problems that Wisdom faced in Louisiana. The Georgia Republican Party was run by a small clique of "Post Office Republicans," the term used to describe those who became Republicans "because they hoped that if a Republican [P]resident was elected, they could name all the Postmasters and everybody that worked at the post office, the district attorney and the marshals."<sup>1</sup>

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\* © Joel William Friedman. Professor of Law, Tulane Law School. This article is an adaptation of a chapter in the author's forthcoming biography of Judge Wisdom. The author would like to thank his research assistants, Alexandra De Neve (Tulane 1997), Louise King (Tulane 1996), and most importantly, Laurie Lowenthal (Tulane 1997) for their help. Above all, the author is indebted to Judge and Mrs. Wisdom for their invaluable assistance in providing a firsthand account of the events recounted in this article. Nevertheless, any errors, inaccuracies, or misstatements are solely the author's responsibility. The companion piece to this article detailing Judge Wisdom's role in the events in Louisiana that preceded the 1952 Republican National Convention in Chicago appears at 69 *Tulane Law Review* 1439 (1995).

1. Interview with Elbert Parr Tuttle, U.S. Eleventh Circuit Senior Judge, in Atlanta,

Wisdom and Tuttle spent much of the day in the garden of Wisdom's magnificent home. Within a few hours, the two had forged a bond of personal friendship and professional admiration that would last for more than forty years. "[O]f course I fell in love with the Wisdoms the minute I met them," Tuttle recalled.<sup>2</sup> They commiserated over the common obstacles that lay in each of their paths and exchanged ideas about how to overcome these hindrances and to promote the hoped-for candidacy of General Eisenhower. Thereafter, Tuttle and Wisdom pushed forward on their separate fronts. They subsequently joined forces in February of 1952 when Wisdom was elected chairman, and Tuttle vice chairman, of the Southern Conference for Eisenhower, a loose confederation of pro-Eisenhower leaders in the South that became part of the move to draft Dwight Eisenhower for the party's presidential nomination.<sup>3</sup> The strategies exchanged during their initial encounter, however, laid the groundwork for a grassroots movement that eventually reshaped the southern Republican Party and played a pivotal role in Dwight Eisenhower's capture of the Republican Party's presidential nomination.

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John Wisdom was already deeply involved with his Louisiana-based Americans for Eisenhower and his joint effort with Tuttle and other southerners to promote the Eisenhower candidacy through their Southern Conference for Eisenhower substantially before a corresponding organization — Citizens for Eisenhower — was formed in February of 1952. In fact, when a lieutenant in the Eisenhower national campaign initially telephoned Wisdom to suggest that he organize the Louisiana effort, Wisdom assured the caller that the Eisenhower campaign in Louisiana was already months ahead of the national movement. Consequently, Wisdom is fond of recalling, with an equal measure of pride, "We were for Eisenhower before Eisenhower was for Eisenhower." Citizens for Eisenhower was headed by Paul Hoffman, one of General Eisenhower's close personal friends who wanted to expand the regional "draft Eisenhower" movement to the national scene. This group, composed almost entirely of volunteers with little or no experience in political campaigning, played an important role in promoting Eisenhower's candidacy in the eyes of Democratic and Independent voters. Unfortunately, its leaders did not have the experience or savvy to mount the

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Ga. (Feb. 22, 1993) (transcript on file with author).

2. *Id.*

3. JACK BASS, UNLIKELY HEROES 27 (1981); *Ike Supporters to Open Office; Wisdom to Be Chairman of Conference*, TIMES-PICAYUNE, Mar. 2, 1952, at 19.

kind of campaign that would be necessary to overcome the momentum that already had been generated in favor of Senator Taft.

For several months before Eisenhower was persuaded to run for the Presidency on the Republican ticket, four political and business leaders had met on an irregular basis at the Commodore Hotel in New York City to devise a strategy to draft the seemingly reluctant war hero. Early in the game, every member of the team recognized the particular talent that each brought to the enterprise, so once the campaign was organized, they easily fit into their appropriate roles. At the core of the group was the professional campaign organizer, Herbert Brownell, Jr. A keenly intelligent attorney and former state legislator from New York, Brownell had managed the 1944 and 1948 presidential campaigns of Thomas Dewey. He also had served as Chairman of the Republican National Committee and, in this role, had made contacts with local and regional Republican leaders throughout the nation. Brownell's close association with Governor Dewey's previous two unsuccessful presidential campaigns, however, precluded him from assuming a publicly visible leadership role in the Eisenhower movement.<sup>4</sup> The same was also true for Dewey. It was agreed, therefore, that neither Herb Brownell nor Tom Dewey would be given any title, and no public announcement of Brownell's crucial role in the campaign was ever released. Instead, Brownell, a master nose-counter and political tactician, was assigned the tasks of devising a strategy to attract the requisite number of convention delegates and monitoring the delegate count. Dewey, the titular leader of the party, was counted on to use his influence with the legion of Republicans that remained loyal to him. The third member of this quartet was General Lucius D. Clay, a native of Georgia and former Commander of U.S. forces in Europe and Military Governor of Germany during the Berlin air lift. By 1952, General Clay had retired from the armed forces and was in private business serving as president of the Continental Can Company. A close friend, advisor, and confidant of Dwight Eisenhower, he played the critical role of liaison to the candidate. Of all the campaign leaders, Clay was the only one who had the kind of relationship with Eisenhower that permitted him to speak openly and candidly with the General about the state of the campaign. It was General Clay who both forced Eisenhower to come to a decision on whether or not to seek the nomination and convinced him in April, barely two months before the commencement of the party's nominating convention, to publicly declare his candidacy.<sup>5</sup>

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4. Interview with Maxwell M. Rabb, former U.S. Ambassador to Italy, in New York, N.Y. (Feb. 1, 1996) [hereinafter Rabb Interview] (transcript on file with author).

5. HERBERT BROWNELL & JOHN P. BURKE, *ADVISING IKE: THE MEMOIRS OF*

The group's fourth member was Henry Cabot Lodge, the senior Senator from Massachusetts and a highly respected descendant of a venerable political family. On November 10, 1951, Clay, Dewey, and Brownell met with Senator Lodge in New York and urged him to accept the role of chairman and chief public spokesman for what they all hoped would become an Eisenhower campaign.<sup>6</sup> A moderate Republican, Lodge could appeal to the anti-Taft wing of the party. He also enjoyed the advantage of being unconnected to the unsuccessful Dewey team. In addition, Lodge was a war veteran, having resigned his Senate seat to enlist in World War II. Thus, from Dewey, Brownell, and Clay's perspective, Lodge was the perfect choice to act as the organization's point man.

The decision was not so simple, however, for Lodge. Accepting this post would require Lodge to publicly align himself against Bob Taft, a Senate colleague. Moreover, Lodge was up for re-election, and agreeing to lead the Eisenhower effort would inevitably divert much of his attention and resources away from his own campaign. And to further compound matters, Lodge was being asked to make this public commitment to someone who had not even agreed to become a candidate. In fact, many among the throng of reporters attending the press conference in Washington where Lodge announced his decision to lead the national Eisenhower for President movement shouted "But you haven't got a candidate." To which Lodge replied, "Well, if Eisenhower doesn't . . . [become a candidate], then you will have a great story because I will look very foolish."<sup>7</sup> In the end, Lodge paid a substantial price for his courageous decision to step forward, alone, in favor of a noncandidate. He immersed himself in the Eisenhower effort, spent much less time on his re-election drive than his staff wanted, and ultimately lost his senate seat to a young Boston Congressman by the name of John Fitzgerald Kennedy.

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For most tourists, the heart of Chicago is its beautiful north side. The grandeur of Michigan Avenue, from the exceptionally fine Chicago Art Institute to the row of expensive boutiques and grand department stores on its "Miracle Mile," the bustling financial and legal communities surrounding "the loop," the nightclubs on Rush Street, and the magnificent apartment buildings of the "Gold Coast" with their impressive views of Lake Michigan

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ATTORNEY GENERAL HERBERT BROWNELL 102-03 (1993).

6. *Id.* at 90, 106; Rabb Interview, *supra* note 4.

7. Rabb interview, *supra* note 4.

along Lake Shore Drive are natural attractions for the attentions of visitors to this Windy City. However, in the summer of 1952 — July to be precise — the center of the political world and the eyes and ears of much of the nation were focused three-and-one-half miles southwest of the loop. Here, on the easternmost edge of the city's south side — surrounded by mammoth stockyards, steel mills, and diverse ethnic neighborhoods populated by thriving Irish, Greek, Slavic, and Italian communities — lay the Chicago Convention Building and International Amphitheatre, the site chosen by both parties to host their 1952 national conventions.

The Republicans came first. Ninety-six years earlier they had gathered in Philadelphia for their first national convention and nominated John C. Fremont to run, unsuccessfully, against James Buchanan. This defeat, however, did not prevent Chicago from becoming the party's favorite gathering site. The 1952 convention — the Republicans' twenty-fifth — would mark the party's thirteenth appearance<sup>8</sup> in Carl Sandburg's "City of the Big Shoulders."<sup>9</sup> The previous conclaves included the turbulent session in 1912, when Teddy Roosevelt and President William Howard Taft locked horns in a delegate fight eerily premonitory of the contest that would ensnare that President's son forty years later.

At nearby Comiskey Park, local baseball fans gladly endured the sweltering mid-ninety-degree temperatures to watch their second-place White Sox make a midseason charge at the hated frontrunning New York Yankees. For the visiting conventioners, however, the arid, sun-scorched days of this Chicago summer were significantly less tolerable. Fortunately for them, the 12,000 seat convention hall was the first completely air-conditioned situs in convention history. The International Amphitheatre had been built for livestock shows and rodeos and, as such, was a fitting place for the upcoming political roundup.<sup>10</sup> Herds of delegates would soon be corralled within this huge hall which "smelled like the old bull ring at Juarez" prior to the installation of the air-conditioning system.<sup>11</sup> For several raucous and chaotic days, they would be swept up in a political stampede whose ferocity would match any of the arena's previous contests and leave a majority of them, paradoxically, physically drained yet emotionally reinvigorated.

For nearly a week prior to the arrival of most of the delegates — long before they would begin the business of choosing a candidate and adopting a platform — significant preliminary work already was being undertaken by

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8. *World Affairs*, 12 FACTS ON FILE 213, 216 (1952).

9. Carl Sandburg, *Chicago*, in CHICAGO POEMS (1916).

10. DAVID W. REINHARD, *THE REPUBLICAN RIGHT SINCE 1945*, at 85 (1983).

11. *Id.*

several critically important committees. As to these proceedings, the eyes of an interested public shifted from the stockyards to a more central location within the heart of the nation's second city. Here, among the packed ballrooms and private suites of the 3000-room Conrad Hilton Hotel — formerly known as the Stevens — gathered an odd mixture of political professionals and novices, Republicans from small villages and large metropolises. In clandestine caucuses and casual corridor conferences, as well as in stuffy, smoky salons and bustling ballrooms teeming with reporters eager for any hint of an impending breakthrough, the delegates spent grueling days examining evidence and witnesses and engaging in endless and spirited debates. Nearly all of this intensive activity centered around a trio of disputes that most insiders realized was likely to affect, if not resolve, the increasingly bitter battle between the two contenders for the presidential nomination, Senator Robert Alphonso Taft and General Dwight David Eisenhower.

This was only the second time in its 100-year history that the GOP convention would experience a floor fight over delegates.<sup>12</sup> This previous episode, separated by two score years from the current controversy, was strikingly similar in a couple of ways to its latter day counterpart. The earlier contest pitted the Bull Moose supporters of Theodore Roosevelt against followers of Senator Taft's father, the incumbent President, William Howard Taft.<sup>13</sup> And in 1912, as in 1952, one of the focal points of the struggle was the issue of the voting rights of contested southern delegates.<sup>14</sup> President Taft eventually emerged victorious from his battle and, not coincidentally, also garnered his party's nomination.<sup>15</sup> However, the dispute proved costly for the Republicans in the end, as the divisions it engendered led directly to the Progressive Party revolt of Theodore Roosevelt and contributed significantly to the general election victory by the Democratic challenger, Woodrow Wilson.<sup>16</sup> Clearly, Robert Taft hoped for a much different outcome in 1952.

Herbert Brownell was keenly aware of this piece of party history. Several weeks before the convention began, he had begun to devise a strategy designed to garner the nomination for his candidate, General of the Army Dwight Eisenhower. Brownell was a former Chairman of the party's National Committee and had been the campaign manager for Tom Dewey's presidential campaigns of 1944 and 1948. Widely respected among party

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12. *G.O.P. Delegate Contests Going On for Century*, CHI. TRIB., July 6, 1952, at 12.

13. *Id.*

14. *Id.*

15. *Id.*

16. *See id.*

professionals as a campaign strategist, Brownell's primary responsibility in the Eisenhower campaign was to fashion and implement a plan to amass and retain a majority of the convention delegates. After meeting with delegations from states across the country, it quickly became clear to Brownell that the job, although difficult, was feasible. Eisenhower would have to overcome the significant lead that Taft had built as a result of his unquestioned national stature and the campaign that his followers had mounted since the early months of 1950.<sup>17</sup> By the eve of the convention, Taft's count had increased to 504, just 100 short of a majority.<sup>18</sup>

To overtake the frontrunner, Brownell realized that he needed to seize upon a dramatic moral issue that would appeal to those delegates and voters who were more ideologically compatible with the Ohioan's approach to the major issues of the day than they were with the policies advanced by Eisenhower. In consultation with Boston attorney Ralph Boyd,<sup>19</sup> Brownell came up with a theme that he believed would do the trick — one that he was convinced would make the delegates feel that they were participating in a cause that went to the heart of the democratic process.

It was common knowledge among political operatives and other serious campaign watchers that substantial challenges were likely to be mounted against the delegates chosen to represent several southern states, particularly those from Georgia, Texas, and Louisiana. Brownell, who had come to develop a keen ability to count noses, sensed that by the time the convention was held in mid-July, the contest for delegates between the two major candidates would be quite close — probably within sixty or seventy votes — and that the balance of power at the convention could rest in the hands of the delegates from these three southern states.<sup>20</sup> At the same time, however, national party rules put Eisenhower in a bind. Nearly all of the delegates from states with old guard national committeemen supported Senator Taft.<sup>21</sup> For Eisenhower to turn the tide, these delegates would have to be replaced by the insurgent factions that supported his candidacy.

However, the power to decide delegate contests resided initially with the party's National Committee and Credentials Committee, both of which were controlled by Taft supporters. Obviously, Brownell knew that he could not expect much assistance from this quarter. Further, although party rules

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17. See JOHN R. GREENE, *THE CRUSADE: THE PRESIDENTIAL ELECTION OF 1952*, at 73 (1985).

18. DAVID HALBERSTAM, *THE FIFTIES 211* (1993).

19. BROWNELL & BURKE, *supra* note 5, at 111.

20. *Id.* at 114.

21. See *id.*



permitted an appeal from the decisions of these committees to the convention floor, it was unlikely, in Brownell's judgment, that a sufficient number of delegates could be convinced to overturn the judgment of the committee leadership. This would certainly be the case if, as mandated by the extant party rules, contested delegates were permitted to vote on all seating controversies including their own. Brownell was faced with a daunting challenge. To accumulate the 604 votes needed to secure the nomination, Eisenhower needed the support of the southern delegations that were controlled by Taft supporters. This meant that the delegations recognized by the southern state parties would have to be replaced by the challengers who were committed to Eisenhower. Yet, this could be accomplished only by a successful challenge at the convention, and probably not until the matter was brought for decision to the convention floor. Moreover, convincing a majority of the delegates to take the unusual step of delegitimizing and disenfranchising members of a state delegation would not be easy.

Brownell's intuition told him that he needed to change the way in which the delegates viewed the southern delegate contests. If each challenge was perceived as simply another internecine squabble between rival gangs of local fat cats, most of the otherwise disinterested delegates would be loathe to intervene. The delegates had to become personally involved with the struggle of the challengers. This could be accomplished, Brownell thought, if they sensed that the insurgents were involved in something akin to a moral crusade. He needed to arouse and appeal to the delegates' emotions, to make them feel that this battle represented more than the quadrennial clash of personalities and egos, and to show that there was more at stake here than a selfish lust for power and position. If the delegate qualification fights, and ultimately the nomination contest itself, were not perceived in this fashion and were, instead, resolved on the basis of traditional affiliations and policy issue predilections, defeat was probable.<sup>22</sup> Brownell had to make the delegates believe that they were essential members of a movement devoted to preserving the democratic nature of the nominating process.

Accordingly, Brownell predicated the success of his entire convention strategy on one objective — changing the party rules that permitted contested delegates to vote on all seating questions. As a former National Committee Chairman, Brownell was familiar with the history associated with prior conventions and knew that the 1912 convention had been marked by a delegate contest. He also realized, however, that the bitterness engendered by the seating controversies had spilled over into the postconvention cam-

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22. *See id.*

paign, deeply dividing the party and contributing to its defeat in the general election. It was critical, therefore, that he develop a strategy that would garner the nomination without causing an election-threatening party schism.

With this in mind, Brownell quietly stole away from campaign headquarters and, for a full week, holed up in the New York City Public Library poring over the transcripts of the 1912 convention's minutes and contemporary accounts of the surrounding events.<sup>23</sup> His research convinced him that securing the nomination would be dependent upon a successful challenge to the rules that had been adopted at that convention. In 1912, Temporary Chairman Elihu Root had ruled that all delegates listed on the temporary roll, regardless of whether their seats were being contested, were entitled to vote on all matters, including the qualifications of other delegates.<sup>24</sup>

Brownell also came to realize, as John Wisdom had known from the outset, that to overcome the delegates' natural inclination to reject seating challenges, the challengers would have to present a carefully prepared argument supported by convincing and thorough legal briefs. He had discovered that while Teddy Roosevelt's arguments in 1912 consisted of little more than vague, unsubstantiated charges of thievery and fraud, the successful Taft forces had presented their case in a lucid, organized, lawyerlike fashion. This time, the tables would need to be turned. "We would not repeat Roosevelt's mistakes," Brownell promised himself.<sup>25</sup>

Little did Herbert Brownell realize how prescient this observation would turn out to be. Forty years after the father's supporters had successfully rebuffed a viscerally oriented challenge to the party rules with a formal, legalistic response, the son's backers relied to a significant degree upon a casually delivered, ill-prepared defense to this renewed confrontation. Meanwhile, having learned history's instructive lesson, the opposition's venture, spearheaded by John Wisdom's Louisiana team, overwhelmed the convention. In stark contrast to John E. Jackson's rambling, off-the-cuff performance, Wisdom wowed his audiences with a thoroughly researched, carefully crafted, intricately prepared, and precisely delivered argument that, by design, bore all the earmarks of an experienced trial attorney's presentation to a jury.

Brownell was convinced, however, that Eisenhower's drive for the nomination could not rely solely on a legalistic challenge to the credentials of the southern delegates. Senator Taft controlled the party apparatus, and

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23. Interview with Herbert Brownell, former U.S. Attorney General, in New Orleans, La. (Apr. 7, 1994) [hereinafter Brownell Interview] (transcript on file with author).

24. *Id.*

25. BROWNELL & BURKE, *supra* note 5, at 111.

Brownell's meetings with delegates from across the country had persuaded him of two inescapable facts. First, Eisenhower trailed in the delegate count. Second, the political ideology shared by a majority of the uncontested delegates was more akin to Taft's than to Eisenhower's.<sup>26</sup> Thus, any serious attempt to produce a significant shift in delegate support had to capture the imagination of the convention. A limited focus on the merits of their entitlement to the southern seats would not do the trick. More was needed; the effort had to be characterized in a way that would appeal to the delegates' basic commitment to the notion that everyone should play according to an evenhanded set of rules. The delegates had to be persuaded that the Eisenhower cause was a campaign for the heart and soul of the party and that, in this struggle, Eisenhower occupied the moral high ground.

During the convention, Brownell and the members of his team encountered a couple of opportunities to develop and cultivate this image, but the pivotal moment came early, and Brownell knew exactly what had to be done. He instructed the campaign's official manager, Senator Henry Cabot Lodge of Massachusetts, to have an Eisenhower supporter propose a change in the party rules that would preclude contested delegates from voting on their own qualifications and those of other contested delegates. Such a change was necessary, they would insist, to comport with the party's obligation to impart justice and fair treatment. Thus was born the idea of the "Fair Play Amendment."

Convincing the delegates to adopt such a Fair Play Amendment was only the first stage of a two-part plan. If and when this rule was to be adopted, the Eisenhower team had to be prepared to persuade the uncontested delegates to vote in favor of seating the pro-Eisenhower slates in Texas, Georgia, and Louisiana. The success of this second phase of the campaign strategy, in turn, depended heavily on the talents and abilities of the Eisenhower leaders in the three key southern states. Eisenhower's forces in these states would have to come to the convention not only with clean hands, but with a truckload of ammunition. Unless they could document their claims to delegate status and repudiate each and every attempt by the Taft forces to retain their seats at the convention, the effort would fail and the nomination would be lost. Similarly, to accomplish their initial objective — adoption of the Fair Play Amendment — Eisenhower's proponents would have to persuade the delegates that they had played strictly by the rules and that their counterparts from the Taft campaign were trying to subvert the process to suit their selfish ends.

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26. Brownell Interview, *supra* note 23.

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For a few hours on the morning of June 30th, one day before the party's National Committee was scheduled to begin its deliberations on the delegate challenges, there was renewed talk of a compromise to end the conflict over the three southern delegations.<sup>27</sup> Later in the day, however, statements by spokesmen for the two camps dashed all hopes for an amicable settlement.<sup>28</sup> Senator Taft and his campaign directors proclaimed their desire to compromise, a claim derided by Eisenhower's men as hypocrisy. These purported attempts at reconciliation, according to Eisenhower's men, were merely a pretext for the steamroller, which, they urged, like Old Man River, "don't say nothing, it just keeps rolling along."<sup>29</sup>

Nevertheless, after a couple of days of haggling, the two sides were able to work out an agreement governing the amount of time each would receive for the presentation of its case to the National Committee. At about ten o'clock that evening, a committee composed of Republican National Committee Chairman Guy Gabrielson; Monte Appel, a D.C. lawyer representing Senator Taft; and Sinclair Weeks, a national committeeman from Massachusetts who represented the Eisenhower group, announced the results of their negotiations.<sup>30</sup> They agreed to allocate ninety minutes per side in the Texas and Louisiana contests because these contests were of signal importance to the rival candidates.<sup>31</sup> Thirty minutes were granted to each side in the cases involving disputed delegates from Florida, Georgia, Kansas, Mississippi, Missouri, and if necessary, Puerto Rico.<sup>32</sup>

After Chairman Gabrielson made the announcement, Senator Lodge proclaimed that his group would continue to try to obtain permission to broadcast the hearings over television and radio.<sup>33</sup> In response, Gabrielson stated that the question of television and radio broadcasting would be decided by the 106-member National Committee at its 10 a.m. meeting the next day.<sup>34</sup> At his news conference, Senator Taft indicated that he was willing to

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27. W.H. Lawrence, *Both G.O.P. Camps Bar Compromise On Delegate Issue*, N.Y. TIMES, July 1, 1952, at 1.

28. *Id.*

29. Thomas Sancton, *Warnings of Past Haunt GOP Convention Leaders*, NEW ORLEANS ITEM, July 6, 1952, at 1, 12.

30. Lawrence, *supra* note 27, at 17.

31. *Id.*

32. *Id.*

33. *Id.*

34. *Id.*

have the hearings televised and had so informed the National Committee.<sup>35</sup> Despite these remarks, however, the Taft campaign leaders and their surrogates, including Committee Chairman Gabrielson and a controlling majority of the National Committee members, continued to press their opposition to the broadcasts.

On Tuesday morning, July 1st, the members of the National Committee gathered in the Hilton Hotel, the site of the committee's offices and both candidates' headquarters. The committee's first order of business was to resolve the broadcasting controversy. Upon their arrival in the North Ballroom, the committee members discovered that their meeting room was jammed not only with television and motion picture cameras, bright lights, and electric cables, but also with hundreds of Eisenhower partisans.<sup>36</sup> Rather than create a scene with the media by asking them to remove their equipment, the committee chose to shift its proceedings down to the dim and quiet of the Boulevard Room.<sup>37</sup>

The short delay occasioned by the change of site did not, however, affect the anticipated result. Despite the candidate's public support of media coverage of the committee hearings, and over the objection of Taft floor manager and Wisconsin Republican boss Thomas Coleman,<sup>38</sup> one of Taft's chief lieutenants, Congressman Clarence Brown of Ohio, led the fight to bar media coverage of the delegate contests. The Taft supporters displayed their control as the National Committee voted sixty to forty late in the day on July 1st to prohibit television and radio broadcasting of its hearings on delegate contests.<sup>39</sup> This decision was a defeat for Eisenhower and his backers in the first important, albeit preliminary, test vote.<sup>40</sup> Although far from fatal, it reinforced their sense that they were in for a fight and that they would have to marshal all of their resources to prevail in the convention's main event. Paradoxically, however, the defeat encouraged Taft's team to pursue a strategy that would ultimately work to Eisenhower's advantage. By constantly seeking, and being perceived as seeking, to keep the public's eyes shielded from the committee's deliberative process, the Taftites reinforced Eisenhower's claim, and the growing public perception, that Taft was

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35. *Id.*

36. Robert Howard, *Spurns 'Order' by Dewey for TV at Hearings*, CHI. TRIB., July 2, 1952, at 1.

37. *Id.*

38. *How the Eisenhower Victory Was Achieved . . .*, NEWSWEEK, July 21, 1952, at 23.

39. W.H. Lawrence, *G.O.P. Chiefs Bar Delegate Hearings to TV and Radio*, N.Y. TIMES, July 2, 1952, at 1.

40. *Id.*

secretly attempting to steal the nomination. In addition, this initial confrontation between the Taft and Eisenhower camps previewed a recurring pattern that would both bedevil Taft's cause throughout the convention and contribute to Eisenhower's subsequent string of preliminary victories and ultimate capture of the nomination. The Taft forces were continuously in disarray while Eisenhower's team presented a united, thoroughly prepared and organized front.

The Eisenhower camp, in keeping with their strategy to depict the Taft forces as opponents of a free and fair convention and, thereby, to bring public opinion to bear in favor of the pro-Eisenhower southern delegations, fervently supported every effort to encourage broadcasting. Not only would broadcasting provide the public with access to evidence of the tactics that Taft leaders had used in "stealing" southern delegations, particularly in Texas and Louisiana, but it would once again allow Eisenhower to portray himself as being on the side of the angels, to build delegate support for his cause, and even, perhaps, to elicit some sympathetic treatment from the media.<sup>41</sup> Unfortunately for Senator Taft, his own public declarations of support for opening the process to public viewing went largely unnoticed, drowned out by the din of his supporters' incessant antibroadcasting campaign. Perhaps Taft's official position was merely a smokescreen intended solely for consumption by the general public. Yet, whether it was an honest reflection of his views or mere electoral camouflage, Taft's staffers ignored the candidate's public statements and succeeded in convincing nearly all of his supporters on the National Committee to follow their lead. They voted to prohibit the radio microphones and television cameras because, they maintained, the presence of all of the needed equipment would impede their ability "to judge the contests in a calm and dignified atmosphere."<sup>42</sup>

Ingenuity and perseverance, however, ultimately triumphed over the bureaucratic obstinance of the Taft-controlled National Committee. From Tuesday through Thursday, a group of media representatives met with party officials in an attempt to get them to reconsider the National Committee's decision. During their discussions, Orville Sather, the manager of technical operations for CBS television, was left waiting outside the mirrored doors of the North Ballroom. He used the time to good advantage, however, spending most of those many lonely hours hatching a clandestine scheme to break the "glass curtain."<sup>43</sup> On Thursday evening, hours before the

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41. BROWNELL & BURKE, *supra* note 5, at 115.

42. Lawrence, *supra* note 39, at 1.

43. See *TV or Not TV*, NEWSWEEK, July 14, 1952, at 84 [hereinafter *TV or Not*].

committee was scheduled to begin its deliberations over the Texas delegate contest, three of Sather's technicians crept into the ballroom and planted two tiny microphones in strategic locations hidden from plain view.<sup>44</sup> As a result of this covert operation, CBS was able to record the entire committee hearings on the Texas fight.<sup>45</sup> And although the network did not yet have the capacity to transmit the proceedings, an edited twenty-minute version of the session's highlights was broadcast Friday evening on Edward R. Murrow's newscast.<sup>46</sup> In response to the criticism that CBS received for this subterfuge, its director of news and public affairs coverage, Sig Mickelson, replied that his network's ability to record the proceedings established that it could be done with "no fuss whatsoever."<sup>47</sup>

Two furtive efforts also were made to provide the public with radio access to the committee's hearings. One enterprising reporter was able to break the blackout by sneaking a microphone into the conference room and hiding the wire under the rug. An equally inventive attempt was foiled, however, when the microphone left dangling from a projection booth in the committee's conference room smacked a committee member on the head.<sup>48</sup> Eventually, however, the Credentials Committee, sensing the national clamor to peer inside the smoke-filled rooms and smarting from the interminable lambasting of the National Committee for its media blockade, reversed the National Committee and voted to permit television, radio, and newsreel coverage of its proceedings.

As a result of this decision, for the first time in American history, between sixty and seventy million citizens throughout the nation were able to view firsthand the workings of a national political convention. One hundred and six stations<sup>49</sup> broadcast the spectacle over the nation's four major networks to eighteen million television sets across the country, reaching nearly forty percent of the total population. And the audience was treated to more than a firsthand view of the proceedings. Thanks to the appearance of what became known as a "walkie-lookie," viewers could literally look the

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44. *See id.*

45. *Net Airs GOP Fuss from Secret Recording*, ATLANTA CONST., July 5, 1952, at 1 [hereinafter *GOP Fuss*].

46. *TV or Not*, *supra* note 43, at 84.

47. *GOP Fuss*, *supra* note 45, at 1.

48. *The Eye of the Nation*, TIME, July 14, 1952, at 21, 23 [hereinafter *Eye*]. The offending newsman was summarily evicted. *Id.*

49. Sixty-five of the sixty-six cities with television stations participated in the nationwide broadcast. KOB in Albuquerque was the sole exception.

participants right in the eye.<sup>50</sup> The National Broadcasting Company took this opportunity to showcase its first portable television camera — a battery-powered unit that consisted of a ten-pound camera and a fifty-pound backpack transmitter.<sup>51</sup> The compactness and portability of the unit permitted their camera operators to record scenes in places that were theretofore inaccessible to traditional cameras.<sup>52</sup> Commentary was then provided either by the cameraman or by a reporter who stood in front of the camera and spoke through a walkie-talkie to a base unit where the two signals were combined.<sup>53</sup>

The decision by the Taft campaign leaders to stonewall the issue of public access to committee hearings was the first of what would become a collection of tactical blunders. Throughout the convention, either ill-conceived or incompetently handled decisions eventually backfired and worked to the advantage of the Eisenhower cause. The Taft-orchestrated decision by the National Committee to ban broadcasting, for example, ensured that virtually every television and radio station in the country would, as they did, bombard the airwaves with broadcasts criticizing this decision and linking it to the Taft campaign. It also provided the Eisenhower camp with hours of free publicity and an unparalleled opportunity to reach the entire nation with its claim that the exclusion of pro-Eisenhower delegates from the temporary roll of the convention by the National Committee amounted to "political thievery." The committee, and by implication the Taft candidacy, was charged with operating behind an "Iron Curtain," and this message was sent into millions of homes via television or radio.

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The dispute over broadcasting took so much of the National Committee's time that the only other matter it was able to resolve on the first of July was the dispute over the Florida delegation.<sup>54</sup> By the next morning, the television cameras and lights had been removed from the North Ballroom and

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50. See *Portable TV Unit Tried in Chicago*, TIMES-PICAYUNE, July 7, 1952, at 20.

51. *Id.*

52. *Id.*

53. *Id.*

54. See Lawrence, *supra* note 39, at 1. The committee voted unanimously to seat the delegates headed by C.C. Spades, the incumbent national committeeman from Florida, and to deny credentials to a slate headed by Wesley E. Garrison, "leader of a so-called grass roots delegation." *Id.* This dispute did not involve the Taft-Eisenhower competition, even though the Spades group was heavily weighted with Taft supporters while Ike supporters composed most of the Garrison group. *Id.* at 17.



the committee was able to reconvene in its originally designated site. The committee's revised schedule indicated that the entire morning session would be allocated to the contest over the Georgia delegation.

Outside the frenzied atmosphere of the Hilton Hotel, burly stockyard workers wilted under the strain of unseasonably high temperatures. As the mercury rose in thermometers throughout the city, ultimately recording a record-tying temperature of 97.8 degrees Fahrenheit, the climate was not much more comfortable inside the North Ballroom. There, even without the searing klieg lights, tempers flared as the feverish debate commenced over this emotionally charged confrontation.

The battle for the right to represent Georgia at the convention was fought between the self-styled "regular" delegation headed by Roscoe Tucker and a rival group led by Roy G. Foster, Sr. The Tucker delegation favored General Eisenhower by a fourteen-to-three margin, and its claim to legitimacy was predicated on the fact that it had been recognized as the state's delegation in the two prior national conventions. The pro-Taft Foster contingent, on the other hand, had been certified as the legitimate delegation by a Georgia Superior Court ruling. On July 2nd, the National Committee rejected Tucker's claim for recognition and voted sixty-two to thirty-nine to seat the court-backed Georgia delegation that pledged to cast all seventeen votes for Taft.<sup>55</sup> The decision was made secretly, according to the committee's previous decision to bar television and radio broadcasts of its proceedings. Reporters were allowed to attend the hearings, but could not use their cameras, and they were told to leave when the committee began its deliberations.

The committee's resolution of the Georgia contest engendered some vocal opposition, including a challenge from what most observers viewed as an unexpected source. Senator Richard Nixon of California publicly pledged to vote for Governor Warren, but secretly worked feverishly with Lodge to procure California votes for the Fair Play Amendment.<sup>56</sup> Nixon stated that "the Georgia decision raised an issue of whether the Republican convention would be conducted with complete integrity and fair play."<sup>57</sup> Nixon said he was convinced that the pro-Ike delegation from Texas had to be seated if the GOP was to survive. In his judgment, the issue was bigger than the fight

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55. W.H. Lawrence, *Kansas Vote Goes to Ike in Lone Victory*, ATLANTA CONST., July 3, 1952, at 1.

56. See 1 STEPHEN E. AMBROSE, *EISENHOWER: SOLDIER, GENERAL OF THE ARMY, PRESIDENT-ELECT, 1890-1952*, at 537-38 (1983).

57. W.H. Lawrence, *Committee Seats Taft Georgia Bloc by 62-to-39 Vote*, N.Y. TIMES, July 3, 1952, at 1.

between Ike and Taft. "The real issue," he declared, "is whether the [GOP] is to be a closed corporation [controlled by a small clique of politicians who control the party machinery] or open to all people who want a change of administration in Washington."<sup>58</sup> Nixon probably did not realize how right he was. When the dust had settled, it became clear that the engineer of Eisenhower's defeat before the committee was a purportedly pro-Eisenhower committee member from Georgia, national committeeman Harry Sommers.

Elbert Tuttle, attorney for the Tucker contingent, was flabbergasted. As far as he was concerned, his pro-Eisenhower colleagues would have carried the day with the National Committee if Sommers, "who had been identified with us for eight years, had not switched in the middle of the hearings to the contesting faction."<sup>59</sup> The normally mild-mannered and taciturn attorney called Sommers' action "the most amazing double cross I've ever experienced."<sup>60</sup> Sommers, in turn, charged Tuttle and his associates with betrayal.<sup>61</sup> He blamed the schism on a dispute that had arisen some months earlier concerning the proper division of Taft and Eisenhower delegates and insisted that Roscoe Tucker and Tuttle had tried to have him removed as national committeeman.<sup>62</sup> "My action was no surprise to Elbert Tuttle," Sommers explained.<sup>63</sup> "I told him twenty-four hours before the meeting that I would not be in his corner."<sup>64</sup>

The extended debate over the Georgia contest occupied most of the committee's session on July 2nd. Now running behind schedule because of the amount of time spent on the broadcasting controversy, the committee optimistically scheduled hearings for July 3rd on the Louisiana, Mississippi, and Missouri contests and delayed its review of the Texas challenge until the Fourth of July.

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Even before learning of Elbert Tuttle's unsuccessful appearance before the National Committee, John Wisdom had enough experience with national party leaders to know that he was facing an uphill battle. Wisdom already

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58. *Id.* at 13.

59. *Tucker Slate to Fight 'Double Cross' Seat Ban*, ATLANTA CONST., July 3, 1952, at 1.

60. *Id.*

61. M.L. St. John, *Dewey Sees Victory for Tucker Unit*, ATLANTA CONST., July 4, 1952, at 1, 16.

62. *Id.*

63. *Id.*

64. *Id.*

had been rebuffed by Party Chairman Gabrielson barely two months earlier in his attempt to get the party to investigate John E. Jackson's "un-American" tactics. Moreover, Wisdom's experiences at the state convention and with the State Central Committee did not permit him to harbor any illusions that his opponents would surrender quietly to the justice of his cause.<sup>65</sup> To the contrary, the pro-Taft slate of Louisiana delegates came to Chicago brimming with confidence and secure in the belief that their dominant position in the party hierarchy was unassailable. Several of them even went so far as to issue public pronouncements boasting about the inevitability of their triumph and deriding the fortunes of their misguided opposition. "Jackson has a big national name," his aide Van Buren Harris gloated.<sup>66</sup> "[H]e's known at these national conventions, been a delegate five times. Do you think a credentials committee at a convention examines these disputes? — 'Okay, buddy, tell your story. That's all. Okay, thank you, next case.' That's what Wisdom will get at the national convention."<sup>67</sup> Baton Rouge attorney and Taft-backer Brittmar Landry also chimed in, prophesying that Wisdom "will get nowhere at Chicago."<sup>68</sup>

Wisdom and his wife, Bonnie, left for Chicago about two weeks before the opening of the convention. At the same time, a young attorney from New York named Jack Wells also arrived in Chicago. Wells, along with William Rogers, had been tabbed by Herbert Brownell to be the national campaign's liaison with the Texas and Louisiana delegations. The two men were members of a group of Republican attorneys in New York who had worked with Brownell in the Dewey campaigns of 1944 and 1948.<sup>69</sup> Wells and Wisdom had a good working relationship, but there was little for Wells to do prior to Wisdom's arrival in Chicago. The Louisiana statutes and regulations governing the selection of delegates were so complex, and Wisdom had displayed such a mastery of the process, that neither Rogers nor Wells played any meaningful role in the activities in Louisiana that preceded the national convention. Wells, however, did play a key role in Wisdom's final preparation for his arguments to the committee members and convention delegates.

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65. See Joel Wm. Friedman, *John Minor Wisdom's Battle Against the Political Bosses to Create a Two-Party System in Louisiana*, 69 TUL. L. REV. 1439, 1497-1510 (1995).

66. Thomas Sancton, *Admits Patronage Is Issue*, NEW ORLEANS ITEM, Apr. 29, 1952, at 5.

67. *Id.*

68. *Id.*

69. Brownell Interview, *supra* note 23.

Wisdom had completed the lengthy, thoroughly documented brief that would be distributed to every committee member and convention delegate prior to his arrival in Chicago. Nevertheless, there was still additional work to be done to be fully prepared for his anticipated appearances in the National and Credentials Committee meeting rooms and on the convention floor. Wells suggested to Wisdom that these presentations would be aided by the use of large visual aids to focus the committee members' attention on facts and figures that were critical to Wisdom's argument. The pair began working sixteen-to-eighteen-hour days busily preparing and arranging for the printing and reproduction of large, square charts and other exhibits that measured between five and six feet in height. These visual aids had to be large enough for the committee members to see clearly from a distance because Wisdom intended to refer to them throughout his presentation to depict precisely what had occurred at each local ward and district meeting throughout the delegate selection process in Louisiana.

Once the brief and the visual aids were ready, the next step in Wisdom's carefully prepared strategy was to rehearse the entire presentation, including the opening and closing statements and examination of witnesses. As scheduled, the witnesses arrived in Chicago a few days before Wisdom was scheduled to appear before the National Committee.

Someone wrote out the testimony in most cases for the witnesses, which they more or less memorized. We had this kitchen clock that we gave each witness, and I had a long pointer. I'd tap it on their heels when it was time for him or her to stop testifying. We had at least two or three dry runs — very, very carefully prepared with these very large visual aid cards, giving the basic facts in brief and very, very succinct figures.<sup>70</sup>

Jack Wells' contribution extended beyond his development and production of visual aids. He spent many hours working closely with Wisdom on a smaller version of Wisdom's convention brief, which they entitled *The Louisiana Story*.<sup>71</sup> "[Wells] was very astute and a very well informed political person, as well as being a good lawyer," Wisdom recalled. "[H]e had such a feeling for politics and such an understanding of the political game, [that] it required very little time to educate Jack [to the intricacies of the Louisiana situation]."<sup>72</sup> The Louisiana delegation later demonstrated its appreciation to Wells by giving him a gold watch. The watch contained an

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70. Interview with Judge John Minor Wisdom, in New Orleans, La. (July 5, 1994) [hereinafter July 5th Wisdom Interview] (transcript on file with author).

71. *Id.*

72. *Id.*

inscription "To the Man from Mars," the affectionate nickname that the Louisianians had bestowed on Wells as a show of admiration for his extraordinary abilities.

Wells's associate (and future law partner), William Rogers, perhaps sensing that his assistance was not needed in Louisiana, concentrated his efforts on Texas. He did, however, attend at least one of Wisdom's dress rehearsals and was so impressed with Wisdom's carefully honed argument and persuasive use of witnesses that he decided to completely revamp Texas's convention presentation to mirror Wisdom's style. Unfortunately for Rogers, the Texans had neither developed the detailed documentary record nor attracted the number or diversity of witnesses that Wisdom had prepared. Consequently, Rogers was unable to match Wisdom's performance. As it turned out, however, the Texans never had to plead their case on the convention floor. By the time the conventioners were asked to vote on the challenge to the Texas delegation, the Taft forces in the South had been so devastated by the impact of Wisdom's presentation that they abandoned their opposition to the Eisenhower slate.

The National Committee finally reached the Louisiana challenge on Thursday morning, July 3rd. According to the agreement worked out several days earlier with Party Chairman Gabrielson, each side was allotted ninety minutes for discussion.<sup>73</sup> Wisdom, assisted by fellow attorneys Harold Judell of New Orleans, a former executive assistant to FBI Director J. Edgar Hoover, and Harrison Bagwell of Baton Rouge, a recent Republican candidate for Governor of the state, presented the case for seating the Eisenhower delegates. They challenged the legality of thirteen of the fifteen pro-Taft delegates — the four delegates at large and those from the first, second, third, sixth, seventh, and eighth districts.<sup>74</sup> Wisdom intended to prove to the committee that his "new republican leadership movement in Louisiana" had operated within the rules and, with registered Republicans only, had soundly defeated the Jackson faction in the January primary and in the April mass meetings.<sup>75</sup> Pro-Eisenhower delegates had prevailed, Wisdom would tell them, in every congressional district where the New

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73. W.H. Lawrence, *Taft Forces Seat 16 More Delegates; Eisenhower Gets 3*, N.Y. TIMES, July 4, 1952, at 1, 9. Wisdom chose to reserve fifteen of his allotted ninety minutes for rebuttal. Republican National Committee Chicago Convention, 1952: Hearing on Contests 177 (July 3, 1952) [hereinafter National Committee Hearing] (unpublished transcript, on file with author).

74. See *Rival Louisiana Groups Battle for Recognition*, TIMES-PICAYUNE, July 9, 1952, at 1.

75. See *id.*

Republicans opposed Jackson's pro-Taft slate. The state's eight congressional districts were allotted eleven delegates, and Wisdom would seek recognition for those nine delegates representing the six districts in which his faction had emerged victorious. Additionally, by virtue of electing a majority of delegates to the state convention, he would declare, his faction was entitled to all four of the delegate-at-large slots. As promised, however, Wisdom would not challenge the delegates elected from the two upstate districts — the fourth and fifth congressional districts. Since the Eisenhower candidates had been defeated fairly and squarely in those two elections, he could not and would not seek to overturn the qualifications of the victorious Jacksonites.

Wisdom had decided to approach this confrontation just as he had handled so many court trials in New Orleans. He came to the hearing room accompanied by mounds of copies of his 104-page brief, twenty-five exhibits, and a truckload of affidavits for the committee members. His remarks were punctuated with repeated references to a series of large red and black printed charts on white, thick cardboard. "We didn't use political speeches. We presented our evidence in split-second fashion. We had dry runs and timed our witnesses down to the second."

This type of effort, however, did not come cheap. At least one-third of the members of Wisdom's delegation, as well as most of the witnesses who were crucial to his argument before the party's National and Credentials Committees, did not have the funds to pay for their travel, hotel, and related expenses while in Chicago. There was also the significant expense associated with printing, transporting, and distributing the hundreds of briefs, exhibits, and other documents that were the foundation of his presentation. Yet because Wisdom's opponent, John E. Jackson, controlled the state party treasury, the New Republicans had to look elsewhere for funding. Fortunately, Wisdom had recruited such an angel for his team.

Nearly singlehandedly, Harry Latter, an English immigrant who made a fortune in New Orleans real estate, raised the money needed to subsidize the New Republicans's operation in Chicago. Although Latter was a registered Democrat, he had been persuaded by John and Bonnie Wisdom that Eisenhower would make a better President than Adlai Stevenson.

We were aided enormously by having Harry Latter as [the New Republican Leadership group's] treasurer. Harry raised the money for our campaign in 1952 and 1956, and Harry was a tower of strength. He had contributed very generously to a great many charities, so he could telephone a guy and say, "Look I gave you \$5,000 for your heart campaign,"

or "I gave you \$5,000 for your church" or "for your synagogue," and he'd get a prompt response because he had been so generous . . . .<sup>76</sup>

Now that John Wisdom finally had the opportunity to address the party's National Committee, he was not about to mince or waste words. Direct and to the point, he began his remarks before the National Committee with a clear and emphatic statement of his baseline position. The New Republican Leadership delegation, he insisted, represented "the only active Republican [Party] in Louisiana."<sup>77</sup> The stakes were high; the Louisiana dispute was "not just another southern contest."<sup>78</sup> It was a contest that placed the party's democratic ideals on the line. As a result of the National Committee's decision in the Georgia case, the party as a whole was on trial before a jury of 160 million Americans. Wisdom urged the committee members to compare the "shoddy tactics"<sup>79</sup> of the Jacksonite contenders designed "to defeat the will of the voters"<sup>80</sup> and work "a fraud on the [N]ational [C]ommittee,"<sup>81</sup> with the actions of his group, all of which had been in strict conformance with Louisiana law and the rules of the Republican Party. Through a series of witnesses, he established that his group had fairly elected a majority of the delegates to the state convention but that a "kangaroo court" Credentials Committee had replaced all of his rightfully elected delegates with Jackson's pro-Taft cohorts.

In response, Jackson relied solely on a perfunctorily delivered oral presentation, rarely looking up at the committee members as he read from a long, handwritten memorandum. He presented no witnesses and submitted no briefs or documentation of any kind to the committee members.<sup>82</sup> To Jackson, the entire matter was nothing more than a purely local dispute between politically motivated rivals. He did not need to respond to the issues on the merits because, Jackson blindly assumed, nobody would be interested in the merits. It would simply be a question of politics as usual. Jackson responded to a committee member who questioned whether his faction had carried out the will of the majority of Louisiana Republicans: "There are all kinds of majorities. You wouldn't count the heads of a mob

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76. Interview with Judge John Minor Wisdom, in New Orleans, La. (June 23, 1994) (transcript on file with author).

77. National Committee Hearing, *supra* note 73, at 179.

78. *Id.*

79. *Id.* at 180.

80. *Id.* at 182.

81. *Id.* at 223.

82. *Victory for Ike and Louisiana*, NEW ORLEANS ITEM, July 10, 1952, at 14 [hereinafter *Victory*].

when you were about to be attacked. You wouldn't just say 'I give up, I surrender,' because there were a lot of people in the mob."<sup>83</sup>

As far as John E. Jackson was concerned, the New Republicans' claims represented nothing more than a self-serving grab for power. Jackson's group was the only legal Republican Party organization in Louisiana<sup>84</sup> because it had always been the official party organization. Wisdom, on the other hand, through his Americans for Eisenhower, "had made alliances with the Democrats, persuaded many of them to change their registration to vote Republican, and [was] attempting to usurp the authority of the regular organization."<sup>85</sup>

Delivering his disconnected discourse at machine-gun speed, Jackson took particular pains to inform the members of the National Committee that the State Credentials Committee, empowered by the state convention to investigate the competing claims, had acted lawfully and that the Eisenhower forces had abandoned their appeal when they bolted the meeting before its conclusion. When the Eisenhower group left the state convention, Jackson explained, the Taft supporters proceeded to elect four delegates-at-large, as they were entitled to do, and confirmed the election of district delegates.

Much to Jackson's surprise, his remarks elicited skeptical responses from several of the members of what he had expected to be a friendly audience. Many of the committee members, for example, displayed considerable interest in Jackson's claim to the two delegate slots from the third congressional district. Wisdom's presentation had left no doubt in their minds that the Eisenhower candidates in the Cajun district had been elected by overwhelming majorities. Jackson responded to some intensive cross-examination by Fred C. Scribner, Jr., Maine's national committeeman, and Representative Clarence J. Brown of Ohio by repeating his well-worn refrain. The election of these two delegates had been set aside by the State Central Committee after it had received evidence of irregularities in the conduct of the meeting at which the election was held. Of course, Jackson neglected to mention that the State Committee had disqualified these delegates even though no challenge to their legitimacy had been lodged. After Wisdom replied that the State Committee should be disregarded because it had acted in the absence of a quorum, Jackson responded that the sum of those members present plus proxies satisfied the requirements for a quorum.

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83. Richard B. Stone, *Birth of a Party: How Louisiana's New Republicans Beat the Bosses*, HARV. REV., Winter 1963, at 55, 59.

84. Lawrence, *supra* note 73, at 9.

85. *Id.*



Reporters fortunate enough to cram into the packed hearing room were treated to a display of oratorical flourishes rarely, if ever, heard in the traditional humdrum of convention preliminaries. They reveled in Jackson's contorted explanation of why several veterans of his delegations to prior conventions had chosen to switch to the Wisdom faction in 1952.<sup>86</sup> Men like New Iberian, sugar-planter Paulin Duhe, he replied, were merely seeking "[t]he sophistry of dreams . . . the fruits of political ambitions . . . not devotion to political duty, but diversion, pleasure and recreation in the assembly of their friends gathered."<sup>87</sup> Wisdom, of course, would not be outdone. Pencils flew as he complained, "We have had hayrides in Louisiana. But now we are being taken for a steamroller ride the like of which has not been seen before."<sup>88</sup>

The exhibition of rhetorical repartee also produced some of the convention's lighter moments. During his presentation, Wisdom frequently emphasized that the Jackson cabal had done everything in its power to keep the size of the state Republican Party small in order to retain its control over patronage. To make the point, he noted that Louisiana's financial contribution to the national party placed it fifty-first on the list of donors, "just ahead of the Virgin Islands."<sup>89</sup> This remark immediately caught the attention of the committeeman from the Virgin Islands, who playfully, but proudly, proclaimed, "Read the last report. We are ahead of you."<sup>90</sup> The rising level of tension was again temporarily relieved when Representative Clarence Brown of Ohio, after surveying the five stylishly attired female witnesses whom Wisdom had brought to aid his presentation, remarked, in his trademark foghorn voice, "I don't like those Americans-for-Eisenhower in Louisiana . . . [b]ut I sure do like those Girls-for-Eisenhower in Louisiana."<sup>91</sup>

By the time that Jackson and Wisdom had completed their presentations and responded to all of the members' questions, the committee had been in session for more than four hours. The time for the morning meeting had expired, but the members voted to move immediately into executive session so that they could reach a decision before recessing for lunch.<sup>92</sup> Guy Gabrielson, who presided over the proceedings as committee chair, ruled that because Louisiana's State Central Committee already had upheld the leg-

86. Sancton, *supra* note 29, at 12.

87. *Id.*

88. *Id.*

89. National Committee Hearing, *supra* note 73, at 297.

90. *Id.*

91. Sancton, *supra* note 29, at 12.

92. See Lawrence, *supra* note 73, at 9.

itimacy of Jackson's claim to the district delegate seats from all but the third district, Wisdom's challenge to these slots was out of order.<sup>93</sup> His ruling was sustained by a voice vote on appeal to the full committee.<sup>94</sup> As to the remaining pair of delegates from the third district, however, a majority of the committee agreed with John Wisdom. By a vote of sixty-one to forty-one, the committee declared that the two delegates from the state's "sugar bowl" properly belonged to General Eisenhower.<sup>95</sup> Finally, the members voted fifty-eight to forty-three to seat the four state-at-large delegates of John E. Jackson's faction.<sup>96</sup>

Within minutes of the announcement of the National Committee's decision, Wisdom and Jackson were surrounded by a barrage of newsreel and television reporters in a corridor outside the hearing room.<sup>97</sup> In his first television interview of the convention and in front of a nationwide audience, Wisdom, visibly angry and growing angrier by the minute, shouted, "It's a day of infamy! The Republican National Committee was tried and found guilty."<sup>98</sup> Similarly dismissing the committee's decision to recognize two of his delegates, Wisdom added, "They just threw a bone to a dog." At that point, John E. Jackson was not about to permit Wisdom to monopolize the attention of the television audience. He made light of Wisdom's charges by suggesting that Wisdom's anger was to be expected of someone who had just lost his case. "When a lawyer loses a case," Jackson smirked, "he can appeal or cuss the court. Mr. Wisdom has chosen to cuss the court."<sup>99</sup> Wisdom was not left without a reply. He retorted,

We have not lost this case. We have won this case before the American people, and they're the real judges. It is now apparent why the committee was afraid to have TV cameras and radio broadcast at the hearings. They had already planned to steal these delegations for Taft. The Republican Party is now on trial before 160 million Americans.<sup>100</sup>

By this time, neither of the two New Orleans lawyers could contain himself as each sought to shout over the rehashed contentions and post-

93. *See id.* at 1.

94. *Id.*

95. National Committee Hearing, *supra* note 73, at 313.

96. Edgar Poe, *Taft Supporters Win Most La.-Miss. Republican Seats*, *TIMES-PICAYUNE*, July 4, 1952, at 1.

97. *See* Sancton, *supra* note 29, at 12.

98. *State Ike Faction Bitter over Decision*, *NEW ORLEANS ITEM*, July 4, 1952, at 1 [hereinafter *State Ike Faction*].

99. Sancton, *supra* note 29, at 12.

100. *Id.*

mortem prognostications of the other.<sup>101</sup> After several harsh exchanges, Wisdom ended the interview with the assurance that he would appeal the group's fight to the Credentials Committee and to the convention floor if necessary.<sup>102</sup> This, of course, was not an idle threat. Neither Wisdom nor his assistants had harbored any serious hope of persuading the National Committee to their side. They anticipated from the outset that the struggle would be a long and difficult one and had prepared a coordinated series of tactics specifically targeted to each step in the process. This experienced trial lawyer, after all, knew precisely how to create a record for an appellate tribunal, and at the National Convention, the next rung on the ladder was the Credentials Committee.

An important component of Wisdom's strategy to exert pressure on the Credentials Committee and the convention delegates to reverse the decision by the National Committee was to create a groundswell of support from the general public that would make any perceived perpetuation of the political status quo difficult if not impossible. In keeping with this plan, Wisdom urged members of his delegation to take their case to the national audience that was becoming increasingly fascinated by its first view of this internecine contretemps. "Shortly after the Louisiana steal," noted a correspondent for the *St. Louis Post-Dispatch*, "there were signs that some of the delegates were disturbed by these pressure tactics. Eisenhower supporters were making the most of their reverses in the committee. They were taking their case to the television cameras outside the hearing room."<sup>103</sup> One of the two alternates from the second district, Murray Hurley, made several appearances on television broadcasts in which she was able to promote the cause. Her co-alternate, Elise Meyer, along with Violet Allen concentrated on meeting with many of the female delegates in Chicago.<sup>104</sup> One of Wisdom's greatest assets with both the press and female delegates, however, was his wife, Bonnie. A woman of great style, high intelligence, and remarkable persuasive ability, Mrs. Wisdom was particularly effective at convincing female delegates to support Eisenhower. Her quick wit and charm also endeared her to many newspaper columnists, which was of no small importance to the cause.

Many of the reporters who had sat spellbound throughout the proceedings were not reluctant to report their reactions to what had transpired at the

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101. See *State Ike Faction*, *supra* note 98, at 1.

102. See *Poe*, *supra* note 96, at 1.

103. *Victory*, *supra* note 82, at 14.

104. *Louisiana*, in 3 *PRESIDENTIAL NOMINATING POLITICS IN 1952: THE SOUTH* 265, 275 (Paul T. David et al. eds., 1954) (chapter based primarily on reports by L. Vaughan Howard and David R. Deener).

National Committee meeting. "Even cynical political correspondents wondered, before the vote was cast, whether the committee would have the gall to hand the delegates to Jackson," wrote a St. Louis member of the guild.<sup>105</sup> "They were agreed," he reported, "[that] the decision represented ruthless machine politics at its worst."<sup>106</sup>

After Wisdom's expected rebuff at the hands of the National Committee,<sup>107</sup> his decision to press his case outside the confines of the committee meeting rooms was also adopted by other southern leaders of the Eisenhower team. That Saturday afternoon, two days after the National Committee's decision, Senator Lodge presided over a rally at the Blackstone Theater across from the Hilton Hotel. There, Wisdom and Jack Porter, the Eisenhower leader from Houston, were the featured speakers at a "Dixie indignation rally" where they regaled the crowd with "the complete lowdown on the 'big swindle' in Louisiana and Texas."<sup>108</sup> "It is now evident," Wisdom exclaimed, "that the Taft forces are rattled. They don't know how high to gear the steamroller that is already rolling. They have made a lot of people mad, including a good many Republicans who ordinarily might have gone along with them."<sup>109</sup> Wisdom also distributed a three-page statement, in which he again relied on his preferred canine metaphor.<sup>110</sup> In the statement, Wisdom charged the National Committee with "rigging the convention beforehand with dummy delegates from Louisiana, Texas, and other southern states. They tossed Louisiana a bone, to give the appearance of impartiality and fair judgment. Two votes out of [thirteen] contests. Not a very large bone at that."<sup>111</sup>

105. *Victory*, *supra* note 82, at 14.

106. *Id.*

107. The National Committee also had decided, by voice vote, to seat the entire five-member Taft group in Mississippi headed by Perry W. Howard, the party's only black national committeeman, over the Eisenhower delegation headed by Jackson attorney Bernard W. Chill and an uncommitted slate led by Meridian attorney Lester E. Wills. Howard, interestingly, actually lived in Washington, D.C., seldom visited Mississippi, and "had no more influence in Mississippi than the shah of Persia." Drew Pearson, *Here's a Guess on the Line-Up*, NEW ORLEANS ITEM, July 7, 1952, at 12. His son had been placed on the Senate payroll by Senator Taft as a post office clerk when the Republicans controlled Congress. *Id.*

108. *Wisdom to Blast at 'Big Swindle'*, TIMES-PICAYUNE, July 5, 1952, at 2.

109. Norman Walker, *Both Louisiana Groups Protest*, TIMES-PICAYUNE, July 6, 1952, at 19.

110. Edgar Poe, *Bitterness Rises as GOP Rivals Exchange Charges*, TIMES-PICAYUNE, July 6, 1952, at 18.

111. *Id.*

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On July 7th, more than 1,200 delegates responded to the call to order as the official proceedings of the convention commenced. To accommodate the tremendous public interest in this spectacle, nearly one-third of the floor space had been reserved to members of the press. This meant that the 1,206 delegates, plus an equal number of alternates, were squeezed into the remaining area through the use of cramped folding metal chairs packed tightly into rows separated only by narrow aisles. The discomfort created by these less-than-ideal physical conditions was compounded by, and perhaps contributed to, the acrimonious debate that characterized most of the increasingly protracted morning and evening sessions, many of which extended into the early dawn hours.

One of the first orders of business was a vote on a so-called Fair Play Amendment to the temporary rules of the convention, passage of which Herbert Brownell viewed as the linchpin of Eisenhower's convention strategy. The objective of this amendment was to preclude all disputed delegates from voting on the seating of any challenged delegate. Brownell and the other top leaders of the Eisenhower team originally had planned to submit an amendment that would disenfranchise all delegates whose credentials were in dispute.<sup>112</sup> Such a broadly phrased amendment would have denied a vote to the disputed delegates from Florida, Mississippi, Kansas, and Missouri,<sup>113</sup> as well as those from Texas, Louisiana, and Georgia. However, by the time the official proceedings of the convention were to commence, nearly all of the members of the Republican National Committee, including the Eisenhower supporters, had agreed upon a compromise concerning the delegates from Florida, Mississippi, Kansas, and Missouri.<sup>114</sup> Another political advantage also was to be gleaned from limiting the reach of the amendment. The heads of two important delegations, Governor John S. Fine of Pennsylvania and Arthur Summerfield, Michigan's national committeeman, favored restricting the scope of the amendment to delegates facing a "major contest."<sup>115</sup> By redrafting the amendment to comply with the wishes of these two influential convention players, Brownell hoped to attract the largest possible support for the Fair Play Amendment. A wide victory margin on this pivotal preliminary vote could provide the Eisenhower movement with a head of steam as it rolled

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112. See James Reston, *Eisenhower in Bid for 2 Key States*, N.Y. TIMES, July 7, 1952, at 1, 15.

113. *Id.*

114. *Id.*

115. *Id.*

towards the nomination balloting. And if Pennsylvania and Michigan jumped on the Fair Play Amendment bandwagon, Brownell sensed that the two delegations would stay on board all the way to the ballot for the nomination.<sup>116</sup>

The strategy worked. The amendment offered by Washington Governor Arthur B. Langlie proposed that no temporary or disputed delegate, other than delegates approved by two-thirds of the National Committee members, be permitted to vote in the convention or in any of its committees until that delegate's credentials be approved by a vote of the convention.<sup>117</sup> Moreover, each contest would be determined separately, and once a final decision were rendered, the subject of that decision could vote on all subsequent seating challenges.<sup>118</sup> Michigan gave forty-five of its forty-six votes to the Eisenhower-backed proposal, and the Pennsylvania delegation voted fifty-seven to thirteen in favor of the amendment.

Senator Taft, meanwhile, was not unmindful of the devastating consequences a defeat on this amendment could have on his drive for the presidential nomination. He sensed that a defeat on the Fair Play resolution could generate a pro-Eisenhower momentum that he might be unable to dissipate. Consequently, he instructed his closest advisors to attempt to negotiate a compromise with the Eisenhower camp by which they would agree to withdraw the amendment in exchange for Taft's release of his claim to some of the contested delegates. To that end, a group including California Senator William Knowland, Congressman Carroll Reece of Tennessee (who had succeeded Herb Brownell as National Party Chairman), Tom Coleman, and Clarence Brown agreed to present Eisenhower's confidants with an eleventh-hour proposal to split all contested delegates down the middle and thereby eliminate any need to vote on the Fair Play Amendment. The plan was to surprise the Eisenhower camp with a last minute concession tendered right on the convention floor just prior to the anticipated introduction of the resolution.

Over at Eisenhower headquarters, the brain trust spent the evening preceding the convention's opening huddled in a late night strategy session. Those present included the Big Four — Dewey, Brownell, Clay, and Lodge — as well as Barak Mattingly (Eisenhower's chief supporter in the Missouri delegation), Kansas Senator Frank Carlson, Jim Hagerty (who would later become Eisenhower's press secretary), Brownell assistant Tom

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116. *Id.*

117. William S. White, *Vote on Delegates Weighed in Chicago*, N.Y. TIMES, July 8, 1952, at 1, 16.

118. *Id.*

Stephens, and Max Rabb — the former chief of staff of Lodge's Senate office and current assistant to the campaign manager.<sup>119</sup> Towards the end of the session, each participant was asked if he wanted to make any final comment. The last to speak was Rabb, a young but tough-minded Harvard Law School graduate. After noting the manifest moral advantage that Eisenhower would reap upon passage of the Fair Play Amendment, Rabb posed a question that none of the other participants had theretofore considered. "What if they say," Rabb suggested, "we are willing to split the delegations, we are willing to compromise?"<sup>120</sup> There was almost a gasp in the room as the collection of seasoned political veterans pondered the ramifications of Rabb's insight. Lodge was the only one to reply: "[I]t just can't be, we just can't do it."<sup>121</sup> With that, the meeting disbanded. No specific response was formulated, but the participants left the room with the sense that any compromise resulting in a withdrawal of the Fair Play Amendment would deprive Eisenhower of one of his most potent weapons.

The next morning, Rabb's apprehensions were realized. As he, Senator Lodge, and Tom Stephens were walking to their place on the convention floor, "[a]lmost lying in wait"<sup>122</sup> were Bill Knowland (chief spokesman for the candidacy of Governor Earl Warren of California), Carroll Reece, Tom Coleman, and Clarence Brown. After exchanging pleasantries, one of the Taft men suggested that "what we better do is . . . bring this party together again. We've got to have harmony. So what do you say we compromise 50-50?"<sup>123</sup> Without missing a beat, Lodge proclaimed, "Gentlemen, I do not consort with evil."<sup>124</sup> As Lodge and the others turned on their heels and walked away, Max Rabb was convinced that "that was the end of that."<sup>125</sup>

Taft was not prepared, however, to give up so easily. Moments before the convention was to begin, he arranged for Guy Gabrielson to invite Senator Lodge to his office in the hope that the party chairman could convince the Eisenhower camp to eschew a divisive floor debate over the Fair Play resolution.<sup>126</sup> The small, barely ventilated room was tucked away in the wings behind a twelve-foot-high image of Abraham Lincoln<sup>127</sup> that

119. Rabb Interview, *supra* note 4.

120. *Id.*

121. *Id.*

122. *Id.*

123. *Id.*

124. *Id.*

125. *Id.*

126. GREENE, *supra* note 17, at 108.

127. Rita Fitzpatrick, *A Woman's Hand Brightens Hall for G.O.P. Convention*, CHI.

hung above the gray-painted speakers' platform in the convention hall. The portrait, painted by William Cogswell during the Civil War and depicting the "great emancipator" as a brooding presence with "worry lines on his face and determination on his mouth,"<sup>128</sup> eerily reflected a sense of foreboding. It was almost as if the image of this man who split rails was standing guard lest any of his successors should preside over a conclave that would split his party.

Lodge arrived to find himself once again confronted by Bill Knowland, Tom Coleman, and Clarence Brown. Taft's campaign manager, David Ingalls, was also there along with Chairman Gabrielson. Senator Knowland opened the discussions by suggesting that although California's seventy delegates would vote in support of the amendment, it was in everyone's interests to negotiate a settlement of the dispute.<sup>129</sup>

Clarence Brown then tendered the newest Taft proposal — if Lodge would agree not to proffer the Fair Play Amendment, all of Senator Taft's challenged delegates would voluntarily abstain and not vote on any seating contests until their credentials had been permanently established.<sup>130</sup> This proposal would accomplish the objectives of Lodge's amendment and would insulate Taft from the potential embarrassment of a floor-fight defeat.<sup>131</sup> Eisenhower's campaign managers, however, desperately wanted a roll-call vote on the amendment. After all, Brownell's grand strategy was to showcase the moral issue and to refuse all attempts at compromise. To have yielded on this or any of the other issues as to which Taft's men were prepared to bargain, Brownell had resolved, would compromise Eisenhower's moral position and undercut the foundation of Brownell's convention strategy to portray the Eisenhower camp as the agent of fairness and democracy. As Governor Langlie told the delegates a few minutes later, "Only through your vote can we prove to the American people that we practice what we preach when we attack corruption in our national government and ask the people to trust us to lead our nation in the years that lie ahead."<sup>132</sup> Lodge responded to Brown by requesting a brief recess so that he could consider the offer and discuss it with Herb Brownell. A few

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TRIB., July 5, 1952, at 8.

128. *Id.*

129. See GREENE, *supra* note 17, at 108.

130. *Id.*

131. *Id.*

132. Douglas B. Cornell, *Eisenhower Forces Score Triumph in Opening Test*, TIMES-PICAYUNE, July 8, 1952, at 1, 8.



moments later, Lodge returned to the meeting and rejected the proposed compromise.<sup>133</sup>

Before the meeting terminated, Lodge agreed to one concession sought by Senator Knowland. He agreed to reduce the proportion of National Committee votes needed to exempt any delegate from the voting ban from eighty percent to a two-thirds vote.<sup>134</sup> This change, Lodge understood, would have no impact on the underlying contest and would put him in the position of appearing conciliatory to a leader of an important state delegation. Thus, at 1:40 p.m., after a heated debate that lasted in excess of two hours and that delayed the opening of the convention by an hour and three minutes, the participants to the peace parley emerged "from their oven-like chamber"<sup>135</sup> to announce that their efforts at compromise had proven to be unsuccessful. "We are taking the fight to the floor,"<sup>136</sup> Lodge declared to the members of the media pressed around the office door.

Meanwhile, on the convention floor, the delegates, unaware of the reason for the delay in the proceedings, were being entertained by an organist who played a medley of state songs.<sup>137</sup> The loudest cheers erupted when he began his rendition of *Dixie*.<sup>138</sup> The battle then began innocently enough. Chairman Gabrielson strode from his office to the rostrum, yelled "O.K., boys," banged his two pound mallet<sup>139</sup> some 58 times,<sup>140</sup> mostly in response to the pleas of a score of news photographers ringing the podium rather than out of any need to maintain order, and called the convention to order.<sup>141</sup> After the traditional opening ceremonies, including the presentation of colors by members of American Legion Post 985 of Chicago, the recitation of the Pledge of Allegiance, a spirited rendition of the national anthem by Rose Bampton of the Metropolitan Opera, and the invocation, it was time to begin the business of the party's twenty-fifth convention.<sup>142</sup> His eyes glued to a new device — the teleprompter — making its initial appearance at a political

133. See GREENE, *supra* note 17, at 108.

134. *Talks to Heal Rift over Contests Fail*, N.Y. TIMES, July 8, 1952, at 16.

135. White, *supra* note 117, at 16.

136. GREENE, *supra* note 17, at 108.

137. W.H. Lawrence, *Taft Effort Fails*, N.Y. TIMES, July 8, 1952, at 1, 20.

138. *Id.*

139. Willard Edwards, *General's Presence and Oratory Dim Party Strife*, CHI. TRIB., July 7, 1952, at 1, 6.

140. Gladwin Hill, *Conclave Starts Late, as Usual; Taft Wins First Applause Race*, N.Y. TIMES, July 8, 1952, at 1, 22.

141. *Id.*

142. Edwards, *supra* note 139, at 6.

convention, the pudgy Gabrielson delivered the ritualistic list of political clichés. Then, with a slightly exaggerated eye to the brewing tempest, intoned, "The fate of the world is in the hands of these delegates. . . ." <sup>143</sup>

Temporary officers were quickly elected without opposition. It was now time to get down to the serious business of the opening session. Once again, however, the Taft campaign was beset by another critical tactical blunder. Immediately after exiting the unsuccessful conference in Gabrielson's office, Tom Coleman and Clarence Brown huddled together to formulate a new strategy to respond to Lodge's apparently unanticipated refusal to compromise on the Fair Play issue. <sup>144</sup> The duo agreed that the seven pro-Taft Louisiana district delegates should be exempted from any effort to disenfranchise contested delegates. <sup>145</sup> As far as they were concerned, these delegates had been fairly chosen by the Louisiana State Republican Convention and, as the National Committee agreed, the state convention's proceedings should not be questioned. <sup>146</sup> The fact that the credentials of these seven delegates had not been formally approved on the convention floor was irrelevant. The National Committee had uttered the final word when it ruled that challenges to district delegates were limited to the State Central Committee. The legitimacy of these delegates could not and would not be placed in issue on the floor of this convention.

Having resolved that the seven Louisiana district delegates should not be subject to the Fair Play Amendment, Coleman and Brown were left with the task of figuring out how to accomplish their objective. However, there was not a lot of time for contemplation. The amendment was about to be presented, and they had to act and act now. So, in the midst of the convention hurly-burly, the two concluded that the least risky approach would be for Brown to assert a point of order immediately following submission of the Fair Play Amendment. <sup>147</sup> Langlie's motion would extend to all thirteen challenged Louisiana delegates. Brown would then request recognition from the chair and insist that the State Republican Convention in Louisiana already had ruled on the qualifications of seven of the nine challenged district delegates. <sup>148</sup> Consequently, he would maintain, because the National Convention had no authority to review the qualifications of these seven seats,

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143. *Eye*, *supra* note 48, at 21.

144. GREENE, *supra* note 17, at 109.

145. *Id.*

146. *See id.*

147. *Id.*

148. *Id.*

their status was not "contested."<sup>149</sup> As "uncontested" delegates, therefore, they were beyond the reach of the Fair Play Amendment and permanently in Taft's corner.<sup>150</sup>

Resolution of the point of order would then be placed in the hands of Chairman Gabrielson, who could be counted upon to uphold it.<sup>151</sup> The Eisenhower forces would not dare challenge a ruling by the chair on a point of order.<sup>152</sup> Even if they did, their only recourse would be to appeal the ruling of the chair, an option not likely to succeed. The two Taft leaders figured that the convention delegates were not about to overrule the first decision made by the newly installed chairman. Surely, they presumed, the delegates would be more reluctant to overrule the chair than to vote in favor of a motion to seat particular delegates. Then, once the permanent qualification of these seven Louisiana delegates was secured, the Taft camp would be prepared, in order to avoid the possibility of a floor defeat, to support the Langlie amendment. Unfortunately for Senator Taft, this scheme, hatched in the midst of chaos, fell victim to a fatal combination of mismanagement, an unyielding swirl of events, and bad luck.<sup>153</sup>

The party's 1944 vice-presidential nominee, Senator John W. Bricker of Ohio, who had been informed of his assignment only ten minutes before stepping up to the rostrum,<sup>154</sup> moved to put the rules of the 1948 convention into effect until a permanent organization was formed.<sup>155</sup> Under these rules, derived from Elihu Root's 1912 ruling, contested delegates were permitted to vote on the credentials of other contested delegates, though not on the question of their own seating.<sup>156</sup> Party Chairman (and temporary convention chairman) Gabrielson of New Jersey then promptly recognized Governor Langlie of Washington, who rose to propose his substitute rule excluding sixty-eight contested delegates from Texas, Georgia, and Louisiana from voting on all matters until their qualifications were finally decided.

According to their hastily devised plan, the portly Clarence Brown, a former semiprofessional football player who had mismanaged Senator Taft's

149. *Id.*

150. *Id.*

151. *Id.*

152. *Id.*

153. See *National Affairs*, TIME, July 21, 1952, at 11, 11-13 [hereinafter *National Affairs*].

154. Walter Trohan, 'Farewell' Speech Asks Building of Air Power, CHI. TRIB., July 9, 1952, at 1, 2.

155. Lawrence, *supra* note 137, at 20.

156. *Id.*

two previous, unsuccessful campaigns for the presidential nomination and was known in Congress for his wit and facility with the quick and biting retort,<sup>157</sup> was supposed to raise the point of order. Yet in the heat of the moment, with the convention crowd in an uproar, he chose to alter the game plan.<sup>158</sup> Brown originally complied with Coleman's request, shouting "Point of order!" However, this declaration drew such a fervent round of boos from delegates throughout the hall that Brown stopped in midsentence.<sup>159</sup> Sensing that the crowd was against him and fearful that Chairman Gabrielson might seek to avoid charges of partisanship by overruling Coleman's proposed point of order, Brown unilaterally decided to try a different maneuver.<sup>160</sup>

Instead of asking for a ruling on the point of order and then supporting the diluted Fair Play Amendment, Brown chose to amend Langlie's resolution. Proclaiming his desire to have the controversy settled by the delegates "fairly, openly and without any mob psychology,"<sup>161</sup> Brown moved to amend the Langlie motion to preclude sixty-one of the sixty-eight contested delegates from voting on seating questions. This motion, if passed, would permit the seven Taft-supporting Louisiana district delegates to vote on delegate contests. Unlike the point of order, however, it would not prevent a vote on their own qualifications. In effect, then, Brown was asking the convention to vote to create an exception from the Fair Play doctrine for these seven, permitting them to vote while taking away the franchise from sixty-one other contested delegates. Instead of casting Langlie and the Eisenhower forces as the leaders of a movement to change traditional party rules, Brown's amendment became the vehicle for the convention's vote.<sup>162</sup> To make matters worse for the Taft campaign, while Brown probably was correct in his formalistic interpretation of the convention rules, the Eisenhower strategy had already succeeded in shifting the focus of the debate away from the language of the party rules and on to the merits of the larger moral issue. It soon became apparent to many in the hall that this stratagem, bred in desperation and confusion, was doomed to failure. Meanwhile, over at his campaign headquarters in the Hilton Hotel, Robert Taft gasped when he saw the telecast of his former lieutenant ambling to the rostrum. He immediately realized that he would be unable to affect the unfolding series

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157. See Edwards, *supra* note 139, at 6.

158. *National Affairs*, *supra* note 153, at 12.

159. *First Round to Ike*, NEWSWEEK, July 14, 1952, at 21, 23.

160. See *National Affairs*, *supra* note 153, at 12-13.

161. White, *supra* note 117, at 16.

162. See *id.*

of events that would, in a short time, lead to the collapse of his presidential drive.<sup>163</sup>

The convention hall was rocked for more than two hours by a harshly passionate, bitter debate. Taft proponents maintained that the amendment was nothing but a self-serving attempt by the General to garner additional support. Meanwhile, Ike's legions contrarily charged that their opponents were trying to freeze the status quo in order to protect delegates whose credentials were subject to serious question and that a nominee chosen on the back of such suspect delegates could not hope to win the general election in November. Naturally, all of the partisan statements were seconded by choruses of jeers and cheers from their respective supporters.<sup>164</sup> Clarence A. Barnes, a delegate from Massachusetts who openly opposed the leadership of Senator Lodge in his state and who shortly would play a leading role in this drama, castigated Lodge and others for complaining about a steam-roller simply because they could not operate it.<sup>165</sup> This brought a thunderous reply from Governor Dan Thornton of Colorado that nearly shattered his microphone.<sup>166</sup> And when Senator Lodge's brother John, the Governor of Connecticut, delivered a blistering, belligerent attack on the Taft campaign, many of Taft's supporters on the floor jumped to their feet and angrily shook their fists in the Governor's direction.<sup>167</sup> The final volley in this rhetorical barrage was hurled by former federal Judge Charles I. Dawson of Louisville, Kentucky, a man whose appearance clearly belied the intensity of his remarks.<sup>168</sup> Dawson, a small, white-haired man in a rumpled suit, walked slowly to the microphone placed in the area assigned to his state's delegation and let fly with a string of adjectives excoriating the motivation of the "change the rules" advocates.<sup>169</sup> By this time, however, most of the crowd's energy had dissipated, and nearly everyone was ready for the dramatic call of the states.

The roll call was commenced by Edward H. Alexander, Secretary of the Illinois State Senate.<sup>170</sup> This seemed to re-energize the delegates, as his efforts were frequently interrupted by verbal demonstrations, particularly

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163. See *National Affairs*, *supra* note 153, at 12-13.

164. See *White*, *supra* note 117, at 16.

165. *Edwards*, *supra* note 139, at 6.

166. *Id.*

167. *Id.*

168. *Id.*

169. *Id.*

170. *Id.*

when the large states cast their votes.<sup>171</sup> Two states, New Jersey and Wisconsin, demanded a poll of their members.<sup>172</sup> But once the uproar subsided and all the votes were cast on this tumultuous opening day of the convention's official proceedings, the delegates overturned the National Committee's ruling and gave Dwight Eisenhower his first decisive victory over Robert Taft.<sup>173</sup> The vote was 658 to 548 in favor of the Langlie amendment,<sup>174</sup> which meant that the entire delegation from both Georgia and Texas and all but two delegates from Louisiana were disenfranchised.<sup>175</sup> This represented a net loss of thirty-two votes for Senator Taft because fifty of the seated delegates favored him while eighteen liked Ike. The passions generated by this debate and the strength of the 100-vote margin favoring candidate Eisenhower in this preliminary, but clearly critical, test of strength between the candidates overshadowed even the impassioned oratory of the evening session's keynote speaker — erstwhile dark-horse candidate and General of the Army, Douglas MacArthur.<sup>176</sup>

General MacArthur, however, apparently placed more stock than did most of his contemporaries in the possibility that a deadlocked convention would turn to him for the nomination. One afternoon, Bonnie Wisdom was making her rounds through the various suites in the Hilton Hotel searching for delegates who she could swing over into the Eisenhower camp, when she and her companions were stopped dead in their tracks. "I heard this mellifluous voice coming out over the transom as I walked along the hall . . . It was MacArthur's acceptance speech being rehearsed by MacArthur . . . The only audience he ever had was right outside of his room in the hotel!"<sup>177</sup>

Three days after the passage of the Langlie amendment, the delegates voted 683 to 513 to incorporate its Fair Play provision into the party's permanent convention rules. This vote was a direct result of the impact that John Wisdom had made on the National Committee. In addition to adopting the fair play resolution, the conventioners amended the permanent rules to require all future participants in delegate challenges to submit briefs speci-

171. *Id.*

172. *Id.*

173. *See id.*

174. *Id.*

175. M.L. St. John, *Foster Unit Out Pending Tucker Plea*, ATLANTA CONST., July 8, 1952, at 1, 6.

176. Lawrence, *supra* note 137, at 1.

177. Interview with Bonnie Mathews Wisdom, in New Orleans, La. (June 30, 1994) (transcript on file with author).

fyng every contested issue of law and fact as part of a more elaborate procedure designed to expedite credentials disputes.<sup>178</sup>

On a more immediate level, however, the vote on the Fair Play Amendment represented the first clear indication that Brownell's strategy was working and that the mood of the convention was shifting. Although not all of the delegates who voted in favor of the amendment could be counted on to vote in favor of the insurgent southern delegations or, for that matter, against Senator Taft's nomination, this vote added fertilizer to the germ of the notion that Senator Taft could not be nominated on the first ballot. Its impact was clearly reflected, for example, in the widely reported statement of a beaming President Truman, who, when informed of the balloting on the Fair Play Amendment, announced, "I'm worried. . . . It looks like my candidate is going to get beat."<sup>179</sup>

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While most of the convention delegates were involved in the flurry of opening day activities in the Grand Ballroom at the Hilton Hotel, another important event was taking place in the ornate setting of the Gold Room four miles away at the Congress Hotel.<sup>180</sup> The Credentials Committee was holding its initial meeting. The members selected a pro-Taft chairman when Ross Rizley, a former congressman from Oklahoma, prevailed over Warren Burger of Minnesota, a Stassen man who had the backing of the Eisenhower camp, by a vote of twenty-five to twenty.<sup>181</sup> This vote was followed by a unanimous decision to permit all information media, including television and radio, to attend all committee sessions.<sup>182</sup> By this time, Senator Taft's partisans, who constituted a majority of the committee members, had seen the error of their ways and now supported the move as a method of "'correcting a major error' of the National Committee executive group."<sup>183</sup>

Meanwhile, back at the Hilton Hotel, as Clarence Brown was struggling to defeat Arthur Langlie's Fair Play motion, John Wisdom sat at the desk in his suite several floors above the convention din pouring over the papers and charts that he intended to use that evening at his appearance before the

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178. See *New Rules Trim Power of South*, TIMES-PICAYUNE, July 11, 1952, at 2.

179. *Truman 'Worried' Taft Is Losing; Reaffirms His Civil Rights Stand*, N.Y. TIMES, July 10, 1952, at 1.

180. W.H. Lawrence, *Delegate Test on*, N.Y. TIMES, July 9, 1952, at 1, 12.

181. Felix Belair, Jr., *Taft Backer Heads Credentials Body*, N.Y. TIMES, July 8, 1952, at 19.

182. *Id.*

183. *Id.*

Credentials Committee.<sup>184</sup> The committee was composed of one representative from each of the forty-eight states and the five territories. With the election of Ross Rizley as its chairman, most observers presumed that Taft held sway with a majority of the fifty-three members.

The managers of the Ohioan's campaign, however, were not overly sanguine about their ability to control the committee proceedings. They knew that the designated representatives from some of the states did not agree with their respective states' national committeemen on either the Fair Play Amendment or the southern delegate contests. John Wisdom also was aware of this fact, but his experience before the National Committee had only reinforced his conviction that he was facing an uphill battle. Nevertheless, the earlier presentation in front of the National Committee, while not resulting in victory, had been useful. He had now been through one "trial" and had seen how his arguments, witnesses, and graphical displays had played on the "jury." Had this been a traditional piece of litigation, of course, he would now be preparing an appellate brief and getting ready for oral argument. The Credentials Committee, however, was not the political equivalent of an appellate court; it was more like another jury than a court of appeals, particularly because Chairman Rizley had instructed both sides to confine their remarks to the case that had been presented to the National Committee. Consequently, Wisdom devoted himself to honing and refining his argument and presentation of witnesses in the hope, though not the expectation, of achieving victory in front of this new tribunal.

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The hearing on the Louisiana delegation began at 9:30 on Tuesday evening, July 8th,<sup>185</sup> in the Congress Hotel's rococo Gold Room. In an effort to accelerate the pace of the proceedings, each side was given only sixty minutes to make its case.<sup>186</sup> Wisdom had sought the same ninety-minute allotment that had been granted by the National Committee, but his request was rejected by a twenty-seven to twenty-four vote.<sup>187</sup> Therefore, he supplemented his oral argument with the 104-page printed brief that had been submitted to the National Committee, as well as an oversized twenty-

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184. See Norman Walker, *Louisiana Rivals Awaiting Result*, TIMES-PICAYUNE, July 8, 1952, at 8.

185. *Rival Louisiana Groups Battle for Recognition*, TIMES-PICAYUNE, July 9, 1952, at 1 [hereinafter *Rival*].

186. Robert Howard, *Ohioan's Man Leads Body to Hear Contest*, CHI. TRIB., July 8, 1952, at 1.

187. *Id.*



five page brochure entitled *The Louisiana Story* and his by-now legendary collection of charts, graphs, affidavits, and other documentary evidence.<sup>188</sup>

As he had done before the National Committee, Wisdom chastised the Jackson forces for their illegal tactics and their continual use of rump meetings to thwart the true wishes of a majority of the voters at district meetings.<sup>189</sup> "We elected 13 of the 15 delegates," Wisdom maintained, "using sincere registered Republicans. We will prove the shoddy tactics of our opponents. The minority held rump meetings whenever they were outvoted."<sup>190</sup> These meetings, Wisdom cracked, were worse than a kangaroo court. "A decent, respectable kangaroo wouldn't be caught dead in such meetings."<sup>191</sup> One of his witnesses, Elise Meyer, offered an effective description of the mass meeting in Jackson's home, Twelfth Ward, where delegates were elected to the district convention: "There was no election of delegates at the meeting called by Jackson. The chairman simply announced, 'our delegates win, the meeting is over.' Mr. Jackson led a small group out of the room and the lights were turned out."<sup>192</sup> She then recounted to the amused committee members how, after the Jackson group left, those people remaining continued the meeting with the aid of flashlights in order to choose "legal" delegates.<sup>193</sup>

Wisdom's own remarks, carefully chosen and delivered in his deliberate, New Orleans-accented voice, were clearly directed not only at the members of the committee, but also at the much larger television audience that was, in some respects, a more important jury panel.<sup>194</sup> "We are not supplicants asking for favors," he insisted.<sup>195</sup> "We are the legal delegates. This is not just another southern contest. The hope of the Republican Party for future growth in the South will rest on your decision and so also will the integrity and moral soundness of the Republican Party."<sup>196</sup>

Jackson, aided by Shreveport attorneys Leroy Smallenberger and Phillip Mecom, again belittled Wisdom's accusations, characterizing them as just

188. L. Vaughan Howard & David R. Deener, *Presidential Politics in Louisiana, 1952*, in 1 TULANE STUDIES IN POLITICAL SCIENCE 41 (1954).

189. See *Rival*, *supra* note 185, at 1.

190. *Id.*

191. *National Affairs*, *supra* note 153, at 15.

192. *Rival*, *supra* note 185, at 1.

193. *Id.*

194. See Thomas Sancton, *Wisdom Scores in Fight*, NEW ORLEANS ITEM, July 9, 1952, at 1, 5.

195. *Id.*

196. *Id.*

another attempt to contest democratically elected delegates in order to garner some personal political clout. He also reasserted his claim that the Wisdom faction included Democrats who had violated state law by participating in GOP meetings less than six months after switching party affiliation and, therefore, that Jackson's were the lawfully chosen representatives.<sup>197</sup> To support this contention, Jackson offered only his personal opinion of the applicable law.<sup>198</sup> In response to questions by committee members, Jackson admitted that this opinion was not backed by a single Louisiana court decision. Wisdom, on the other hand, did not rely on personal opinion.<sup>199</sup> Instead, he proffered an official opinion issued by the Louisiana Attorney General asserting that recently registered Republicans were not barred by the statute from participating in party caucuses and conventions. According to the Attorney General, the provision of the Louisiana statute that precluded any individual from voting in a party primary until he had been registered as a party member for a specified time period did not prevent those citizens from participating in party caucuses, conventions, and meetings that preceded general elections.

Jackson also attempted to raise a few issues that, Wisdom countered, had not been proffered to the National Committee.<sup>200</sup> Jackson's strategy backfired as Chairman Rizley felt compelled to chastise Jackson for addressing matters that had not been raised before the National Committee and to direct him to confine his remarks to the issue he had raised before that committee.<sup>201</sup>

During his portion of the Old Guard's presentation to the committee, Leroy Smullenberger was asked about the decision by the State Credentials Committee, under his chairmanship, to kick Wisdom's slate of delegates out of the meeting.<sup>202</sup> In a naive, but perhaps less than helpful reply, Smullenberger stated, "We were fairly honest."<sup>203</sup> At the first opportunity, Wisdom offered this tart rebuttal: "Like virginity, there are no degrees of honesty."

The members of the committee listened carefully to the two arguments. Despite the lateness of the hour, they continued to pepper both camps with questions for several hours. Long past midnight, Chairman Rizley finally

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197. See *Jackson's Defeat*, TIMES-PICAYUNE, July 10, 1952, at 10.

198. *Id.*

199. *Id.*

200. *Rival*, *supra* note 185, at 6.

201. *Id.*

202. Thomas Sancton, *La. Ike Delegates Triumphantly Take Seats at GOP Convention*, NEW ORLEANS ITEM, July 10, 1952, at 1, 10.

203. *Id.*

called a halt to the proceedings, adjourning the session until 8:00 that morning without taking a vote.<sup>204</sup> Although some suggested that the lateness of the hour compelled this decision, others proposed that the ruling was made "to let the effect of Wisdom's hard-hitting arguments cool off."<sup>205</sup>

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The Credentials Committee had not begun its consideration of the Louisiana controversy until late in the evening of July 8th because it had spent the earlier part of the day resolving the contest over the Georgia delegation. The presence of a much smaller television audience at this late hour also may have contributed to the timing decision. The contest, an all-afternoon fight marked by "charges and countercharges of thievery,"<sup>206</sup> resulted in another win for the pro-Taft forces. The Credentials Committee voted thirty to twenty-one to uphold the ruling of the National Committee recognizing the Foster delegation.<sup>207</sup> The vote was, however, in some ways misleading. Each state delegation, regardless of size, was entitled to only one representative on the Credentials Committee.<sup>208</sup> The delegations that voted against the Foster faction actually represented 646 convention votes (the Virgin Islands representative to the committee also signed onto the minority report), substantially more than a majority of the 1,206 delegates that would vote on the presidential nomination or of the 1,138 uncontested delegates that were authorized to vote on delegate challenges when they came to the floor of the convention.<sup>209</sup> Nevertheless, Taft was able to muster the support of a majority of the committee members, and this compelled Elbert Tuttle and the other Eisenhower leaders in Georgia to bring their case, as John Wisdom would also be compelled to do, to the convention floor.<sup>210</sup>

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The brief morning respite that Chairman Rizley had provided the rest of the members of the Credentials Committee after their marathon evening session did little to stem the rising tide of opinion that Wisdom had generated

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204. See Sancton, *supra* note 194, at 1.

205. *Id.*

206. Lawrence, *supra* note 180, at 12.

207. M.L. St. John, *Tucker Camp Asks Decision from Floor*, ATLANTA CONST., July 9, 1952, at 1.

208. 1 PRESIDENTIAL NOMINATING POLITICS IN 1952: THE NATIONAL STORY 76-77 (Paul T. David et al. eds., 1954) [hereinafter NATIONAL STORY].

209. *Id.* at 77.

210. See *id.*

in favor of his group's position. Several of the perceptive, experienced Taft hands could feel the shift of momentum. Thus, in a last-gasp effort to turn a potentially embarrassing defeat into a gracious compromise, the seemingly peripatetic Clarence Brown asked his colleague from Massachusetts, Representative John Heselton, to meet him in a nearby kitchen for some horse-trading.<sup>211</sup> Standing under a sign that read "Keep It Clean," Brown proposed that the Taft supporters on the committee would vote in favor of Wisdom's delegation if Eisenhower would accept Taft's twenty-two to sixteen division of the Texas delegation.<sup>212</sup> Heselton, however, had been carefully instructed by fellow bay-stater Henry Cabot Lodge to reject any and all offers of compromise in favor of Brownell's "all or nothing" blueprint. Brownell's unwavering no-compromise strategy prevailed again.

To the astonishment of many and the consternation of some in the room, however, the Taft campaign yielded on Louisiana in an apparent bid for psychological advantage in the now-unavoidable convention floor tussle. In what may have been a strategic retreat,<sup>213</sup> delegate T. Eugene Worrell of Virginia, seconded by Clarence Brown, moved to seat the thirteen members of Wisdom's delegation.<sup>214</sup> All of the Taftmen on the Credentials Committee then voted along with the Eisenhower faithful in support of the motion. The unanimous verdict overturned the ruling by the National Committee just a week earlier to seat eleven Taft supporters and only two backers of the candidate from Abilene.<sup>215</sup>

Many contemporary accounts of this unanticipated turn of events explained it as a ploy by the Taft managers to convince the convention delegates to uphold the Credentials Committee's favorable decisions in the Georgia and Texas contests.<sup>216</sup> By demonstrating their candidate's willingness to compromise as well as his desire for party harmony, Taft's handlers thought they could minimize the damage and encourage the conventioners to engage in some old-fashioned political horsetrading.<sup>217</sup> Taft's announce-

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211. See *National Affairs*, *supra* note 153, at 15.

212. *Id.*

213. However, Thomas E. Coleman, the manufacturing executive from Madison, Wisconsin, who was added to Taft's campaign corps to minimize Senator Joseph McCarthy's influence in party matters and who later was named convention floor manager for the Taft team, conceded that a nose count had revealed that the cause was lost at both the committee and convention floor levels and that any further effort before either group would be futile. See Felix Belair, Jr., *Taft Aides Yield Louisiana Votes*, N.Y. TIMES, July 10, 1952, at 17.

214. NATIONAL STORY, *supra* note 208, at 77-78.

215. See *id.* at 78.

216. See W.H. Lawrence, *Lodge Is Confident*, N.Y. TIMES, July 10, 1952, at 1, 12.

217. See *id.*

ment that he would abide by the Credentials Committee's ruling on the Louisiana delegation and not appeal it to the convention was seen as an attempt to pressure Eisenhower into making the same commitment with respect to the Texas delegation.<sup>218</sup> If this was Taft's game plan, however, Eisenhower, and more importantly Brownell, was not interested. As spokesman for the candidate, Senator Lodge immediately declared after the Louisiana vote that the Credentials Committee's resolution of the Louisiana contest would not alter his candidate's determination to present the facts concerning the Georgia and Texas delegations to the attention of the assembled delegates.<sup>219</sup>

A somewhat different explanation was offered by Bayard Ewing, a young attorney from Rhode Island who served as his state's representative on the committee.<sup>220</sup> "The Louisiana Taft delegation is a stolen delegation," he insisted to the other committee members.<sup>221</sup> "We know it is. Is the Republican Party going to swallow it?"<sup>222</sup> It was Wisdom's patient, but hard-driving presentation that had convinced Ewing.<sup>223</sup> "It had the touch of the [Tulane] law school," Ewing continued.<sup>224</sup> "And some of the older, self-respecting lawyers on the Taft majority of the committee just couldn't go against Wisdom's witnesses and evidence."<sup>225</sup> Once former federal Judge Dawson from Kentucky, Bill Sterns of North Dakota, and Frank Whetstone of Montana informed Chairman Rizley that they, along with Ewing, could not ignore the overwhelming case tendered by John Wisdom, the Taft managers realized they had lost four, if not more, of their twenty-nine votes.<sup>226</sup>

218. See William S. White, *Taft's Candidacy Backed by Hoover*, N.Y. TIMES, July 10, 1952, at 1, 18.

219. NATIONAL STORY, *supra* note 208, at 78.

220. See generally Thomas Sancton, *Here's How La. Ikemen Won Case*, NEW ORLEANS ITEM, July 12, 1952, at 10.

221. *Id.*

222. *Id.*

223. *Id.*

224. *Id.*

225. *Id.*

226. *Id.* Judge Dawson had candidly summarized his evaluation of the case in strong and unambiguous language to his colleagues on the Credentials Committee:

I wouldn't be frank with you if I didn't tell you that if I had substantial doubt on a question of fact or law in any of these cases that were determinative of the result I would be inclined to give the benefit of that doubt to the Taft side. But in my judgment, members of the Committee, there is neither question of law nor question of fact that throws any substantial doubt on what we ought to do in this case.

Richard B. Stone, *Birth of a Party: How Louisiana's New Republicans Beat the Bosses*,

Because the committee initially was split twenty-nine to twenty-three in favor of Taft, "[w]hen [the Taft majority] saw that they would be beat[en], they did the strategical thing; they made the vote unanimous."<sup>227</sup> Whatever the motivation behind these final maneuverings and regardless of whether or not they influenced the decision made by the individual committee members, by relinquishing his claim to the Louisiana delegation, Senator Taft abandoned John E. Jackson — the state's "Mr. Republican" for nearly thirty years — and ensured the election of John Wisdom as the next national committeeman from Louisiana.<sup>228</sup>

Bedlam erupted in the hearing room immediately after the representative from the Virgin Islands cast the fiftieth and final vote in support of the Eisenhower delegation. Well-wishers from every corner of the room swarmed around Wisdom in an enthusiastic display of emotion and support. In a matter of seconds, Wisdom was overwhelmed by back-slapping, hand-shaking supporters, many of whom were weeping openly. Some of the more athletic Louisianians eschewed the stairways and leapt over the railing from their perch on the balcony to the floor below in order to join the celebration. The throng became so thick so quickly that the short and slight attorney was unable to escape the embrace of the jubilant mass and move from his counsel table to offer a conciliatory word to his crestfallen rival. Realizing that further attempts to restore order would be unavailing, Chairman Rizley declared a brief, five-minute recess that lasted for nearly half an hour.

The next day, the thirteen Eisenhower supporters of the newly recognized delegation caucused and ended John E. Jackson's eighteen-year reign as national committeeman by electing Wisdom to that post by a thirteen-to-two vote.<sup>229</sup> They also replaced Mrs. Julia Grimmet Fortson of Shreveport with Mrs. Violet D. Allen of New Orleans as the state's national committeewoman.<sup>230</sup> For some members of Jackson's now-disenfranchised delegation, however, the finality of the defeat was difficult to swallow. Hours after the Credentials Committee rendered its decision, a few of the Louisiana Taftites remained in the convention hall, refusing to yield their badges.<sup>231</sup> The matter was straightened out, however, and Wisdom and his slate of newly recognized delegates made their triumphant entrance onto the

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HARVARD REV., Winter 1963, at 55, 61.

227. Sancton, *supra* note 220, at 10.

228. James A. Hagerty, *Eisenhower Camp Bars Texas 'Deal'*, N.Y. TIMES, July 10, 1952, at 13.

229. *Eisenhower Backers Win*, N.Y. TIMES, July 11, 1952, at 9.

230. *Id.*

231. Sancton, *supra* note 220, at 1.

convention floor. In perhaps the only hitch in his intricate convention plan, however, the band that Wisdom had arranged to play "When the Saints Come Marching In" to accompany their arrival, "[either] forgot about our arrangement or . . . decided not to play it."<sup>232</sup>

Taft's decision to yield on the Louisiana delegation cut the number of major contests to two — Georgia and Texas.<sup>233</sup> More importantly, because the Credentials Committee vote was unanimous, no appeal by the Jackson forces to the convention floor was possible.<sup>234</sup> Party rules required the presence of a minority report from the Credentials Committee in order to bring an appeal.<sup>235</sup> After hearing of his loss of eleven Louisiana delegates,<sup>236</sup> Taft confidently stated that he still had enough to win the presidential nomination.<sup>237</sup> Both sides fervently denied that any deal had been cut with the Credentials Committee, and Thomas F. Coleman, floor manager for Taft, publicly averred that the committee had decided the Louisiana case strictly on its merits.<sup>238</sup> Yet, Coleman's denials of any such intent notwithstanding, it appeared that the Taft camp was hoping to reap a psychological advantage by yielding the Louisiana delegates. Apparently they reasoned that their drive for the convention's top prize would be damaged more by "steamroller" cries from the Eisenhower forces than by the loss of these relatively few delegates from Louisiana.<sup>239</sup>

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On the heels of their face-saving gesture vis-a-vis the Louisiana delegation, the leaders of the Taft campaign made clear that their willingness to promote party harmony would not overwhelm their lawful claim to the Texas delegation. To the contrary, the tilt over the Lone Star delegates was reminiscent of the roller coaster struggle endured by the Georgia combatants.

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232. July 5th Wisdom Interview, *supra* note 70.

233. *Pro-Ike Delegates from Texas, Georgia Seated by Convention*, TIMES-PICAYUNE, July 10, 1952, at 1, 3 [hereinafter *Pro-Ike*].

234. *Id.*

235. *Id.*

236. The National Committee had recognized two pro-Eisenhower members of the state's fifteen-member delegation. Because Wisdom never challenged the two Taft delegates from the northern Louisiana parishes, Jackson's delegation was diminished by the Credentials Committee from thirteen to two.

237. *Pro-Ike, supra* note 233, at 3.

238. *Id.*

239. *Id.*

When longtime Texas GOP boss Colonel R.B. Creager died in 1950, the battle to succeed him was fought between Henry Zweifel, a Taft supporter from Fort Worth, and party newcomer J.H. (Jack) Porter, a Houston oilman and Eisenhower devotee.<sup>240</sup> At the precinct and county caucuses that preceded the State Convention in early May 1952, Porter and his supporters had outmaneuvered and overwhelmed the Taft forces by using Texas Democrats favorable to Ike.<sup>241</sup> Zweifel responded to this strategy with an attempt to compel delegates to sign a party loyalty pledge.<sup>242</sup> The ruse backfired, however, as Porter encouraged everyone to sign the pledge that he believed to be unconstitutional and, therefore, meaningless and of no legal effect.<sup>243</sup> A frustrated Zweifel then felt compelled to employ a different tactic in his battle against Porter's "one day republicans."<sup>244</sup> His choice was one with which John Wisdom was intimately familiar — the Taft group held rump precinct and county caucus sessions to promote the candidacy of their own supporters.

When the Texas Republican State Convention finally convened at Mineral Wells on May 27th, the mood was bitter and ugly.<sup>245</sup> By the time the 12,000 conventioners poured into this small, spa town of less than 8,000 inhabitants, Zweifel had gone so far as to brandish Eisenhower with the charge that the General was being supported by the Communist *Daily Worker*. Backed by a compliant State Executive Committee, Zweifel had no problem getting all but 30 of the 519 Eisenhower delegates thrown out of the convention.<sup>246</sup> Once the Executive Committee's decision was affirmed by a 762-to-222 floor vote, the thirty Eisenhower supporters who had not been locked out of the State Convention by the Executive Committee got up, marched out of the hall, and joined Porter and the other excluded members of his contingent in their own rump convention across the street.<sup>247</sup>

Back at the convention hall, the delegates voted in favor of Zweifel's list of national convention delegates, a group consisting of thirty Taft delegates, four who supported General Douglas MacArthur and four who favored Eisenhower.<sup>248</sup> Meanwhile, the Porter group selected a slate com-

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240. See REINHARD, *supra* note 10, at 82-83.

241. *Id.* at 83.

242. *Id.*

243. *See id.*

244. *See id.*

245. GREENE, *supra* note 17, at 93.

246. *Id.*

247. *See id.*

248. James A. Hagerty, *Victors' Strategy Outpaced Rivals*, N.Y. TIMES, July 12, 1952,



posed of thirty-three Eisenhower delegates and five Taft supporters.<sup>249</sup> In the end, the episode at Mineral Wells not only produced two rival delegations, but also provided the Eisenhower camp with the inspiration for future campaign slogans such as the "Texas Steal," "Rob with Bob," and "Graft with Taft." The rancor also spilled over into the preconvention posturings by both sides. When the train from Houston carrying Henry Zweifel arrived at Chicago's Dearborn Station, he alighted from the railcar toting a huge steel filing case that contained more than 1,000 documents to support the case in favor of his delegation.<sup>250</sup> When informed of Zweifel's dramatic entrance into the Windy City, Jack Porter retorted, "The Taft forces couldn't get enough documentation in the hold of the *Queen Mary* to justify their brazen steal of delegates in Texas."<sup>251</sup>

A few members of Taft's campaign leadership recognized the potential damage that the Mineral Wells episode could cause to their candidate, and they hoped to finesse the problem by negotiating a compromise over the contested delegates with their opposite numbers in the Eisenhower camp. However, their efforts were rebuffed by Herbert Brownell, who perceived the advantage in highlighting this escapade as another manifestation of the moral decadence of the Taft campaign. Accordingly, Brownell instructed Senator Lodge to undermine any attempt at a negotiated settlement.<sup>252</sup>

The Eisenhower strategist made another correct call. The Mineral Wells incident caused considerable controversy and consternation among Texas Republicans, many of whom thought that the Eisenhower delegation had been lawfully chosen through an election that permitted one-time Democrats to participate in Republican caucuses or conventions by signing a declaration of party affiliation.<sup>253</sup> One immediate manifestation of this anger surfaced at the Republican Governors' Conference that was being held in Houston just as the Credentials Committee was meeting in Chicago.

The scheduling of the Governors' conference to immediately precede the commencement of the official business of the party convention proved to be extremely fortuitous for the Eisenhower forces. It offered them the perfect opportunity to dampen the impact of committee decisions that they had every reason to believe would be orchestrated to support the candidacy of Senator Taft. By organizing the Governors into a pro-Eisenhower consti-

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at 1, 9.

249. *See id.*

250. *National Affairs*, TIME, July 7, 1952, at 11.

251. *Id.*

252. *See* REINHARD, *supra* note 10, at 84.

253. Hagerty, *supra* note 248, at 9.

tuency, Senator Lodge and his co-workers hoped to moderate, if not counteract, the decisions of the Taft-dominated convention committees.<sup>254</sup> As it turned out, events could not have played more perfectly into Eisenhower's hands.<sup>255</sup> The combination of the Mineral Wells fiasco and the National Committee's decision to impose a media blackout on committee proceedings virtually assured the success of this maneuver.<sup>256</sup> In addition, it certainly did not hurt the Eisenhower effort that H.J. Porter, leader of the Eisenhower Texans, lived in Houston and had unrestricted access, particularly at social occasions, to the Governors.<sup>257</sup>

It did not take long for the Governors to sense the level of indignation borne by the Texans that they met at the various social events held in conjunction with their business meetings.<sup>258</sup> Along the way, Eisenhower strategists decided that rather than ask the Governors to make an explicit declaration of support for the General's candidacy, it would be easier and equally effective to organize them around Eisenhower's fight for the Fair Play Amendment to the convention rules.<sup>259</sup> The plan succeeded beyond their expectations, as Governor Tom Dewey — one of the most influential members of Eisenhower's upper echelon — was able to persuade all twenty-five Republican Governors to voice support for the amendment.<sup>260</sup> Even though three pro-Taft Governors later recanted, the damage to the Senator's campaign had already been done.<sup>261</sup> It generated a momentum in Eisenhower's direction that was never headed. Slowly but surely, Eisenhower racked up a constant string of small victories, each building upon its predecessor and all culminating in the ultimate prize of the nomination.

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254. *Id.*

255. *See id.*

256. *See id.*

257. *See id.*

258. *See id.*

259. *Id.*

260. *See id.* The Houston meeting was attended by twenty-three of the Governors, and all of them signed a letter to Party National Committee Chairman Gabrielson supporting the rules amendment. *See Eisenhower Camp Wooed Governors*, N.Y. TIMES, July 7, 1952, at 7. Governor John S. Fine of Pennsylvania did not attend the conference, but announced approval of the statement as soon as he heard about it. *Id.* Unanimity was achieved when Deeley Nice, the son of a former Maryland Governor, found Maryland Governor Theodore R. McKeldin on a boat in Chesapeake Bay and retrieved his assent. *Id.*

261. Hagerty, *supra* note 248, at 9.

Once the Louisiana celebrants had made their triumphant exit from the Gold Room of the Congress Hotel, Credentials Committee Chairman Rizley was able to resume the committee's agenda and move on to the Texas contest. As expected, the Taft-controlled committee voted twenty-seven to twenty-four to divide Texas, ceding twenty-two delegates to Senator Taft and the remaining sixteen to General Eisenhower.<sup>262</sup> This cleared the way for an all-out battle on the convention floor. Senator Taft quickly hailed the committee verdict on Texas as putting the nomination "almost in the bag for me." The General's troops offered their own confident prediction that the Credentials Committee's decision would be overturned on the convention floor and that the delegates would vote to seat a pro-Ike slate. They were certain that their repeated charges finally were taking hold. John Wisdom's thoroughly documented and largely unrefuted claim that Senator Taft's surrogates in Louisiana were stealing the election from delegates that had been popularly elected by loyal, local Republican voters was having an effect. The delegates were becoming increasingly willing to rebuke Senator Taft and his campaign managers and to repudiate any member of the party leadership who was seen as participating in the conspiracy.<sup>263</sup> Herbert Brownell succeeded in turning the nomination into a moral referendum, but it was John Wisdom who provided the voters with all the evidence they needed to make the correct choice. The time had come to vote on the Texas and Georgia delegations.

The Georgia contest was first on the agenda. Chairman Rizley delivered the report of his Credentials Committee to the assembled delegates, and it sparked a long and, in one instance, vicious debate. The Eisenhower position was advanced by Ike's chief spokesman on the Credentials Committee, Donald Eastvold, a former Washington State Senator and the party's candidate for state attorney general. The lanky, thirty-two-year-old attorney attacked the Taft campaign's reliance on the Georgia state court decision. Evoking the old maxim, "Beware a young man with a book," Eastvold thrust an old law book into the air and cited a Supreme Court decision for the proposition that convention delegates, and not judges, must decide delegate contests.

Taft's chief spokesman in this debate was a hometown hero — Illinois Senator Everett Dirksen. After suggesting that the convention should defer to the wisdom and judgment of the Credentials Committee, the usually spellbinding Dirksen leveled a bitter, divisive ad hominem attack on the

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262. Lawrence, *supra* note 216, at 12.

263. *See id.* at 1.

party's former standard bearer and Eisenhower stalwart, Governor Thomas Dewey of New York. "When my friend Tom Dewey was a candidate," Dirksen jeered, "I tried to be one of his best campaigners. We followed you before and you took us down the road to defeat."<sup>264</sup> Then, shaking his finger in the direction of the transfixed Dewey, who was sitting in the New York delegation to the left of the speaker's rostrum, Dirksen added, "And don't do this to us again."<sup>265</sup> With that, the convention erupted. Dirksen's remarks had struck a chord with the many delegates who had never forgiven the former prosecutor from the Empire State. Although many of the delegates voiced their agreement with Dirksen by joining in a tumultuous outpouring of boos; others were outraged by this calculated attack on their former standard bearer and began booing Dirksen. Dewey chose not to take the bait and responded by slowly walking out of the hall.

Dirksen's eruption was certainly the emotional and perhaps oratorical apogee of the convention. Nevertheless, the temporary frenzy created by his remarks did not produce any lasting impact on the convention. If anything, Dirksen's outburst, born perhaps out of a sense of desperation, proved costly to the Senator's own political ambitions. After receiving the nomination, Eisenhower met with Governor Dewey and the other members of his high command to come up with a vice-presidential nominee. Someone mentioned that Senator Taft had proposed Dirksen's name as a person who could heal the party's wounds. This suggestion was summarily dismissed, with Governor Dewey leading the charge.<sup>266</sup>

The exhausting debate was followed by a protracted roll-call vote that included time-consuming interruptions to poll individual delegations. Even the small territory of Puerto Rico got into the act. A tension-breaking eruption of laughter engulfed the hall when a diminutive, bald, and bespectacled attorney from San Juan, Romany Marcelino, demanded and obtained a poll of his delegation's three official members even though, as was later revealed, he was neither a delegate nor an alternate.<sup>267</sup> Eventually, the strife-racked convention was prepared to vote. By now it was nearly midnight, and the exhausted, grim-faced delegates, looking more like sober waiters at the end of a Mardi Gras ball than the invitees to the soiree, voted

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264. *Id.* at 12.

265. *National Affairs*, *supra* note 153, at 15.

266. Walter Trohan, *G.O.P. Gets Second N.Y.-California Slate in Row*, CHI. TRIB., July 12, 1952, at 1.

267. See Thomas Morrow, *Puerto Rican Hero of Roll Call Wins the Convention, but Loses His Seat*, CHI. TRIB., July 11, 1952, at 3.

607 to 531 to overturn the decision of the Credentials Committee.<sup>268</sup> The vote unseated the seventeen pro-Taft delegates and replaced them with Elbert Tuttle's contingent that favored Eisenhower by a fourteen-to-three margin.<sup>269</sup>

The convention had just dealt a powerful and potentially lethal blow to Taft's hopes for the nomination.<sup>270</sup> Ike's campaign manager, Senator Lodge, crowed that the Georgia decision made his man the winner of the party nomination.<sup>271</sup> "It leaves no doubt as to what the verdict will be in the case of Texas and it is an unmistakable indication that Eisenhower will be nominated on an early ballot," Lodge exclaimed.<sup>272</sup> Ralph McGill, editor of the *Atlanta Constitution*, reported from the convention hall that the delegates reinstated the "long-established and heroic Georgia Republicans headed by Roscoe Tucker and Elbert Tuttle" and hailed it as a "great and warming return to political morality."<sup>273</sup> And as Eisenhower partisans reveled in this dramatic victory, even the most ardent Taftite had to concede that the vote had decelerated, if not derailed, the Taft steamroller and tilted the scales heavily toward the now-likely nomination of General Eisenhower.<sup>274</sup>

John Wisdom sat back in his chair in the Louisiana delegation with a broad smile on his face, comforted by the realization that all of the weeks and months of tireless effort were finally paying off. His dedication to bring about an end to the Jackson-dominated patronage machine through his relentless drive to show the nation how the Old Guard had systematically overridden and ignored the democratic aspirations of the majority of loyal Republican voters in Louisiana had inspired his fellow delegates to throw the rascals out and usher in a new era of Republican politics. Not only had he ousted John E. Jackson and provided Eisenhower with thirteen votes from Louisiana, but he had set the stage for the delivery of the Texas and Georgia delegations into the Eisenhower column. The combined forty-two votes represented by these three states provided Eisenhower with his margin of victory.

As the final minutes of July 9th gave way to the first moments of the next day, the convention delegates turned to the Texas question. The

268. M.L. St. John, *Bitter Vote of 607-531 Tops Ohioan*, ATLANTA CONST., July 10, 1952, at 1.

269. *See id.*

270. *See Pro-Ike*, *supra* note 233, at 1.

271. St. John, *supra* note 268, at 1.

272. *Id.*

273. Ralph McGill, *Ga. Pivots GOP Swing to General*, ATLANTA CONST., July 10, 1952, at 1.

274. *See id.*

lateness of the hour did not seem to dampen their enthusiasm for another dogfight. A lively and highly partisan debate ensued, punctuated by claims from both sides of "unholy alliances," "steamrollers," and "thievery." Moments before the anticipated roll-call vote, however, the Taft managers, in the wake of their defeat in the contest over the Georgia delegates and in the sober recognition that they did not have the votes to prevail, decided to abandon their pursuit of the Texas delegation and to permit a pro-Eisenhower Texas slate divided thirty-three to five to be seated by acclamation.<sup>275</sup> Thus, when state legislator Ernest Palmer, Jr., a Taft leader of the Iowa delegation, moved that the convention adopt the Credentials Committee's minority report and give permanent status to the Jack Porter contingent, even Ross Rizley, the committee chair, urged the delegates to overturn his committee's ruling and vote in favor of Palmer's motion.<sup>276</sup> Ironically, this Taft-initiated motion put General Eisenhower ahead in the delegate count for the first time and gave tremendous impetus to the now seemingly unstoppable Eisenhower bandwagon.

Now stripped of forty-two votes as a consequence of his defeats in the Georgia, Texas, and Louisiana contests and tainted by the claims of dirty dealing associated with these tussles, Senator Taft saw his support rapidly slip away. The scent of impending defeat wafted across the floor of the International Amphitheatre, and it became increasingly apparent that victory for Eisenhower was likely to come on the initial ballot. Even as Permanent Chairman Joseph W. Martin of Massachusetts, a former Speaker of the House of Representatives, called the convention to order at precisely 11:31 that Thursday morning by banging a gavel that had been hewn from a rail split by Abraham Lincoln, Herbert Brownell was sure that he had locked up 590 votes on the first roll call and that Eisenhower could count on the defection of nineteen Stassen votes from Minnesota before the end of first-ballot voting.<sup>277</sup> Eighteen minutes later, at 11:49, convention secretary Mrs. Charles P. Howard of Massachusetts began the call of the states, commencing with Alabama, which split its votes nine to five in favor of Taft.<sup>278</sup> When she called on Louisiana, Wisdom, surrounded by a throng of exhausted but exhilarated friends, proudly announced that his state cast thirteen "hard earned votes" for Eisenhower and two for Taft.<sup>279</sup>

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275. Lawrence, *supra* note 216, at 1.

276. NATIONAL STORY, *supra* note 208, at 85; Belair, *supra* note 213, at 17; *Iowan's Bloc Surprised by His Proposal on Texas*, N.Y. TIMES, July 10, 1952, at 12.

277. W.H. Lawrence, *Revised Vote 845*, N.Y. TIMES, July 12, 1952, at 1, 7.

278. *Id.*

279. Edgar Poe, *Louisiana Vote Unanimous for Ike After Shifts by Two*, TIMES-

When the first roll call of the states was completed, Eisenhower had amassed 595 votes — nine short of the required majority of 604. Senator Taft was clinging to a loyal 500. For the moment, then, the balance of power rested with "favorite son" candidates such as Governor Earl Warren of California, with eighty votes, and Harold Stassen, former Minnesota Governor, with twenty. General MacArthur ran a bad fifth with ten votes. Governor Warren's California delegation was prepared to hold firm in the hopes of a deadlock. This left it up to Harold Stassen.

The Governor caucused his delegation and, in an emotional address,<sup>280</sup> a teary-eyed Stassen released them from their pledge to support him on the first ballot.<sup>281</sup> Convention rules provided that if a candidate did not receive ten percent of the first-ballot votes, his delegates could choose to become free agents. Therefore, according to a predetermined arrangement, when the first roll call was completed and Stassen had not reached the ten-percent threshold, but before the final ballot results were announced, Edward J. Thye, the senior Senator from Minnesota, raised his state's standard in the air in a request for recognition. Chairman Martin then dutifully called on Warren E. Burger, a St. Paul attorney destined years later to become the Chief Justice of the U.S. Supreme Court.<sup>282</sup> Many accounts of the convention indicate that Burger then announced the state's switch. In fact, however, it was Senator Thye who grabbed the microphone and declared that his delegation wished to retract its previous vote and cast all twenty-eight of its ballots for Dwight Eisenhower.<sup>283</sup> These additional votes brought Eisenhower's total count to 614, ten above the needed majority.<sup>284</sup> Harold Stassen's willingness to release his delegates had provided the final votes to push Eisenhower over the top.<sup>285</sup> But, Eisenhower and Herbert Brownell both knew that without John Wisdom's leadership, the pivotal southern states would have remained in Bob Taft's pocket, and he, rather than General Eisenhower would now be picking a running mate.

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PICAYUNE, July 12, 1952, at 4.

280. See *National Affairs*, *supra* note 153, at 18.

281. Arthur Krock, *Minnesota a Kingmaker*, N.Y. TIMES, July 12, 1952, at 8.

282. Lawrence, *supra* note 277, at 7.

283. *How Minnesota's Switch Was Revealed to Martin*, N.Y. TIMES, July 12, 1952, at 10.

284. W.H. Lawrence, *Restoring Party's Unity Deemed the First Task*, ATLANTA CONST., July 12, 1952, at 1, 3.

285. *Id.*

On Wednesday, July 9th, two days before Eisenhower won the nomination, several of his key advisors met, for the first time, to evaluate possible vice-presidential candidates. The clear favorite that emerged from this meeting was the junior Senator from California, Richard M. Nixon.<sup>286</sup> In fact, however, the courtship of Richard Nixon had begun weeks earlier. More than one month before the convention, Senator Lodge had told Nixon on the floor of the Senate that he was being considered for the second spot on an Eisenhower ticket. In an effort to draw support away from Governor Warren and in support of his own Fair Play Amendment, Lodge had sought out the thirty-nine-year-old, first-term Senator from California. The strategy worked. Nixon publicly decried the "Texas grab" and warned convention delegates that the party would lose the general election if it did not recognize the fairly elected Eisenhower-dominated delegation.<sup>287</sup> After a fervent caucus fight, Nixon succeeded in wresting control over the California delegation on this issue from its favorite son, Governor Warren, and committed its votes to the Fair Play Amendment.<sup>288</sup>

That evening, John S. Knight, editor and publisher of the *Chicago Daily News*, printed a story that Nixon would "probably" be Eisenhower's running mate. In response, Senator Lodge issued a statement indicating that the issue of a vice-presidential nominee had not been discussed at Eisenhower headquarters.<sup>289</sup> It is unclear why Lodge felt compelled to issue this "strategic denial."<sup>290</sup> Eisenhower's chief advisors knew that the General was impressed with Nixon, and they agreed that the ticket could be enhanced by Nixon's addition.<sup>291</sup> Governor Dewey had come up with a list of attributes of the perfect counterpart to Eisenhower, and Nixon filled them all. Nixon's youth would offset concerns over Eisenhower's age.<sup>292</sup> He was a Californian, and this would appease voters concerned with Eisenhower's ties to Dewey and other members of the eastern establishment.<sup>293</sup> Finally, he had a strong legislative record in Congress and had played a prominent role in the anti-Communist drive during his career in the House and Senate.<sup>294</sup>

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286. James Reston, *Ikemen Say He's in; Talk Nixon as Mate*, ATLANTA CONST., July 10, 1952, at 1 [hereinafter *Ikemen Say*].

287. AMBROSE, *supra* note 56, at 538.

288. *Id.*

289. *Ikemen Say*, *supra* note 286, at 5.

290. *Id.*

291. *See id.*

292. *See id.*

293. *See id.*



"Every time you put those criteria into the computer, out would come Nixon . . . ."<sup>295</sup>

There was, however, another name being discussed by the Eisenhower team. Nixon's senior colleague from California, Senator William F. Knowland, was campaign manager for Governor Earl Warren and had placed the governor's name in nomination for the presidency. Nevertheless, he was still considered by many to be the most likely choice to share the ticket with Eisenhower. However, Knowland had recently received the endorsement of both the Republican and Democratic parties in California in connection with his upcoming reelection campaign, and his certain re-election to the Senate undoubtedly dulled his aspiration for the vice-presidential nomination.<sup>296</sup> Then, the day before Eisenhower won the nomination, two new names surfaced — Representative Walter H. Judd of Minnesota and Colorado Governor Dan Thornton.<sup>297</sup> These two now comprised, along with Nixon, the first tier of nominees. A second array of possibilities was said to include Senator Knowland, Governors Alfred E. Driscoll of New Jersey, Edward F. Arn of Kansas, Arthur B. Langlie of Washington, and Indiana Congressman Charles A. Halleck.<sup>298</sup>

Eisenhower's nomination was officially proclaimed at 1:32 on Friday afternoon, July 11th. That evening, he and Herbert Brownell dined alone. In the course of the conversation, Brownell asked Eisenhower to provide a list of names of vice-presidential candidates that he found acceptable. Eisenhower responded with a short list of five names: Richard Nixon, William Knowland, Charles Halleck, Walter Judd, and Dan Thornton.<sup>299</sup> Brownell never showed this list to anyone because he knew that it would be unnecessary.<sup>300</sup>

The following morning, Brownell assembled a group of just over twenty key campaign leaders, including John Wisdom, Jack Porter, and Elbert Tuttle, in his outer office for the purpose of coming up with a recommendation for the second spot on the ticket.<sup>301</sup> Brownell initially chaired the

295. Interview with John Minor Wisdom, in New Orleans, La. (June 24, 1994) (transcript on file with author).

296. James A. Hagerty, *Eisenhower Camp Bars Texas "Deal,"* N. Y. TIMES, July 10, 1952, at 13.

297. John N. Popham, *New Names Crop up for Vice President,* N.Y. TIMES, July 11, 1952, at 1.

298. *Id.*

299. AMBROSE, *supra* note 56, at 542.

300. BROWNELL & BURKE, *supra* note 5, at 120.

301. The other participants were Governor Dewey and J. Russel Sprague, a key Dewey

meeting and informed those in attendance of Eisenhower's desire that they provide him with a recommendation for the second spot on the ticket.<sup>302</sup> He also indicated that anyone who wished to be a candidate for that position would have to leave.<sup>303</sup> Nobody stirred.<sup>304</sup> At that point, as Brownell recalls, he left the room and retired to his office to stay in phone contact with Eisenhower.<sup>305</sup> Senator Lodge then assumed control of the meeting, although Brownell strolled in from time to time to see how things were going.<sup>306</sup> A few names, including Senators Taft and Knowland, were mentioned but quickly rejected.<sup>307</sup> At some point, someone indicated that Senator Taft had proposed the name of Illinois Senator Everett Dirksen as a running mate who could serve as a conciliator between the two party factions. However, considering that Dirksen's nemesis — Governor Dewey — occupied a prominent place in the discussion, it is not surprising that this fell on deaf, if not hostile, ears. As Governor William Beardsley of Iowa<sup>308</sup> sniped, "After what he said I wouldn't wipe my feet on that fellow."<sup>309</sup> Once Governor Dewey proposed Richard Nixon's name, it did not take the group much time to agree that he was the obvious choice.<sup>310</sup> The entire meeting took less than an hour and culminated in the unanimous recommendation of Nixon for the vice-presidential nomination.

Brownell never shared Eisenhower's list with the group of campaign advisors because he had every reason to believe that the group was going to recommend Richard Nixon. About two months prior to the convention, in early May, Tom Dewey had told Brownell that he had been favorably impressed by a speech delivered by Nixon at a dinner of the New York State

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advisor, of New York; Senator Lodge and Congressman Christian Herter of Massachusetts; Governor John Davis Lodge of Connecticut; Governor Sherman Adams of New Hampshire; Governor Alfred Driscoll and Senator H. Alexander Smith of New Jersey; Governor Fine and Senator James Duff from Pennsylvania; Governor William Beardsley of Iowa; Governor Theodore McKeldin of Maryland; Governor Dan Thornton of Colorado; General Lucius Clay; Barak Mattingly and Roy Roberts of Missouri; Arthur Summerfield from Michigan; Senators Harry Darby and Frank Carlson of Kansas; and Governor Langlie of Washington. *Id.* at 121 n.6.

302. *Id.* at 120.

303. *Id.*

304. *Id.*

305. *Id.*

306. *See id.*

307. *See id.*

308. GREENE, *supra* note 17, at 117.

309. AMBROSE, *supra* note 56, at 542.

310. *See* BROWNELL & BURKE, *supra* note 5, at 120-21.

Republican Committee a month earlier and that, in his judgment, Nixon should share the ticket with Eisenhower.<sup>311</sup> Dewey had insisted that Brownell tell no one about it, and Brownell kept his promise.<sup>312</sup> With the full knowledge that Nixon was the choice of the Dewey unit of the Eisenhower brigade and keenly aware of Dewey's continued ability to wield influence in the hurly-burly of party maneuverings, Brownell assumed that Nixon was the likely choice of the party leaders.<sup>313</sup> In fact, he had gone so far as to predict to Eisenhower during their dinner the preceding evening that Nixon would be the name offered by the campaign leadership unless the General declared a preference for someone else.<sup>314</sup> Eisenhower made no such suggestion. When Brownell took the group's recommendation to the nominee, Eisenhower accepted it without either jubilation or reservation.

Once Eisenhower had made his choice known, it took the convention delegates less than half an hour to affirm it. Nixon's name was placed in nomination by Senator Knowland, and as no other names were proffered, Chairman Martin declared Nixon the winner by acclamation.<sup>315</sup> This was the signal for a brief demonstration in support of the nominee. Among the demonstrators was John Wisdom, who had grabbed his state's standard and joined the march down the aisles<sup>316</sup> in support of the man who years later would pass on the only realistic opportunity Wisdom ever had to be named to the Supreme Court.

Dwight Eisenhower had now received the presidential nomination, and John Wisdom had now vaulted into a powerful leadership position within the Louisiana Republican Party. For the first time in modern Louisiana history, there was real hope that the state GOP would be placed in the hands of a leader who was interested in building a political force that could and would compete, on a local and national level, with the Democratic opposition. Yet as he boarded the train for home, John Wisdom knew that his vision of a true two-party system in Louisiana was not yet a reality. Much of the most difficult work lay ahead of him. Now, his primary assignment was to elect the man whose nomination he had been so instrumental in securing.

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311. *Id.* at 120.

312. *Id.* at 120-21.

313. *Id.* at 121.

314. *Id.*

315. Lawrence, *supra* note 277, at 7.

316. *Wisdom Carries Banner for Nixon*, TIMES-PICAYUNE, July 12, 1952, at 5.

After a triumphant return to New Orleans, John Wisdom had to face the fact that his success in Chicago could not be translated into a general election victory in the absence of a unified party effort at the local and state levels. Unfortunately, it became readily apparent within a short time that the rift between his New Republicans and John E. Jackson's Old Guard had only widened as a result of their preconvention and convention skirmishes. When the State Central Committee met in Alexandria on August 17th, Wisdom was unable to wrest control away from Jackson, notwithstanding his new status as the state's national committeeman.

The position of Chairman of the State Central Committee had always been a coveted and powerful post. Now, however, with the continuation of the tug of war between Wisdom and Jackson, the stakes were even higher, and the contest had become as much a matter of ego as a battle for political power. Moreover, a rules change adopted at the Chicago convention had further raised the ante. Intended as an effort to reward states that voted Republican in gubernatorial or presidential elections, the new provision increased the maximum size of the GOP National Committee and directed that one additional seat be allocated to any state that either elected a Republican governor or was carried by the Republican presidential nominee. Most importantly, this additional seat was to be filled by the Chairman of the State Central Committee.

The spectre of John Jackson's return to membership on the party's National Committee as a consequence of a Wisdom-led Eisenhower campaign victory in 1956 was enough to make John Wisdom's head spin. Worse yet, the lure of a National Committee slot might even encourage Jackson to seek the Central Committee chairmanship for himself. Even if Jackson did not lay personal claim to that position, the re-election of his deputy, Bryant James, would preserve Jackson's control over a National Committee slot in the event of a party victory in 1956. Thus, it was more important than ever for Wisdom to replace the current chairman with his own man.

As he arrived in Alexandria for the first postconvention meeting of the Central Committee, John Wisdom was well aware that much of his prestige and his perceived ability to lead and unite the state party was tied up in the battle over the Central Committee chairmanship. Unfortunately, he was unable to replace the old guard Central Committee Chairman, softspoken banker N. Bryant James of Farmerville, with his own man, Paulin Duhe, a French-speaking sugar planter from the state's Cajun District.<sup>317</sup>

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317. Although Paulin Duhe was an active member of Wisdom's New Republican Leadership, his preeminent agenda was the promotion of the interests of the state's sugar planters.

Although Jackson succeeded in placing his man in the chair of the Central Committee, he was prepared to accede to the announced preference of the national party. Accordingly, he terminated his efforts to promote the now-defunct presidential candidacy of Robert Taft. This decision, however, did not prevent a few of his low-level supporters from continuing their fight against the victorious New Republican Leadership at the Central Committee meeting. One of the least influential members of the Jackson camp, New Orleanian Paul Marshall, moved to name Senator Taft and General MacArthur as the party's presidential and vice-presidential candidates.<sup>318</sup> Wisdom, however, had previously introduced a resolution to place Eisenhower's and Nixon's names on the Louisiana ballots, and with Jackson's assent, Chairman James ruled Marshall's motion out of order.<sup>319</sup> This cleared the way for a vote on Wisdom's motion, which then passed. Wisdom also was able to obtain the committee's endorsement of his nominees for state campaign chair and state finance chairman.

The mixed results led a frustrated John Wisdom to complain that Jackson's group was sustaining a "political rear-guard action,"<sup>320</sup> even as Bryant James was proclaiming that the session had been marked by "harmony."<sup>321</sup> Rather than reflecting any remaining cleavage between the two camps, James reassured his listeners that the split votes were "largely a matter of differences of legal opinions."<sup>322</sup> Former gubernatorial candidate Harrison Bagwell of Baton Rouge agreed with Wisdom, however, conceding that cooperation between the two factions was "impossible."<sup>323</sup>

The balkanization of the party took its toll on the conduct of the post-convention campaign. Even after the Central Committee officially endorsed Eisenhower and Nixon as the state party's Republican candidates, members of the two factions conducted distinct campaigns out of separate headquarters. Wisdom's workers operated through his Americans for Eisenhower,

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Consequently, he remained a liberal donor to both political parties and supported those Democratic and Republican candidates who were supportive of the sugar industry. When John Wisdom assumed his seat on the Fifth Circuit in 1957, he offered his first clerkship to Paulin Duhe's son, John. John declined the offer, however, preferring to join a law firm in Lafayette. Thirty-one years later, in 1988, John Duhe joined John Wisdom as a member of the U.S. Fifth Circuit Court of Appeals.

318. See Thomas Sancton, *Republican Old Guard Keeps Seat*, NEW ORLEANS ITEM, Aug. 18, 1952, at 1.

319. *Id.*

320. *Id.* at 7.

321. *Id.* at 1.

322. *Id.* at 1, 7.

323. *Id.* at 7.

while the Jackson group functioned under the aegis of Republicans for Eisenhower.<sup>324</sup> Throughout the remainder of the campaign, Wisdom and his workers had to endure constant sniping at the activities of Americans for Eisenhower from members of the Old Guard who were officially, if not wholeheartedly, supporting the same candidate.

Wisdom's continuing battle against the Jackson loyalists was not his only predicament. At the same time that he was striving to unify his party, Wisdom had to confront another particularly knotty imbroglio — one that pitted his support for Eisenhower against his commitment to the development of a two-party system. Moreover, the dilemma in which he found himself seems to have been of his own making.

Not too long after their return from the Chicago convention, Wisdom and his New Republican Leadership group determined that Eisenhower's chances of carrying the state could be enhanced if voters willing to support the General were not asked to split the ticket in order to vote for their preferred Democratic candidates for state and congressional offices.<sup>325</sup> As a general matter, there were few Republican candidates for these offices, and that was also true in 1952. Nevertheless, by the time Eisenhower received the nomination, Republican aspirants had already emerged in three of the congressional races, as well as in the state public service commission race.

This placed Wisdom in a serious bind. As committed as he was to promoting Eisenhower's candidacy, Wisdom's primary objective had always been to promote the development of a true two-party system in his state. Circumstances, however, now forced him to choose between these two goals. Compounding Wisdom's predicament, the candidate for the second congressional district, New Orleans businessman E.C. ("Tic") Upton, Jr., had agreed to run, prior to the convention, at Wisdom's urging.<sup>326</sup> To make matters worse, Upton did not make it easy for his friend when Wisdom asked him to withdraw for the good of the presidential ticket. While all but one of the other candidates acceded to the Republican Leadership Group's request to terminate their candidacies, Upton rebuffed the private efforts of some of Wisdom's colleagues and insisted that he would withdraw only if he received an official request from the party leadership stating that his removal would help Eisenhower carry the state.<sup>327</sup>

Running in the second district, with its relatively sizeable Republican registration, Upton reasonably concluded that an Eisenhower landslide could

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324. Howard & Deener, *supra* note 188, at 44.

325. *See id.*

326. *Id.*

327. *Id.*

sweep him into office as well. At the same time, his Democratic opponent, Hale Boggs, was an immensely popular and increasingly powerful national figure. Wisdom feared that Upton's presence on the ballot could result in many Eisenhower sympathizers voting for Stevenson to avoid splitting the ticket. If Wisdom could prevail upon Upton, whom he had encouraged to run in the first place, to remove his name from the ballot, Boggs would run unopposed, and these Democrats could vote for Eisenhower without splitting the ticket. Moreover, Harry Latter, the chief fundraiser and treasurer of the New Republicans, had convinced Wisdom that eschewing a challenge to Boggs would likely also avoid an anti-Eisenhower campaign by Boggs's sizeable and well-financed legion of supporters.

Wisdom expected the race to be close. Consequently, he recognized that Eisenhower needed every possible advantage. To discourage a serious, qualified Republican candidate from running for Congress, however, was anathema to Wisdom's cherished belief in the two-party system. In the end, however, Wisdom resolved this Hobson's choice by determining that the increased chance of an Eisenhower victory was worth the price. He officially requested Upton to withdraw and Tic agreed.

Unfortunately for Wisdom, his reluctant gamble did not pay off. Stevenson carried both the second district and the state in the general election. The combination of a decades-long, traditional allegiance to the Democratic Party and a deeply divided local Republican Party was too much to overcome. Even so, and despite the fact that the New Republicans did not have the resources to place poll watchers at many voting locations throughout the state,<sup>328</sup> Ike lost in Louisiana by only 38,000 votes. Thanks to the ceaseless efforts spearheaded by John Wisdom and his New Republican Leadership team, Eisenhower received 47.1% of the total state vote — the largest number of votes received, up to that time, by any Republican presidential candidate in Louisiana history. Wisdom may not have been able to deliver the state's electoral votes into the Eisenhower column, but he had generated a base of support that would provide a solid foundation for the development of a strong, cohesive political body. Finally, after more than ninety years of electoral inertia, the Republican Party could honestly report the existence of a viable organization in Louisiana.

Over the succeeding four years, under John Wisdom's leadership, the membership rolls of the state party grew, as did its political potency. He

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328. The value of having poll watchers present to guard against or to report voting irregularities was vividly highlighted to Bonnie Wisdom by one of the state's chief engineers. In response to her inquiry about the voting machines' susceptibility to tampering, the engineer replied, "Lady, with a bobby pin I can make them sing."

had no intention of resting on the laurels he had earned in the 1952 campaign and could never remain satisfied with the recognition that he had played a pivotal role in securing the nomination for General Eisenhower. After all, Eisenhower's election had never been the preeminent objective of his political efforts. As Wisdom had reminded the convention delegates in Chicago, he and the other New Republican reformers "were in this fight primarily for a two-party system, and secondarily for [their] candidate, Gen[eral] Eisenhower."<sup>329</sup> This goal, however, could not be reached solely on the back of an aggressive membership drive. The legislative deck was stacked too strongly against such an effort. The recruitment of any significant number of active party members depended upon the institution of statutory changes designed to remove the roadblock that had impeded a Republican Party resurgence for decades.

The primary target for legislative reform had to be the statute that restricted party committee participation to individuals with five years of prior, continuous party affiliation. Wisdom also believed, however, that voters would continue to be discouraged from registering as Republicans so long as each of the two major parties held separate primary elections in which voting was limited to registered party members. There was little, if any, incentive for Democrats to shift parties when the Democratic primary was tantamount to a general election in these races. By staying where they were, registered Democrats could continue to vote for the Republican presidential candidate while retaining their ability to participate in the only meaningful contest for local office holders by voting in the Democratic primary. What was needed, Wisdom proposed, was an open primary system in which all candidates for an office competed in a single election open to all registered voters, regardless of party affiliation. This change would not only encourage the development of a two-party system, Wisdom argued, but would also be more efficient, less time consuming, and less costly than the extant multiprimary scheme.

For two years, Wisdom struggled to reform a political structure that had been erected and maintained to thwart the development of a true two-party system in the state. His efforts, however, were only partially successful. In 1954, he achieved a significant, though not total, victory with respect to the five-year rule. The state legislature amended the election law to reduce the five-year period to two years for membership on the State Central Committee and to six months for service on parish committees.<sup>330</sup> Wisdom

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329. Thomas Sancton, *New La. GOP Heads Gird for New Fights*, NEW ORLEANS ITEM, July 11, 1952, at 4, 22.

330. See 1954 La. Acts 373 (amending LA. REV. STAT. ANN. § 18:290 (West 1950)).



was unable, however, to reform the dual-primary system. A bill that he drafted to replace closed primaries with open primaries was introduced into the legislative session, but it died in committee. Nevertheless, although Wisdom's efforts proved unavailing during his political career, in 1975 — nearly two decades after he had left the political arena and assumed his place on the Fifth Circuit Court of Appeals — the Louisiana Legislature passed an open primary law.<sup>331</sup>

Throughout his tenure as head of the state's Republican Party, Wisdom continued to carry the call for a two-party system throughout the South. His passionate commitment to this concept was, as it had always been, the bedrock of his political philosophy and the driving force behind his participation in political affairs. In October of 1954, for example, Wisdom was invited, along with Senator J. William Fulbright of Arkansas and political scientist Dr. Alexander Heard (a noted authority on southern politics), to participate in a panel discussion on "A Two Party South?" as part of a "Symposium on the Modern South" sponsored by the National Conference of Editorial Writers at the Grove Park Inn in Asheville, North Carolina. Faced with the opportunity to express one's deeply held views on such a significant and serious subject to this important group of opinion shapers, many speakers might have limited themselves to a series of cliché-ridden attempts at profundity. That, however, was not John Wisdom's style. He preferred the direct and carefully reasoned approach that he had developed as an attorney, leavened by his wonderfully disarming sense of humor and encyclopedic knowledge of history. John Wisdom did not shy away from sprinkling his remarks with metaphors drawn from another of his passions — sports.

The two-party system, Wisdom told his audience, was not only an essential component to a vibrant democracy, but also an inevitable response to a set of volatile social and economic forces. Although large numbers of "presidential Republicans" had not yet been transformed into "year-round Republicans," there was reason to hope and expect that the tide was beginning to turn.

It's like getting up enough courage to go swimming in cold water. I'm not very good at it myself. Personally, I'll take the west coast of Florida or a good warm shower. Anyway, if you put your toes in cold water and then your ankles, there is always a serious question whether a

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This provision was amended in 1976 to delegate authority to set qualifications for members of the central and parish committees to each political party. LA. REV. STAT. ANN. §§ 18:443 (A), 444(A) (West 1979).

331. LA. REV. STAT. ANN. § 18:401(B) (West 1979).

swim is worth it. But if you make the plunge all at once, and then become active, it turns out to be a good idea after all. There are a lot of good southerners who dipped their toes in the water in 1952. There are some who got in up to their waist and then decided to get out. I do not know of any southerners who had the courage to plunge in all the way who have regretted it.

By 1956, Wisdom had solidified his position as leader of the Louisiana Republican Party. Now known to many as the state's new "Mr. Republican," he no longer had to deal with broadsides aimed at him from within the party ranks and could concentrate on building party registration and promoting the re-election candidacy of Dwight Eisenhower. With a united party behind him and by combining its existing strength in the urban industrial parishes of the state with a renewed appeal to black voters, the Wisdom-led Republican Party carried the state for President Eisenhower by more than 40,000 votes. For the first time since 1876, Louisiana's electoral votes were delivered to the Republican candidate.

