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Edward Rubin (July 19, 1972)

C. Richard Arena

Oral History Interview

with

MR. EDWARD RUBIN

July 19, 1972
Los Angeles, California

By Dr. C. Richard Arena

For the Richard Nixon Oral History Project

ARENA: This is interview #1 with Mr. Edward Rubin, attorney at law in Los Angeles, California. Today's date is July 19, 1972, Arena interviewing. Mr. Rubin, may I begin by asking you to give a brief resume of your own background? For example, where and when were you born and could you summarize your education, schools you attended through Duke Law School?

RUBIN: I was born 1912, April 30th, in Brooklyn, New York. I attended high school at Manual Arts High School in Los Angeles, undergraduate school at the University of California at Los Angeles from 1929 through 1933, and then Duke Law School from 1933 through 1936.

ARENA: Then your graduating class was a year ahead of President Nixon's.

RUBIN: Yes.

ARENA: The class of 1936.

RUBIN: Yes.

ARENA: And would you mind giving a resume of your career to date, in the sense of where you practiced law and if you specialized in any area or anything like that?

RUBIN: I started practicing in New York City [New York] with the law firm of Proskauer, Rose, Goetz & Mendelsohn. Then in July of 1940 I returned to Los Angeles and

started practicing law with the firm of Mitchell, Silberberg & Knupp. At the outbreak of World War II, I went to Washington, D.C. with the Office of Price Administration, then was in the Army Signal Corps from about October of '42 until sometime in '46. After the war I returned to this firm, Mitchell, Silberberg & Knupp for a short while, then went into practice with a friend of mine for a brief period of time, Oliver Schwab. In the early 1950's, around 1952, I returned to Mitchell, Silberberg & Knupp. I have been a partner of this firm for over fifteen years.

ARENA: Of course, you did know the President at Duke Law School. Did you possibly meet with him during the OPA, Office of Price Administration, days too?

RUBIN: Yes, casually, because we worked in different sections.

ARENA: Fine, because I would like to ask you about that later.

RUBIN: And I knew him when we returned to Los Angeles, too.

ARENA: Had you known him before the law school period, by any chance?

RUBIN: No.

ARENA: It was just a coincidence that you met. Could I ask you how it was that you did choose to go to Duke Law School?

RUBIN: I chose to go to Duke mostly by accident. First I didn't know that I wanted to be a lawyer. Secondly, as I saw my friends depart for law school, the thought occurred to me that perhaps this is what I should do. Then I found that it was a little difficult to apply because it was late. However, I did remember a notice on the bulletin board at UCLA [University of California at Los Angeles] which said that Duke was offering scholarships. So late as it was, I went to see the librarian of the Duke Law School. He was a Los Angeles resident, about whom I had heard and who I knew was the librarian at Duke. I told him about my interest and asked him if a scholarship might still be available. He thought one might be available.

ARENA: Would you mind giving that librarian's name, and do you know whether or not he's still living?

RUBIN: I don't know whether he's still living. His name is [William] Robert Roalfe. Now Duke was sort of unheard of in this area, relatively unheard of at the time I went to the law school. After I received that scholarship

I went to a professor at UCLA who was well known in the Political Science and Constitutional Law fields, a man by the name of Charles Grove Haines, now deceased. I asked him if it would be wise to go to Duke if I wanted to practice on the West Coast after graduation. He said that Duke under Justin Miller, as Dean of the law school, was doing good work. If I found that graduating from a school that was relatively unknown here handicapped me in obtaining work, Professor Haines thought it would make a great deal more sense to go to one of the better known law schools for a year of graduate work rather than sit out a year with the thought of starting a year later at one of the better known schools. And that's how I happened to go to Duke.

ARENA: May I ask you about when it was that you did first move to California, and although taking time out to go to Duke and taking time out for the OPA and the war period, have you been here consistently since that date?

RUBIN: My parents moved out here in 1920 when I was about eight years old. Since then I have been here consistently except as you have noted.

ARENA: May I ask you what your father's occupation was?

RUBIN: Yes, he was in the wholesale cleaning and dying business.

ARENA: And was he born in New York himself or where was he born?

RUBIN: He was born in Russia.

ARENA: Did he continue that business here in California that he had had in New York?

RUBIN: No, when he came to New York as an immigrant, I don't know what he did. We then migrated to Detroit where he worked in a machine shop and with the Ford Motor Company. It was arduous work and he left mainly for health reasons to come here. When he arrived here he started driving a cleaning van. Later he and some others got associated and went into the wholesale business of cleaning and dying clothes.

ARENA: Were you yourself aware of a place called Whittier [California] as you were growing up?

RUBIN: Oh, yes.

ARENA: And what was your impression of it and what contact did you have with a small community like that?

RUBIN: I was aware of Whittier because most of my awareness was at time related to athletics. Even though I am not an athlete myself, I was very interested as a spectator, and as a youthful participant not proficient enough to participate on a team. Whittier [Collegel] was in one of the conferences of the smaller schools out here, along with Pomona [Collegel] and Occidental [Collegel] and [University of] Redlands. I just followed these schools like I followed the conferences of the larger universities.

ARENA: Were there any names connected with athletics in Whittier that stood out, especially up to this time that you were attending law school?

RUBIN: Well, I think everybody remembered Chief [Wallace J.] Newman, the football coach.

ARENA: And you were aware of him even though you were not in Whittier?

RUBIN: Yes.

ARENA: How about some names like Joe Johnson, or there was [William T.] Bill Brock who was a black athlete, and then there was one who was a great runner . . .
[Interruption] From the standpoint of visiting Whittier, may I ask you what impression, thinking back, what impression did you have of Whittier as you were growing up as a young person and maybe visiting it, maybe just to visit the games?

RUBIN: It was sort of a small town, nice town, you know. I don't think I formed any particular impressions of it other than it was a small town.

ARENA: Did it have not only in your own mind but the general run of conversation of those times, did it have a special place because of its Quaker founding and the fact that the Quakers, although they were not the majority necessarily, were a very decided influence in the personality of the city?

RUBIN: My recollection is that it was generally known as a Quaker town. To me that didn't have any particular significance, except that I have always associated Quakers and the Quaker religion in a broad, general way as being that of good people, people who aren't prejudiced, and people who place a great stress on the importance of other people.

ARENA: And just for the record, could I ask you, during any of the times you were in Whittier or had any connection with it, did you personally experience any prejudice in any way?

RUBIN: No, I have not experienced too much prejudice, personally, any way.

ARENA: May I ask you about experiencing it, say, in this area as you were growing up in California, especially this period before World War II, before 1945?

RUBIN: I didn't experience it personally, but then I don't think I was exposed to those places where I heard that it might exist, like in country clubs or in business at the executive level or even law offices. I just wasn't exposed to it.

ARENA: Could I ask you also what opportunities there were for you attending your own religious institutions, the temple? Obviously there are great temples right now and great Rabbis in this area. What about that period, again before 1945?

RUBIN: My parents weren't very strong on what I would call institutionalized religion in the sense of attendance at temple. They did have the children go to Schule, as it is called in the Jewish language. There one learned Jewish history and to read and write Jewish.

ARENA: Were these available, by the way?

RUBIN: There was one available to me, I know. I attended it for some time. We lived on the east side of Los Angeles. As I recall, the temple which I attended once in awhile with my grandmother--synagogues on the eastside--weren't much as structures. They might have been part of a converted store. Now I just don't know whether on the west side of town the temples were more grandiose in those days.

ARENA: And just to follow that through, your common experience . . . [Interruption] And just to follow that through, did you experience any prejudice at Duke Law School while you were there or, say, in the community from the standpoint of being a resident there?

RUBIN: I didn't experience any prejudice at Duke as far as being Jewish was concerned. Assuming there would otherwise be such prejudice, one reason it was unlikely to occur at Duke is that the Jewish community was quite small in Durham [North Carolina] and there were few Jewish students in the law school. It was a very closely knit student body, especially when you considered the different walks of life from which the students came. On the other hand, as far as the black population was concerned, prejudice was not too relevant. The black people sort of "knew their place" and that was it. There weren't any black students at Duke.

ARENA: Just to be sure, had you ever had any contact with any relatives of the President's family? I'm thinking, for example, on the Milhous side especially, and relatives through marriage such as the [Oscar O.] Marshburn family. There are, in the Whittier area, the Marshburn Farms, and it's a fairly well recognized. . . . I just wanted to be sure if you had any contact with any of these in any way?

RUBIN: The President and I first met when I was returning to Duke for my second year at law school. Since I was short of funds, I was scouting around to see if anybody else from California might be driving. And it turned out somehow--I don't remember how--somehow I found out that Dick Nixon was starting at Duke and that he lived in Whittier. I got in touch with him and asked him if I could have a ride to Duke with him, should he be going by car. If he weren't, I suggested that maybe we could work out some way for the trip to cost less for both of us. It turned out that his father, and I believe either his cousin or nephew, were going to drive to Duke and then his father was going to continue on to Washington. So when you asked the question did I meet any of his relatives, on the date of departure I met father [Francis Anthony Nixon], mother [Hannah Milhous Nixon], nephew and brother. And that's been about the maximum exposure, except that I have met his wife [Patricia Ryan Nixon] on one occasion when he returned to Los Angeles after the [John F.] Kennedy election. And I then met his brother at the President's inauguration. When I speak of his brother, I mean his brother Don [Francis Donald Nixon], not the younger brother [Edward Calvert Nixon].

ARENA: The younger brother was born in 1930 and it would have been quite a contrast . . .

RUBIN: I met Don quite by coincidence. He was sitting in front of me at one of the inauguration functions. I reminded him of the fact that when we took off to Duke Law School he was left minding the store back in Whittier. I remember his father giving him some last minute instructions.

ARENA: What impression do you have of the President's father, who is now deceased as you may know, from that occasion?

RUBIN: A very warm impression. He was an alert man, interested in politics. I've reminded the President in letters on occasion that when his father left us at Duke Law School and headed for Washington I said to President Nixon's father, "What do you plan to do in Washington?" He said something which I remember to this day because it was so startling coming from an ordinary citizen. He said, "Well, I hope to visit the White House and tell the President that he's really all wrong as to what he thinks about the Townsend Plan." I don't know if you

recall the Townsend Plan. In thinking about it later and in thinking about the man, I have often said to myself, a) it wouldn't surprise me if he had, and b) it's quite an interesting turn of events that years later the person in the White House is this man's son.

ARENA: Do you recall that he seemed serious in that? He wasn't just joking. He was serious about that.

RUBIN: Yes, absolutely!

ARENA: Do you recall discussing that with the President while you were in the law school later or since then, and his reaction to that was?

RUBIN: Since then, as I say, on those occasions when I happened to write to President Nixon, I think once or twice I've pointed out the incident to him. I don't know that I have had any direct comment from the President about it.

ARENA: What do you recall, if it isn't too personal, about the specific arrangements regarding the trip back to Duke? In other words, were you expected to pay part of the gas or were you given a flat amount to pay, or what was the arrangement if you recall?

RUBIN: No, as I recall . . .

ARENA: You were not charged at all by the Nixons.

RUBIN: No, I was really like a guest; nothing at all. And then during the summer the President and another student [William L.] Bill Branch, and I returned to this student's home. He had a car and we shared expenses and his home was in Arizona.

ARENA: As far as you know would he still be there in Arizona?

RUBIN: I suspect he's either in Arizona or in Denver, Colorado. I really don't know. The last I heard of him he was in Denver, Colorado. Then I lost track of him.

ARENA: You did mention being a roommate of the President's. When was this, or maybe I misunderstood you, that you were one of the bunkmates of the President.

RUBIN: No, no.

ARENA: To what extent did you keep in contact with him after he was there at law school? Did you eat regularly with him?

RUBIN: You mean past law school or during law school?

ARENA: Well, during the law school period itself.

RUBIN: We were, I would say, pretty good friends because there were only three Californians in the school at the time.

The third was John Neblett, who is now a judge in Riverside [California]. He was, I think, a third year student when the President was a first year student. I'm not sure. So we had that community of interest of being fellow Californians, along with an interest that was displayed in us by Lon Fuller, one of the few Californians who was a professor there.

I would say the President and I were pretty good friends and continued to be so when both of us returned to California. We didn't return at the same time, because I was working in New York City [New York] for about three years or so. I think he returned to Whittier after graduation. Then in 1940 when I got a chance to come with Mitchell, Silberberg & Knupp and returned to California, I once again got in touch with the President, and we resumed our friendship.

ARENA: Has there been something like a Duke Alumni Association of California where you have gotten together on a regular basis also?

RUBIN: Not on a regular basis, as far as I'm concerned. There is a Duke Alumni Association. I really don't know how active it has been in California. I remember one time I tried to raise funds for it. Other people have done this, too.

ARENA: Do you recall what you discussed with the President on that first trip and what impressions you had; for example, you have this lasting impression of Mr. Frank Nixon and his idea about the Townsend Plan. Were there any things that the President said along those lines, whatever the subject was, that stand out in your mind? Or even if they don't . . .

RUBIN: The trip West with Bill Branch ended at his home in Arizona. Then the President and I rode into Los Angeles by train. We probably stayed up all night from Arizona to LA [Los Angeles]. There were a number of incidents on the trip to Arizona which demonstrated that he was a very human sort of person. He really was concerned about people who didn't have as good a lot in life as we did. Remember, at the time we didn't have too good a lot because it was during the depression. But I recall one incident where a young lady, probably in her twenties, was hitchhiking while we were traveling across the country. Bill Branch and I were a little reluctant about picking up hitchhikers. The President insisted that the humane thing to do was to let her ride with us. So we gave her a ride.

ARENA: Were there any complications?

RUBIN: No, no. She was a perfectly fine young lady and just needed a short ride to the next town, as I recall.

ARENA: Do you recall what state or what area that was?

RUBIN: No, I don't, but it had to be the southern part. We were traveling across the country to Arizona. One of those southern or border states, Arkansas or Texas. And then when we arrived in LA that particular summer, I remember he and I were hungry as young guys are wont to be. We went into a small cafe around the railroad station, where a lot of Mexican people lived. He expressed his concern about the waiters and waitresses working so hard there--again an indication of his concern about people. Even when I met him later in Los Angeles after returning from the East where I was practicing, he would think nothing of getting in the car in Whittier and driving out to see me, way out in the southwest part of town, and my folks. If he liked somebody, he would do this sort of thing. That was his nature.

ARENA: Would he do this unannounced? In other words, just make a trip out and drop in on you?

RUBIN: Well, we would talk to each other. He might have dropped in unannounced. This I couldn't recall now. In those days the town was smaller. Young people did a lot of driving around. Another incident while I am rambling which might be of interest . . .

ARENA: The more the better.

RUBIN: . . . on the humanistic side. Pearl Harbor occurred on December 7, 1941. Duke University was scheduled to play in the Rose Bowl game that year against either [University of] Oregon or Oregon State, one of the Oregon teams. The President and I knew we were two of the few alumni of Duke in this area. We decided to get as many Rose Bowl tickets as we could from Duke. We obtained a considerable number. We thought this might be the way we would at least either help our friends or make a small fortune--help our friends with tickets I mean. And then, of course, Pearl Harbor occurred. The Rose Bowl game was transferred to Durham and here we were with all these tickets. [Laughter] This was my first entrepreneurial functions--I don't know whether it was his. But in any event, it worked out all right because Duke was very happy to take the tickets back.

ARENA: On this question of the young Richard Nixon, your recalling him when he entered law school in 1934, graduating in 1937, and the Richard Nixon of today. Without going

into politics per se, how would you compare the Nixon of then with the Nixon of today from the standpoint of, again, your inside track; you knew him then, we all know him now, so to speak, on TV [television]? But what traits, what personality mannerisms, including maybe speech mannerisms and style and even the wording of his speeches, as you recall, if you heard him make formal speeches in those days? In what sense do you find him the same or not the same?

RUBIN: I suspect he's pretty much the same way. To illustrate why I feel that way, here are two illustrations.

ARENA: Excuse me. This interview is continued on the other side.

BEGIN SIDE II TAPE I

RUBIN: Two illustrations: One occurred when he returned to Los Angeles after the [John F.] Kennedy election. I happened to see him when I was in the company of some of the partners of this firm. I mentioned to him that I would like to have our two children visit him. They were then, I guess, in high school and junior high school. And so I told him, "After all, not too many kids get to meet a real live Vice President." And he said, "Fine, I'll do that." I was out of town one day on some business. When I called into the office one of my partners, whom he had met casually, told me he had been called by the President's secretary. She had told him the President planned to have our children visit him. Later the President spoke to me about the proposed visit, and said that the only day available was a particular Sunday. The Sunday he had in mind--and I think this is really sort of typical of a very thoughtful person--was the last Sunday he was spending in Los Angeles before leaving for New York to join his law firm there. So he literally spent three-quarters of an hour to an hour with our children talking with them and showing them mementos from his trips and the like. Now to me that represents a fairly humanistic trait.

The other illustration--which I think is kind of interesting along these lines--occurred when he was running for Vice President with Dwight Eisenhower. Some sort of campaign had started that perhaps he was prejudiced on race matters. And one day I got a call from the editor of the then Daily Mirror--I don't know if it was the Daily Mirror or the Los Angeles Mirror, a paper now out of existence. The man's name was Virgil Pinkley, I believe. He told me he had been in Denver with Dwight Eisenhower and Richard Nixon. He had been discussing with Richard Nixon this rumor that had started. And Richard Nixon said, "When you get to LA talk to Eddie Rubin and talk to Mendel Silberberg and see what they think. Mr. Silberberg was the senior partner of our law firm and a very good friend of Richard Nixon. I always thought that it was

significant that the President didn't call me and say Mr. Pinkley was going to see me and discuss this rumor. He didn't prepare me. He just said, "Call and find out and see what these people say about the matter." Naturally I had to tell Mr. Pinkley that if Richard Nixon was prejudiced he was exhibiting some very peculiar ways of manifesting this, and that quite the opposite was true.

I believe that to this day he's still the same thoughtful man. For example, when he receives something like an announcement about the marriage of our daughter, the President acknowledges it by a personal note. Unfortunately, sometimes he doesn't come across that way on television. I think, just as a personal observation, there's more of that quality of warmth evidenced since he's been President than, say, when he was running against John Kennedy. As for changes, I think even when I saw him up there with the kids, you got the notion that he lives a lot more pre-occupied life now than he did in law school, you know, which is natural.

ARENA: Did you have any occasion to see him in law school while he was obviously not under this type of pressure as President, but say around the time of final exams or around the time he was studying for his Bar exams here in Los Angeles, any opportunity to see him under those pressure conditions as a young man?

RUBIN: No, no. As far as the Bar exam was concerned, we didn't take it at the same time. I first took one in New York and then three or four years later in Los Angeles. I have no recollection about the President's reactions to pressure while at Duke Law School. He was an easygoing person by and large--perhaps this was true of most students then--and I also think he was on the "liberal" side politically. I think most young people were in those days because we were all out of the depression.

ARENA: Would an example of that be the fact the heroes of those law students, including--and you would know for sure--the President, be people like [Benjamin N.] Cardozo and [Oliver W.] Holmes, who were considered liberal judges?

RUBIN: Yes, I think so.

ARENA: As a matter of fact, do you know that he did admire those men at that time?

RUBIN: My recollection is that he did. However, I do not believe we were in any class together, so I never could observe him under "classroom pressure." I know that he did quite well in law school. I know he was in a class with a lot of able people.

ARENA: Mr. Rubin, I want to thank you for giving me the benefit of your thoughts, your recollections and firsthand accounts of the President in this interview. Thank you very much.

RUBIN: You're welcome.