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Harvey, Edmund oral history interview

Andrea L'Hommedieu

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Interview with Edmund Harvey by Andrea L'Hommedieu

Summary Sheet and Transcript

Interviewee

Harvey, Edmund

Interviewer

L'Hommedieu, Andrea

Date

September 18, 2002

Place

Kennebunk, Maine

ID Number

MOH 364

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Biographical Note

Edmund Eugene "Ed" Harvey was born October 18, 1920 in New York, NY. His father, Edmund A. Harvey, was vice president of sales of the American Tobacco Company. Harvey attended the University of Notre Dame as an undergraduate, and earned his law degree from Fordham University School of Law. He served in the Navy during World War II, then began practicing law at Chadbourne & Parke, where he met Senator Muskie in later years.

Scope and Content Note

Interview includes discussions of: Muskie and golf; the Tower Commission; Senate Budget Committee; International Paper strike in Jay, Maine; and the Chadbourne & Parke law firm.

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Transcript

Andrea L'Hommedieu: This is an interview with Mr. Edmund Harvey at his home in Kennebunk, Maine, on September the 18th, the year 2002, and this is Andrea L'Hommedieu. Could you start by giving me your full name and spelling it?

Edmund Harvey: Edmund, E-D-M-U-N-D, Eugene, Harvey, H-A-R-V-E-Y.

AL: And where and when were you born?

EH: I was born October 18th, 1920, in the city of New York.

AL: And is New York where you grew up?

EH: I grew up in New York City and went to school, public school in New York City, and went to a parochial school, in high school, Fordham Prep. And after that I then went to the University of Notre Dame undergraduate, and I took my law degree at Fordham University School of Law.

AL: And where did you begin practicing law?

EH: I began practicing law after I got out of the Navy, although for a year or two before going into the practice of law, I was in a business totally unrelated to the practice of law.

AL: And what were your parents' names and their occupations?

EH: Well, my father's name was Edmund A. Harvey, and he was vice president of sales of the American Tobacco Company, and my mother was just a housewife and mother.

AL: How many brothers and sisters did you have?

EH: I just had one sister.

AL: And what was it like to grow up in New York at that time, in the 1920s and '30s?

EH: Well, we lived over by the Hudson River, and it was a nice neighborhood. And I went to, as I said, a public school. It was almost like a private school in a sense, a far cry unfortunately, or fortunately I guess, from the public schools in New York City today.

AL: Was there a lot of diversity in the community in which you lived?

EH: Not a great deal. It was mainly an Irish, German, Jewish community. As a matter of fact, Henry Kissinger, who was a good deal younger than me, lived across the street from me. But I didn't know him, I didn't know him. The only secretary of state I ever knew was Edmund S. Muskie.

AL: And growing up, well you would have been ten, going into your early teens, when the Depression hit. Do you have recollections of those years?

EH: Not really, because we were very fortunate, my family. My father had a good job with the American Tobacco Company, he had started there when he was twelve years old, and so he was able to maintain a nice standard of living for us. We didn't, we really did not suffer from the Depression like many, many people did.

AL: Did you see it, though, in the city in other people?

EH: Not really, no. But I just wasn't exposed to it in that sense.

AL: When did you first meet Ed Muskie?

EH: Well, I first met Ed Muskie when he joined our law firm [Chadbourne & Parke] after he left the office of secretary of state. So it was some, I guess it was some months after the election. I forget just exactly the date he joined our firm, but it was shortly after Carter lost the election, and of course Muskie no longer was secretary of state.

AL: Do you know how, how did he come to that law firm?

EH: My understanding was that one of my partners' wives was a friend of I believe Senator George Mitchell's sister, but I'm not sure. But it was a Mitchell connection of some sort, and that's how he happened to contact us. Now we were, there were other law firms of course that were interested in taking Ed Muskie on as a partner. There was one in Washington where he had a number of friends and close associates. And then one of the big Boston law firms, I believe it was Hale, Dorr, but I'm not sure, also sought his services.

AL: Did you work with Ed Muskie closely at the law firm?

EH: Oh yes, yes, because I was the managing partner of our Washington office. And I first started in our New York office, and then subsequently went down to our Washington office to head it up. It was a small office when Senator Muskie joined us. I would say we only had maybe six to eight lawyers in the Washington office. Today it has forty or fifty. And your question, did I work with him on matters, oh yes, I've worked with him on a number of matters.

AL: What types of law were you working on?

EH: With Ed Muskie? Well, we worked on some litigation cases, we worked on some environmental matters, we worked on a number of international law matters. And Ed Muskie, when he came to our firm, indicated he did not want to be a lobbyist and a glad hander, going up to the Hill and patting his former colleagues on the back to get some kind of favorable consideration on matters. And we did not press him on any of those things, we understood what he wanted to do, he wanted to practice law. Surely there were times when we would seek his advice on something that was going on up on the Hill, but Ed Muskie was basically not a lobbyist for our law firm, like many, many lawyers who leave government and go to a Washington law firm become.

So, but we worked on a number of matters. We worked on litigation involving a bank up in Boston. I forget the name of the bank, but I remember coming up to Boston from Washington with Senator Muskie and we were taking depositions, and he asked some questions, and after the questioning somebody said to me, "Gosh, he asked a lot of good questions." I said, "Well, he's been doing it for a long time." He was a lawyer himself and of course he did a lot of questioning when he was on the committees in the Senate. And he, Ed Muskie had good judgment on matters. I mean, he got right to the heart of a thing. And then he was involved as one member of an arbitration panel involving the Libyan government and its attempt to gain some kind of monies from one of the oil companies that had been in Libya, and I will always remember that Ed was not going to be pushed by the other two members. They wanted to give Libya more than Ed Muskie was ready to give them on the basis of the merits, and he just refused to go along with them on a vote and he was going to write a dissent. And he said, will you help me write this dissent, and I said, sure, be happy to, and we talked about that. In the meantime, the other two members of the arbitration panel really wanted a unanimous decision, they didn't want a dissent on this thing, so by being stubborn, Ed Muskie was able to not get his complete way, but to come up with a reasonably good compromise, and that was one instance of how he was able to, you know, he stood by the merits of a matter and wasn't going to be rushed into something.

AL: Did you know Ed Muskie when he was in the Senate?

EH: No, no, I did not know Muskie at all in the Senate. I didn't know him, and I really didn't know many people on the Hill anyway, so it wouldn't have been unusual that I didn't know him.

AL: And what year was it that you made a Maine connection?

EH: Well, I came to Maine about eleven years ago, I guess, when I remarried. My first wife had passed away. Ed Muskie knew my first wife. And then I met my present wife, Carol, and she owns a store up here, and so that's how I happened to come to Maine. And it was, just, coincidental that Ed Muskie lived a mile away from us. And of course he loved to play golf. And I played golf with him many times at his golf club over here at Webb Gannett. And he enjoyed golf. And, really, I always feel that he never should have undergone that surgery that he underwent that caused his death. But he was adamant about it because he wanted to play golf and he wanted to walk, and he couldn't walk. And so it was just unfortunate.

Other matters that Ed Muskie and I worked on, we got him involved in trying to help us with the Montreal Protocol. That was, we represented TransWorld Airlines at the time, and the Montreal

Protocol was an attempt to get a treaty, which would limit the liability of airlines in international travel. And Ed Muskie assisted us in that endeavor. And then of course he obviously did a lot of environmental work, because that was something that he was very much interested in and very good at. What else can I tell you about other matters that Ed Muskie and I were involved in?

AL: Were there like public policy issues that Ed Muskie was involved in at the time?

EH: At the firm?

AL: Yeah.

EH: To an extent. But we had, he had a problem and we had a problem, because our firm represented the American Paper Institute, and we represented a number of their members, which were the paper companies like International Paper and people like that. And so we had to avoid, and he had to avoid any conflicts, so he had, I remember when Muskie first came with us and he wanted to get on the National Resource Defense Council which, you know, is an environmental group, and I said to him, "Ed, you can't do that, I says, you know, we represent the International Paper Company, we represent all these companies," and I said, "It will be a conflict." And I remember him pounding the desk and saying, "Did I come to join this firm so I couldn't talk out on matters?" And I said, "Well, you came to join this firm and you can't talk out on matters that are going to conflict with the interests of our clients." And he took it graciously, you know.

And another matter, now that I think of it, was when the strike was going on at the International Paper Company at Jay, and he was very concerned about that because, as you probably know, that was a very bitter strike, I mean brother against brother and so on. And this thing kept going on and festering, and I can understand his sympathy towards those people because it was from an area that he grew up in. And so he spoke out on the matter, and the newspapers got a hold of it, and the people up at International Paper got all excited. So the International Paper people came down to see Ed Muskie, and I was in on the meeting, because they were upset that he, they thought he was favoring the strikers rather than being neutral. And he did a masterful job of talking to them and indicating to them that he wasn't, it was a human element, that he felt sorry for the strikers, and he felt sorry for everybody concerned. Those were kinds of things that, he was limited on public policy questions on the environment because of the nature of the clients we had.

He also was involved, well, I got involved with, a little bit with him, he was involved with the Nestle Company. In those days there was a big campaign on about infant formula and powdered milk, and that kind of thing. And he was named by Nestle to head up a commission that Nestle had organized, and he spent a great deal of time working on that matter over the years. Ed Muskie also got involved somewhat in some legal dealings we had with different Indian tribes, but that was not a great, that wasn't a great deal of time spent on it. I'm trying to think of other things he may have been involved in. I jotted down some things to see if I can remember

AL: I have a question.

EH: Yes.

AL: On the policy, public policy issues that he did speak out about, even on a limited basis, what was your perspective on his thinking? Did you agree with him on his issues, or did you sometimes disagree? Not maybe in confronting him with it, but just personally how you felt, did you -?

EH: No, I didn't disagree with him on every aspect of his views on environmental laws. I think even though our firm represented clients who had environmental problems with the EPA, and we had some lawyers who specialized in that work, I realized, as I think most of the people in our firm did, that there had to be some kind of environmental regulation. And the idea was to try, my idea was to try to run up, to get a middle ground where you wouldn't interfere in the progress of business, but on the other hand you wouldn't be allowing them to pollute waters and do a lot of things that they were doing in the past. And Ed Muskie, on a number of occasions, would talk with clients of ours who were, had environmental problems, or who were interested in the environment. And several of my partners who were environmental lawyers, I was not an environmental lawyer, I was a trial lawyer, but they would ask Ed Muskie to address certain meetings, which he did and it was open discussion. So, no, I didn't disagree with him completely on, well I didn't agree with him on everything either.

AL: Right, right. I understand when Ed Muskie was with the firm he did quite a bit of international business?

EH: Well he did, yeah, we did, I gave you a couple of instances. The Libyan panel that he was on, the Nestle matter, which was an international matter. And we had offices in, abroad, we had offices like in Moscow. And my best recollection is that Ed Muskie on occasion went over to the Moscow office to work with the people in the Moscow office on certain matters. And we had an office in the Middle East, in the Arab Emirates, and my recollection also is that Ed Muskie went over there to work with our local people on matters over there. So there were a number of international matters that he was involved in.

AL: I had had in my notes that he had made trips to Russia, the Middle East, and Southeast Asia possibly, too?

EH: I believe he did go to Southeast Asia, and I'm trying to remember what it was in connection with but my recollection's falling on that. But I think he did go over to Thailand. And we had, we had clients located in some of those places, and it was probably in connection with a matter that may have been raised by these clients that he went over there to. But I do remember Russia and the Middle East, that he was involved in.

AL: Did you, do you recall Ed Muskie, after he had come back from those trips, having observations that he had made about those trips?

EH: Not really. I mean, of course Moscow, he'd tell you how bad the hotels and food was. But no, I don't have any particular recollection of any particular matters that he might have brought up when he returned from those places. When you're talking about public policy matters, of course he also was on the Tower Commission when he was with our law firm, and he

was the, he was one of the co-authors of the report there. And as a matter of fact, I still have a copy of that report that he had autographed for me. And politics, you want to talk about politics?

AL: Sure, yes, go right ahead.

EH: Okay, I was the Republican in the office, and he was the Democrat in the office. And Ed Muskie had a temper, as you well know, and, but so did this Irishman. And, oh, we used to argue, but never to the point where we were mad at each other. But I know my present wife would say, "Gosh, I don't think I'm going to go to dinner with you and the Muskies. I mean, you and Ed Muskie argue so about politics." But it was all in good fun, and as Jane Muskie said, "Why, that's the most interesting part of the evening, when they both go at it."

And two matters I can remember: Walter Mondale was running, runner at the Democratic nomination for president, and he came over to visit Muskie for soliciting Muskie's endorsement, and Ed Muskie, I guess, wasn't quite ready to do that. But I remember Ed Muskie brought Mondale down to my office, which was at the other end of the office, and introduced me as the Republican partner of the firm, and I remember Mondale said, "Why not, that's not so, I don't mind that, my father happened to be a Republican." And then he said to me, he said, "Tell Abe Lincoln here," pointing to Muskie, "to get off it and endorse me."

And one other political thing I remember was when [William] Loeb died, of the *Manchester Union*, and the senator was receiving a lot of calls, you know, from the press. I said to him, "What are you saying to them?" And he said, "I don't know," he said, "what's the matter with those people? What do they want me to say? Do they want me to say I'm glad the son-of-a-bitch is dead?" You know, I said, "No comment."

Yes, to repeat that, Mondale, who was running for the Democratic nomination for president came over and visited Senator Muskie, seeking his endorsement. And Senator Muskie had, at the time, remained neutral, he hadn't endorsed any of the Democratic contenders. And when Mondale came, Ed Muskie brought him down to my office and introduced me to him and said, "This is our Republican partner here," and Mondale said, "Well that's all right, my father was a Republican." And then he pointed to Ed Muskie and he says, "Tell your friend here Abe Lincoln to get off it and endorse me." And that was sort of the end of our conversation.

And Muskie did not endorse him as a result of that meeting. And I'm not even sure whether he endorsed him, well he endorsed him ultimately, but I don't know that he got involved. He didn't want to get involved really in the matter, because he had other friends, you know, besides Mondale. And then there was the one about Loeb, I told you about that.

AL: Yes, and you started to tell about -

EH: Well, yes, that was a situation where Loeb died, of course. Ed Muskie had gotten a number of calls from the press because of Loeb's attack on Muskie in, I guess it was '74 or whatever it was, I forget just when it was. But I asked Muskie about all these calls and he said that, well, I said, "What did you say to them," and he said, "I didn't say anything, I couldn't, I wasn't going to say the son-of-a-bitch was dead, I just was noncommittal on it." And Ed Muskie

sometimes felt the press was overly intrusive, and boy, was he right on that.

AL: Was he?

EH: Sure, look at today, how bad they are. If he were here today, he'd really have something to say. It was strange that Muskie and I both had the same first name, and spelled it the same way, E-D-M-U-N-D. And as I said, I went to Notre Dame, and Ed Muskie was the recipient of the Leataré Medal at Notre Dame, which is the highest medal given to a prominent Catholic layman each year. And he was very friendly with Father [Theodore M.] Hesburgh, who was the president of Notre Dame, and who was on the Civil Rights Commission. And I know a couple of times I was at functions, Notre Dame functions, and would talk with Hesburgh about Muskie, and of course he held Muskie in great regard and high esteem. What else can I tell you? Do you have any other questions?

AL: When you look at Ed Muskie's life and career, what do you think are the things that he did that are really important to preserve or build on? In terms of his legacy?

EH: Well, in terms of his public legacy as a senator and a politician, he was a man of great integrity. And boy, is that in need today. Because he would have made a great president, I think. And I probably would have voted for him even though I was a Republican. But he also had good, sound, judgment. And his legacy in terms of political matters and policy, of course, his environmental views, and his being really the father of a number of our environmental laws that are still on the books today, I guess would be his greatest legacy. Also on budget matters, he had been chairman of the Senate Budget Committee, and he was pretty much a man that wanted to keep things under control, financial matters I mean. He was not a wild spender, Ed Muskie, and I used to kid him and I said, "I don't how you ever got elected in Maine; Maine was always a Republican state." He said, "Well listen, I'm not that wild a liberal," he said, "Because you couldn't get elected from Maine if you were a real liberal." But Muskie's, I think his greatest legacy is integrity, and good sound judgment on policy matters. And what else can I tell you about a very, very good man?

AL: How was his golf game?

EH: Terrible, just like mine.

AL: Did he enjoy being out on the course, or would he get angry with himself?

EH: Oh, he'd get angry with himself.

AL: But he enjoyed it.

EH: He enjoyed it, he enjoyed golf. We used to laugh, and I was a terrible golfer. But we had a lot of fun going on the golf course and it was good camaraderie. And of course his younger son was a very good golfer, Ned [Muskie].

AL: Did you ever experience Senator Muskie's sense of humor?

EH: Oh yes, yeah, yeah. No, he had a good sense of humor, really. It was a wry sense of humor I thought, but no, he could laugh, and he could laugh at himself. And we really developed a good friendship, he and I. I mean, not only because we were partners in the same law firm, but to a large extent through coming up here and playing golf with him. And I always remember him, my first wife's funeral, he was going up to communion, and I was kneeling in front. And all of a sudden I felt this strong hand on my shoulder offering me consolation. Those are the things I remember; great guy, good friend.

AL: Did you ever get a sense of his devotion to the Catholic faith? I don't know if that's the right way to ask it.

EH: No. Oh, no, he was, listen, coming out of a Polish family background, he was a staunch Catholic. And I know he, as I said, was named the Catholic statesman, the Catholic layman of the year, the Laetaré Medal, which is only given to a Catholic who's active in Catholic faith matters. And the Laetaré Medal, there's a thing called Laetaré Sunday, Laetaré meaning, I think, to rejoice, in the Latin. And Laetaré Sunday is when Notre Dame names the Laetaré Medal winner, and Ed Muskie was that. So that, I would say, was a good testament to his standing in the Catholic faith. And I believe Jane is a convert to the Catholic faith. And of course I, we would see them at church up here, either at the monastery or at St. Martha's, but they both went. And here is a Notre Dame catalogue of athletic things, still coming to the Honorable Edmund S. Muskie, at Chadbourne [law firm]. And they send it to me at the office because they know I'm a Notre Damer, and I was close to Ed Muskie. But they're still sending the magazines to him and all these things.

AL: Oh gosh.

EH: Pardon?

AL: I said, 'oh gosh'. I think that's all the questions I had. Is there anything I haven't asked you that's important?

EH: No, I think we've covered most of the things that I had jotted down.

AL: Did he ever talk to you about growing up in Rumford and his family?

EH: Yes, he was a great admirer of his dad, and he spoke of his father quite often. And coming out of a background, his father was a tailor, and coming out of a background of an immigrant family in a small town, it, he always kept his ties to those kind of Maine relationships. As a matter of fact, now that I think of it, he had bought his law practice from a gentleman up here in Maine, and the daughter of this gentleman sought some legal advice from Ed Muskie and our firm in connection with, I don't know, I think it was a domestic problem, maybe it was divorce, or I forget just what it was. But it was a kind of a nuisance thing for Muskie and the firm, but he gave her a lot of assistance, and we never charged her for it. And it always said to me that he hadn't forgotten his home ties, because he wanted to help this woman as much as he could. And she was a bit of an annoyance to him from time to time. But that was an example

that I call to mind of his relationship to Maine and people in Maine.

AL: Anything else?

EH: No, I think that's about it.

AL: Well, thank you very much for your time.

EH: Well, I don't know whether I've added much, but . . .

End of Interview