

# Presidential Commission: The men

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By Jack A. Smith

**C**HIEF JUSTICE Earl Warren's statement about withholding certain evidence gathered by the President's Commission on the Assassination of Presi-

dent Kennedy may have been an unintended disclosure. But his remark, which he himself excused as "facetious," may have revealed more about the approach of the seven-member panel than many of the official pronouncements issued by the commission since it was created by President Johnson Nov. 29.

Warren's statement did two things: (1) It strengthened the belief that matters of "national security" are indeed involved in the investigation of Kennedy's death, centering on the person of Lee H. Oswald; (2) It created further doubts that the story of the events in Dallas on the week end of Nov. 22 ever will be fully revealed.

President Johnson instructed the commission to "satisfy itself that the truth is known... and report its findings" to the world. His ability to induce Warren to head the panel was a strategic move that overshadowed the nature of his other six choices—five conservatives and one liberal Republican.

**CONFIDENCE:** Moderate and liberal circles, usually wary of such a right-wing disproportion, immediately expressed confidence in the commission based on the Warren leadership and the selection of outstanding staff members (many of them with liberal reputations) to assist the conservative group. The Nation said Jan. 27:

"The confidence which we previously expressed in the Warren Commission has been strengthened by the announcement that J. Lee Rankin has been selected as counsel and that Norman Redlich, of the New York University Law School,



King in the New York Daily News Weirid starting position

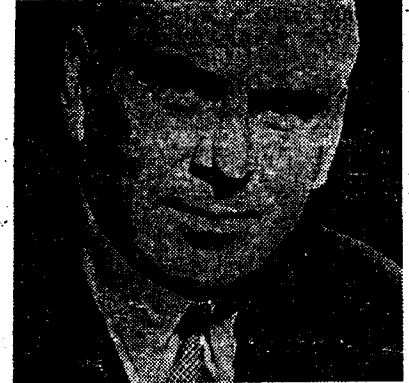
will serve as Mr. Rankin's personal assistant."

The same issue contained a recapitulation of reports that have appeared in several publications, including the GUARDIAN, concerning Oswald's possible connection with the FBI or Central Intelligence Agency. The article said, "The commission 'must tell us if the FBI or any other government intelligence agency was in any way connected with the alleged assassin.'"

**QUESTION OF GUILT:** Is the commission prepared to make public such information? In view of Warren's statement, it would appear that the panel would consider this against the national interest. It also seemed to feel that its job was not to find the assassin.

"The commission is not engaged in determining the guilt of anybody," said Rankin in rejecting a plea by Mrs. Marcuete Oswald that lawyer Mark Lane be allowed to defend her late son during panel hearings. But there is little doubt

## and the job



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that when the commission issues a final report—as is expected, in basic agreement with FBI allegations — Oswald's guilt will have been stated.

After nearly three months, it appears that the commission's primary function is the formidable task of dispelling world-wide uneasiness about the circumstances surrounding the violent death of America's 35th President, rather than a disinterested exploration and exposure of the myriad circumstances that abound in the "crime of the century."

Earl Warren is but one of seven men —one of eight, actually, if President Johnson is included. These are the other six members of the Presidential panel:

• Sen. Richard Russell (D-Ga.), an arch-segregationist. Considered the most powerful man in Congress, he has the distinction of being personally responsible for delaying more civil rights legislation than any other senator. He is a close friend of Johnson. Soon after the Cuban missile crisis of 1962, Russell told a television audience:

"If we ever can completely assure peace in this hemisphere, we are going to have to get rid of Castro. I would be in favor of doing it now . . ."

Oswald is said to have been pro-Castro (though he attempted to contact an anti-Castro group in New Orleans and lied

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about his connection with Fair Play for Cuba). Would Russell be anxious to dispel the charge that the person accused of killing Kennedy had pro-Cuban sympathies?

Soon after Kennedy's impressive civil rights speech last June, Russell said:

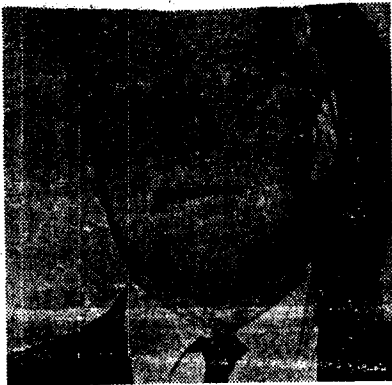
"I hope that the American people will not be swept further down the road to socialism by the present unprecedented wave of propaganda [for civil rights]. To me, the President's legislative proposals are clearly destructive of the American system and the constitutional rights of American citizens."

Oswald is said to have been a socialist and an integrationist. Would it serve Russell's interests to doubt this?

• Allen Dulles, former director of the CIA, known as the "Master Spy." "Those who feel we can buy peace by compromise with Khrushchev are sadly deluded. Each concession we give him merely strengthens his position and prestige and the ability of the Soviet regime to dominate the Russian people." Dulles, brother of the late Secretary of State, has said nothing in the last five years that would alter this statement made in April 8, 1959.

Rabid foe of the "international Communist conspiracy," he has been described as "resolute, ruthless, ambitious and clever" by Bob Edwards, M.P., and Kenneth Dunne, English authors of *A Study of a Master Spy*.

Dulles is in a particularly sensitive position on the panel. One year after Oswald returned from the Soviet Union (he defected for two-and-a-half years, during the latter portion of which he said



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the Russians were holding him "captive" against his will) he applied for a passport to revisit the Soviet Union. He received his papers one day later. The swift State Department action, considering Oswald's past, and other evidence indicating that the former Marine's renewed interest in the Soviet Union was far less than sympathetic, have led many persons to conclude that he was prepar-

ing to return to the U.S.S.R. as a U.S. agent. If this were so, would Dulles not feel it his duty to suppress such information in the "national interest"? Even if one of his own colleagues desired to investigate this possibility, Dulles probably could succeed in quashing the move.

• Rep. Gerald R. Ford (R-Mich.), a major Republican voice in the House and friend of the FBI. Shortly after his nomination to the panel he said: "Congress should thoroughly investigate the Oswald types, the Communists, the Marxists, leftists and the pro-Castro elements in our country." Of all the members of the commission, Ford would appear least interested in establishing that Oswald may not have been a leftist. His statement also indicates a conviction that Oswald is guilty, a prejudgment other members managed to contain, at least publicly. Ford, "a certain FBI defender," according to columnist Doris Fleeson, will undoubtedly see to it that the FBI is criticized as little as possible in the commission report.

Several newspapers—and even Dallas police officials—have said that Oswald may have been approached by the FBI to work as a counter-agent. The agency has denied the charge, though it has left unanswered questions seeming to contradict its denial.

• John J. McCloy, banker and presidential adviser, described by the *New York Post* (Oct. 24, 1962) as the "embodiment of the American Establishment, the people who are at the center of the U.S. power structure." He is the former chairman of the board of the Chase Manhattan Bank and director of more gilt-edge companies than most capitalists are able to invest in, including Allied Chemical, Westinghouse Electric, American Telephone & Telegraph, Metropolitan Life and United Fruit. As U.S. High Commissioner in West Germany, he was strongly criticized for being soft on former Nazis. As President Kennedy's disarmament adviser, he was known to favor a strong nuclear deterrent while negotiating for arms reduction.

"McCloy feels his first task [as disarmament chief] is to find ways to make the balance of terror more stable," wrote *Business Week* (March 18, 1961). "Insofar as they can control the situation," McCloy has said, "the Soviet leaders wish to avoid general nuclear war, if only for selfish reasons." In order to reduce tension between the U.S. and U.S.S.R., he has written, the U.S. must



SEN. RICHARD RUSSELL

build stronger alliances with NATO powers, politically, economically and militarily. He is considered a power in the Republican party.

• Rep. Thomas Hale Boggs (D-La.), the Democratic whip in the House and a segregationist. In 1954, the Louisiana Democrat signed an affidavit stating that he "was not and never had been a Communist." He was not asked to do this. Boggs said at the time that though he and others were aware that his patriotism was above question, he decided to sign the affidavit in case an opponent in a future election might attempt to smear him.

Boggs has consistently opposed civil rights legislation. In 1956 he was one of 83 representatives who signed the Southern Manifesto pledging "unqualified opposition to this iniquitous [civil rights] legislation." He is a leading advocate of a proposed constitutional amendment that would affirm that control of schools is a state rather than federal responsibility.

• Sen. John Sherman Cooper (R-Ky.), who, with Warren, appears to be Johnson's concession to the liberals. Though once described as the archetype of the Eisenhower Republican during the early days of the former President's administration, Cooper soon gravitated toward support of progressive legislation far in excess of his party's leadership.

Warren, of course has shown himself to be a strong liberal during his decade on the Supreme Court. His decisions favoring civil rights for Negroes have earned him the enmity of segregationist groups. Immediately after Kennedy's assassination Warren noted that "such acts are commonly stimulated by forces of hatred and malevolence, such as today are eating their ways into the blood stream of American life."

In attempting to define Warren's position on the panel, however, it must be remembered that Johnson was able to overcome the Chief Justice's reluctance to head the commission only when, as a final maneuver, he appealed to Warren's sense of patriotism. It is in this

setting that Warren is in charge of the Presidential panel, not as the Chief Justice of the United States. In this sense it is easier to comprehend his remark about national security. Warren's court decisions lean toward individual rights in cases where these are balanced against national security. At the commission, he is wearing a different robe.

Immediate questions are whether these men are willing to question the motives and the competence of the FBI and the CIA in determining the guilt of Lee Oswald; whether they are willing to explore the political and psychological nuances that motivated the killer and his killers; whether they are willing, if serious evidence is uncovered, to follow through with a meaningful, independent investigation, making no grotesque interest in an effort to present the truth.