

Sent 7/28/67 to Ray Majors Arnone HW

Earl Warren: A Political Biography, by Leo Katcher, McGraw-Hill, 1967  
Excerpts from Chapter 49 (on the Warren Commission)

(Meagher 7/28/67)

"Warren did not want to head the Presidential Commission that the new President named to 'get the facts and all the facts'... The condition which Warren insisted upon was that his duties at the Court come first. On the docket were cases involving both congressional and state redistricting, the rights of defendants in state courts, and the thorny question of libel in relation to public officials. On some of these questions, Warren's absence from the Court would have meant a four-to-four stalemate. This he wanted to prevent.

"Because his time was both limited and divided, Warren's primary function on the Commission was administration. He drew up a blueprint, but the actual investigation would be in the hands of the staff. But every problem, both of administration and execution, still came to him and this meant adding hours to an already long workday, giving up his normal weekend freedom, and denying himself his summer vacation...

"Warren regarded the commission as an investigative body. If it had a judicial analogy, that would be a grand jury. And, as grand juries acted for counties, the commission would be acting for the nation. He explained this to the staff at the first meeting and he also made the point that the investigation would touch many questions of national security—the staff would need security clearances—and therefore he expected none of the staff to discuss his work with outsiders...

"Warren asked for, and received, from the full commission a complete clearance for all members of the staff, thus refusing to make a special issue of Redlich and Ball. His only comment to Redlich was, 'You can't let those fellows push you around.'

"Liebeler was one of the few staff members whose relationship was not wholly happy." (Here follows a description of how Warren sent Liebeler a message, through Rankin, to shave off his beard, lest people think the Commission was hiring beatniks; Liebeler's refusal; Warren's second thoughts, recognizing that he had a right to his beard, but saying the Chief Justice would appreciate it if Liebeler got rid of it; and his clean-shaven face at the next meeting.)

"Most members of the staff found Warren, as Norman Redlich ~~man~~ did, 'tough but fair.' At first (Redlich said) this toughness comes as a surprise... we all recognized that the Chief Justice was running a tight ship and that he wasn't an easy man to argue with... (Redlich) added: ...He read every line of testimony, every memo...

"Still the staff was not a completely happy group and one of the main differences arose over the testimony of Marina Oswald..." (Here follows the material found in Inquest on the attitude of Ball, Liebeler, Soliman and Redlich.)... "Warren... told Rankin, '...It's my judgment that there's no need to examine her any further.'... (Here follows a description of Warren's compassion for Ruby and for another witness, unnamed but probably Ekins, "the boy broke down and began to sob," whose testimony "turned out to be valueless, if not misleading." Next, mention of pressure for speed from MacGeorge Bundy for the White House; Warren's insistence on unanimity, and his tussle with Russell; and the accolades for the NR when it was released. Then a summary of the doubt and misgivings that arose when Inquest and Rush to Judgment appeared.)

"In hindsight, it is obvious it would have served Warren better, if not the nation, had he refused President Johnson's request. His error was that he accepted a call to duty... could any group, headed by any individual, have done a satisfactory job? ... and been accepted by Bertrand Russell, William J. Buckley, Mark Lane, and the Birch Society... these people... wanted the commission to bring forth a metaphysical answer to a mundane problem...