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EARL WARREN'S AUTOBIOGRAPHY

The newly-published autobiography of the late Chief Justice Earl Warren reveals what has long been suspected. President Eisenhower was very disappointed in two of his appointees to the Supreme Court: Earl Warren and William Brennan.

The book quotes Eisenhower as criticizing the "Communist cases" decided by the Warren Court. When Warren asked Eisenhower "what Communist cases?", Eisenhower replied, "allof them."

The way Earl Warren { ported the conversation in his self-serving autobiography, he was the wise and scholarly jurist explaining the cases to a "petulant" and uninformed Eisenhower who didn't understand legal principles.

The truth is that Warren's legal peers, who understood the "Communist cases" at least as well as Warren, were just as critical of the decisions as Eisenhower was.

When those "Communist cases" were decided, the Warren Court stood alone against practically the entire judicial branch of our government, plus the relevant committee of the American Bar Association. In nearly all the Communist cases, the Warren Court decision was a reversal of lower Federal courts or of a state supreme Court.

In 1957 the American Bar Association met in London. The ABA Committee on Communist Tactics, Strategy and Objectives, then chaired by Senator Herbert R. O'Conor, filed a report severely criticizing 15 Communist decisions in which the Warren Court had ruled in favor of Communists. The •conor Report was such a slap in the face to Warren, who was present at the London Convention, that he petulantly resigned from the American Bar Association.

Distressed at this resignation of their highest-ranking member, ABA officials

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called on Earl Warren and persuaded him to withdraw his resignation and attend the 1958 Convention in Los Angeles. There he suffered the second embarrassment of the 1958 Report of the ABA Committee on Communist Tactics, Strategy and Objectives, which criticized 20 cases in which the Warren Court had ruled in favor of Communists.

These cases opened the doors to Communists to work for the Federal Government, to teach in schools and universities, to refuse to answer questions asked by Federal and state committees on internal security and the Subversive Activities Control Board, and to get U.S. passports. The ABA Committee report recommended remedial legislation to overturn the wrong decisions of the Warren Court in those "Communist cases."

Warren was so angry about that report, as well as about the stinging criticism at that same Los Angeles Convention contained in a report of the State Chief Justices, that he then resigned permanently from the American Bar Association.

Unfortunately, the Warren Court continued handing down decisions in favor of Colllllunists. The 1959 REport of the ABA Committee on Communist Tactics, Strategy and Objectives criticized 24 pro-Communist decisions of the Warren Court.

Many people have wondered why Earl Warren led the U.S. Supreme Court into that long series of decisions in favor of Communists. Perhaps it was because the lawyers for the Communists cleverly argued the civil liberties theme, and Warren was sensitive about his own poor civil liberties record.

As California Attorney General, Warren participated in the biggest violation of civil liberties in American history: the World War II confinement of thousands of American citizens of Japanese descent who had never committeed any crime and were never tried or even indicted. Deprived of the right to earn a living, they lost their homes, farms, and businesses.

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