

ACLU GENERAL COUNSEL proposes committee to determine who is a Communist, and proposes a J.P. Morgan partner to run it.

Recently released FBI files reveal that ACLU General Counsel Morris Ernst proposed a government commission to determine who was a Communist in the wake of McCarthy Committee hearings in the early 50's. Ernst proposes, as FBI files indicate, that "his old friend, the J.P. Morgan partner, Lefingwell should run it." Even FBI officials seem shocked by this idea, and Louis Nichols, Deputy Director of the FBI reminded Ernst that individuals would be tried in camera.

In what appears to be a stunning role reversal, the FBI memo of Dec 7<sup>th</sup>, 1953, cautions the ACLU General Counsel that it would be a grievous violation of civil liberties if such a commission was entertained. The FBI memo gives no rationale on why Ernst thought the J.P. Morgan partner was so well qualified, other than they were old friends.

FBI Director Nichols counseled Ernst, " I told Morris the royal commission concept in time of peace was nothing short of being shocking when one considered the ramifications and that is was difficult for me to conceive that he or anyone else would take the untenable position of in fact abrogating our constitutional safeguard." Again, we see a repeating theme of a government official doing his best to consider the civil liberties of its citizens and the highest legal official at the ACLU proposing outlandish schemes which would be controlled by the senior partner at J.P. Morgan.

The recent release of *Spies, the Rise and Fall of the KGB in America* by Haynes, Klehr, and Vassiliev by Yale University Press, a scholarly treatise, identifies ACLU board member Corliss Lamont, not only as a member of the American Communist Party, but an actual Soviet spy. Lamont was on the ACLU National Board for decades, and his father was Thomas Lamont, the J.P. Morgan senior partner. Ernst proposed the royal commission approach to ease McCarthy off the stage. Was there a fear on Ernst's part that McCarthy was getting too close to the truth? The book further indicates that most of the people identified as Communists were more than that; they were actual soviet spies. While McCarthy provided poor theater, his researcher as counsel to the Democrats was Bobby Kennedy. Kennedy provided first rate research; it simply appears his boss could not deliver the goods. Not a television personality, the freshman senator from Wisconsin was a circuit riding judge before becoming senator, and not ready for prime time. He suffered from 5:00 o'clock shadow at 10:00 AM. It is doubtful he ever learned that even the House of Morgan was conspiring against him, and that the son of the senior partner was a Soviet spy. Lamont was well protected.

The Republican Counsel, Roy Cohn, of *Angels in America* fame, also provided first rate investigative staff work. Like Kennedy's Democratic work, Cohn was on the mark virtually every time. Yet McCarthy could not deliver a verdict for the public despite having both major parties united in their work. Perhaps it is time to rewrite *Angels in America* with the ghost of Ethel Rosenberg haunting ACLU General Counsel Morris Ernst. It would be ACLU Attorney O. John Rogge who would fail to provide the Rosenbergs a robust defense. They would remain the only spies for the Soviets executed. Perhaps that is what Stalin wanted. The Rosenbergs

certainly knew more information about Stalin's spies in America than Stalin wished they knew. If they were willing to take a 'bullet' for Stalin, why would Stalin protest?

Another interesting side note is yet again the appearance of a holy war. Is it a coincidence that McCarthy and Bobby Kennedy were Catholic, and Roy Cohn was Jewish? Was this a battle about Communism, or was it a battle about who was going to be running the country? Were the Jews and Catholics combining forces to take power from the WASPS? Internal government documents seem to document a holy war time and time again between the WASPS who were running the country and all other ethnics. Were Stalin's agents in America trying to take advantage of a schism that always seemed to develop along distinct ethnic lines? Stalin's agents, as outsiders to the American dream, always considered everything as a class struggle, and the bad behavior by so many Americans in powerful positions would certainly reinforce his beliefs. A class struggle was certainly occurring, and Stalin was sitting in the front row watching.