



Sir Knight Earl Warren

From Golden State Grand Master to Governor and Chief Justice ©

by **Sir Knight Dr. Ivan M. Tribe**

In the middle decades of twentieth century, no well-known American Mason was more celebrated than Harry S. Truman, who rose from haberdasher to Missouri Grand Master, Senator, Vice President, and ultimately President. Not far behind Brother Truman in terms of impact was Sir Knight Earl Warren who also served as a Grand Master, state Attorney General, Governor, and Chief Justice of the United States Supreme Court. Both men came from modest origins, joined lodges before they were thirty, and joined the military during World War I. But in other respects-except that both men ran for Vice President-their careers took different paths. Assuming that the Truman story is better known, this article examines the life and career of Sir Knight Warren.

Earl Warren was born in Los Angeles on March 19, 1891, the son of Scandinavian immigrants. His father labored for the Southern Pacific Railroad and had once lost his job through participation in labor disputes. The Southern Pacific came under frequent criticism from political reformers for its corporate and near monopolistic power. Although the young Warren later worked as a "call boy" for that company, he became a critic of that firm and tied his early political wagon to that of Progressive-Republican Sir Knight Hiram Johnson (see article in

Knight Templar, October 2004). At home, Earl's parents, who had moved to Bakersfield, taught him the values of temperance, hard work, self-sacrifice, and education.

Earl Warren left Bakersfield in 1908 to attend the University of California at Berkeley. Upon receiving his B. A. in 1912, he entered law school from which he graduated in 1914. While in law school the student exhibited a maverick streak by working part-time for a legal firm in violation of rules and by refusing to speak in class. Warren argued that passing the exams was sufficient. Earl passed the tests but found "lawyering" to be a disappointment. So when the United States entered the World War, he joined the army and rose to the rank of first lieutenant by the time of his discharge on December 18, 1918.

Following a short visit with his family, the young veteran went to Oakland where he took a \$7.00 a day job as a court clerk. Over the next few months he took his blue lodge degrees in Sequoyah Lodge No. 349. Raised to the sublime degree of Master Mason on November 1, 1919, Warren joined the Scottish Rite in Oakland that same December. He held offices in Sequoyah from 1922 and served as Master in 1928. As a Noble of Aahmes Shrine Temple in Oakland, he would serve as Potentate in 1933. However, his most notable fraternal service came later.

When Brother Warren first became a Mason he worked as a deputy city attorney for the city of Oakland and the following year became a deputy Alameda County attorney. While in this position he courted and married in 1925 a young widow, Nina Palmquist Meyers, who had a son. The Warrens subsequently had five additional children. After the Alameda County Attorney resigned, Earl Warren received the appointment to fill out his term and in the fall of 1926 won election to the first of three full four-year terms to the office.

During his twelve years as a prosecutor, Brother Warren earned a reputation for fighting crime and corruption second to none in the entire country. Hard work, honesty, and encouragement of scientific law enforcement became his by-words. Critics might have added ruthlessness to those words as well. His successful prosecutions included that of Alameda County Sheriff, several deputies, prostitution rings, gambling, and other activities associated with organized crime. Warren also pushed hard for better training of police officers and more scientific study of evidence. The prosecutor also came down relentlessly on labor radicals, a recurring issue in California dating from the early years of the century. Such was Brother Earl's acclaim that according to a biographical sketch by scholar Paul Finkelman, "by the mid-1930s, Warren was probably the best-known district attorney in the United States, with a reputation that far exceeded the prestige or power of his office." Concurrently, across the continent in the same decade, another young prosecutor Brother Thomas Dewey (of Kane Lodge No. 454 in New York City) was also making a name for himself as a crime fighter. Later they would become presidential-nominee rivals and in 1948 running mates.

Meanwhile Earl Warren's Masonic career continued unabated. Between 1928 and 1933, he served on a variety of Grand Lodge committees. Elected Senior Grand Warden in 1933, he moved up to Deputy Grand Master in 1934 and thence to Grand Master in 1935. During his term in office, membership in the Grand Lodge numbered about 128,000. As Grand Master he endeavored to visit smaller lodges in more remote parts of the state and also in Hawaii (under the jurisdiction of California at the time). He reported warm welcomes wherever he went. He

took a strong position against gambling within lodges which may have been his most remembered stand. Taking note of the rise of totalitarian governments abroad in Italy, Germany, Russia, and Japan, as part of his annual message, Warren noted prophetically:

"They rarely call these autocracies by the same name but... they are the same thing in that they are the opposite of free government and human liberty becomes dead. When free government dies, Masonry dies with it, and in all of these countries today, their lodge rooms are dark, their property has been confiscated, our brethren are persecuted for their beliefs, and all men are denied the freedom of speech, of assemblage, of the press, and of religion-these rights, which to Americans . . . are the very essence of life itself. In all of these countries we now find war or frantic preparations for war . . . and as such to plant the heel of ruthless government upon the chests of their weaker neighbors. . . . Let us love it and cherish [our freedom] as we do few other things and let us pledge... Masonry to its principles as strongly as did our brethren who did so much to bring it [the USA] into being."

With his term as Grand Master drawing to a close, Warren continued to be an active Mason. At some point, he joined Oakland Chapter No. 36, Royal Arch Masons; Oakland Commandery No. 11, Knights Templar; and St. Phillip Conclave No. 23, Red Cross of Constantine. In 1938 he served as Master of Rose Croix and in 1945 after he had become governor of the Golden State as presiding officer of the Lodge of Perfection. By that time, he had already been coroneted with the 33rd degree A. & A.S.R., S.J. on December 23, 1941.

Meanwhile in 1938, Brother Warren sought and won election as California Attorney General. Under the unique California system of cross-filing he actually won in the Republican, Democratic, and Progressive primaries. With such strength he won a roughly 4 to 1 victory in the fall election over a hapless opponent named Karl Kegley. As the state's chief law officer, he continued to vigorously combat organized crime, political corruption, and vice activity. Warren also opposed alien ideologies of both left and right. After the attack on Pearl Harbor, he strongly favored the federal internment of Japanese-Americans. In later years after his retirement, Warren conceded that this action had been "regrettable."

In 1942, Brother Earl Warren challenged incumbent Democrat Governor Culbert Olson of whom he had been a frequent critic. The candidate won the GOP primary easily and even took nearly 45% of the Democratic vote making him a comfortable winner (57%) in November. He would go on to be elected Governor three times serving over ten years in the office. As the Golden State's chief executive, Brother Warren generally followed a moderate path in the style of his early idol, Hiram Johnson. In retrospect some of his moderation seems odd. For instance, during the "McCarthy era" he opposed loyalty oaths for University of California Professors, but favored them for other state employees, signing such a bill into law.

Following Warren's overwhelming victory for a second term, presidential rumors soon followed for a popular governor of the second largest state. Losing out to New York's Tom Dewey, he accepted the second spot on the ticket. In a spirited four-way contest in which all the presidential candidates were Masons (as well as two of the Vice Presidential nominees), the Republican early lead faded, but the GOP made their best showing since 1928 garnering 189 electoral votes in losing to Truman and taking back such states as New York and Pennsylvania that had been in the FDR camp.

In 1950, Brother Warren easily won a third term and again had presidential ideas, but like the other GOP hopefuls had little chance against Dwight D. Eisenhower. The retired general won an easy victory and promised Warren "the first vacancy on the Supreme Court." When Chief Justice Fred M. Vinson (of Apperson Lodge No. 195 in Louisa, KY) died on September 8, 1953, the President chose Warren within days as an interim appointment. He then won Senate confirmation on March 1, 1954.



Earl Warren came to the court at a crucial time. The case of *Brown v. Board of Education of Topeka* concerning racially segregated schools had come up for consideration. In a decision that still stirs emotions in some circles, Sir Knight Warren managed to steer a potentially divided court into making a unanimous decision. At the same time the Chief Justice realized that it would take some time to be fully implemented. As a result "all deliberate speed" could sometimes be what seemed rather slow. In many parts of the Deep South nearly two decades elapsed before school integration became a reality.

The era of what became known as "the Warren Court" (1953-1969) were years of rapid social and economic change in American society. The Brown case turned out to be the first of many decisions that carried more than a spark of controversy. Several of these involved providing increased protection for the rights of the accused. For instance *Mapp v. Ohio* (1961) threw out evidence obtained without a warrant, *Gideon v. Wainwright* (1963) required courts to appoint defense attorneys for accused felons who could not afford lawyers, and *Miranda v. Arizona* (1966) forced police to inform persons being arrested of their rights. In the words of historian George B. Tindall, such decisions upset numerous "middle class Americans who resented . . . the federal government's excessive protection of the 'undeserving.'" During the sixties the ultraconservative John Birch Society began placing numerous "Impeach Earl Warren" billboards across the fruited plain.

Other decisions also led to sweeping changes in society. *Engel v. Vitale* (1962) banned state sanctioned school prayer. *Loving v. Virginia* (1967) struck down a law that forbid inter-racial marriages. *Griswold v. Connecticut* (1965) struck down state laws that banned use of birth control devices or pills that created precedent for several later cases based on "a right to privacy." In *Baker v. Carr* (1962) and *Reynolds v. Sims* (1964) the Court first declared that state legislative districts not based strictly on population were unconstitutional and in the second mandated the "one man one vote principle." Sir Knight Warren himself considered *Baker v. Carr* his most significant case.

With advancing age, Brother Warren chose to retire from the Supreme Court in June 1969. After leaving the Court he lectured, gave public speeches, and wrote his memoirs. He passed to "the celestial lodge above" on July 9, 1974. His widow lived a full century dying in 1993.

In retrospect Sir Knight Earl Warren's judicial legacy, while increasingly accepted as part of the American mainstream, remains controversial in many circles. Few would argue that he ranks second only to Brother John Marshall as the most important Chief Justice. Ironically, as Governor he was seen as a uniter, but as what many called "the Super Chief," he was a divider. However, in many respects it seems ironic that a man, who in his personal life exemplified the old fashioned American virtues, did so much-for better or worse-to alter and change them.

Further Reading: Those who wish further examination of Sir Knight Earl Warren and his life may want to consult his own *The Memoirs of Earl Warren* (Doubleday, 1977); G. Edward White, *Earl Warren: A Public Life* (Oxford U. Press, 1982); and Lucas A. Powe, Jr., *The Warren Court and American Politics* (Harvard U. Press, 2000). For his Masonic records I am indebted to Bro. Adam Kendall of the Henry Wilson Coil Library and Museum of Freemasonry at the Grand Lodge of California in San Francisco, a 2003 article in *The California Freemason*, and William R. Denslow, *10,000 Famous Freemasons* (1961), Vol. IV, pp. 297-298.

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