

IN MEMORIAM

WILLIAM D. ROGERS—by Charles N. Brower*

Bill Rogers died poetically at the end of a life of principle. The poetry first: The New York Times reported his death as follows: Mr. Rogers, a devotee of fox hunting, died during a hunt after suffering a heart attack while riding his favorite horse, Isaiah. He was declared dead almost immediately by a doctor participating in the hunt. An Episcopal priest was called, the hounds were collected and the hunters gathered for a short service on the spot. One by one, they rode past him and tipped their hats. What better way to depart this world than in an instant while fully engaged in what one loves most.

We pause a few moments this afternoon to tip our hats to a man of principle. Bill was too young to enlist in World War II, so he spent his summers working in a shipyard building warships. Following Princeton and Yale Law School, he clerked for the Chief Judge of the United States Court of Appeals for the Second Circuit and for then Justice Stanley Reed on the U.S. Supreme Court. And he arrived just in time to deal both with the first argument in *Brown v. Board of Education* and with the Julius and Ethel Rosenberg espionage case.

His life of personally demonstrated principle began more publicly when he left there for the brand new firm of Arnold, Fortas & Porter to become its ninth lawyer. And he went straight into the defense, which was successful, of Owen Lattimore, who at least older persons present will recall was a chief target of the subsequently disgraced Senator Joseph McCarthy.

A man of principle. He was appointed in the Kennedy Administration and continued in the Johnson Administration at the Alliance for Progress. But in 1965, he resigned out of disenchantment he expressed with President Johnson's invasion of the Dominican Republic and with his Vietnam policy.

Nonetheless, George Ball, who was then Under Secretary of State—we would now call that person Deputy Secretary of State—asked Bill to head up a task force to advise the Secretary of State and the President about what to do about Ian Smith's unilateral declaration of the independence of Southern Rhodesia and the British government's proposal to invade the rebellious former colony. Under Rogers' leadership, the task force concluded that the U.S. should not provide intelligence or logistical support for any such operation and the President should seek to dissuade the British Government from this course, and in all of this Rogers was successful.

But he was out of government and back at Arnold & Porter (Fortas had been dropped in the meantime because he was on the Supreme Court). Before this Society, at its annual meeting in 1970, this man of principle argued strongly against the Nixon Administration's incursion into Cambodia on a Society program entitled "Law and the Cambodian Incursion: International and Domestic Legal Ramifications."

For the next eight years, he practiced law. One day, President Nixon appointed Henry Kissinger as Secretary of State, and Henry Kissinger, on the recommendation of David Rockefeller, called Rogers and asked him to join him as Legal Adviser of the State Department. Bill, being Bill, refused, saying "I cannot serve in a Nixon Administration." Well, the Nixon Administration came to an end in August 1974, and it became the Ford Administration. And no sooner did that happen than Kissinger was on the phone again with Bill, asking him this time to become his Assistant Secretary of State for Inter-American Affairs. Before accepting, Rogers had a conversation with Kissinger and referring to the overthrow of President Salvador

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Allende in 1973, followed by the installation of General Augusto Pinochet, Bill said to Kissinger, "I heard rumors that the United States Government had destabilized Chile through the CIA. If there were any CIA covert operations going on during my watch, I would resign and denounce the operations."

When many years later controversy arose in some publications as to whether the Administration had or had not done something in should not have done in Chile later on, the chief author of the accusation that things might not have been what they should have been went out of his way to point out his "utmost respect" for Rogers. And as a bit of a footnote—you would think the former Assistant Secretary of State for Inter-American Affairs would have some vague loyalty to the Organization of American States (OAS), but at the Society's Annual Meeting in 1988, he spoke on a panel addressing the 40th anniversary of the OAS Charter, and he said this: "The OAS has lost the esteem of both Latin and North Americans—seen by the one as the slavish instrument of Washington's designs and by the United States as a bothersome debating society transfixed by abstract principles of maddening irrelevance to the realities of the world. The OAS in its present form therefore no longer serves a useful purpose."

In 1976 Kissinger elevated Rogers to be Under Secretary of State for Economic and Agricultural Affairs, and it has been revealed since that he wanted Rogers to become Deputy Secretary of State. The problem was it was 1976, and President Ford was in a hot and close race for the nomination to be elected in 1976 with the former Governor of California, Ronald Reagan, and it seemed it might not be a smart idea to install as Deputy Secretary of State someone who had sworn to give away the Panama Canal, which Bill was.

So, he left government in 1976, and although for thirty years and more he did not serve full time in government, he carried out many public tasks related to our foreign policy. Politics makes strange bedfellows, and it will probably seem very curious to you as in a way it has to me that during those 30 years and more, Bill Rogers and Henry Kissinger were such close friends that Henry has stated that during all of that time certainly not a week went by and rarely did a day go by without the two of them talking about something. He was Vice Chairman of Kissinger Associates. Henry Kissinger has described him as his friend, his adviser, his conscience.

He was appointed as executor and also as literary executor of Henry's estate. And Henry has made it clear that at their very last meeting a few days before Bill died, they concluded with Henry saying, "Now Bill, you have to promise to outlive me." And Kissinger has pointed out that that was the only promise Bill made to him that he was not able to keep.

Bill contributed much to the Society as President, as a member of the Board of Editors, through his various presentations to which I have referred, and I must say financially in connection with our Second Century Campaign. His last contribution to the Society was his bit in the journal commemorating Covey T. Oliver, former President of the Society and public official. In that article, he began by quoting Eric Sevareid, to the following effect: there are three sorts of people—the mowers of lawns, the well poisoners, and the life enhancers. Clearly Bill Rogers was a life enhancer *par excellence*.

But I leave the last word to his friend of over thirty years, Henry Kissinger, who spoke as follows in his eulogy of Bill Rogers: "A kind God brought some of us into proximity to a genuinely noble man who devoted his life to bringing about a world where the weak can be secure and the just can be free."