

The Three Faces of Earl Warren Are Evident in the Slaying Report

L.A.T. - 10/4/64 BY RAYMOND MOLEY

The capacity of Earl Warren to bring a majority of whatever group over which he presides to his way of thinking has been demonstrated for more than 10 years in the major decisions of the Supreme Court. Therefore, it is no surprise that in the report on the murder of President Kennedy there is a heavy imprint of the commission's chairman.

On the one hand there is a thoroughness of detail which is the mark of a great criminal prosecutor. There is also evidence of Warren's capacity as an administrator. On the other, there is an almost sentimental treatment of human motives and actions.

★

Thirty-seven years ago, in 1927, I had a grant as a professor at Columbia University which enabled me to write a book on criminal prosecution. My work on this carried me to the offices of prosecutors in most of the major cities in the United States. I thus acquired knowledge which enabled me to form a number of what those who reviewed the book called valid comparisons and contrasts. In this tour of duty I visited Warren, who at that time was district attorney in Oakland, Cal.

I said at the time that Warren was the most competent prosecuting officer in the United States. Years later, Warren quoted this statement when he was a candidate for the Presidential nomination.

His virtue as a criminal investigator was not marked by histrionic performances, in court. Rather, it was his extraordinary capacity to organize his office so that every detail related to the crime might be presented to the court. His efficiency

was so great that in an autobiography by a reformed crook named Jack Black it was said that, while malefactors might live in Oakland, they never committed a crime in that jurisdiction. In-



Moley

stead they preyed upon San Francisco and other places.

Warren's capacity as an administrator has since been shown in his career as attorney general and governor of his state. He also runs the Supreme Court with the same administrative ability.

But even long ago and later as governor and chief justice there was a notable Warren affinity for excursions into the never-never land of modern sociological and psychological motivation rather than more obvious and direct interpretations of criminal acts. Some have called the Warren trait sentimentalism. But his unwillingness to reach more traditional conclusions has always been completely sincere.

These three elements in the Warren method are clearly written in the voluminous text of the Warren report. It is an amazingly complete account of the events involved in the Oswald and Ruby crimes. It shows remarkable attention to

the marshalling of multitudinous facts. Clearly researches were complete and exhaustive and will stand for decades to come as the most gripping mystery story of a generation.

But, in getting at Oswald's motives and methods, it will leave a trail of controversy which may never end.

The report seems to have been on solid factual ground in saying that Oswald acted alone and unconnected with any specific contacts outside himself. The researches to determine this seem to be quite complete.

Oswald was a loner. And, as the report says, "His life was characterized by isolation, frustration and failure. It is apparent . . . that Oswald was moved by an overriding hostility to his environment. He does not appear to have been able to establish meaningful relationships with other people."

★

But it must be added that even such an inwardly directed individual still was under the influence of the psychological climate in which he lived. Since in that climate there is the terrific conflict between two or more systems of life, this measurably controlled his emotions and his thinking. It would be easy to draw the conclusion, as so many have, that he drew from the atmosphere a hatred of American capitalist society and some affinity for the Marxist philosophy of a deadly conflict. But, probably wisely, the Warren report refrains from such a conclusion.

Thus, we must leave this strange and complicated story to the historians, the lawyers and writers of fiction and truth.