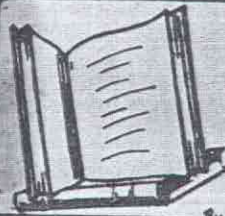


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## Behind the Backs OF BOOKS & AUTHORS

By MARY RENNELS SNYDER

**PATHWAY TO JUDGMENT**, a study of Earl Warren, by Luther L. Huston (Chilton, \$5.95).

Discussion and harsh criticism of the United States Supreme Court's findings are appearing increasingly in newsprint, in books, on TV and radio. Angered groups, dissatisfied with decisions they consider lenient toward communism and criminals are aiming their spleen at the Chief Justice and crying "Impeach Warren." Due to the Court's latest findings that no suspect of any crime, including murder—including eight murders—can be questioned by the police without a lawyer present, there are now Senate hearings going on in which lawyers testify against the wisdom

of the Supreme Court's decision, and author Truman Capote, "IN COLD BLOOD," has told the Committee that in protecting the rights of the criminal the law is working to the disadvantage of the victims.

In another field the civil rights minority is complaining that the Supreme Court has not gone far enough in protecting its rights. An opposite group is viciously calling "whitewash" at the Warren Report, dealing with the assassination of the late President John F. Kennedy.

Two or three weeks back **INQUEST**, by Edward Jay Epstein (Viking, \$5), was reviewed on these pages. Since then in *The New York Review of Books*, Mr. Richard H. Popkin discusses this book, apparently as a launching pad for his theory that there were two Oswalds, that the assassination was part



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of a conspiracy, and that the Warren Commission did not follow available leads. Mr. Huston has known Earl Warren for many years, while he was Washington correspondent and bureau manager of the *New York Times*. He is a specialist on the Supreme Court. From 1957 to 1961 he was director of public information for the Department of Justice. Mr. Huston points out that all of the nine men on the Supreme Court share equally in the task of interpreting the Constitution, but that it is upon the Chief Justice that wrath descends when citizens disagree with judgment of the Court, and since these decisions have affected the lives and freedom of men, their professions, politics, religion and cultural patterns, Mr. Warren has become our most controversial Chief Justice. The

author points out that Warren's Viking ancestors have given him the calm to face the uncharted seas. He has a staunch defender in Mr. Huston. Warren is a man capable of friendliness or icy anger, who can be persuaded but not intimidated. The author suggests that many of his decisions are questioned as to whether they are due to his liberalism or his ideology. There is a question as to whether many of the decisions concerning the rights of the individual are not arrived at more through subjectivity than through a judicial approach. It is unfortunate for the unsettled tenor of the country today that any shadow of doubt should hover over the most important single branch of our government, but even more unfortunate is the opportunity for ridicule offered the austere body by Justice William O. Douglas in his May-December marriage. This was one time that television is the Judge's enemy. Immediately following his marriage to a 23-year-old, surrounded by cameramen from newspapers and



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television, Douglas' grin resembled that of the boy who has just robbed a bird's nest. It was a little startling to viewers that the man who has climbed mountain peaks, roughed it in out-of-the-way places, and often led or contributed the dissenting vote in the Court should turn to the photographers, worthy, talented and efficient men but certainly not his peers, and ask hopefully, "Do you approve?"

THE WARREN REPORT will be in for much more analysis and question over the years. An articulate critic is Mark Lane, a New York lawyer, who studied the 26 volumes of the report for ten months and was a witness as lawyer representing Mrs. Marguerite Oswald, mother of the accused assassin. In a pre-publication statement in his new

book, "Rush to Judgment" (to be out Aug. 15; Holt, Rinehart & Winston, Inc., \$5.95), the lawyer says he has no theory to offer about the assassination and that he only brings out contradictory facts as he witnessed and studied them.

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book and was filmed in Dallas with a west coast production crew. De Antonio directed the award winning documentary, "Point of Order," on the Army-McCarthy Hearings. (The book will be a Special Offering of the Book-of-the-Month Club and the Mid-Century Book Club choice for September.)

Many may wish the whole controversy would just go away. Such wishing is futile, it will be accentuated with books and movies. De Antonio says of the film:

"'Rush to Judgment' contrasts that which is generally accepted—the Warren Commission Report with the facts—using the words from the witnesses to the events. If the basic presumptions upon which the Warren Report rests are devastated by the film—and they most assuredly are—it is the eyewitnesses who are responsible. Some witnesses who did not see what the Commission evidently preferred to believe were just never called to testify despite the fact that they gave televised ac-

counts of their observations from the scene on Nov. 22. They are present in our film together with their original televised statements. Other witnesses who did testify complained on camera that the Warren Commission distorted the meaning of their words or deleted material elements of their testimony from the published transcripts. Others complain in the film that FBI agents or Dallas police officers sought to have them change their testimony."

Continuing . . . De Antonio further damns the Report:

"Despite some harassment by the Dallas police we encountered little difficulty and substantial cooperation from the witnesses. At first, we suspected that Dallas might be the villain of the piece but we soon discovered a genuine desire there, although somewhat coated with apprehension, to let the facts be known. The most startling fact is that almost none of the witnesses believe the Warren Report since it presents as 'fact' that which they know to be untrue. They are now willing to say so. In a sense, then, the Dallas citizenry, at least some of them, are the 'heroes' of the film. They cannot understand why the rest of the country is so naive and uncritical in accepting the Warren Report.

"AMONG those who appear in the film are a former Dallas police officer who saw Ruby enter the guarded police basement moments before he killed Oswald. He explains exactly how it was done. Also in the film are railroad employes (including a former deputy sheriff) who saw the assassination from the railroad overpass just above and in front of the presidential limousine when the shots were fired; the Roman Catholic priest who administered the last rites to the President and who observed a bullet wound where the Commission said there was no wound; the closest spectator to the limousine when the shots were fired (he was never called as a witness by the Commission); a Dallas resident who tells of the close relationship between Tippit and Ruby and a former barmaid at Ruby's night club who details Ruby's relationship with Tippit and with many other Dallas police officers and city officials."

Lane and De Antonio further state:

"Crucial photographs, never before published, are seen for the first time." Some of the witnesses they discovered had never been interviewed before, according to Lane and DeAntonio. Says Lane, "I also utilized the transcripts in the preparation of my book."

One more thing to unsettle the populace. *enc*