



To Earl Warren

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It will be three years tomorrow since John F. Kennedy was slain in Dallas and, as this somber anniversary nears, the best-selling book in the land (Mark Lane's "Rush to Judgment") asserts that we do not know the truth about what happened that day. Other volumes voicing doubts are being read by thousands.

The debate is being aired on national TV programs and, beyond the realm of serious discussion, mild, macabre fantasies are circulated by kooks addicted to conspiracy theories of history.

And so it is time we confronted the reality that the Warren Commission inquiry needs a sequel. The only man who can effectively initiate such a procedure is Chief Justice Earl Warren.

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It is well known that Warren initially undertook direction of the investigation with grave misgivings. He had personal reservations about the propriety of his role. Perhaps he also anticipated the complexities that would haunt such a probe in the immediate aftermath of the crime—and amid the pressure for a swift finding that would soon develop.

For many of us Warren's decision to assume the burden evoked a sense of relief. His integrity was beyond dispute; his experience as a prosecutor seemed to offer assurance that there would be neither gullibility nor ineptitude on a technical level. And when his commission rendered its report there was a widespread tendency to view this as the last wise, if tragic, word that had to be spoken. Things were as they appeared to be and no purpose could be served by further retrospect. Certainly no one would portray Earl Warren as the architect of some "establishment" plot to oversimplify or distort the story of the assassination.

None of the controversial literature that has emerged alters my view of the man whose name is identified with the report. But a reasonable body of evidence now suggests that the Commission—perhaps because of the circumstances under which it was obliged to operate—is vulnerable to responsible critique. Too many thoughtful men are troubled by the record, not because they possess any remarkable testimony to challenge the conclusions but because they are dismayed by the gaps in the commission's work. A sober study along these lines is offered by Yale law professor Alexander Bickel in the current issue of Commentary.

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It has been said that any meaningful questions about the Warren report are absurd because Robert F. Kennedy occupied the role of Attorney General for many months after the slaying and would surely have been alert to any negligence or blunder in the inquiry. Yet the truth is that during most of those months the slain President's younger brother was in a state of shock. He had total confidence in Justice Warren. He could not himself contemplate any intimate involvement in the machinery of the postmortem. And I think he has held to that position of aloofness until this day, for reasons that are wholly comprehensible in human terms.

But the rest of us cannot sustain the luxury of pretending that the book is closed because it seems unbearable to reopen the tragedy and review again the circumstances of that day's heart-break and horror.

It is no longer a matter of saying that some diehard leftists are seeking to perpetuate the argument because they cannot endure the notion that a crazed ex-Marxist—rather than a Birchite—was the solitary executioner. Too many men with no ideo-

logical vested interest have been examining the record and claim to have found too many errors of omission in the commission's work.

This is not to suggest that a new probe will reach a judgment significantly at variance with that of the Warren group. It might prove to be only corroborative—but with the advantage provided by the perspective of time and added leisure.

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Clearly a large obstacle to such a proposal is the implied affront to Chief Justice Warren. No doubt that is why many men have hesitated to support the idea, advanced by Richard Goodwin and others; it is why I have found myself avoiding the subject. There is admittedly, too, the peripheral risk that a reenactment of the inquiry will provide a field-day for exhibitionist exercises. For members of the Kennedy family there is an understandable dread of the revival of the story through new hearings and interrogations.

But the story has never died. Earl Warren is a large enough man to recognize that it would be no aspersion on the honor of his colleagues to recommend the formation of a new investigating group, drawn from the legal profession, to appraise questions that have arisen since the Warren report was issued. Some of the questions are far-out and lurid, but others are real and perplexing.

I do not know whether we can find new answers, but Justice Warren could render a memorable service by requesting the President to sponsor such a reevaluation. I think that is the feeling of many who, like myself, long accepted the Warren report on faith and took a dim view of its detractors. Justice Warren may still feel his commission has been subjected to unjustified and sometimes venal criticism. But his most dramatic answer would be an invitation for scrutiny by a group of disinterested legal experts and scholars.