

Issues in Kennedy Suit Enjoining Publishers

The writer is the author of "The Making of a President."

To the Editor:

It saddens me to disagree with James Reston, who usually writes with such clarity and eloquence.

But in a rare lapse from excellence, the Dec. 18 column in *The Times* "The Death of Camelot" confuses where it should most clarify.

The courts will determine the legality of Mrs. Kennedy's suit to enjoin publication of the Manchester manuscript. But beyond legality there are larger questions of morality and obligation—on her part as well as Manchester's. Mr. Reston argues that she should accept the inevitability of fact, and rest silent while her honor and taste are brought in question.

I see the matter otherwise.

By signing an agreement with the Kennedys, Mr. Manchester undertook to write an authorized story. Those of us who write of public affairs would do almost anything rather than sign such a contract. Most of us shrink even from "off-the-record" statements. Yet all who do write professionally of public affairs must on occasion agree to accept confidences—recognizing that once we give our word it is a binding oath of honor.

Commitment Accepted

Mrs. Kennedy admitted Mr. Manchester to the privacy of her memories with the explicit understanding, written and oral, that she would have control of those memories in final form before publication. This understanding has been broken. Mr. Manchester accepted special privilege but repudiated the special obligation that comes with it. Such a commitment, once accepted, removes any writer from pleading freedom of the press or the imperatives of history.

There is a further set of facts: Mrs. Kennedy, whether wisely or not, undertook to make available to Mr. Manchester memories and material from other people, in order to make sure the story of the tragedy would be fully told, while retaining for herself final control of the final manuscript. Many people supplied material at her request which they would never have dreamed of making public except for their trust in her final authority over their use. Since it is widely known that this is an "authorized" story, she is responsible to all

those whom she made available to Mr. Manchester.

If private conciliation could not restore Mr. Manchester's obligation, there was no recourse left to her but to sue. Only thus could she be absolved of her responsibility for what she cannot fully control, or her control be re-established over an account of her private anguish and the confidences of those people she delivered to Mr. Manchester. With great courage and honor she has accepted the pain of this confrontation rather than shirk her responsibility to herself, her children, her friends.

Pledged Word

The issue is not whether Messrs Canfield, Cowles and Attwood—all of them men of the highest integrity—are to be denied freedom of the press. They are victims, too, though in a lesser sense than Mrs. Kennedy. Nor is the issue whether the public has the right morbidly to examine the intimacy of her sorrows; nor yet again whether bootleg publishers publishing bootleg copies of the book around the world make the present argument an exercise in futility.

The issue is whether Mr. Manchester be given an exemption from pledged word, while Mrs. Kennedy is left to bear public responsibility for what she cannot control.

THEODORE H. WHITE

New York, Dec. 19, 1966

An editorial on this subject appears today.

The Kennedy Post-Mortem

The case of the Kennedy-Manchester book is an example of everyone being wrong in some respect, everyone coming out badly, and everyone suffering. Temporarily, one of the victims may well be the truth about the circumstances surrounding the assassination of President Kennedy.

The initial mistake was that of the family in commissioning an account that was to be not only authorized but censored. Whoever orders—and whoever agrees to write—such a book is serving neither history nor truth. As we said editorially last week, "authorized" books are basically a bad idea, and Mrs. Kennedy now cannot escape the consequences of having tried to authorize one. History is no one's personal property.

Whether or not the case is settled out of court, the full text of the book is almost surely going to be divulged, printed and circulated. There are copies of the work in Britain, France, Germany, Italy and probably other countries. It is unlikely that the text can be suppressed for more than a month or two. Highlights of the book are now being printed every day in American newspapers.

Whatever political repercussions there may be—and they are likely to be unimportant—are going to take place whether the book is published now or not. The apparently decisive extent to which Mrs. Kennedy's personal objections are responsible for bringing this case into the courts only emphasizes her original mistake in pouring out her emotions on tape to a designated writer, who—whether he is legally at fault or not—has evidently violated an understanding he had with the Kennedy family. His own mistake on making such an arrangement is only too obvious. Yet Mrs. Kennedy's persistence in making one of the most sensational legal cases in the history of the American Presidency is inexplicable if only because the damage is already done.

The whole sorry affair leads to two conclusions. One is that an authorized account should never have been commissioned—but there is no going back on that. The other is that history, once recorded, can never be suppressed.