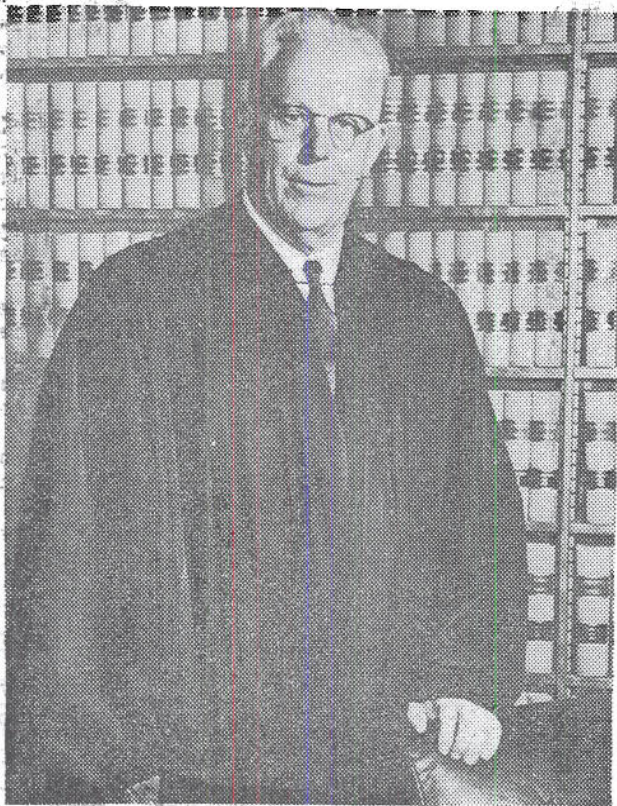


Nixon Pays Tribute to One-Time Foe Earl Warren

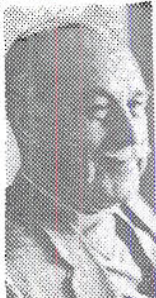


CHIEF JUSTICE EARL WARREN

WASHINGTON — Richard Nixon has made several important right-about-faces since he became president but none more important than his attitude toward Chief Justice Earl Warren.

He urged the Senate to ratify the non-proliferation pact with Soviet Russia after advocating delay during the campaign because of Russian bulldozing of Czechoslovakia. He played it cool regarding North Korea after chiding LBJ for letting a "fourth-rate military power" seize the USS Pueblo.

And after blistering the Supreme Court all during his campaign, he proposed a special toast to the chief justice at the Gridiron Club and this week gave a special dinner in Warren's honor. Johnson and Kennedy had given dinners for the vice president, the speaker and the chief justice jointly. But



DREW PEARSON

Nixon gave one for Warren alone, even inviting all the Warren children and ex-Gov. "Pat" Brown of California who once defeated Nixon.

Nixon's tribute to Warren is all the more significant a reversal because, as a young senator and delegate from California, Nixon worked from inside the California delegation during the 1952 Republican national convention to pull the rug out from under Gov. Warren's candidacy for president. Nixon at that time was bound by written pledge to be for Warren.

However, the responsibilities of the presidency change men, and Richard Nixon has changed even during his few months in the White House.

THE BIG QUESTION is whether he will change the Supreme Court. He will have the opportunity soon to appoint the successor to Warren as chief justice. That one vacancy radically can change the decisions of the court and the policies of the country.

There will be other vacan-

cies. But the first, filling Warren's shoes, will be the most crucial. Will Nixon bow to the John Birch Society billboards dotting Southern highways reading "Impeach Earl Warren" and appoint a reactionary? Will he pick a right-wing lawyer like Roger Robb, Otto Totecka's attorney, whom Nixon has placed on the U.S. Court of Appeals? Or will he pick a moderate such as his cool-headed secretary of state, William P. Rogers?

The entire economic and social course of the United States will turn on that choice.

Take the Warren court's one-man-one-vote decision that the cities must have the same representation in state legislatures as rural areas. This was a decision that went to the root cause of decay in our big cities. For more than 100 years New York, Chicago and Philadelphia have suffered because of inequality of representation in the legislatures in Albany, Springfield and Harrisburg, resulting in their inability to get their share of appropriations.

In the five years since the Supreme Court's decree, this inequality has begun to be rectified. It will take many more than five years, however, to wipe out the neglect and inequality of the past.

SOME OF THE most criticized of the Warren court's decisions have pertained to criminal cases. If you study these you will see they do not protect criminals; they give equality of justice to the poor as well as the rich.

The Mallory decision remedied the custom of rounding up dozens of suspects, usually young Negroes, and keeping them in jail all night in order to face police line-ups in the morning. A wealthy youth, when arrested, can call his parents and get an immediate lawyer or bond. The poor arrestee has to spend the night in jail. And though usually released after the line-up next morning, he had to go back and explain to his employer why he was not at work even though no charge had been placed against him. Sometimes

it cost him his job.

Following the Mallory decision, arrested suspects must have a charge brought against them within a reasonable time. Otherwise, they cannot be kept in jail all night.

In the Miranda case, also severely criticized, the Supreme Court gave to a Mexican youth in Arizona the same right to consult a lawyer already enjoyed by wealthy suspects. Any educated arrestee knows he has the right of counsel. The uneducated arrestee does not. What the Miranda case did was to give the ignorant Mexican the right to be informed he had a right to a lawyer, thereby setting a standard of equality for all men, rich or poor. This had been guaranteed by the Constitution but hitherto never granted.

One of the most criticized opinions ever delivered by the Warren court was the prayer decision. It also was one of the most misunderstood.

The court did not ban the Bible from public schools, but rather government-written prayer. The state, the court decreed, should not be in the business of decreeing what students should pray. Under the constitutional provision for the separation of church and state, this is for clergymen to decide in the churches, not the government in public schools.

Many people will argue whether Gen. Eisenhower's appointment of Earl Warren as chief justice was good or bad. But few will disagree it was Ike's single most important domestic act.

It equalized the balance between rich and poor, between white and black, between ignorant and educated more than any other Supreme Court in American history. President Nixon may want to reverse that balance. As president he has the power to do so. But, in the long run, history probably will change the balance back again. And history also will judge Nixon accordingly.