

An Interview with Earl Warren

SACRAMENTO, Calif. (AP) — Here are excerpts from a recent interview with retired U.S. Chief Justice Earl Warren.

Q. Mr. Chief Justice, in recent years critics have contended the Supreme Court decisions coddle the criminal and encourage crime. What do you say to this from your perspective?

A. I am of the opinion that the decisions of the courts, and I am speaking now of this court in particular which has established guidelines for the courtroom, have in no way adversely affected the prosecution of crime. Certainly, every man is entitled to a lawyer . . .

A man, whether he is a Communist, or a fascist, Ku Klux Klanner, or whatever it might be, is entitled to have his rights protected in the courtroom and if his rights cannot be protected in the courtroom, the rights of no one can be secure.

Q. Do you feel that police techniques have been improved as a result of court decisions?

A. I think that the work of the police has been improved through the years. I think it is on a higher standard now than it was when I first went into the law-enforcement business almost 50 years ago and I am very hopeful that it will continue to improve through the years.

Q. Mr. Chief Justice, you have complained about the lack of support given law-enforcement authorities. How serious do you consider the problem today?

A. If anything, I consider it more serious today than it was then because the police today have a tremendous problem. The police are entitled to respect and assistance because most of them are good people and are carrying a terrific burden and they are entitled to the support of the public at all times.

Q. Were you at times impatient that state and federal officials were not responsive enough in the desegregation matter?

A. In some parts of the country, yes. One couldn't help being impatient when he would see the orders of the court flaunted and just not obeyed in any sense of the word and where illegal things were changed in form but not in substance and carried on. Of course, one feels frustrated at that, but there are so many things that have happened to encourage one who has been in this field that I think, on the whole, much progress has been made.

Q. What would you list, Mr. Chief Justice, as the Supreme Court's most important decision in your 16 years here? Was it the school desegregation or reapportionment?

A. I think the reapportionment, not only of state legislatures, but of representative government in this country, is perhaps the most important issue we have had before the Supreme Court. If everyone in the country has an opportunity to participate in his government on equal terms with everyone else and can share in electing representatives of the entire community and not some special interest, that most of these problems that we are now confronted with would be solved through the political process rather than through the courts.



Q. You have said the pornography was the court's most difficult area. Why?

A. It's the most difficult area for the simple reason that we have to balance two constitutional rights with each other . . . you find it very difficult to write a verbal definition of what obscenity is . . . The court has done its best, but the people on both sides of the question will stretch it just as far as they can and make tremendous problems.

Q. Do you think that the people who peddle pornography sometimes have gone too far?

A. Yes! Some of the things that go through the mail, some of the things that are sent to my home are just unspeakable and under no decision of this court are they justified, but still nobody seems to do anything about it.

Q. Is it up to the postal authorities, or is it a weakness in the law?

A. Well, I don't like to point the finger at anybody, but it is a question of law enforcement and those who say the Supreme Court has put its approval on obscenity are just not aware of the facts because the court has specifically said that obscenity is not protected under the free speech clause of the Constitution.

Q. Mr. Chief Justice, looking back, would you rather have been President?

A. Well, I never was infected really with the fever to be President. I was in a few primary elections and I was perfectly willing to be nominated if there was any chance to be nominated, but I never felt that there was any real chance of my being nominated. It was only an outside chance and had I been nominated, of course, I would like to have been elected and served as President, but I never felt the loss of it and that did not occur to me . . .

Q. Mr. Chief Justice, do you believe the Bill of Rights would be ratified if it came to a vote today?

A. I think probably that there would be a great debate over some of them because we have never taught our youngsters in the schools . . . where the Bill of Rights came from, why it is there, and what its purpose is in society . . . But I do believe that, on sober second thought after a great debate, that the American people are wise enough to retain those rights that have made this country the greatest in the world.

Q. To what extent would you say that our government is on trial today?

A. I think that all free governments are on trial and perhaps always will be.

Q. Mr. Chief Justice, what are some of the forces which challenge a free society today?

A. I think that perhaps the most important force is the force of apathy . . . I have no fear at all of our future as long

as people are interested in government.

Q. What do you say to critics who say the court, by its decisions, has dealt a death blow to states' rights?

A. On the contrary, I think that the Supreme Court has established states' rights. What does reapportionment do but establish states' rights? It establishes in the states the power to govern themselves. . . .

Q. Mr. Chief Justice, you once said there should be compulsory retirement for all public officials. What are your views now?

A. I still believe that compulsory retirement is a good thing because in my opinion the strength of our institutions depends on infusing new blood into them all the time and I don't like to see people stay in public office too long. But I do want to see the compulsory retirement in all branches of the government, not just in the judiciary.

Q. Do you have any suggestion for a retirement age?

A. Oh I don't have any definite age. I suppose 70 or 75, somewhere in that range. I'm over either of them now, you know.

Q. You're 70 . . .
A. 78.

Q. Someone once said that the Warren Court will rank in history as the court of the people. Is that the way you would like the court to be remembered?

A. I would like the court throughout its history to be remembered as the court of the people.