

Warren Says All Americans Share Crime Onus

Chides 'Self-Righteous' and Asserts Slum Conditions Have
Long Been Hidden

Fred P. Graham

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PHILADELPHIA, Aug. 1 — Chief Justice Earl Warren today chided persons who viewed rising crime with “self-righteous indignation” and “oversimplification.”

“It is not so simple, and all of us must assume a share of the responsibility,” the Chief Justice said.

Yesterday Gov. Ronald Reagan of California was applauded when he presented the Republican platform committee in Miami Beach with a ringing statement against rising crime. Before the same committee, Richard M. Nixon attributed some of the crime rise to the courts.

In his comments today, Justice Warren did not mention any specific critics of the Court, but he warned a meeting of state supreme court justices that the Supreme Court was facing increasing criticism over its liberal rulings on the rights of criminal defendants.

In an apparent reference to recent attacks on the Supreme Court in Congress, Justice Warren declared that no branch of the Government “can strengthen the democratic process by climbing over the weakened body of another.”

Justice Warren attributed the crime rise to slum conditions, which, he said, “for decades we have swept under the rug.” But he added that judges must shoulder some blame for the situation because of trial delays that leave accused criminals at large or in jail for as long as two years between arrest and trial.

Calls Courts Susceptible

Justice Warren did not mention specifically the anticourt statements made during last month’s Senate Judiciary hearings on the nomination of Abe Fortas as Chief Justice.

But he warned that “if one out of three coordinate branches of government is discredited, the entire structure of government is weakened.” He said the judiciary “is the most susceptible to attack, because it cannot enter the political arena and trade blow for blow with those who would discredit its work.”

Justice Warren spoke to the Conference of Chief Justices at its annual meeting in the Warwick Hotel here.

It was the first time he had addressed the state chief justices group, which has frequently been critical of the United States Supreme Court.

It is customary for one or sometimes even two Supreme Court justices to attend conventions of the American Bar Association.

This year’s convention will open at the Philadelphia Civic Center on Monday, and four Justices will attend.

A Bit of Fence-Mending

The presence of the four Justices; Warren, Fortas, William J. Brennan Jr. and Byron R. White indicates that the Supreme Court is mending its fences with the legal profession at a time when anti-court sentiment seems to be rising.

Justice Warren quipped during his speech that “circumstances over which I have no control” (the delay in Senate confirmation of Justice Fortas as Chief Justice) could bring him back to the high bench in October.

But he declined to elaborate to reporters, saying that he did not want to give the impression that he had “blacklisted the Senate” into choosing between Justice Fortas or him.

Justice Warren has announced his intention to resign but has said he will serve until a successor is nominated and confirmed.

Other annual meetings being held here now are the National Conference of Court Administrative Officers, the National Association of Bar Executives, the National Conference of Commissioners on Uniform State Law and the Traffic Court Program Seminar.

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This article appears among the saved news clippings of Nuremberg prison psychiatrist Douglas M. Kelley. Kelley was concerned with the everyday social conditions that could enable the rise of fascism. He rejected the idea that the slide into authoritarianism could be explained primarily by genetic mental illness.

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