

Big 'Whys' Still Need

Answering

LA 5/10
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The commission headed by Chief Justice Earl Warren will achieve two objectives when it reports its findings.

The first will be to set to rest the inevitable speculations about whether one man, acting on his own aberrational initiative, killed the President of the United States, or whether a conspiratorial group executed the greatest crime of the century.

The second will be to determine whether there

This article by Louis Nizer, one of the country's foremost lawyers, is exclusive to The Times from the New York Herald Tribune.

were defects in our system of security which were avoidable, or whether a fateful combination of coincidences made prevention of the crime impossible.

It is the second objective which I address myself to, because it involves not merely responsibility for the past but a lesson for the future. Is it beyond hope that our country, which provides security for many nations all over the globe, should be able to protect its own President's life.

The world will look

forward eagerly to the resolution of these questions, but the people of America have a very special stake in the findings, because we should not be spared the knowledge which may save any future President.

Two Questions

Two questions require answers above all others. First: Why was not a building with uninhabited warehouse floors placed under special guard?

The techniques of security were developed to a high degree by dictators. Since they engaged in mass murders in their own countries, they were surrounded by inflamed populations burning for revenge. Yet Hitler rode through the streets of Prague and Vienna, standing in his car with upraised arm. Troops were stationed on almost every roof on the route; all window blinds had to be drawn, and so many guards stood among the "cheering" population on the streets that no civilian could make a false move without being struck down. Above all, Hitler's car moved at a calculated speed, which permitted even the sharpest marksman a fleeting second for aim even if all else failed.

De Gaulle Protection

Charles de Gaulle visited Algeria when passions were aflame. Yet he was fully protected. Some experts estimated there were

more than 200,000 guards assigned to the task. LA 5/10

In our own country the President is generally a beloved and revered figure. Political criticism does not obliterate the awe and respect we have for our elected head of state. There is no impassioned population determined to revenge itself for the brutal extinction of thousands of families. So we can afford to take some risks. Window blinds need not be drawn on the President's route. Guards need not be stationed on every other roof.

Perhaps we can rely upon the fact that the average housewife or office worker looking out of the window will not have homicidal intent.

Besides, there will be others about who would be horrified if a servant, let's say, had a revolver, or an office worker carried a shotgun at the time the presidential car was to go by.

The probability of intervention is, therefore, extremely high. If this is combined with a certain speed of procession, the risk of even a crackpot's

action is reduced to a minimum.

But the assumption is always that decent citizens are present in offices or homes to interfere with some fanatic's wild intention. However, if there is an empty warehouse in the line of march, the risk is increased enormously. Then an insane man can place himself comfortably at a window, arrange his gunsight and wait patiently without fear of interruption.

How many such empty lofts or warehouses can exist on the route taken by the presidential car? Certainly no more than one or two. It would be an extraordinary coincidence if there were more. Then is it not a minimum requirement of security that such buildings should be specifically guarded for the 10 or 15 minutes that the cars

will ride by?

Yet we are told that Lee Oswald sat on an unoccupied warehouse floor, waiting for the fateful moment when President Kennedy's car would come into sight according to a bead he had drawn on a map. More than this, he had placed a box behind him so that he would be supported while taking aim, and a special support in front to keep his gun steady and the kick back to a minimum. Without such opportunity for calm, careful preparation, uninterrupted by the presence of any other person, could his aim have been so uncannily accurate, even if he had a record of good marksmanship as a marine? Fine?

Oswald had apparently entered the building, with his large gun in a box "holding curtain rods"—A frail enough excuse if any FBI or secret service man had been there to inspect it.

Had anyone been assigned to the empty loft and had found Oswald there with his gun, he would have been arrested, and we would have read a small item in the newspapers, such as we have seen on many other occasions: "Man with Gun Arrested near Presidential March."

Instead, we read the story of horror, a young, vital President, whose future bode more greatness than his past, blown to death in a few seconds. Was there carelessness? Could the tragedy have been averted? These are haunting questions which need answers.

The second large question is: Why was one with Oswald's record not removed in advance from the scene of the parade?

Another technique of security is the rounding up of known crackpots and keeping them away from the Presidential route during the half hour or few minutes which are critical. This does not mean that we can spot and detect every neurotic in a large city. But



there are a dozen or two agitators well known to every police department, who would best be out of sight of the President on such occasions. They need not be arrested, since even proclivity for wrongdoing is not a crime, but they are questioned; and if they intend to be on the street of the President's route, they are requested to attend to their business at some other place.

If they insist on being in the critical area at least they are tailed. Surely this is not too much precaution in view of the care taken, for example, of checking every manhole over which the Presidential car will pass to be certain there are no bombs.

Now, if one were to make a list of "characters" in any city who should be checked, and Lee Oswald was in that city, would he not be near the very top of that list?

Only a short while before the assassination, he had stood on street corners in New Orleans and handed out handbills in support of Fidel Castro. He had not shunned the spotlight. His Castro service had actually been televised, and the shot of his distribution of anti-American leaflets was well known. Any investigation would have shown that he had also written a threatening letter to Texas Gov. John Connally, also a victim of one of his shots into the Kennedy car, and had a gun with a sight on it.

Leaving aside present revelations of FBI discussion with Dallas police officers about him, was he not a natural suspect for at least removal from the scene? How could he have been permitted to wander about freely, winding up, of all places, in the safety of a warehouse loft, with a window directly on the President's path?

Whenever one suffers an injury from an accident, whether it be a twisted ankle from a bathtub fall or a broken limb from an automobile, the impulse is to wish that fateful moment could be lived over again so as to avoid the injury. Unfortunately, such moments cannot be recaptured. But we can learn a lesson from them to avoid future disasters.

Chief Justice Warren was prevailed upon to lend his great prestige, objectivity and thorough insight as chairman of the commission which will report on all phases of the assassination.

We can look forward with confidence to a complete, impartial report. The report of the crime will go down in history, establishing the facts of the incredible events. But history will also be made in the form of guidance for the future, when the answers are given to two particular questions:

Why was not a loft building put under surveillance?

Why was not Lee Oswald apprehended before the crime, to be questioned and trailed during the few minutes of the President's journey which never reached its destination?